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Carden Group Representations:

Cheshire West and Chester

Issues and Options Consultation (Regulation 18)

August 2025

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Land off Utkinton and Forest Road, Tarporley

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# Contents

1 Introduction.....	3
2 Plan Period and Neighbourhood Plans (Questions IN3-IN6).....	4
3 Vision (Questions VI2-VI3).....	7
4 Objectives (Questions OBI-OB5).....	9
5 Spatial Strategy (Questions SSI-SS57).....	11
6 Green Belt and countryside (Questions GB1-GB2).....	23
7 Housing (Question HO2).....	25
8 Landscape (Questions LA4 and LA5).....	26
9 Green infrastructure, biodiversity and geodiversity (Questions GI1 and GI3).....	27
10 Land off Utkinton and Forest Road, Tarporley.....	29
11 Summary.....	32
Appendix I: CWaC Proposed/ Potential Spatial Distribution Table.....	33

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# I Introduction

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1. These representations have been prepared by the Carden Group, in respect of the current 'Issues and Options' (Regulation 18) consultation as part of the new Cheshire West and Chester (CWaC) Local Plan.
2. We are a strategic land company that is committed to working closely with councils to create high-quality homes that enhance local communities, prioritising thoughtful design, sustainability, and long-term value that residents can take pride in.
3. In partnership with the landowner, we are currently promoting land off Utkinton and Forest Road in Tarporley. Part of this site has been identified as a potential growth option in the consultation document under the reference TARP05. The entire site has been registered and assessed in both the 2024 and 2025 Land Availability Assessment (LAA) Stage One, under site reference 1718 which concluded that the site is suitable and has residential potential. Further details regarding the site are provided in Chapter 10 of this document.

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## 2 Plan Period and Neighbourhood Plans (Questions IN3-IN6)

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

4. The length of the Local Plan period is critical. While the Council proposes a 15-year plan period, in accordance with paragraph 22 of the NPPF, this must be measured from the anticipated date of adoption, not from the plan's base year. Given that adoption is unlikely before late 2027, or potentially early 2028, the plan period should extend to at least 2043 as a minimum.
5. Furthermore, paragraph 22 of the NPPF states:

*“Where larger scale developments such as new settlements or significant extensions to existing villages and towns 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.”*
6. This is particularly applicable to the emerging CWaC Local Plan, which includes several significant strategic growth locations. For example:
  - CH02: Chester East- Piper's Ash, with an estimated capacity of 4,316 dwellings, and
  - EP02: Ellesmere Port South, with an estimated capacity of 5,517 dwellings, and
  - WIN05: Winsford West- Hebden Green, with an estimated capacity of 6,376 dwellings.
7. According to Lichfields' Start to Finish (2024) report, large-scale sites of over 2,000 homes typically deliver an average of 150 dwellings per year. Even assuming two major housebuilders operate concurrently, potentially doubling delivery to 300 dwellings per year, the build-out period for some of these larger sites would still extend to over 20 years, particularly when accounting for a typical six-year lead-in time before the first completions, as also noted by Lichfields. This highlights the long-term nature of strategic site delivery and reinforces the need for a sufficiently long plan period.
8. In summary, to ensure the Local Plan provides at least 15 years of housing supply from the point of adoption, the Council should, as a minimum, plan for an 18-year period between 2025 to 2043. However, given the likely inclusion of several strategic sites, many of which will continue delivering housing well beyond 20 years, a 30-year plan

period (2025 to 2055) represents a more robust and appropriate approach. Extending the plan horizon allows for realistic, phased development of strategic sites, facilitates coordinated infrastructure planning, and helps maintain the relevance and deliverability of the Local Plan over the long term. This approach reduces the risk of policy gaps or early obsolescence.

***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.***

9. We strongly believe that strategic site allocations for housing should be made through the Local Plan process, rather than being deferred to Neighbourhood Plans. While Neighbourhood Plans (NPs) have a valuable role in meeting ‘local’ housing needs, shaping local policy and design codes, relying on them to identify and allocate these types of housing sites is likely to delay delivery significantly.
10. This is particularly important in the context of CWaC because the new Standard Method calculation increases the borough's housing need from 1,100 dwellings per annum (dpa), as set out in the adopted Local Plan, to 1,928 dpa – a 74% increase. Meeting this level of need will require an urgent and coordinated response, with larger allocations made in a timely, strategic, and deliverable manner. The Local Plan is the most effective and efficient mechanism to achieve this.
11. In contrast, Neighbourhood Plans are often slow to prepare and update. National Open Data published by the Department for Levelling Up, Housing and Communities (DLUHC) (now known as the Ministry of Housing, Communities & Local Government) shows that the average time taken to bring forward a Neighbourhood Plan from designation to referendum is around five years. Many designated areas never complete the process at all. Even among those that do, few make site allocations, particularly for larger-scale developments.
12. We recognise, however, that Neighbourhood Plans can still be a useful vehicle for delivering smaller-scale sites where communities wish to influence the form and location of local growth. This is consistent with the purpose of neighbourhood planning, which is to empower local people to shape development in their area. Smaller allocations can be identified in a way that reflects local character and infrastructure capacity. However, expecting Neighbourhood Plans to deliver larger, strategic sites would be unrealistic: such sites typically require cross-boundary coordination, significant infrastructure investment, and a timescale that far exceeds the capacity of most NP groups.
13. The rapid nature of the Council’s plan-making timescales are such that there will be insufficient time for a NP body to prepare a plan, as many of the strategic decisions

about site selection will be made this time next year with the publication of the Regulation 19 plan.

14. Furthermore, relying on NPs to allocate housing introduces uncertainty for landowners, developers, and infrastructure providers. It creates inconsistency in strategic decision-making and increases the risk of delayed or insufficient housing supply.
15. In summary, given the urgency of delivering higher housing numbers, the documented delays in Neighbourhood Plan preparation, and the need for a coordinated approach to infrastructure and growth, we strongly recommend that all strategic housing site allocations be made through the Local Plan. Neighbourhood Plans should complement this by supporting smaller, community-driven allocations where appropriate, as well as influencing design and local policy. This approach will provide clarity, accelerate delivery, and help meet the Council's pressing housing needs in a plan-led, sustainable manner.

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## 3 Vision (Questions VI2-VI3)

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**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?**

16. We welcome the Council's intention to set a positive, place-based vision for the future of Cheshire West and Chester, centred around sustainable growth, community wellbeing, and environmental protection. However, we believe the current vision omits a fundamental principle that is essential to the future prosperity and inclusivity of the borough: the need to plan positively for housing delivery in response to a national and local housing crisis.
17. Nationally, the UK continues to face a systemic housing shortage. Successive governments have failed to meet the national target of 300,000 homes per year. The Centre for Cities recently concluded that Britain has built 4.3 million too few homes over the last seven decades.
18. As a result, we request that the Council amend the vision to include a fifth principle, along the following lines:
  - Meeting Housing Needs – meeting the full, objectively assessed housing needs of all parts of the borough, including affordable, market, and specialist housing.

**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?**

19. We agree with the proposed approach of establishing concise, place-specific visions for key settlements as part of the new Local Plan. This allows the Council to reflect the unique characteristics, opportunities, and challenges of each area and ensures that local strategies are properly aligned with the overall spatial strategy.
20. However, we believe that Tarporley should be added to the list of settlements requiring a distinct vision. Tarporley is a sustainable and strategically important rural service centre with a strong identity, existing infrastructure, and a capacity to accommodate significant future growth. It plays a vital role in serving a wide rural hinterland and already accommodates a wide range of services, businesses, and housing.
21. The case for including Tarporley in the Local Plan's place-based visioning is set out in further detail in our response to the question regarding the settlement hierarchy under policy SS 4. In short, we believe that excluding Tarporley from this list at this stage

would overlook its potential contribution to meeting development needs in a balanced and sustainable way.

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## 4 Objectives (Questions OBI-OB5)

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**Question OB 1: Please select the option which is the most appropriate approach for the new Local Plan:**

- **Option A – Take forward current Local Plan objectives**
  - **Option B – Use the Sustainability Appraisal objectives**
  - **Neither of these**
22. We support Option A as the preferred framework for setting the strategic objectives of the new Local Plan. While Option B (Sustainability Appraisal objectives) plays an important role in testing the sustainability of policies, it is not suitable as the primary structure for the Local Plan's strategic 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?**

23. Option A rightly places emphasis on key strategic priorities such as infrastructure provision (SO5), economic development (SO2), and transport (SO4), which are essential for attracting landowner and developer interest, enabling the planning and promotion of long-term strategic sites, and underpinning effective masterplanning and delivery. These objectives provide a robust framework to support the practical delivery of sustainable development.

**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?**

24. First, SO1 should be updated to reflect changes in the settlement hierarchy. The inclusion of Neston and Parkgate, as well as Frodsham, and our firm view that Tarporley should also be recognised as a market town, represent important spatial shifts across the borough. These settlements already function as service hubs and are well placed to accommodate future growth. As such, SO1 should explicitly reference these settlements and the need to promote development in these areas as well.

25. Secondly, SO9 should also be revised to reflect the need for planned growth on the edges of market towns, particularly those referenced above, in addition to development around Chester and the larger towns of Ellesmere Port, Northwich, and Winsford.
26. Lastly, SO10 should be amended to acknowledge that, in light of the significantly increased housing requirement, the limited brownfield land supply, and the necessity of directing development to the most sustainable locations, the release of land from the North Cheshire Green Belt will be required.

***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?***

27. Option B, while important for environmental protection and broader sustainability goals, does not place sufficient emphasis on housing delivery. This approach risks sidelining the urgent need to address the local housing crisis, especially given the significant increase in housing requirements for Cheshire West and Chester. Without a clear focus on facilitating the timely allocation and development of housing sites, Option Bs objectives may hinder effective planning and slow the delivery of much-needed homes, undermining the Local Plan's ability to meet pressing community and market demands.

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## 5 Spatial Strategy (Questions SSI-SS57)

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

28. We welcome the Council's acknowledgment of the need to meet the housing requirement identified by the Government's standard method. However, we strongly urge the Council to plan for a housing requirement above the 1,928 dwellings per annum (dpa) baseline figure (based on the latest May 2025 affordability ratios). This position is entirely consistent with the NPPF which makes clear at paragraph 11(b) that the standard method provides only a minimum starting point for assessing housing need. Planning for a higher figure is not only justified by national policy but essential to delivering a robust Local Plan.
29. In the case of Cheshire West and Chester, there is clear and compelling evidence that a higher figure can be delivered sustainably. For example, according to the Council's latest 2025 Housing Land Monitor report, between 2014/15 and 2024/25, annual completions have consistently exceeded the 1,100 dpa housing target, peaking at 2,542 dwellings in 2017/18. Over this 11-year period, the Council has over-delivered by more than 9,000 dwellings against the adopted Local Plan target, evidencing both market appetite and delivery capability.
30. In light of the evidence, we recommend that the Local Plan sets a housing requirement of at least 2,200 dwellings per annum. This represents a modest uplift of around 15% above the standard method figure, which is substantially lower than the average over-delivery of 54% the borough has achieved since 2014. This proposed figure is both realistic and deliverable, based on the area's consistent track record of strong housing delivery. Setting a higher requirement not only reflects market capacity but ensures the Local Plan remains robust, responsive to change, and capable of supporting long-term economic growth and housing affordability.

**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?**

31. The Council should not adopt a stepped housing requirement in the new Local Plan. Delaying delivery in the early year's risks failing to address urgent housing needs and affordability challenges. The NPPF makes clear that the standard method figure is a minimum starting point and that local plans should aim to meet housing needs as soon as possible. In Cheshire West and Chester, there is no justification for a stepped approach, as the borough has a strong track record of delivery, frequently exceeding

the current adopted LP target. A stepped trajectory would unnecessarily delay much-needed homes, complicate delivery, and reduce certainty. Instead, the Council should maintain a consistent annual requirement from the outset to reflect market capacity, ensure timely delivery, and support the objectives of the NPPF.

32. There is no justification for a stepped housing delivery as the Council has consistently delivered about the local plan housing requirements, and at a level in excess of the proposed housing requirement.

**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?**

33. We broadly support the principle of prioritising previously developed (brownfield) land within existing settlements. However, we must stress that the scale of available brownfield land is wholly insufficient to meet the district's housing needs over the plan period.
34. According to the most recent Brownfield Land Register (2021), only 96 hectares of brownfield land across the borough remain without planning permission. Based on typical brownfield densities in the UK, estimated by the CPRE State of Brownfield 2022 report at approximately 70 dwellings per hectare, this equates to a theoretical capacity for around 6,720 dwellings. However, this figure should be treated with caution. The Brownfield Land Register does not account for a range of site-specific constraints that frequently affect deliverability. These include flood risk, contamination, heritage restrictions, ecological value, and site access issues. In addition, many brownfield plots are in fragmented ownership or face significant viability challenges due to abnormal development costs. As such, the actual number of dwellings that can be delivered from these sites is likely to be substantially lower. A realistic assumption must apply a discount to reflect these limitations, reducing the notional 6,720 dwelling figure to a far more modest and deliverable total.
35. Moreover, the most recent 2025 Housing Land Monitor Summary Report identifies a supply of 6,407 dwellings when assessed against the housing requirement.
36. Given this context, and the need to deliver a minimum of 34,000 homes (1,928 dpa over an 18-year plan period) we urge a more balanced and realistic policy approach that acknowledges the essential role of greenfield, and specifically Green Belt, sites in delivering sustainable housing growth. Indeed, some of the most sustainable settlements in the district, including Chester, Ellesmere Port, Northwich, Neston, and Frodsham, are largely constrained by Green Belt boundaries. Without carefully considered Green Belt release, these settlements will not be able to accommodate proportionate growth, despite their strong service base, connectivity, and employment opportunities.

37. We therefore recommend that Policy SS3 be amended to include the following:
- A clear recognition that, while brownfield sites are to be prioritised, their capacity is inherently limited and are insufficient to meet the Council's full housing needs.
  - An explicit commitment to the release of greenfield sites, including within the Green Belt, where they contribute to the delivery of sustainable, well-planned urban extensions, particularly in the most sustainable settlements.
38. Overall, a sound spatial strategy must be evidence-led, and the current housing land supply and brownfield positions clearly demonstrate the need to release greenfield and Green Belt land.

***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?***

39. Tarporley should be classified as a Market Town. It performs above the level of a Key Service Centre due to its wide range of services, infrastructure, and its function as a rural hub serving a broad hinterland. Its current classification underrepresents its strategic importance and does not align with the Council's objective to focus sustainable growth in the most service-rich settlements.
40. Tarporley is one of only three Key Service Centres with a secondary school and sixth form. Tarporley High School and Sixth Form College educates around 1,200 pupils, many from surrounding villages. This educational provision extends well beyond the village's boundaries, highlighting its sub-regional role.
41. It is also the only Key Service Centre with a hospital. Tarporley War Memorial Hospital, alongside 2 GP practices and a pharmacy, gives the village a depth of healthcare provision unmatched by other KSCs. This further elevates its role within the settlement hierarchy.
42. According to the Council's own background data, Tarporley provides at least 34 distinct service types, including education, healthcare, food stores, independent shops, cafés, and public transport. Its high street rivals that of Frodsham and Neston, combining convenience retail with quality independent outlets, and functions as a local economic centre.
43. While Tarporley's current population is 3,219, population size should not be the only factor in determining status. Based on the delivery of 1,500 new homes, and assuming an average household size of 2.4 persons, the population could grow by around 3,600 people, bringing the total to approximately 6,800. This would then place it well within the range of existing Market Towns.

44. Elevating Tarporley to Market Town status would reflect its true functional role and support the spatial strategy's aims. The village is already absorbing growth and has the infrastructure to support more. Reclassification would ensure future development is directed to a location that is both sustainable and strategically significant to rural Cheshire West.

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

45. Yes, all settlements should have some level of development, even if they are not identified in the settlement hierarchy. This supports the NPPF's objective of promoting sustainable development in rural areas by allowing small-scale growth that helps maintain village vitality, supports local services, and meets local housing needs.
46. However, the vast majority of housing growth should be directed to settlements identified as Local Service Centres and above, as these have the infrastructure, services, and transport links needed to accommodate development sustainably, in line with NPPF paragraphs 79 and 105.

***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?***

47. Yes, we believe the new Local Plan should contain place-based policies for Tarporley, building on our response to questions SS5 and SS6, that we believe it should be categorised as a Market Town instead.
48. This is because place-based policies are essential to ensure that future development responds to local context, supports community priorities, and guides infrastructure delivery in a way that reflects the unique characteristics and needs of each settlement. Tarporley, has distinct constraints and opportunities that cannot be effectively addressed through a generic borough-wide approach.

**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?**

49. Although protecting the character of smaller settlements is important, we also recognise that new development can help fund upgrades to infrastructure and services, enabling settlements to grow in a balanced and resilient way.
50. Therefore, while the principle of protecting character and infrastructure capacity is sound, we encourage a flexible, proactive approach that recognises development as a catalyst for positive change in smaller settlements.

**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**

**Question SS 12: Do you have any alternative spatial strategy options that you would like to suggest?**

51. While we broadly support Option B, which focuses growth in and around the largest settlements, we believe this approach should be refined in light of the proposed amendments to the settlement hierarchy.
52. Notably, the elevation of Neston and Parkgate, as well as Frodsham to Market Town status, and our own recommendation that Tarporley should also be classified as a Market Town, justifies these settlements receiving a greater proportion of growth than those identified as Key Service Centres.
53. These towns serve important sub-regional roles, offer a strong base of services and infrastructure, and are well-placed to accommodate additional development sustainably. As such, they should be prioritised for growth ahead of smaller, less well-connected settlements.
54. However, what is clear is that the proposed levels of growth for the KSCs in the Regulation 18 Local Plan do not follow the existing level of distribution of growth (see Appendix I). The levels of growth for each KSC should be increased to reflect the

correct continuation of spatial growth, but these should be adjusted to also reflect the sustainability and potential of each settlement. Tarporley is exceptionally well placed compared to the other KSC to accommodate a significantly higher proportion of the growth for the rural areas. Tarporley should be allocated at least 650 homes on the basis of the Regulation 18s proposed 29,000 home requirement, which should be increased further to 770 homes, to reflect the need for a 15 year plan period post adoption.

55. Moreover, irrespective of which housing requirement or spatial option is chosen by the Council, it is our view that Tarporley could support up to 1,500 dwellings as set out in suggested by the Council in Option A and that this is the target the Council should seek to maintain for the settlement through the next draft iteration of the plan. No evidence has been provided to suggest that this level of growth cannot be sustainably accommodated under all options.
56. We therefore broadly support a modified Option B approach, where growth is focused on the most sustainable settlements in the borough, including not just the principal urban areas, but also the Market Towns that demonstrate strong service provision and development potential. This approach also ensures alignment with NPPF which states that *'Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes'*. This emphasises the importance of focusing growth where it can be best supported and integrated.

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

57. We support the principle of Option B's settlement hierarchy, which aligns with NPPF paragraph 77 by focusing development in the most sustainable locations with good access to jobs, services, and public transport. However, it is important to note that in the current Local Plan, the distribution of housing across the settlement tiers ultimately reflected residual need at the point of adoption, rather than an initial strategic target. By that stage, a significant proportion of the overall requirement had already been permitted in the Key Service Centres, which artificially reduced the scale of allocations in those locations. It is essential that the new Local Plan avoids repeating this approach and instead bases its distribution on the actual capacity and sustainability of each settlement tier from the outset.
58. This is further evidenced by virtue of the fact that the Part 2 Local Plan made no allocations for development to meet the needs of the KSCs.
59. In light of this, while we agree with Option B's general settlement hierarchy, we believe the proposed housing numbers are insufficient to meet identified needs. As outlined in

our earlier response to Policy SS4, the Local Plan should plan for at least 34,000 dwellings over the plan period, consistent with NPPF paragraph 16, to ensure the plan is positively prepared and meets needs in full. Within Option B, this would require redistributing growth to fully utilise the capacity of the Borough's most sustainable locations, avoiding over-reliance on windfall or urban intensification, which is unlikely to be deliverable at scale.

**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?**

60. If the Council intends to follow a spatial strategy similar to that used in the current Local Plan, it is important to remember that the housing numbers allocated to different settlement tiers last time were not an initial policy target but instead reflected the residual need remaining by the time the plan reached adoption. This was because a substantial amount of the overall housing requirement had already been permitted in the Key Service Centres earlier in the plan period, meaning that the Local Plan allocations in those locations were significantly reduced.
61. In determining an appropriate distribution for this plan period, the Council should also take account of the findings of the Rural Regeneration Strategy and Action Plan (September 2011), which concluded:

*“Based on this analysis it would seem reasonable to conclude that growth of between 11% and 13% in the number of dwellings and households in the rural area is the minimum necessary to address the challenges identified. It is reasonable to add some contingency to this figure – to account for exacerbation of trends and to provide some slippage. A growth target of 15%, which equates to 8,000 new homes, is therefore considered to be appropriate.”*
62. This evidence demonstrates that a meaningful proportion of growth in what were at the time considered rural areas but now include the proposed Market Towns and Key Service Centres, is essential to maintaining rural vitality, supporting services and employment, and addressing identified challenges. The existing local plan allocated only one third of the need for 8,000 homes. Rural housing needs were not met by the existing local plan strategy.
63. A distribution strategy should therefore ensure that allocations are not artificially constrained by relying on historic residual figures but instead reflect the full potential and sustainability of each settlement tier in delivering the overall housing requirement.

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

64. We do not support Option C as a viable spatial strategy for several reasons, foremost being the assumption that proximity to travel corridors, such as train stations, do not make these locations suitable for substantial housing growth. While access to these types of transport links is important, it does not guarantee the sustainability or deliverability of large-scale development. Many of the proposed locations, such as Delamere, currently lack essential infrastructure and services. Significant time and investment would be required to create the necessary facilities to support new communities, including schools, shops, healthcare provision such as GP surgeries, and adequate local employment opportunities. Without these critical services, these locations would fail to meet the wider sustainability objectives outlined in the NPPF, which emphasise the importance of delivering development in places that provide access to a range of services and facilities, not just transport links. Moreover, developing in such isolated locations risks placing excessive reliance on private car use for day-to-day needs, undermining environmental and social sustainability goals. Therefore, selecting sites based solely on their proximity to travel corridors overlooks the broader requirements of creating balanced, self-sufficient communities, and this approach is unlikely to deliver the sustainable growth needed in the Borough.

**Question SS 20: Do you think that the potential ‘showstopper’ constraints identified above, are correct or are there any others that we should consider?**

65. We do not agree that Areas of Special County Value (ASCVs) should be treated as a ‘showstopper’ constraint. This approach is inconsistent with paragraph 11b of the NPPF, which, through footnote 7, sets out the specific national policy constraints to be considered when preparing new strategic policies. These include designations such as Green Belt, Local Green Space, National Landscapes, National Parks, and other heritage assets. It is clear from this national guidance that local landscape designations, such as ASCVs, do not carry the same statutory weight and should not be treated as an entirely prohibitive constraint. Instead, they should be considered alongside other material factors within the overall planning balance.
66. In the case of ASCVs, it is also important to recognise that these areas were originally identified in the 1970s based on perceived landscape characteristics and features. However, the Local Landscape Designations Review (Bayou Bluenvironment, 2017) acknowledges significant limitations in the robustness of this designation, noting that “detailed descriptions of the features of value within each ASCV are not available” and that the areas were “by and large, fairly extensive but their boundaries were not precisely defined”. This raises fundamental questions over the validity and accuracy of the original mapping.

67. Furthermore, the 2017 review did not re-examine the boundaries in detail, stating that such work “was beyond the scope of the study”. As most of the land within ASCVs lie in private ownership, the review relied largely on map and aerial photograph analysis, leading to only very minor amendments being made.
68. Given these acknowledged uncertainties and the absence of a robust, up-to-date, and evidence-based definition of boundaries and features of value, it is essential that any reliance on ASCVs as a planning constraint is preceded by a thorough, field-based reassessment. Without such a review, there is a risk of over-reliance on historic and potentially inaccurate designations, thereby unduly restricting sustainable development opportunities in areas such as Tarporley where the original designation may no longer be justified.

***Question SS 21: What information should we take into account when assessing sites for allocation in the new Local Plan?***

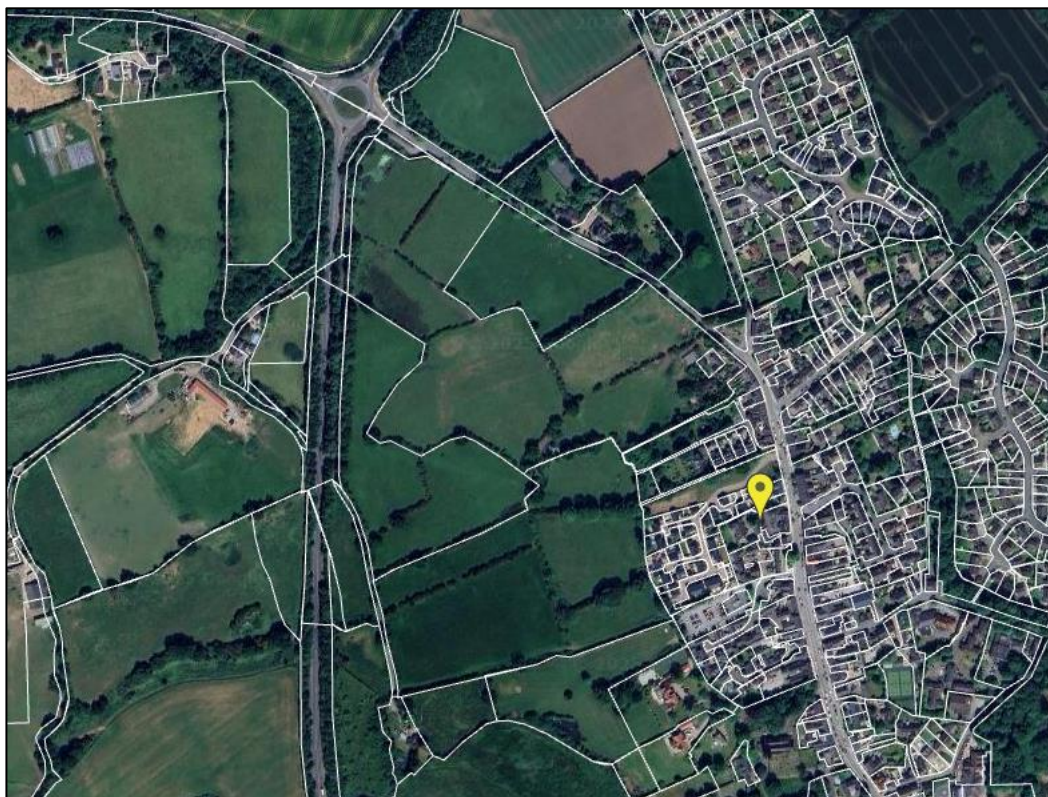
69. When assessing sites for allocation, the Council should apply a proportionate, up-to-date, and evidence-based approach that aligns with the NPPF’s balanced presumption in favour of sustainable development. This means relying on robust and current data, ensuring local non-statutory designations such as ASCVs are reviewed in detail before being treated as significant constraints, and weighing them appropriately alongside the need to meet housing and economic requirements. Site assessments should prioritise deliverability, viability, and sustainability, considering ownership, infrastructure capacity, market interest, and accessibility to services, while maintaining flexibility to respond to changing needs over the plan period. This will ensure the Local Plan allocates suitable, available, and achievable sites to meet identified needs in a sound manner.

***Question SS 56: Which of the identified potential growth areas around Tarporley do you consider to be the most suitable?***

70. We consider the north-eastern part of TARP05 to be the most suitable growth area within Tarporley due to its strong connectivity, absence of significant constraints, and single land ownership, which would support deliverability. The landowner is a longstanding Tarporley resident who has a track record of being involved in the delivery of high-quality residential development (land to the south of Tarporley). The landowner wishes to ensure that development of the land will provide opportunities to improve local community infrastructure.
71. However, as outlined above in our response to Question SS20, we believe the Council should also consider land further to the east. The designation of this land as an Area of Special County Value should not, in our view, preclude development, particularly given that the original evidence base is both incomplete and out of date. There has been no

recent review to account for significant boundary changes and other material developments, such as the construction of the Tarporley Bypass (A49) in the 1980s. These factors warrant a fresh assessment of the area's suitability for growth.

72. There are also parts of TARP05 that we believe should be excluded. Specifically, the portion of land between Rode Street and Utkinton Road which is owned by the Utkinton Road Syndicate Ltd. This syndicate comprises eleven householders along Utkinton Road whose stated aim is to prevent development. As a result, the remaining land to the rear, previously the subject of a withdrawn residential application (Ref: 21/04398/OUT by Hollins Land), would be left isolated. We therefore consider this part of TARP05 to be undeliverable and unsuitable for allocation.
73. We also have concerns about the part of TARP05 located south of Rode Street. This land is fragmented across approximately ten different land titles (see Figure 1), which would present significant challenges to comprehensive delivery. Given the urgent need for housing in both Tarporley and the wider borough, it is essential that allocated sites are readily deliverable; multiple ownerships of this scale can severely delay or even prevent development. Furthermore, development here could adversely affect the setting of the Conservation Area, particularly given its proximity to and visual relationship with Tarporley's historic high street.



*Figure 1: Land ownership boundaries in TARP05*

**Question SS 57: Do you have any further comments about any of the potential growth areas identified around Tarporley?**

74. With regard to the TARP02 growth area, we understand our client also owns land which covers part of this area, has some non-residential development potential but is not part of our partnership, we wish to highlight concerns about constraints which, in our view, limit the area's suitability for residential development.
75. First, the sewage treatment works, owned and operated by United Utilities (UU), is located near the centre of the allocation. Such facilities typically have operational requirements and odour/noise safeguarding zones, which can restrict the developable area, affect the quality of the residential environment, and require buffer zones that reduce housing yield. The proximity of the sewage works to proposed residential development is highlighted by UU to a development of 44 homes by CB Homes.
76. Secondly, Wettenhall Brook runs directly through the middle of the site. The presence of this watercourse, together with the associated Flood Zones 2 and 3, presents both environmental and technical challenges. It introduces potential conflict with national policy requirements to direct growth away from areas of highest flood risk.
77. Taken together, these constraints, both individually and cumulatively, pose serious questions over whether TARP02 can be delivered in a timely, viable, and policy-compliant manner when compared with less constrained alternatives.
78. We also have concerns regarding the deliverability of **TARP03** and **TARP04**, both located to the south-east of Tarporley High Street. The area's historic character and setting are central to Tarporley's identity, and inappropriate development in such close proximity risks causing irreversible harm. The impact on NPPF Footnote 7 designated sites mean that development in locations should only be considered after locations which are not so constrained, such as TARP05.
79. A further key concern with TARP03 and TARP04 is the lack of an appropriate access point. Land to the south of the allocation is currently the subject of a residential planning application by Jones Homes (Ref: 25/01752/FUL). If approved, this proposal does not make provision for, or safeguard, an access point into the remainder of the growth area. The only other potential access would be from the High Street, however, this location not only lies within the Conservation Area but is also designated as Local Green Space in the adopted Tarporley Neighbourhood Plan. This designation affords strong protection from development and was cited as a reason for refusal in a previous planning application for the land.
80. In light of these cumulative constraints, heritage sensitivity, absence of safeguarded access, and the policy protection of the only alternative access point, we also consider

TARP03 and TARP04 to face substantial challenges to their deliverability and long-term suitability for allocation.

81. It is also worthy of note that the assumptions about the ability of the growth options has been grossly overestimated as these have no regard to constraints.

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## 6 Green Belt and countryside (Questions GB1-GB2)

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**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.**

82. While the protection of the borough's countryside is important, it is essential that policy decisions are underpinned by a robust and up-to-date evidence base, rather than seeking to preserve rural character for its own sake. The intrinsic character and beauty of the countryside should be assessed objectively, and opportunities for sustainable development should be considered where they do not compromise significant environmental or landscape assets.

**Question GB 2: Should there be a separate policy for countryside and Green Belt areas?**

83. Policy STRAT9 in adopted Local Plan combines (and in fact conflates) Green Belt and countryside policy. This confuses the appropriate policy tests for two different policy areas.
84. Policy STRAT9 creates a planning paradox whereby if a small village was located within the Green Belt (and washed over because it has no settlement boundary), development would be acceptable in principle because it could amount to limited infilling in a village and/or redevelopment of previously developed land. This approach is consistent with the approach in paragraph 150, 154e and 154g of the Framework. The Framework does not say that settlements in the Green Belt must have a settlement boundary – this a different approach from the previous guidance in PPG2.
85. However, STRAT9 does not permit development in small villages in the open countryside which do not have settlement boundaries (but which would be washed over if in the Green Belt). Instead, it treats them as countryside. This approach is far too simplistic. There are many small villages in CWaC which are clearly not countryside and where development should be permissible as infill or appropriate scale development.
86. Consequently, STRAT9 is more restrictive towards development in the countryside and rural communities than development in the Green Belt. Development in the Green Belt is also capable of compliance with the development plan through the demonstration of very special circumstances – a policy test not allowed for in the countryside.

87. The new local plan should treat countryside and Green Belt separately and should allow for appropriate development in or on the edge of villages outside the Green Belt.

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## 7 Housing (Question HO2)

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**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?**

88. Carden support the principle of delivering a mixture of housing types, tenures and specialist housing to meet the diverse needs of the community. However, we consider that applying a rigid percentage-based requirement across all sites is overly prescriptive and could give rise to significant viability challenge
89. Instead, we believe a more flexible, evidence-led approach is consistent with both local needs and national policy. The National Planning Policy Framework (NPPF, paragraph 61) requires local authorities to “it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.” Importantly, the NPPF does not prescribe fixed percentages but requires responsiveness to locally specific circumstances.
90. Local demographic evidence within the Council’s Places background paper (published 2024) illustrates why a one-size-fits-all percentage approach is inappropriate. For example, over 20% of the population of Malpas is aged over 70, compared to only 13% in Ellesmere Port. This demonstrates significant variation in housing need across the district. A flexible policy approach will ensure that housing delivery is locally responsive, aligns with the latest evidence, and produces housing that is genuinely in demand.
91. This flexibility also helps to support deliverability. Overly prescriptive policies risk constraining development, creating mismatches between local demand and supply, and undermining viability. The NPPF (paragraph 35) requires plans to ensure that policies relating to affordable housing do ‘*not undermine the deliverability of the plan*’. A non-prescriptive approach, guided by up-to-date housing needs evidence, ensures that new housing contributes positively to local markets without jeopardising site viability.
92. In summary, while we fully support the objective of securing a wide choice of high-quality homes and specialist housing, this should be achieved through a flexible, evidence-based policy framework rather than rigid percentage requirements. This approach is more consistent with the NPPF and will better reflect the varying needs of communities across the borough.

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## 8 Landscape (Questions LA4 and LA5)

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***Question LA 4: Do you agree with the suggested policy approach towards landscape, as set out in LA 2 'Areas of Special County Value' above? If not, please suggest how it could be amended?***

93. As discussed earlier in response to Question SS 20, ASCVs were designated in the 1970s based on broad landscape characteristics, and the Local Landscape Designations Review (Bayou Bluenvironment, 2017) highlights limitations in their robustness, including imprecise boundaries and a lack of detailed descriptions of valued features. The review did not comprehensively reassess boundaries, relying primarily on maps and aerial photography, which raises questions over the accuracy and relevance of the designation today. We therefore disagree that the ASCVs continue to be identified on the policies map until a robust review has taken place as part of the evidence base supporting the NEW Local Plan.

***Question LA 5: Should the Areas of Special County Value currently defined in Local Plan (Part Two) policy GBC 2 be reviewed and updated?***

94. Yes. We consider it essential that ASCVs are subject to a thorough, field-based reassessment. Given the uncertainties around the original designation, and the lack of up-to-date, evidence-based boundaries and assessment of landscape value, reliance on ASCVs without review risks unduly restricting sustainable development opportunities. Any future policy should ensure ASCVs are applied proportionately and in an evidence-led manner, reflecting current landscape conditions and avoiding automatic constraints on suitable development.

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## 9 Green infrastructure, biodiversity and geodiversity (Questions GI1 and GI3)

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**Question GI 1: Do you agree with the suggested policy approach towards green infrastructure, biodiversity and geodiversity, as set out in GI 1 'Green infrastructure, biodiversity and geodiversity' above? If not, please suggest how it could be amended?**

95. We support the principle of enhancing tree cover and green infrastructure, but the proposed blanket requirement to achieve 16% tree cover in every ward is neither justified nor consistent with national policy.
96. The Issues and Options paper states that the 16% target comes from the Local Nature Recovery Strategy (LNRS), but this strategy is still only in draft form. Relying on an emerging document that has not yet been finalised or tested is unsound. Furthermore, the LNRS does not explain how this figure was calculated or why it should apply uniformly across all wards, regardless of their differing circumstances.
97. The NPPF does encourage tree planting, but in a balanced and site-specific way. Paragraph 136 states that applicants and local planning authorities should work with highways and tree officers to ensure “the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.” This clearly points to an individualised approach rather than a blanket percentage. Imposing an arbitrary target risks requiring tree planting in unsuitable locations, which could create practical conflicts and undermine good design.
98. Adding excessive numbers of trees without regard to site-specific circumstances could also pose viability issues, particularly on constrained or higher-density sites where developable land is limited. A more flexible policy, proportionate to the scale and character of each site and supported by clear evidence, would be more consistent with national policy. This would still achieve meaningful increases in tree planting while avoiding unfair burdens on development and ensuring housing and employment delivery remains viable.

**Question GI 3: Should new Local Plan policy go above the 10% mandatory biodiversity net gain set nationally?**

99. No. Although some sites may be capable of achieving more than the mandatory 10% Biodiversity Net Gain, it would not be reasonable or justified to impose a higher blanket standard over and above the nationally prescribed requirement. Any additional provision should be considered on a case-by-case basis, reflecting the specific

circumstances of the site. Where developments are able to exceed the 10% requirement, this can be taken into account as part of the overall planning balance when individual applications are assessed.

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# 10 Land off Utkinton and Forest Road, Tarporley

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## The Site

100. The land is 46 acres (see Figure 2 below) and has the potential to accommodate between 300 and 400 new homes. It is controlled by a single landowner meaning the site is much more deliverable.
101. The landowner is a longstanding Tarporley resident that is committed to delivering a high-quality development. Indeed, the owner has experience of delivering a high-quality development as she was the owner of the land developed by David Wilson Homes.
102. More importantly, being a local resident, the landowner seeks to understand the community, its needs and local issues. The landowner is committed to ensure that development of land provides for and where possible improves community infrastructure. This is unique for any of the identified development parcels around Tarporley.



Figure 2: Site outline

## The Opportunity

103. Carden Group, on behalf of the landowner, has instructed a number of technical studies of the site which include the following:
- Master planning and landscape
  - Ecological surveys
  - Access and transport study
  - Utilities appraisal
  - Heritage assessment
  - Drainage and flood risk assessment
  - Topographical studies
  - Acoustic assessments
104. These studies have not identified any fundamental or insurmountable constraints which prevent the land being brought forward for development.
105. These studies have informed the preliminary master planning work shows that the land can accommodate about 300-400 new homes.
106. The key elements of any planning application will include:
- Pedestrian, cycle and vehicular access off Utkinton Road and Forest Road
  - new homes designed to reflect the character of the village and integrated within a rich landscape setting
  - significant community benefits, including large areas of accessible open space with play areas, walking routes, and restored community woodland
  - connections to local amenities and potential new facilities on site
  - a mix of formal and informal play spaces that foster a vibrant, family-friendly environment.
107. Together, these elements demonstrate how the land between Utkinton Road and Forest Road can deliver much-needed homes, improved green infrastructure, and stronger community links, contributing positively to Tarporley's long-term future
108. The landowner is, as with her previous development in Tarporley off Nantwich Road (for 90 homes built by David Wilson Homes), committed to delivering a high-quality development. A detailed design code will be prepared which will bind future

developers/house builders. This was the approach adopted with her previous development.

109. Uniquely, given the scale of the land and its single ownership, the land provides an opportunity for the provision of community benefits. Being a longstanding local resident, the landowner wishes to ensure development provides genuine community benefits by addressing shortfall in community infrastructure. The landowner has over several years discussed opportunities for community benefits with the Parish Council. These have included:

- New or additional health care provision to compliment or replace the existing facilities at the local medical centres.
- Local employment provision with extra car parking which could be made available to staff in existing businesses in the village, thereby freeing spaces in the existing car parks for shoppers and users of the facilities in the village.

110. The landowner will shortly begin further discussions with the community about what appropriate community facilities can be provided.

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## II Summary

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111. In summary, Carden Group considers that a Local Plan which directs growth to the most sustainable locations, recognises Tarporley's strategic potential, and applies constraints, particularly Areas of Special County Value, in a balanced, evidence-based manner, will deliver homes, infrastructure, and lasting community benefits, supporting a resilient and prosperous Cheshire West and Chester.
112. We firmly believe that our site to the north east of Tarporley is well-positioned to assist the Council in meeting its housing land needs effectively. As confirmed above, the extensive studies that we have commissioned in support of the site have not identified any fundamental or insurmountable constraints which prevent the land from being developed.

## Appendix I: CWaC Proposed/ Potential Spatial Distribution Table

Settlement Type	Settlement	Option A – Retain the Green Belt		Option B – Follow current Local Plan level and distribution of development		Option C – Sustainable transport corridors		Settlement Type	Adopted Local Plan (Part One) Strategic Policies		Percentage Difference with Option B	Revised Adopted Local Plan (Part One) Strategic Policies- Distributing 'Remaining Rural Area' Amongst KSCs		Applying Regulation 18 Requirement of 29K	Applying requirement for Longer Plan period to 2043 (18 years)	Applying requirement for Longer Plan period and higher requirement to 2043 (18 years at 2,200dpa)
Towns	Chester	3,000	10.0%	5,000	20.0%	5,000	14.1%	Towns	5,200	23.6%	-3.6%	5,200	23.6%	6,855	8,143	9,360
	Ellesmere Port	3,000	10.0%	5,000	20.0%	5,000	14.1%		4,800	21.8%	-1.8%	4,800	21.8%	6,327	7,517	8,640
	Northwich	5,000	16.7%	5,000	20.0%	5,000	14.1%		4,300	19.5%	0.5%	4,300	19.5%	5,668	6,734	7,740
	Winsford	10,000	33.3%	5,000	20.0%	5,000	14.1%		3,500	15.9%	4.1%	3,500	15.9%	4,614	5,481	6,300
	<b>Totals:</b>	<b>21,000</b>	<b>70.0%</b>	<b>20,000</b>	<b>80.0%</b>	<b>20,000</b>	<b>56.3%</b>		<b>17,800</b>	<b>80.9%</b>	<b>-0.9%</b>	<b>17,800</b>	<b>80.9%</b>	<b>23,464</b>	<b>27,875</b>	<b>32,040</b>
Key Service Centres	Cuddington and Sandiway	500	1.7%	500	2.0%	1,500	4.2%	Key Service Centres	200	0.9%	1.1%	390	1.8%	514	611	702
	Farndon	1,500	5.0%	500	2.0%	500	1.4%		200	0.9%	1.1%	390	1.8%	514	611	702
	Frodsham	500	1.7%	500	2.0%	3,000	8.5%		250	1.1%	0.9%	440	2.0%	580	689	792
	Helsby	500	1.7%	500	2.0%	1,500	4.2%		300	1.4%	0.6%	490	2.2%	646	767	882
	Kelsall	500	1.7%	500	2.0%	500	1.4%		200	0.9%	1.1%	390	1.8%	514	611	702
	Malpas	1,500	5.0%	500	2.0%	500	1.4%		200	0.9%	1.1%	390	1.8%	514	611	702
	Neston	500	1.7%	500	2.0%	3,000	8.5%		200	0.9%	1.1%	390	1.8%	514	611	702
	Tarporley	1,500	5.0%	500	2.0%	500	1.4%		300	1.4%	0.6%	490	2.2%	646	767	882
	Tarvin	500	1.7%	500	2.0%	500	1.4%		200	0.9%	1.1%	390	1.8%	514	611	702
	Tattenhall	1,500	5.0%	500	2.0%	500	1.4%		250	1.1%	0.9%	440	2.0%	580	689	792
	<b>Totals:</b>	<b>9,000</b>	<b>30.0%</b>	<b>5,000</b>	<b>20.0%</b>	<b>12,000</b>	<b>33.8%</b>		<b>2,300</b>	<b>10.5%</b>	<b>9.5%</b>	<b>4,200</b>	<b>19.1%</b>	<b>5,536</b>	<b>6,577</b>	<b>7,560</b>
Transport Corridor Locations	Acton	0	0.0%	0	0.0%	500	1.4%	Remaining Rural Area	1,900	8.6%	-8.6%					
	Capenhurst	0	0.0%	0	0.0%	500	1.4%									
	Delamere	0	0.0%	0	0.0%	500	1.4%									
	Elton	0	0.0%	0	0.0%	500	1.4%									
	Hooton	0	0.0%	0	0.0%	500	1.4%									
	Lostock	0	0.0%	0	0.0%	500	1.4%									
	Mouldsworth	0	0.0%	0	0.0%	500	1.4%									
	<b>Totals:</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>3,500</b>	<b>9.9%</b>									
<b>Overall Totals:</b>		<b>30,000</b>	<b>100.0%</b>	<b>25,000</b>	<b>100.0%</b>	<b>35,500</b>	<b>100.0%</b>		<b>22,000</b>	<b>100.0%</b>		<b>22,000</b>	<b>100.0%</b>	<b>29,000</b>	<b>34,452</b>	<b>39,600</b>