

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

On behalf of Ainscough Strategic Land

August 2025

Turley

Contents

| | | |
|-----|---|----|
| 1. | Introduction | 1 |
| 2. | Draft Local Plan Introduction (Chapter 1) | 3 |
| 3. | Vision (Chapter 2) | 6 |
| 4. | Objectives (Chapter 3) | 7 |
| 5. | Sustainable Development (Chapter 4) | 9 |
| 6. | Spatial Strategy (Chapter 5) | 10 |
| 7. | Chester (Chapter 6) | 25 |
| 8. | Green Belt and countryside (Chapter 13) | 26 |
| 9. | Infrastructure and developer contributions (Chapter 15) | 27 |
| 10. | Housing (Chapter 19) | 29 |
| 11. | Health and Wellbeing (Chapter 21) | 31 |

Contact



Client

Ainscough Strategic Land

Our reference

03691

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1. Introduction

- 1.1 This representation to the Cheshire West and Chester (“CWAC”) Local Plan: Issues and Options (Regulation 18) Consultation (“the Reg 18 Consultation Draft Plan”) is made on behalf of Ainscough Strategic Land (“ASL”).
- 1.2 This document provides representations on those elements and policies of the Reg 18 Consultation Draft Plan that are of most relevance to ASL. Representations are provided in the following sections of this document, with reference to the most applicable Consultation Question from the Council’s survey for ease of reference.
- 1.3 They should be read alongside ASL’s site-specific representations relating to their land interests at:
- Land at Liverpool Road, Upton-by-Chester
 - Land at Sibbersfield Lane, Farndon
 - Land at Mastiff Lane, Malpas
 - Land off Pepper Street and Faulkners Lane, Christleton

ASL

- 1.4 ASL is a family-owned business, which strives to uphold its values of honesty, integrity and trust. ASL works hard to understand landowners’ aspirations for their land and what that may mean in terms of legacy. Working collaboratively with landowners and their agents, ASL promote land through the planning system.

Overview of Representations

- 1.5 ASL has made representations to previous rounds of consultation on the emerging CWAC Local Plan, including the Local Plan Conversation 2021 and associated Call for Sites exercise in September 2021.
- 1.6 The preparation and adoption of a new Local Plan for CWAC is critical to being able to deliver local housing and employment needs in a planned and sustainable manner, particularly in light of recent national planning reform and the current absence of a five-year housing land supply (“5YHLS”).
- 1.7 Since its election in July 2024, the Government has made clear that *“sustained economic growth is the only route to improving the prosperity of our country and the living standards of working people”*¹. It has stated that its *“central mission”* is to *“restore economic growth”* and it also aims to deliver the infrastructure that the country needs, *“including one and a half million homes over the next five years”*². The

¹ Proposed reforms to the National Planning Policy Framework and other changes to the planning system (MHCLG, August 2024)

² Speeches by the Chancellor, The Rt Hon Rachel Reeves MP, on 5/8 July 2024

Treasury has confirmed that: *“The government’s housing targets, coupled with investment in supporting infrastructure, will remove barriers to economic growth”*³. The revisions to the National Planning Policy Framework (“NPPF”) in December 2024 provide a policy framework to facilitate the Government’s commitments to economic growth and to tackle the housing crisis. Alongside publication of the revised NPPF in December 2024, a revised standard methodology for calculating Local Housing Need (“LHN”) was introduced to help ensure that the Government’s target of delivering 300,000 new homes per year can be achieved. The NPPF now makes clear that Local Plans should accommodate the minimum number of homes needed, as dictated by the LHN using the standard methodology

- 1.8 Whilst ASL welcomes the progression of the draft Local Plan, these representations raise a number of concerns about the approach currently being proposed by the Council and, as a result, the content of the draft Local Plan policies.
- 1.9 ASL hopes that these representations are helpful and will be taken into account in preparing the next stage of the CWAC Local Plan. ASL would welcome further dialogue with the Council about the content of the representations in due course.

³ 10 Year Infrastructure Strategy Working Paper – A Cross-Government Plan for Infrastructure, page 1 (HM Treasury, January 2025)

2. Draft Local Plan Introduction (Chapter 1)

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?*

- 2.1 The Reg 18 Consultation Draft Plan confirms that CWAC Council intend to prepare additional evidence to support the emerging Local Plan, including a Housing Needs Assessment, Green Belt Study, Infrastructure Delivery Plan, Strategic Viability Assessment and Land Availability Assessment.
- 2.2 The Council should ensure that all of their proposed policy requirements are fully justified and evidenced as the proposed evidence is likely to be necessary alongside other documents to justify the policy requirements in the emerging Local Plan.
- 2.3 It is essential that the evidence base that informs the emerging Local Plan reflects the latest national policy as set out in the NPPF and Planning Practice Guidance (“PPG”). In particular this includes ensuring that the proposed Green Belt Study aligns with the updated Green Belt PPG published in February 2025⁴, including consideration of grey belt opportunities.
- 2.4 In addition to the evidence already identified by CWAC, other evidence that should be produced or updated to ensure it reflects the latest context include:
 - Site Selection Paper
 - Places Background Paper 2024, which should be extended to consider all identified Local Service Centres (in addition to the urban areas and Key Service Centres) and the potential for these to be ‘moved up’ the settlement hierarchy.
 - Economic Needs Assessment 2025
 - Brownfield Land Register
 - Playing Pitch Strategy 2021
 - Public Open Space Assessment
 - Duty to Cooperate Statement
 - Updated Conservation Area Appraisals and Management Plans, for all Conservation Areas in CWAC (including Christleton)

⁴ MHCLG (February 2025) *Green Belt PPG*. Available: [Green Belt - GOV.UK](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/102422/green-belt-ppg-2025.pdf)

Monitoring

Question IN 2

Do you have any comments on what the monitoring framework should include?

- 2.5 The emerging Local Plan should have a clearly defined monitoring framework, which establishes key monitoring indicators for each relevant policy and defines how the objectives / targets established in the Local Plan are being met and, if not, why and what actions will be taken and when to address any issues. It should also confirm the associated data sources and means of reporting.
- 2.6 It is important that housing delivery is effectively monitored so that if annual monitoring shows delays to housing delivery across CWAC, action is taken to address this as soon as possible. The Council will need to monitor the delivery of housing and publish progress against a published Housing Trajectory, and housing monitoring should be undertaken on a site-by-site basis at least annually, in accordance with Paragraph 78 of the NPPF.

Plan Period

Question IN 3

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

- 2.7 The Reg 18 Consultation Draft Plan confirms that CWAC Council intends to plan for a period of 15 years.
- 2.8 Paragraph 22 of the NPPF states that strategic policies should look ahead over a minimum 15-year period from adoption and that where larger scale developments form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.
- 2.9 In order to ensure a robust approach to the emerging Local Plan, reflecting the likely timescales for preparation and accounting for a 15-year plan period post-adoption in line with the NPPF (paragraph 22), ASL considers that the Council should, as a minimum, be looking to prepare a new Local Plan that will look forward to at least 2045 to enable a 15-year plan period post-adoption. It is important to note in this regard that the adopted Local Plan applied a 20-year plan period. It may also be necessary for the Council to consider whether the scale of housing and employment need, and the strategic sites identified to meet this need, require the emerging Local Plan to extend over a longer period.

Neighbourhood Plans

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.

- 2.10 In accordance with paragraph 13 of the NPPF, *“neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies”*. Footnote 17 of the NPPF confirms that *“neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area”*. Similarly, as set out at paragraph 30 of the NPPF *“neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies”*. Furthermore, they must meet the ‘basic conditions’ set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) (as per paragraph 38 of the NPPF).
- 2.11 ASL recognises the value of neighbourhood planning in providing communities with an opportunity to shape a vision for their area. However, it is essential that the emerging Local Plan seeks to meet all housing (and employment) needs in CWAC by allocating sufficient land to accommodate these needs, and does not rely on any shortfall to be delivered by neighbourhood plans.
- 2.12 ASL disagrees with the Council’s assertion at paragraph 1.27 of the Reg 18 Consultation Draft Plan that much of the content of the existing neighbourhood plans across CWAC won’t be affected by the emerging Local Plan. Many of these neighbourhood plans make direct cross references to the policies of the adopted Local Plan (and previous iterations of the NPPF and PPG), which are, or will become, out-of-date. Therefore, once the emerging Local Plan has been adopted, it will be necessary for the respective neighbourhood forums to review and update their neighbourhood plans to ensure continued consistency with the strategic policies of the Local Plan. These neighbourhood plans should not attempt to overtly restrict development where it is needed to meet local needs and should be informed by an evidence base to support all proposed policies.
- 2.13 It may also be appropriate for neighbourhood plans to allocate small or medium-sized sites suitable for housing in their area (in addition to strategic allocations in the emerging Local Plan), consistent with paragraph 74 of the NPPF, to help support the delivery of a mix of residential opportunities and meet local needs.

3. Vision (Chapter 2)

V1 Vision

Question VI 1

Do you agree with the suggested approach towards the new Local Plan vision, as set out in [VI 1 'Vision'](#) above? If not please suggest how it could be amended?

- 3.1 In accordance with paragraph 15 of the NPPF, Local Plans should provide a positive vision for the future of each area. ASL considers that the emerging Local Plan should establish an ambitious yet realistic vision for the future of CWAC, explaining how the Council wishes to see the area grow and evolve up to the end of the Plan period. Central to the vision must be a commitment to meeting the current and future housing needs of the Borough, including market housing, family homes, affordable housing, homes for older people and homes for first-time buyers.
- 3.2 Reference to meeting housing needs is absent from the current draft vision and this should be amended.

Question VI 2

Should the vision include/establish a set of principles and priorities? Are these the right ones – do you have any other suggestions?

- 3.3 Subject to the inclusion of explicit reference to meeting housing (and employment) needs (see response to Question VI 1), ASL agrees that the key principles included in the proposed vision (i.e. tackling climate change, promoting wellbeing, providing infrastructure and protecting character) are necessary and show commitment to addressing key challenges facing CWAC.

Question VI 3

Do you agree with the approach of establishing concise visions for the key places identified in the new Local Plan? Or do you have an alternative suggestion?

- 3.4 Yes, ASL supports the proposed approach to establishing specific visions for key places within the Borough, subject to this aligning with the defined Spatial Strategy and Settlement Hierarchy, and being informed by the evidence base.

4. Objectives (Chapter 3)

OB1 Objectives

Question OB 1

Please select the option which is the most appropriate approach for the new Local Plan:

- (a) *Option A – Take forward current Local Plan objectives*
- (b) *Option B – Use the Sustainability Appraisal objectives*
- (c) *Neither of these*

- 4.2 ASL considers that whilst the Council may take inspiration from the objectives of the current Local Plan (i.e. Option A) and the Sustainability Appraisal (i.e. Option B), that it should prepare objectives specific to the emerging Local Plan, that address the issues and challenges that are current in CWAC and which seek to support the realisation of the vision. In particular, this includes ensuring there is sufficient land available to meet local housing (and employment) needs, with a suitable range of sites to accommodate a mix of tenures, including affordable homes.

Question OB 2

Do you have any alternative approaches options that you would like to suggest?

- 4.3 Please refer to response to Question OB 1.

Option A – Take forward the current Local Plan objectives

Question OB 3

Do you feel that the option of taking forward the current Local Plan objectives into the new Local Plan, as set out in [Option A 'Take forward the current Local Plan objectives'](#) above, is an appropriate approach?

- 4.4 Please refer to response to Question OB 1.

Question OB 4

Do you think that objectives SO1, SO3, SO9, SO10 need to be amended if they are to be taken forward into the new Local Plan? Do you have any suggestions for how they should be amended?

- 4.5 ASL agrees that these objectives should be reviewed to ensure consistency with the updated vision and spatial strategy set out in the emerging Local Plan, including ensuring the relevant settlements identified for growth are referenced.
- 4.6 In particular, objective SO10 should be reviewed to ensure consistency with the latest national guidance on Green Belt, as set out in the NPPF, including reference to grey belt land.

Option B – Use the Sustainability Appraisal objectives

Question OB 5

Do you feel that the option of using the Sustainability Appraisal objectives in the new Local Plan, as set out in [Option B 'Use the Sustainability Appraisal objectives'](#) above, is an appropriate approach?

4.7 Please refer to response to Question OB 1.

Question OB 6

If you do not feel this is an appropriate approach, are there any changes that you could suggest?

4.8 Please refer to response to Question OB 1.

5. Sustainable Development (Chapter 4)

SD 1 Sustainable Development

Question SD 1

Do you agree with the suggested policy approach towards sustainable development, as set out in [SD 1 'Sustainable development'](#) above? If not please suggest how it could be amended?

- 5.1 Overall, ASL supports the approach to ensuring all new development in the Borough is sustainable, in particular reflecting the importance of mitigating and adapting to climate change.

6. Spatial Strategy (Chapter 5)

SS 1 Housing Needs

Question SS 1

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

- 6.1 The Government published updated dwelling stock figures in May 2025 which means that CWAC's local housing need ("LHN") figure has actually increased to 1,928 dwellings per annum ("dpa"); an increase of 14 dpa, which equates to a total of 28,920 dwellings over a 15-year plan period and 38,560 dwellings over a 20-year plan period.
- 6.2 In accordance with the NPPF, the standard methodology for assessing local housing need in England and the July 2024 Written Ministerial Statement – "Building the Homes we need" – this is the minimum housing need figure that should be considered in preparing the emerging Local Plan. Furthermore, in line with paragraph 69 of the NPPF, the Council may also need to consider if it is appropriate to plan for a higher housing need figure than the standard method indicates to reflect growth ambitions linked to economic development or infrastructure investment.
- 6.3 To assist the Council in ensuring that the emerging Local Plan meets all of CWAC's housing needs, including in terms of the types and tenures of housing required across the Borough and maintaining an appropriate balance of development, it will be essential for appropriate evidence to be gathered. This should take the form of a local housing needs assessment (including affordable housing) and a viability assessment to determine what types of homes may be needed and can be delivered in CWAC – these documents should be made available for future consultation. Any affordable housing requirements should be clearly defined and evidenced, with flexibility provided within relevant policies where viability challenges exist.
- 6.4 The emerging Local Plan's policies should ensure the availability of a sufficient supply of deliverable and developable land to deliver CWAC's housing requirement. This sufficiency of housing land supply should ensure that the Council can meet the housing requirement, ensure the maintenance of a 5-year housing land supply and achieve the Housing Delivery Test. ASL also strongly recommends that the plan allocates more sites than required to meet the *minimum* housing requirement as a buffer. This buffer should be sufficient to deal with any under-delivery which is likely to occur from some sites and to provide flexibility and choice within the market. Such an approach would be consistent with the NPPF requirements for the emerging Local Plan to be positively prepared.

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?

- 6.5 At this stage of plan preparation and until the Spatial Strategy is confirmed (including the scale of individual site allocations), ASL does not consider that it will be necessary for the Council to plan for a stepped housing requirement. In order to be proactive and

avoid delaying housing delivery to late in the Local Plan period, the Council should be planning to meet, as a minimum, its annual housing requirement of 1,928 dwellings.

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?

- 6.6 The Council's proposed spatial strategy seeks to direct new development firstly towards previously developed sites within settlements, and then 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, existing services and infrastructure. The Council suggests that this may require the release of Green Belt land, depending on the settlement.
- 6.7 In order to ensure delivery of a sufficient number of homes to meet local housing needs, across all types and tenures, ASL considers that it will be necessary to facilitate development on land outside of existing settlements and therefore a level of Green Belt release will be required, particularly given the extent of Green Belt in CWAC which constrains the settlements in the north of the Borough. The Council suggests that the latest housing land monitoring data identifies undeveloped planning permissions for almost 6,000 homes and that there are sites on previously developed land without permission within the main urban areas and Key Service Centres with a potential capacity of just over 5,000 homes. This total of 11,000 homes is insufficient to meet the identified housing needs which total 28,920 dwellings over a 15-year plan period (17,920 dwelling deficit) and 38,560 dwellings over a 20-year plan period (27,560 dwelling deficit). The claimed supply of existing commitments and urban supply has also not been interrogated at this stage to ensure that it is deliverable. The NPPF (paragraph 146) is clear that the exceptional circumstances required for Green Belt release may include circumstances where a Local Authority cannot meet its identified housing need through other means. To support the Council in demonstrating exceptional circumstances, evidence must be produced to demonstrate the supply of sites within settlements and on brownfield land, building upon the existing housing land monitoring data as discussed above. The Council must ensure that this evidence is robust and has had due regard to deliverability and viability.
- 6.8 When considering the sustainability of locations for new development, the Council should not be constrained by existing Green Belt boundaries (i.e. a 'policy off' approach should be adopted). The presence of Green Belt across the north of the Borough, where a number of the existing major settlements are located (including Chester), should not restrict growth or influence consideration of the sustainability of new development. For instance, it may be a more sustainable option to locate new housing on sites adjacent to the urban area, within the Green Belt, than beyond Green Belt boundaries which may increase travel requirements.

- 6.9 Overall, it is clear that development beyond the existing settlement boundaries will be necessary to meet housing (and employment) needs. This will require Green Belt release in the north of the Borough, which should be informed by an up-to-date Green Belt Assessment (“GBA”). In accordance with the NPPF and Green Belt PPG, the GBA must include consideration of grey belt opportunities.
- 6.10 The Council should also ensure that they consider sites that could be made sustainable, or may contribute to improving the sustainability of an existing settlement, as well as sites that are currently considered sustainable as part of their Land Availability Assessment, as per NPPF paragraph 148.

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?

- 6.11 The emerging Local Plan should set out a logical and justified settlement hierarchy which meets all of CWAC’s housing needs and addresses all areas of the housing market, with a range of sites proposed for allocation.
- 6.12 The current spatial strategy in the adopted Local Plan distributes the majority of development to the larger settlements in the Borough of Chester, Ellesmere Port and Northwich. The Reg 18 Consultation Draft Plan proposes to add Winsford, Neston & Parkgate, and Frodsham to this list, alongside continued recognition of the important role of Key Service Centres (including Farndon and Malpas) and other Local Centres (including Christleton) which have a level of facilities and services to meet the needs of residents and surrounding areas. ASL supports the continued identification of Farndon and Malpas as a Key Service Centres, but considers that Christleton (currently a Local Service Centre) should be considered for elevation up the settlement hierarchy reflecting its proximity to Chester and overall sustainability.

Chester

- 6.13 Chester is designated as the principal settlement in the adopted CWAC Local Plan Part 1 (“LPP1”) Policies STRAT 2 (Strategic Development) and STRAT3 (Chester). LPP1 Policy STRAT 3 identifies Chester as the key economic driver for the Borough and the sub-regional centre for employment, shopping, leisure, culture, tourism and other facilities. Upton-by-Chester comprises part of the Chester settlement boundary.
- 6.14 Given its importance in the Borough and the wider North West, the City should continue to provide a strong focus for new development in the emerging Local Plan. The urban fringes of Chester (including Upton-by-Chester), have an important role to play in meeting the Borough’s future housing requirement.
- 6.15 On this basis, ASL supports Chester’s identification as the principal settlement within the settlement hierarchy presented in Policy SS 4 of the Reg 18 Consultation Draft Plan and the proposal to develop a place-based policy for the City.

Farndon

- 6.16 Farndon is designated as a 'Key Service Centre' in the adopted CWAC LPP1 Policies STRAT2 (Strategic Development) and STRAT8 (Rural Area). This designation recognises that Farndon is one of the *"most sustainable rural locations"*⁵ in the Borough. Key Service Centres are acknowledged in LPP1 Policy STRAT8 to *"provide a good range of facilities and services and will be the focus for new development in the rural area"*.
- 6.17 The Places Background Paper 2024⁶ identifies the availability of services and facilities in Farndon, which currently includes a village hall, library, Post Office, GP practice, pharmacy, primary school, churches, local shops, pubs and restaurants. However, it confirms there may be a need to expand convenience retail provision. It also acknowledges its ease of access to Holt (in Wales), where there is a further range of services and facilities, as well as its access to the Monument Farm business park located to the north of Farndon.
- 6.18 ASL supports the identification of Farndon as a Key Service Centre in the current Local Plan and recommends that it retains this designation in the new Local Plan. The proposed Settlement Hierarchy, set out in Policy SS 4 of the Reg 18 Consultation Draft Plan, recognises that Farndon provides *"a level of facilities and services that mean [it] can meet the day-to-day needs of [its] residents and those living in surrounding areas"*. ASL supports this conclusion.
- 6.19 The Farndon Neighbourhood Development Plan (March 2018) identifies that house prices in Farndon are higher than the Cheshire West and Chester average, and this is having serious implications for those who are looking to buy their first home⁷. It also identifies that there is a limited mix of housing to meet the needs of down-sizers and young people⁸. Delivering additional housing in Farndon is key to tackling these issues. Additional housing would provide greater choice in the local housing market, as well as delivering affordable homes.
- 6.20 Additional housing development would support the vitality of the settlement. It would provide a critical mass of population that would develop Farndon's commercial and retail offer. With a greater proportion of the population working from home, it is important that the service and facility offer in settlements such as Farndon grow to meet demand and to limit the amount of out commuting, therefore reducing contributions to climate change and creating sustainable patterns of development. Services and facilities will only be able to grow where there is a sufficient population to allow them to do so. The delivery of further housing development in the Key Service Centres such as Farndon is therefore key to this.

Malpas

- 6.21 Malpas is designated as a 'Key Service Centre' in the adopted CWAC LPP1 Policies STRAT2 (Strategic Development) and STRAT8 (Rural Area). This designation recognises that Malpas is one of the *"most sustainable rural locations"*⁹ in the Borough. Key

⁵ LPP1 Policy STRAT 8 (Rural Area)

⁶ [Places background paper - Farndon \(amended 2024\) - Keystone](#)

⁷ Farndon Neighbourhood Development Plan (March 2018), Page 27

⁸ Farndon Neighbourhood Development Plan (March 2018), Page 27

⁹ LPP1 Policy STRAT 8 (Rural Area)

Service Centres are acknowledged in LPP1 Policy STRAT8 to “provide a good range of facilities and services and will be the focus for new development in the rural area”.

- 6.22 The Places Background Paper 2024¹⁰ identifies the availability of services and facilities in Malpas, which currently includes a good range of shops, including convenience retail as well as food and drink options and services such as Post Office and doctors surgery. Malpas also has a primary school and fire station.
- 6.23 ASL supports the identification of Malpas as a Key Service Centre in the current Local Plan and recommends that it retains this designation in the new Local Plan. The proposed Settlement Hierarchy, set out in Policy SS 4 of the Reg 18 Consultation Draft Plan, recognises that Malpas provides “a level of facilities and services that mean [it] can meet the day-to-day needs of [its] residents and those living in surrounding areas”. ASL supports this conclusion.
- 6.24 Additional housing development would support the vitality of the settlement. It would provide a critical mass of population that would develop Malpas’s commercial and retail offer. With a greater proportion of the population working from home, it is important that the service and facility offer in settlements such as Malpas grow to meet demand and to limit the amount of out commuting, therefore reducing contributions to climate change and creating sustainable patterns of development. Services and facilities will only be able to grow where there is a sufficient population to allow them to do so. The delivery of further housing development in the Key Service Centres such as Malpas is therefore key to this.

Christleton

- 6.25 Christleton is identified as a Local Service Centre in the CWAC Local Plan Part 2 (“LPP2”) Policy R1 (Development in the rural area). This designation reflects the existing level of services within the settlement.
- 6.26 ASL considers that the emerging Local Plan should review the settlement hierarchy and give consideration to whether some of the smaller villages should be “moved up” the hierarchy in order to reflect changing patterns in where people are choosing to live.
- 6.27 Christleton is one of the villages that ASL considers could accommodate additional development and should be re-designated as a Key Service Centre in the emerging Local Plan.
- 6.28 The Places Background Paper 2024¹¹ provides evidence and information on the relative sustainability of settlements within CWAC and identifies the availability of services and facilities within those settlements. This focuses on the existing urban areas and Key Services Centres as identified in Local Plan Part One (“LPP1”). Whilst ASL does not object to this approach, it is considered that as part of preparing the emerging Local Plan, a reassessment of the Key Service Centres should contain wider selection criteria. In particular, those settlements which may be accessible to a range of services and facilities within other settlements, and those which are accessible to main centres of

¹⁰ [Places background paper - Malpas \(amended 2024\) - Keystone](#)

¹¹ [Cheshire West and Chester Council - Places background paper](#)

population, should be designated as Key Service Centres, as they have the capacity to accommodate additional development in locations that are sustainable.

- 6.29 Christleton is considered to be one such settlement. It is located on the edge of Chester and has excellent accessibility not only to Chester City Centre, but to facilities and services in the Chester suburbs located in close proximity.
- 6.30 As people are choosing to move out of the large centres to more rural and semi-rural locations, they should be encouraged to move to settlements where there is good accessibility to the larger centres. This not only assists in maintaining the vitality of the settlement itself, but also assists in maintaining the vitality of the larger centres. In the case of Christleton, given its close proximity to Chester and its accessibility to Chester City Centre by public transport, it is considered that it is an ideal location to continue to support the vitality of Chester. Its excellent accessibility to Chester would provide the opportunity for residents of Christleton to access the services and facilities in Chester by sustainable modes of transport.
- 6.31 ASL therefore considers that Christleton should be re-designated as a Key Service Centre in the emerging Local Plan to reflect this, and housing growth directed to the settlement as a result.

Question SS 6

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

- 6.32 ASL acknowledges that the identified urban areas (including Chester) are the key drivers for the Borough's economy and are the main centres for shopping and leisure, and therefore should be the main focus for development. However, there is also a need to deliver proportionate levels of growth in the smaller settlements in the Borough, including the identified Key Service Centres (such as Farndon and Malpas) and Local Service Centres (such as Christleton).
- 6.33 The NPPF states that housing should be located where it will enhance or maintain the vitality of rural communities and requires planning policies to identify opportunities for villages to grow and thrive, especially where this would support local services, not just in the host settlement, but also in nearby villages. There are a number of settlements within the Borough that the existing evidence base (Places Background Paper 2024) acknowledges to contain a wide range of services and facilities, and which also serve a wider rural hinterland. These are designated in the adopted Local Plan as Key Service Centres.
- 6.34 The spatial strategy in the adopted Local Plan only distributes a limited number of homes to these settlements. ASL considers that the emerging Local Plan should significantly increase the amount of dwellings designated to the Key Service Centres, in a proportionate manner which reflects the increased housing requirement across the Borough as a whole. This would help to support the ongoing vitality of settlements within the Borough and provide a critical mass of population to maintain and grow the service offer in these settlements.

- 6.35 In addition, there are some settlements that, due to their location on the edge of a larger settlement, will become increasingly popular places to live due to the benefits that they have of providing access to the countryside, but also being highly accessible to the main centres within the Borough – this includes locations such as Upton-by-Chester and Christleton which are located in close proximity to Chester. Additional development within these settlements provides the opportunity to respond to the changing locational demands of a large proportion of the population in a way which will create sustainable patterns of development. Consideration should be given as to whether these settlements should be “moved-up” the settlement hierarchy in the emerging Local Plan and re-designated as a Key or Local Service Centres, with the level of housing development distributed to the settlements increased accordingly.

Question SS 7

Do you think the new Local Plan should contain place-based policies for smaller settlements such as: Cuddington and Sandiway; Farndon; Helsby; Kelsall; Malpas; Tarporley; Tattenhall; and Tarvin?

- 6.36 Yes. ASL supports the inclusion of place-based policies for smaller settlements, including the Key Service Centres such as Farndon and Malpas. However, this should also extend to all settlements which are proposed to accommodate further development as part of the Local Plan, including Local Centres such as Christleton.

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?

- 6.37 Existing levels of service or infrastructure provision should not be a constraint to the expansion of settlements or their ability to accommodate growth. Where the housing needs assessment demonstrates there is a need or market for growth in these settlements, sites should be allocated for development and the proposed infrastructure strategy (to be prepared as part of the emerging Local Plan) should set out what new services or infrastructure would be required to support such growth. Policies relating to new development in these areas should clearly define expectations as to how each site should contribute to new services or infrastructure provision.

SS 5 Spatial Strategy Options

Question SS 9

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

- 6.38 Yes. There have been significant changes since adoption of the current Local Plan that would now justify Green Belt release; including planning reforms and updated national policy. This has been recognised by the Council in their decision to prepare a new Local Plan, as set out in the January 2025 Report to Cabinet¹².
- 6.39 As set out in ASL’s response to Question SS 1, CWAC’s housing need, as defined by the standard methodology, requires a minimum of 1,928 dwellings per annum to be

¹² [Report to Cabinet - Local Plan Post NPPF Changes Jan 25.pdf](#)

delivered, which equates to a total of 28,920 dwellings over a 15-year plan period or 38,560 dwellings over a 20-year plan period.

- 6.40 The Council suggests that the latest housing land monitoring data identifies undeveloped planning permissions for almost 6,000 homes and that there are sites on previously developed land without permission within the main urban areas and Key Service Centres with a potential capacity of just over 5,000 homes – a total of 11,000 homes. Therefore, there are not enough homes within the urban area to accommodate the minimum requirement over a 15-year (or 20-year) plan period, and therefore this must be accommodated outside of the settlement boundary, on land within the countryside or the Green Belt. Green Belt covers almost half of the Borough and presents a significant constraint to the growth of settlements within the northern part of the Borough. Reflecting the extent of housing and employment need to be accommodated will require a detailed appraisal of the contribution that land surrounding sustainable settlements makes to the purposes of including land in the Green Belt, including identifying grey belt land in accordance with the February 2025 PPG.
- 6.41 The NPPF (paragraph 146) is clear that the exceptional circumstances required for Green Belt release may include circumstances where a Local Authority cannot meet its identified housing need through other means.

Question SS 10

Are there any other considerations that we should take account of in relation to future Green Belt policy?

- 6.42 Yes. As referred to throughout these representations, national policy relating to Green Belt has been refined and updated within the revised NPPF (December 2024) and updated Green Belt PPG (February 2025). In particular, the principle of ‘grey belt’ has been introduced (as defined in the NPPF Glossary). Paragraph 148 of the NPPF confirms that *“where it is necessary to release Green Belt land for development, plans should give priority to previously developed land, then consider grey belt which is not previously developed, and then other Green Belt locations”*. On this basis, the emerging Local Plan must have full regard to the latest NPPF policy on Green Belt and the evidence base must include an assessment of whether land parcels within the Green Belt meet the definition of ‘grey belt’.
- 6.43 The Council should also consider the potential requirement for and benefits of identifying safeguarded land in order to meet longer-term development needs beyond the Local Plan period, as per NPPF paragraph 149.

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*

6.44 The Reg 18 Consultation Draft Plan sets out three Spatial Strategy Options, all of which the Council suggests are capable of accommodating at least 29,000 dwellings, which in theory would meet the minimum housing needs over a 15-year plan period in accordance with the standard method – however, further evidence will be required to demonstrate this is achievable.

6.45 ASL's view on each option is as follows:

- **Option A:** ASL considers that an approach which does not include a level of Green Belt release is unlikely to be appropriate, as this would be unlikely to meet the local housing needs across the Borough, and could lead to an unsustainable spatial strategy. Assuming that, as proposed, c.16,000 homes would be delivered around Northwich and Winsford, there would be a requirement for a further c.12,920 dwellings in other parts of the Borough. ASL does not consider that this would be a sustainable spatial strategy and there is a lack of evidence presented to confirm whether Northwich and Winsford could accommodate the scale of development proposed. On this basis, this option is not supported.
- **Option B:** ASL considers that Option B is the most appropriate of the three options presented, proposing growth in all existing urban centres and Key Service Centres reflecting their role within their settlement hierarchy and range of services and facilities on offer. These are the most sustainable settlements in the Borough and already benefit from a range of services and facilities to support residential populations. Maintaining the distribution of growth across the Borough would help to continue the positive approach to new development within these settlements which has been delivered by the adopted Local Plan. This option would also enable growth to be accommodated where it is shown to be needed, regardless of existing policy or Green Belt constraints – for example the emerging evidence base is likely to identify housing needs in Chester (and other Green Belt constrained settlements), which wouldn't be met by the allocation of land for housing in Winsford or other settlements.
- **Option C:** In this option, the majority of growth would be directed to settlements with a train station or on main bus route corridors. ASL does not consider this to be an appropriate strategy as the presence of a public transport connection alone is not a definitive proxy for sustainability – consideration of a full range of services, including retail, community and education provision, as well as employment opportunities, should also be taken into account. The majority of the Borough's existing Key Service Centres, recognised for their sustainability and providing services and facilities to support their surrounding population, do not have train stations and therefore should not be overlooked for growth.

6.46 For the reasons set out above, ASL considers that the most appropriate spatial strategy for CWAC is Option B, which reflects that the distribution of development will be informed by the relative sustainability of the settlement with a proportionate level of new housing (and employment) growth located within each.

Question SS 12

Do you have any alternative spatial strategy options that you would like to suggest?

6.47 N/A

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?

6.48 Yes, residential development should be supported in all settlements to enable sustainable development and growth, meeting all local housing needs.

6.49 Alongside the urban centres and Key Services Centres referenced in the Reg 18 Consultation Draft Plan, the emerging Local Plan should also consider how housing growth could be accommodated within the Local Service Centres identified in LPP2 Policy R1 (Development in the rural area), including Christleton. These settlements provide a range of services and facilities to support their communities, which could be enhanced and improved by expanding the population. New development, particularly that which attracts younger residents, can play a significant role in maintaining the viability of smaller, rural settlements.

Option A – Retain the Green Belt

Question SS 14

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

6.50 No. Please refer to response to Question SS 11.

Question SS 15

If you do not feel that Option A is an appropriate spatial strategy option, are there any changes that you could suggest?

6.51 Please refer to response to Question SS 11.

Option B – Follow current Local Plan level and distribution of development

Question SS 16

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

6.52 Yes. As set out in our response to Question SS 11, ASL considers that Option B is the most appropriate of the three options presented, proposing growth in all existing urban centres and Key Service Centres reflecting their role within the settlement hierarchy and range of services and facilities on offer. These are the most sustainable settlements in the Borough and already benefit from a range of services and facilities to support residential populations. Maintaining the distribution of growth across the Borough would help to continue the positive approach to new development within these settlements which has been delivered by the adopted Local Plan. This option would also enable growth to be accommodated where it is shown to be needed, regardless of existing policy or Green Belt constraints – for example the emerging

evidence base is likely to identify housing needs in Chester (and other Green Belt constrained settlements), which wouldn't be met by the allocation of land for housing in Winsford or other settlements.

Question SS 17

If you do not feel that Option B is an appropriate spatial strategy option, are there any changes that you could suggest?

- 6.53 Please refer to response to Question SS 11.

Option C – Sustainable transport corridors

Question SS 18

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

- 6.54 No. Please refer to response to Question SS 11.

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?

- 6.55 Please refer to response to Question SS 11.

Potential growth areas

Question SS 20

Do you think that the potential 'showstopper' constraints identified above, are correct or are there any others that we should consider?

- 6.56 The Council's proposed 'showstopper' constraints are not considered to be appropriate or reasonable.
- 6.57 ASL considers that many of these matters are not fundamentally prohibitive to development and should not therefore be used as a means of restricting sites from consideration in the Local Plan process. It is entirely appropriate and feasible for the Council to reconsider existing local policy designations, such as Local Green Spaces, Key Settlement Gaps, Strategic Open Space and Areas of Special County Value, subject to appropriate assessments and evidence being produced, to enable land to be proposed for development. In respect of Key Settlement Gaps, ASL recommends that the Council keeps these areas under review as it considers its housing need and the sustainability of locations suitable for development. It may be that the provision of good quality sustainably located housing is most appropriate in these locations. ASL does not consider that the separation of these settlements should necessarily override the provision of housing where it is needed and where it can be sustainably located.
- 6.58 Furthermore, matters such as designated heritage assets, designated habitat sites, SSSIs, irreplaceable habitats and flood risk are not explicitly prohibitive to new development occurring and can be appropriately mitigated, managed or accommodated into new development as appropriate.

- 6.59 ASL is keen that the Council produces a Local Plan which can deliver against its housing requirement. To do this it is important that a strategy is put in place which provides a sufficient range of allocated sites to provide enough outlets to enable delivery to be maintained at the required levels throughout the Local Plan period.

Question SS 21

What information should we take into account when assessing sites for allocation in the new Local Plan?

- 6.60 As per the response to Question IN1, the Council should ensure that all of the proposed policy requirements are fully justified and evidenced as the proposed evidence is likely to be necessary alongside other documents to justify the policy requirements in the emerging Local Plan. Key evidence base documents should include a detailed assessment of land availability within the existing urban area, alongside Housing Needs Assessment, Green Belt Study, Infrastructure Delivery Plan and Strategic Viability Assessment.
- 6.61 Site specific evidence bases should consider the potential capacity of the site, its accessibility to local services by sustainable travel modes and the contribution the site would make to the formation of suitable/defensible Green Belt (where relevant) and settlement boundaries. It should also consider the deliverability of the site, prioritising those sites which are not subject to any constraints and can therefore deliver residential development in the short term to address the existing shortfall.

Chester growth options

Question SS 23

Which of the identified potential growth areas around Chester do you consider to be the most suitable?

- 6.62 To accommodate the scale of new development required to meet the identified housing and employment needs in CWAC, and in the city of Chester specifically (as the largest settlement), it is likely that more than one of the identified Potential Growth Areas around Chester will be required to be allocated within the emerging Local Plan.
- 6.63 The adopted housing requirement for CWAC is 22,000 net additional dwellings over the plan period of 2010-2030¹³. The spatial strategy apportions a requirement for at least 5,200 net additional dwellings over the plan period (2010-2030) to Chester¹⁴. This represents 24% of the Borough housing requirement. The CWAC Annual Monitoring Report 2024¹⁵ confirms that 4,944 dwellings were delivered in Chester between 2010 and 2024, representing 95% of the identified housing requirement for the settlement – this means that 256 dwellings remain to be delivered by 2030.
- 6.64 The Reg 18 Consultation Draft Plan sets out three Spatial Strategy Options, all of which propose housing growth within Chester. As set out in our response to Question SS 11, ASL consider that Options A and C are not sustainable and therefore Option B is the

¹³ Policy STRAT 2, CWAC Local Plan (Part One)

¹⁴ Policy STRAT 3, CWAC Local Plan (Part One)

¹⁵ [Annual Monitoring Report 2024.pdf](#)

most appropriate spatial strategy. If Spatial Strategy Option B is adopted, and the adopted Local Plan spatial strategy is maintained and, therefore, that the same proportion (24%) is applied to the new local housing need figure derived using the updated standard method over an assumed 15-year plan period (i.e. 28,920 dwellings), this would indicate a 'requirement' for **6,941 dwellings** in Chester. If a 20-year plan period is progressed (as with the current Local Plan), the Borough's housing need figure would increase to 38,560 dwellings, which would indicate a 'requirement' for **9,252 dwellings** in Chester.

- 6.65 ASL supports the identification of Potential Growth Area CH01, which is identified as a location for mixed housing and community uses in Spatial Strategy Option B. The majority of Potential Growth Area CH01 comprises ASL's land interests at Liverpool Road, Upton-by-Chester.
- 6.66 As set out in detail in ASL's site-specific representations, land at Liverpool Road is considered to be a highly sustainable location for growth, which currently makes limited contribution to the purposes of including land within the Green Belt, as has been previously accepted by the Council in the existing Green Belt Assessment (2013). The site meets the definition of grey belt land, making little contribution to the Green Belt and being surrounded by existing built form. The site is sustainably located and is not subject to any other constraints (aside from the Green Belt policy designation) which would restrict development. The site is suitable, available and achievable and the Councils' own Land Availability Assessment demonstrates that it would be capable of delivering c.360 dwellings which would make a significant contribution to meeting housing needs in Chester – ASL consider that the site could accommodate this quantum of development as a minimum and likely to be greater.

Question SS 25

Are there any constraints, including infrastructure provision, that should be considered for Chester when developing the new Local Plan?

- 6.67 As set out earlier in these representations, it is essential that the Council prepares evidence to identify the existing levels of infrastructure in CWAC and to consider the potential additional infrastructure requirements needed to support the level of growth proposed to meet local housing and employment needs.

Farndon growth options

Question SS 38

Which of the identified potential growth areas around Farndon do you consider to be the most suitable?

- 6.68 To accommodate the scale of new development required to meet the identified housing and employment needs in CWAC, it is likely that more than one of the identified Potential Growth Areas around Farndon will be required to be allocated within the emerging Local Plan.

- 6.69 The adopted housing requirement for CWAC is 22,000 net additional dwellings over the plan period of 2010-2030¹⁶. The spatial strategy apportions a requirement for at least 200 net additional dwellings over the plan period (2010-2030) to Farndon¹⁷. This represents 0.9% of the Borough housing requirement. The CWAC Annual Monitoring Report 2024¹⁸ confirms that 253 dwellings were delivered in Farndon between 2010 and 2024, representing 126.5% of the identified housing requirement for the settlement.
- 6.70 The Reg 18 Consultation Draft Plan sets out three Spatial Strategy Options, all of which propose housing growth within Farndon. As set out in our response to Question SS 11, ASL consider that Options A and C are not sustainable and therefore Option B is the most appropriate spatial strategy.
- 6.71 Considering the scale of new development required to meet the identified housing needs in CWAC, it is likely that Farndon will need to accommodate growth and is a sustainable location for such growth. On this basis, site(s) within Farndon should be allocated within the emerging Local Plan to provide opportunities to accommodate the need for new residential development.
- 6.72 ASL supports the identification of Potential Growth Area FAR02, which is identified as a location for housing uses in all three Spatial Strategy Options. FAR02 almost wholly aligns with the boundaries of ASL's land interests relating to land at Sibbersfield Lane, Farndon. Therefore ASL is fully supportive of this Potential Growth Area – it would represent a sustainable and logical extension of the settlement, benefiting from strong connectivity to the highway and public right of way networks, in close proximity to existing services.
- 6.73 As set out in detail in ASL's separate site-specific representations, land at Sibbersfield Road, Farndon is a highly sustainable location for growth, which would make a logical extension of the settlement. The site is deliverable and available now, with pre-application engagement underway and ASL intending to submit an application for outline planning permission by the end of 2025, such that the site will contribute to meeting housing needs in the short-term.

Question SS 40

Are there any constraints, including infrastructure provision, that should be considered for Farndon when developing the new Local Plan?

- 6.74 The Places Background Paper 2024 identifies the availability of services and facilities in Farndon, which currently includes a village hall, library, Post Office, GP practice, pharmacy, primary school, churches, local shops, pubs and restaurants. The viability of existing service and infrastructure provision in the settlement would be enhanced by accommodating new housing growth, which could be delivered alongside infrastructure enhancements as identified by the Infrastructure Delivery Strategy to be prepared as part of the evidence base.

¹⁶ Policy STRAT 2, CWAC Local Plan (Part One)

¹⁷ Policy STRAT 8, CWAC Local Plan (Part One)

¹⁸ [Annual Monitoring Report 2024.pdf](#)

Malpas growth options

Question SS 50

Which of the identified potential growth areas around Malpas do you consider to be the most suitable?

- 6.75 To accommodate the scale of new development required to meet the identified housing and employment needs in CWAC, it is likely that more than one of the identified Potential Growth Areas around Malpas will be required to be allocated within the emerging Local Plan.
- 6.76 The adopted housing requirement for CWAC is 22,000 net additional dwellings over the plan period of 2010-2030¹⁹. The spatial strategy apportions a requirement for at least 200 net additional dwellings over the plan period (2010-2030) to Malpas²⁰. This represents 0.9% of the Borough housing requirement. The CWAC Annual Monitoring Report 2024²¹ confirms that 375 dwellings were delivered in Malpas between 2010 and 2024, representing 187.5% of the identified housing requirement for the settlement.
- 6.77 The Reg 18 Consultation Draft Plan sets out three Spatial Strategy Options, all of which propose housing growth within Malpas. As set out in our response to Question SS 11, ASL consider that Options A and C are not sustainable and therefore Option B is the most appropriate spatial strategy.
- 6.78 Considering the scale of new development required to meet the identified housing needs in CWAC, it is likely that Malpas will need to accommodate growth and is a sustainable location for such growth. On this basis, site(s) within Malpas should be allocated within the emerging Local Plan to provide opportunities to accommodate the need for new residential development.
- 6.79 ASL supports the identification of Potential Growth Area MAL03, which is identified as a location for housing uses in all three Spatial Strategy Options. MAL03 includes land at Mastiff Lane, which ASL are promoting. Therefore, ASL is fully supportive of this Potential Growth Area – it would represent a sustainable and logical extension of the settlement, benefiting from strong connectivity to the highway and public right of way networks, in close proximity to existing services. As set out in detail in ASL’s separate site-specific representations, land at Mastiff Lane is a highly sustainable location for growth, which would make a logical extension of the settlement.

¹⁹ Policy STRAT 2, CWAC Local Plan (Part One)

²⁰ Policy STRAT 8, CWAC Local Plan (Part One)

²¹ [Annual Monitoring Report 2024.pdf](#)

7. Chester (Chapter 6)

CH 1 Chester

Question CH 1

Do you agree with the suggested policy approach towards Chester, as set out in [CH 1 'Chester'](#) above? If not please suggest how it could be amended?

- 7.1 ASL supports the recognition in Reg 18 Consultation Draft Plan Policy CH 1 in respect of *“increasing opportunities for people to live in the heart of the city through the right mix of housing and creating high quality places”* and *“Chester’s strength as a compact, connected centre surrounded by accessible neighbourhoods”*. Chester is a highly sustainable settlement which is attractive to its existing and prospective residents and should therefore accommodate a significant proportion of the identified housing needs for CWAC.
- 7.2 Please refer to our response to Question SS 23 for further justification for housing growth in Chester.

Questions CH 2

Do you have any comments on the suggested allocations/sites, set out above?

- 7.3 Land at Liverpool Road, Upton-by-Chester, which comprises a significant proportion of Potential Growth Area CH01, should be identified as an allocation within the emerging Local Plan to accommodate housing needs. Detailed site-specific representations, setting out the case for allocation, are submitted separately.
- 7.4 Please refer to our response to Question SS 23 for further justification for housing growth in Chester.

8. Green Belt and countryside (Chapter 13)

GB 1 Green Belt and countryside

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.

- 8.1 The new Local Plan must reflect the latest national policy context with respect to Green Belt, as set out in the revised NPPF (December 2024) and updated Green Belt PPG (February 2025). This includes the introduction of grey belt land and the role this has to play in delivering housing (and employment) growth. The policy should also have due regard to the emerging Green Belt review evidence (once completed). The Council should consult on its proposed methodology and approach for the Green Belt Assessment as soon as possible and prior to the work being undertaken.
- 8.2 The countryside boundaries will need to be amended to reflect the spatial strategy, revised settlement boundaries and site allocations to meet housing (and employment) needs as identified in the emerging Local Plan.

9. Infrastructure and developer contributions (Chapter 15)

ID 1 Infrastructure and developer contributions

Question ID 1

Do you agree with the suggested policy approach towards infrastructure and developer contributions, as set out above in [ID 1 'Infrastructure and developer contributions'](#)? If not please suggest how it could be amended.

- 9.1 Paragraph 35 of the NPPF makes clear that Local Plans should set out the contributions expected from development and that such policies should not undermine the deliverability of the Local Plan. To ensure it is deliverable, the emerging Local Plan should be supported by a Viability Appraisal which demonstrates that the infrastructure needed to support the amount of new development proposed is viable. It will also be important to ensure that any increase in viability pressures do not place too high a burden on developer contributions which may serve to undermine the deliverability of the emerging Local Plan policies and the associated Infrastructure Development Plan (IDP) (once produced).
- 9.2 Development can only be required to mitigate its own impact and cannot be required to address existing deficiencies in infrastructure or services. It is therefore essential for the IDP to clearly show the existing and known deficiencies in current infrastructure provision, before reaching any conclusion on the cumulative effects of new development, and any contribution that is needed from new development to mitigate any additional individual and/or cumulative impacts.

Question ID 2

Should developer contributions only apply to major developments? How should 'major development' be defined?

- 9.3 No. All development should contribute to infrastructure provision required to enable its delivery, in a proportionate way (subject to viability). All infrastructure contributions must be compliant with the Community Infrastructure Levy Regulations 2010 and the policy 'tests' for obligations set put under Regulation 122.
- 9.4 Major development should be defined in accordance with the definition established in the NPPF (Glossary) to ensure consistency with other policy requirements: *"For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015"*.

Question ID 3

Do you agree that developers/operators should pay the full cost of infrastructure required to deliver their sites?

- 9.5 The funding of infrastructure requirements should be determined on a case-by-case basis, informed by the Local Plan IDP (once prepared), reflecting the scale of development which would benefit from that investment. Where infrastructure is required to support multiple sites, possibly delivered in phases, with different developers/applicants, this should be shared by all parties. Similarly, infrastructure delivered by development may also have wider benefits associated with Council / others strategic priorities, which could benefit from funding streams available to the Council / others but not the developer / applicant.

10. Housing (Chapter 19)

HO 1 Mix and type of housing in new developments and specialist housing

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?

- 10.1 ASL is supportive of the approach to providing a range and choice of homes to meet the needs of the local area which is informed by up-to-date evidence, and agrees that the emerging Local Plan should encourage a mix of house types, sizes and tenures to be delivered, helping to ensure choice for homebuyers.
- 10.2 However, any policy must be capable of being applied flexibly and should not be overly prescriptive, in order to prevent housing delivery from being compromised or stalled. Allowance should be made for changes in market demand over time and in local areas. Any housing mix policy should also allow regard to be had to the scale of the site, not being rigidly prescriptive in the mix provided if this is not the most suitable approach allowing for site constraints and having regard to the potential impact of housing mix on viability.
- 10.3 The Council suggests that, if justified by evidence, a new policy will be brought in to require compliance with Nationally Described Space Standards (“NDSS”). UK Government has made clear that the NDSS are intended to be optional and should only be introduced where there is a clear need for them and they retain development viability. The evidence required to justify NDSS policies is set out within Planning Practice Guidance, which includes evidencing need, viability and timing. ASL will provide further comment once the necessary evidence is made available for consultation.

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?

- 10.4 No. As per response to Question HO 2, a percentage policy approach is considered to be overly restrictive, failing to allow for changes in market conditions which may occur in different parts of the Borough and / or over the lifetime of the Local Plan, and site specific considerations.

HO 2 Delivering affordable housing

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?

- 10.5 The Council proposes to set out the percentage of affordable housing required across the Borough including potentially by sub-area, which will reflect the Government's requirement for housing sites in the Green Belt to provide at least 50% affordable housing. The proposed policy also suggests that affordable housing will be required on all sites of 10 or more dwellings but in designated rural areas it will be three or more dwellings.
- 10.6 ASL considers that it is appropriate for the Council to plan for the affordable needs of its community, and to ensure that it does this in line with the requirements of paragraph 35 and 64-66 of the NPPF. This should ensure that any affordable housing requirements are clearly set out, are evidenced as viable through a Viability Appraisal, and that flexibility is provided within the policy where viability may be an issue.

HO 3 Proposals for residential development

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?

- 10.7 Existing Local Plan (Part Two) Policy DM19 relates to proposals for residential development on land not allocated for development, including those within identified settlements, the countryside and the Green Belt. This policy should be reviewed to ensure it aligns with the latest NPPF, including paragraphs 82-84 (albeit recognising this relates to 'isolated' dwellings in the Countryside, whereas Policy DM19 currently covers 'all' dwellings).

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?

- 10.8 Refer to response to Question HO 6 in respect of Policy DM 19.

11. Health and Wellbeing (Chapter 21)

HW 1 Health and Wellbeing

Question HW 1

Do you agree with the suggested policy approach towards health and wellbeing, as set out in [HW 1 'Health and wellbeing'](#) above? If not, please suggest how it could be amended?

- 11.1 ASL does not object to the approach towards health and wellbeing set out in Reg 18 Consultation Draft Plan Policy HW 1. ASL supports the need to consider the impact of new development on health and wellbeing. This should be achieved through the preparation of the emerging Local Plan itself, with the policies collectively seeking to maximise health benefits and limiting any negative impacts from the level and location of development proposed.

Question HW 2

Do you have any thoughts on the threshold of the health impact assessment requirement?

- 11.2 The PPG sets out that Health Impact Assessments (“HIA”) are *“a useful tool to use where there are expected to be significant impacts”*²², but it also outlines the importance of the Local Plan in considering the wider health issues in an area and ensuring policies respond to these.
- 11.3 As such Local Plans should already have considered the impact of development on the health and well-being of their communities and set out policies to address any concerns. Consequently, where a development is in line with policies in the Local Plan a HIA should not be necessary. Only where there is a departure from the Local Plan should the Council consider requiring a HIA.
- 11.4 In addition, ASL considers that any requirement for a HIA should be based on a proportionate level of detail in relation to the scale and type of development proposed. Only if a significant adverse impact on health and wellbeing is identified should a HIA be required, and it should set out measures to substantially mitigate the impact.

²² MHCLG (August 2022) Healthy and safe communities PPG, Paragraph 005, Reference ID: 53-005-20190722. Available: [Healthy and safe communities - GOV.UK](#)

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