

Cheshire West and Chester Local Plan

Issues and Options (Regulation 18) Consultation

Prepared by Fisher German LLP on behalf of
Diocese of Chester

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1. Introduction

- 1.1. These representations have been prepared by Fisher German LLP on behalf of Diocese of Chester, in respect of the Cheshire West and Chester Council's Issues and Options (Regulation 18) consultation and their land interests.
- 1.2. The site has been previously submitted to the Council during their most recent Call for Sites exercise carried out in 2024. The focus of these representations is to engage with the emerging plan and provide constructive input to aid its development.

2. Adopted Local Plan

- 2.1. The current review of Cheshire West and Chester local plan is welcomed, particularly considering the requirement under paragraph 33 of the National Planning Policy Framework (NPPF) to review plans at least every five years. This review provides a critical opportunity to evaluate the performance of the adopted plan against key planning objectives.
- 2.2. While the adopted Local Plan (Part One: Strategic Policies, 2015 and Part Two: Land Allocations and Detailed Policies, 2019) has provided a degree of policy certainty, it is increasingly apparent that aspects of the Plan are now dated. There are obvious signs that the spatial strategy and some of the supporting policies may no longer be fully aligned with current national policy, particularly with regards to housing delivery and economic flexibility.
- 2.3. The current spatial strategy is overly reliant on a limited number of strategic allocations, many of which face complex infrastructure and viability challenges. This has introduced risk into the delivery trajectory and has limited the ability of the plan to respond flexibly to changing circumstances. A more diversified and deliverable land supply is now required, including a broader distribution of medium-sized sites, as encouraged by paragraph 69 of the NPPF.
- 2.4. A key part of the Local Plan review must be a reassessment of how housing delivery can better reflect the borough's diverse and evolving needs. Many existing allocations focus on uniform housing types, often at lower densities. A renewed focus is needed on the delivery of mixed housing developments that integrate a variety of tenures, types, and price points. This includes homes for market sale, affordable housing, homes for rent. Supporting a broader range of households is not only a matter of social equity, but also essential to building resilient, long-term communities.
- 2.5. Mixed housing developments are also more likely to be deliverable and responsive to market signals, especially where they include a balance of housing types that appeal to different sectors of the population. Allocations should therefore prioritise locations that can support this mixed approach particularly well-located sites.
- 2.6. Delivering homes in a mix of tenures and formats within a single site also enables the creation of walkable, 20-minute neighbourhoods that reduce car dependency, support local services, and align with the borough's environmental and place-making ambitions.
- 2.7. In reviewing the spatial strategy, there is a critical opportunity to direct growth to those locations that can offer integrated housing delivery, combining, accessibility, and high design standards. This includes not only large-scale developments, but also medium-sized sites capable of prompt delivery and of delivering meaningful housing mix at a community scale.

Spatial Strategy

- 2.8. The overall aim to promote sustainable development across Cheshire West and Chester is strongly supported. The revised National Planning Policy Framework (December 2024) and updated Standard Method have significantly increased the borough's Local Housing Need, from around 374 to 865 dwellings per annum, necessitating additional residential allocations.
- 2.9. The Council's spatial options, particularly those promoting growth in sustainable, well-connected locations, provide a logical framework for meeting this demand. A clear strategy that aligns housing with employment opportunities, infrastructure, and transport accessibility will be essential to delivering a balanced and deliverable Local Plan.

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

- 2.10. There is no reason the Council should not plan to deliver a minimum of 1,914 new homes each year. Planning for this level of growth is necessary to address affordability pressures, support economic

development, and ensure a steady supply of housing land across the borough. A proactive response will help maintain a five-year housing land supply and ensure the Local Plan is found sound at examination.

SS 2: Should the Council Consider a Stepped Housing Requirement with Lower Early Delivery?

- 2.11. Stepped housing may reflect practical delivery challenges, particularly in the early years, however it risks delaying the supply of much-needed homes in areas experiencing acute affordability pressures. Given the identified need and market signals, the Council should avoid under-delivery in the early plan period, instead supporting early phases of development in growth areas such as Malpas where land is available, sustainably located, and benefitting from early developer interest.
- 2.12. A stepped approach is typically adopted when there are significant changes in housing requirements, however this trajectory raises fundamental soundness issues. It can be a risky approach that would not deliver sufficient homes early enough to counter and can be arguably contrary to government policy to boost the supply of housing. It is instead worth identifying additional sources of housing delivery in the early years of the plan period.
- 2.13. The parcel we are promoting has potential to come forward in the early years of the plan period. Delaying these sites would risk underutilising some of the most deliverable and strategically aligned locations in the borough.

SS 4: Do You Agree with the Suggested Policy Approach Towards the Spatial Strategy Principles?

- 2.14. The spatial principles present a broadly balanced approach, appropriately focusing growth in urban areas and key service centres. However, greater emphasis is needed on the deliverability of housing in strategic locations. The strategy should also offer clearer guidance on the timely delivery of supporting infrastructure, particularly transport and community facilities, to enable sustainable growth and minimise the need for Green Belt release where possible.

SS 5: Do You Agree with the Suggested Policy Approach Towards the Settlement Hierarchy?

- 2.15. The proposed settlement hierarchy provides a clear and effective framework for distributing growth. The identification of Malpas as a key rural service centre is supported, given its strong service provision and role in supporting surrounding rural communities.
- 2.16. To ensure the plan responds to both local housing need and market demand in the south of the borough, the hierarchy should support planned housing allocations in sustainable settlements like Malpas. The settlement is well-connected, has capacity for proportionate growth, and can support the delivery of mixed, high-quality housing to meet identified needs.

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?

- 2.17. Yes, the new Local Plan should include place-based policies for key rural settlements such as Malpas. These settlements often have distinct characteristics and need that warrant tailored policy approaches. Malpas plays a significant role as a rural service centre with strong community infrastructure and social cohesion.
- 2.18. Place-based policies can help guide appropriate levels of housing growth while also securing wider community benefits such as open space, improved access to local facilities, and development that reflects local character. As our client is a community-based landowner, there is a unique opportunity to deliver housing in a way that integrates well with the existing village fabric and provides long-term value to the local community.

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?

- 2.19. It is agreed that the character of smaller settlements should be protected, and the development must not exceed the capacity of existing services and infrastructure. However, this should not be used to unduly restrict sustainable growth or prevent larger-scale development opportunities.
- 2.20. Instead, the Local Plan should enable appropriate development while requiring necessary contributions to enhance community facilities, infrastructure, and services. This approach allows settlements like Malpas to grow in a way that respects their character, supports local needs, and delivers wider community benefits.

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

- 2.21. Our preferred spatial strategy is Option B, which allows for a more balanced distribution of development across the borough, including in sustainable rural settlements such as Malpas. This approach enables the delivery of residential development on well-located greenfield sites that can come forward early in the plan period. This option aligns with national planning objectives to promote sustainable, well-designed places.
- 2.22. While Option A is supported in principle for its focus on urban regeneration and brownfield land, it is unlikely to meet the full scale and variety of development needed, particularly in rural areas where high-quality, landscape-led residential sites can deliver both housing and wider environmental benefits.
- 2.23. Option C is not supported, as the reliance on new settlements and large-scale Green Belt release carries significant infrastructure, delivery, and phasing risks, particularly in the early part of the plan period.
- 2.24. We recommend that the Council adopt Option B as the preferred spatial strategy, supported by elements of Option A where suitable. This will ensure a flexible, sustainable, and plan-led approach to growth, allowing settlements like Malpas to accommodate residential development with meaningful green infrastructure, in line with their role in the settlement hierarchy.

3. Representations

Site One: Land at Church Street, Malpas

- 3.1. Section 5.1 of the Issues and Options consultation invites specific comments on the draft options for Malpas Site Allocations, which has been drafted around the previous call for sites document. For clarity, the site referenced in this representation was previously submitted to the council under the call for sites.
- 3.2. The land comprises of one parcel of land situated on the edge of the settlement boundary for Malpas, located off Church Street. The site is located off Church Street, Malpas and extends to c. 64.99 acres (c. 26.29 hectares) across six fields currently in agricultural use. The site benefits from a strategic location, lying on the western edge of the town and forming a natural extension to the settlement.
- 3.3. The site is owned by the Chester Diocesan Board of Finance, who are committed to bringing forward the land in partnership with an experienced and ethical development partner. The landowners are rooted in the community and have a long-standing association with Malpas. They are seeking a scheme that reflects their Christian ethos, with a focus on stewardship, social value, and environmental sustainability.
- 3.4. This location places the site within the growth boundary mapping option of MAL04, which is included within the spatial growth options identified for Malpas. It adjoins the existing settlement boundary and is well related to the existing built environment, particularly recent residential development to the North and West. The site borders existing residential development to the east and south, enabling seamless integration into the village. To the north and west, it adjoins open countryside, offering clear

potential for landscaped buffers, green infrastructure, and biodiversity enhancements that will soften the settlement edge and support ecological networks.



Figure 1. Land West of Malpas (2025).

- 3.5. The land benefits from existing access points from Church Street (B5069), providing opportunities for vehicular and pedestrian connectivity. The site is within comfortable walking distance of Malpas High Street and key services, supporting a low-carbon, walkable neighbourhood structure. The site comprises a logical extension to the Malpas settlement edge, offering an opportunity for high-quality residential development. It is largely free from significant development constraints and presents a well-defined area for growth that can be delivered sensitively and sustainably over the plan period.
- 3.6. The land can support a phased delivery approach, providing flexibility to respond to housing demand while enabling prompt delivery of new open space and green infrastructure. Its location allows for a high-quality design response that respects local character and reinforces the distinctive rural identity of Malpas.
- 3.7. Several mature trees on site are subject to Tree Preservation Orders (TPOs), which offer an opportunity to integrate established landscaping into the development from the outset. This will contribute to biodiversity enhancement, visual screening, and a strong green framework that defines and softens the site edges.
- 3.8. The list below is of all the TPOs on site:
 - X/08/10014/ORD: Malpas Tree No. 23 (LIME)
 - X/08/10014/ORD: Malpas Tree No. 24 (SYCAMO)
 - X/08/10014/ORD: Malpas Tree No. 25 (SYCAMO)
 - X/08/10014/ORD: Malpas Tree No. 26 (SYCAMO)
 - X/08/10014/ORD: Malpas Tree No. 27 (SYCAMO)
 - X/08/10014/ORD: Malpas Tree No. 28 (SYCAMO)
 - X/08/10014/ORD: Malpas Tree No. 29 (SYCAMO)
 - X/08/10014/ORD: Malpas Tree No. 30 (SYCAMO)
 - X/08/10014/ORD: Malpas Tree No. 31 (OAK)

- X/08/10014/ORD: Malpas Tree No. 34 (SYCAMO)
- X/08/10014/ORD: Malpas Tree No. 35 (SYCAMO)
- X/08/10014/ORD: Malpas Tree No. 36 (SYCAMO)
- X/08/10014/ORD: Malpas Tree No. 37 (SYCAMO)
- X/08/10014/ORD: Malpas Tree No. 38 (SYCAMO)
- X/08/10014/ORD: Malpas Tree No. 39 (ASH)
- X/08/10014/ORD: Malpas Tree No. 40 (SYCAMO)
- X/08/10014/ORD: Malpas Tree No. 41 (SYCAMO)
- X/08/10014/ORD: Malpas Tree No. 43 (SYCAMO)
- X/08/10014/ORD: Malpas Tree No. 44 (SYCAMO)
- X/08/10014/ORD: Malpas Tree No. 45 (SYCAMO)
- X/08/10014/ORD: Malpas Tree No. 46 (SYCAMO)
- X/08/10014/ORD: Malpas Tree No. 47 (SYCAMO)
- X/08/10014/ORD: Malpas Tree No. 48 (SYCAMO)
- X/08/10014/ORD: Malpas Tree No. 49 (SYCAMO)

- 3.9. Two Public Rights of Way (PRoWs), Malpas FP8 & FP9, cross the site and can be sensitively incorporated into the scheme layout. These routes provide the opportunity to deliver new and enhanced pedestrian and cycle connections, ensuring continued public access to the countryside and potentially linking into new areas of open space or future community amenities.
- 3.10. The site lies adjacent to the built-up area of Malpas, a key rural service centre identified in the proposed settlement hierarchy. Malpas benefits from a range of local services and facilities, including schools, healthcare, shops, and public transport connections, making it a sustainable and appropriate location for residential growth.
- 3.11. The land is in single ownership and is being actively promoted for development. It is considered available, suitable, and achievable within the plan period, without reliance on complex infrastructure delivery or mitigation.
- 3.12. The landowners are also committed to active and ongoing engagement with Cheshire West and Chester Council to ensure this land can make a positive and timely contribution to the borough's housing needs. The Diocese welcomes a collaborative approach to master planning that responds to the needs of the local community and delivers real, lasting benefits for Malpas. The allocation of this site would support the Council's spatial strategy and the National Planning Policy Framework's (NPPF) objective to promote sustainable development in well-connected rural locations. The site contributes to the borough's wider housing strategy by offering early, deliverable growth alongside environmental and social benefits.
- 3.13. Development of this site will provide new homes that respond to local housing needs while delivering enhanced open space, biodiversity net gain, and improved public access. It offers a unique opportunity to create a well-integrated, high-quality extension to Malpas that reflects its character, supports local infrastructure, and reinforces the settlement's role in the wider rural area.

Site specific comments to support Malpas Growth Options (Section 5.1)

SS 50 Which of the identified potential growth areas around Malpas do you consider the most suitable?

- 3.14. All potential growth options for Malpas (Options A, B, and C) are essentially similar in their overall suitability, with no significant differences between them. However, within these options, land parcel MAL04 is considered the most appropriate for growth. It aligns with the current local plan's scale and distribution of development, and benefits from proximity to sustainable transport corridors. Its location

adjacent to the existing settlement edge allows for a logical, contained extension of the village, supporting sensitive integration with the established built environment.

- 3.15. MAL04 offers the opportunity to deliver high-quality residential development consistent with the NPPF (2024) objectives, particularly those related to sustainable development, superior design, and place-making (Sections 2, 12). This site includes significant open space and landscaping that will enhance the local character and biodiversity, in line with national design guidance and local landscape policies.
- 3.16. Importantly, MAL04 provides the ability to safeguard nearby heritage assets, including the Church and Malpas Conservation Area, ensuring development respects and reinforces Malpas's historic and rural identity. The site's potential to contribute positively to community infrastructure and provide accessible green space supports sustainable growth aligned with both local planning policies and national frameworks, promoting environmental, social, and economic well-being as set out in the NPPF.

SS 51 Do you have any further comments about any of the potential growth areas identified around Malpas?

- 3.17. It is essential that any future development around Malpas is carefully managed to preserve the village's distinctive character, heritage, and rural setting. Of the potential growth areas identified, MAL04 is particularly well placed to deliver this. The site offers a logical, well-contained extension to the village and provides the opportunity for a sensitively designed scheme that incorporates mature landscaping, green buffers, and appropriate building scale to ensure visual separation from the wider countryside and harmony with the existing settlement edge.
- 3.18. The presence of public rights of way crossing the site presents a further opportunity to enhance pedestrian and cycle connectivity, supporting active travel and reinforcing Malpas's role as a sustainable rural service centre. With appropriate design, development at MAL04 can improve access to local open spaces and contribute positively to placemaking in line with the National Planning Policy Framework's emphasis on sustainable transport, health and well-being, and high-quality design.

SS 52 Are there any constraints, including infrastructure provision, which should be considered for Malpas when developing the new Local Plan?

- 3.19. In preparing the new Local Plan, it is important to recognise the specific characteristics and sensitivities of Malpas while also identifying realistic, sustainable opportunities for growth. Like many rural service centres, Malpas faces infrastructure pressures. However, these are typical of villages in the wider borough and can be effectively addressed through the plan-led delivery of development, supported by coordinated infrastructure investment and developer contributions.
- 3.20. Heritage is a key consideration for Malpas, given the presence of the Conservation Area and multiple listed buildings. However, this should not be viewed as a constraint to development, but rather as a driver of quality. The Local Plan should ensure that new housing is guided by strong place-making principles, including local character, landscape integration, and sensitive design.
- 3.21. The land at MAL04 provides a deliverable and logical extension to the village that responds directly to these requirements. It offers the potential to accommodate new housing while maintaining the village's historic setting, protecting important views, and delivering accessible open space. Its scale and location allow for integration with existing movement networks, enhancement of public rights of way, and support for BNG - now a mandatory requirement in the planning system.
- 3.22. Through site-specific policies and a strong design-led framework, the Local Plan can enable sustainable residential development at Malpas that supports the village's long-term vitality, protects its heritage assets, and delivers the infrastructure needed to accommodate modest, well-managed growth.

4. Other Policy Considerations

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?

- 4.1. The suggested policy approach towards housing mix, type, and specialist housing is broadly supported as it recognises the need for diverse, inclusive communities that meet varied demographic and social requirements. However, flexibility should be embedded within the policy to respond to local market conditions and site-specific constraints. In particular, provision for specialist housing should be carefully calibrated to ensure it meets demonstrated local need without imposing unrealistic percentage targets that could hinder delivery. The policy should also emphasise the integration of specialist housing within mainstream developments to promote social cohesion and accessibility.

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?

- 4.2. While percentage-based targets can offer clarity and help guide development in line with identified housing needs, a rigid or overly prescriptive approach may not be appropriate across all sites or settlement types. A more flexible framework is recommended, one that sets indicative targets informed by the Housing Needs Assessment but allows for site-specific negotiation based on local needs, site constraints, and viability.
- 4.3. This approach would enable the Local Plan to respond more effectively to changing demographic trends, local market conditions, and the unique character of individual settlements, particularly in rural areas like Malpas. The policy should encourage a balanced housing mix that reflects both borough-wide strategic objectives and local community aspirations.

OS 2: Are the current thresholds for developer contributions for open space and playing pitches suitable, or do you have any comments or suggestions for what they should be?

- 4.4. The current thresholds for developer contributions towards open space and playing pitches provide a sound basis for securing community infrastructure. However, considering the growing emphasis on health, wellbeing, and biodiversity, as reinforced in the NPPF (2024), consideration should be given to lowering thresholds in specific contexts to address cumulative impacts, particularly in smaller or phased developments. Contributions should be clearly linked to up-to-date local evidence, including the Playing Pitch Strategy and Sport England's planning tools, to ensure funding supports accessible and valued improvements.

OS 5: Do you agree with the suggested policy approach towards cultural and community facilities, as set out in OS 2 'Cultural and community facilities' above? If not, please suggest how it could be amended?

- 4.5. The proposed policy approach to protecting and enhancing cultural and community facilities is strongly supported, as these assets are essential to the long-term vibrancy and inclusivity of local communities. The policy should go further by encouraging the proactive delivery of new or enhanced facilities as part of major developments, secured through developer contributions where appropriate. In addition, promoting the flexible and multi-use operation of existing facilities will allow them to respond more effectively to evolving community needs, helping to improve social resilience. Ongoing engagement with local stakeholders and community organisations will be key to ensuring the policy remains responsive and effective.

5. Assessment and Conclusion

- 5.1. This representation supports a revised spatial strategy for Cheshire West and Chester that promotes a more balanced, deliverable, and flexible approach to growth across the borough. The Council must plan positively to meet the significantly increased housing needs arising from the revised NPPF.
- 5.2. We support Spatial Option B as the most appropriate basis for the new Local Plan, offering a sustainable and well-distributed pattern of growth that avoids over-reliance on constrained urban sites or major Green Belt release. Within this framework, Malpas is well placed to accommodate plan-led development as a designated Key Service Centre with strong infrastructure, local services, and public transport links.
- 5.3. Site MAL04 represents a clear opportunity for sustainable residential development in the early years of the plan period. It is well contained, free from major constraints, and benefits from excellent accessibility and integration with the existing settlement. The site has been assessed as suitable through the Issues and Options consultation and aligns closely with national policy in terms of Green Belt review and sustainable settlement expansion.
- 5.4. The site is available, achievable, and deliverable, with landowner support and clear potential to contribute to the borough's five-year housing land supply and offers prompt delivery without compromising the wider strategic objectives of the Plan.
- 5.5. The mature landscaping and protected trees within the site offer significant opportunities to enhance biodiversity and create well-integrated green infrastructure, supporting the borough's environmental and place-making ambitions.
- 5.6. We encourage the Council to give full and positive consideration to MAL04 for allocation in the emerging Local Plan and to develop a spatial strategy that supports sustainable growth in settlements like Malpas. This will help ensure the Plan is sound, responsive to market needs, and capable of delivering the borough's housing requirements over the full plan period.