

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

RB/01
29th August 2025

Dear Sirs

**RE: CHESHIRE WEST AND CHESTER LOCAL PLAN ISSUES AND OPTIONS (REGULATION 18)
CONSULTATION
ON BEHALF OF MR AND MRS BASFORD**

On behalf of our Client, Mr and Mrs Basford, we hereby write in response to the Council's current Local Plan Issues and Options (Regulation 18) consultation.

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

This submission provides our Client's comments in response to a number of the Questions set out within the Issues and Options (Regulation 18) consultation document (hereafter referred to as the "I&O"), as well as details of their Land south of the A51 Tarporley Road in Duddon which are separately submitted as part of the Council's Call for Sites.

Issues and Options Consultation (Regulation 18)

Question IN 1 - Do you agree that this is the right evidence that we need to inform the new Local Plan? Is there further evidence that you think will be required?

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

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

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

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

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

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

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

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

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

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

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

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

Based on the Local Housing Needs Figures published by the Government in December 2024, the Council should therefore plan for the Local Plan's development and spatial strategy to deliver 1,914 dwellings per year across at least a 15-year period, as a minimum (and any subsequent adjustments to this figure). Given that the adopted Local Plan covers a period of 20 years, there is no reason why a new 20-year Local Plan period could not be advanced.

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

No. The Council's development and spatial strategy should ensure that there is a sufficient supply of deliverable housing land across the Borough to meet its minimum housing requirement from Year One of the new Local Plan period. This can be achieved by ensuring that land is allocated for housing across the Borough, in all of the Main Towns, larger villages and smaller villages as a minimum approach. There is no reason not to adopt this positive approach to housing delivery.

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?

It is noted that reference is made to smaller settlements with a lower level of services and access to public transport possibly being suitable for infill development and brownfield development. This approach is far too restrictive. There are a number of smaller settlements which are capable of accommodating smaller, major housing schemes (10-50 dwellings for example), rather than simply being restricted to infill or brownfield development. There are some smaller settlements, some of which are identified as Local Service Centres in the Part Two Local Plan, which can accommodate such growth and have access to public transport, primary school and other services; there is no need to restrict growth in these villages. This includes the settlement of Duddon.

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

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

Yes. There is the need for a balanced distribution of housing across the Borough over the next Local Plan period. Housing land should be allocated on deliverable and developable brownfield and greenfield land (Green Belt and Open Countryside) across the Borough in the Main Towns, larger villages, smaller villages, and on lawful previously developed sites in the Green Belt and open countryside which have a degree of locational sustainability that would make them suitable for a residential land-use (consistent with paragraph 148 of the NPPF). This approach will ensure that new housing is not just directed towards the Main Towns and larger villages, adding pressure to existing infrastructure and services; it will also mean that smaller villages and rural areas/communities are much better supported than they have been since the current Part One Local Plan was adopted in 2015.


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

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

Question SS 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***

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d. None of these

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The threshold of affordable housing being provided on sites of 10 or more dwellings is supported. However, we do not support the threshold of three or more dwellings in the rural area; this is not consistent with the Planning Practice Guidance which sets the threshold at residential schemes of 10 or more dwellings, and it has been found that this approach does not work in practice (with evidence of schemes either failing to come forward as a result of the affordable housing requirement, or affordable homes subsequently being changed to market homes (and S106 Deed of Variations being required) as there are no Housing Associations interested in acquiring and assuming the management of 1 or 2 affordable homes on small sites in the rural area).

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

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

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

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

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

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

Call for Sites Submission

In light of the above, our Client makes the following site submission to the Council for consideration as a potential housing allocation as part of the Council's next Local Plan:

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Land south of the A51 Tarporley Road, Duddon

We have attached a Site Location Plan to this submission.

Further details of the Site are provided below.

DETAILS	INFORMATION / ASSESSMENT
Landowner Details	Mr and Mrs Basford (listed as proprietors on the Title Register)
Site Location (Easting/Northing)	351128 / 364756
Site Aerial Image (source: Google Earth)	
Site Area (hectares)	1.45
Site Description	Greenfield
Site Surroundings	<p>- Northern boundary – the northern boundary of the Site is formed by the A51 Tarporley Road, as shown on Figures 1 and 2 above. This serves as the primary arterial route through the settlement of Duddon, connecting it with Chester, Tarvin and Tarporley amongst others. There are existing residential properties located directly opposite part of the northern boundary of the Site, located on the site of the former Headless Woman Public House and which were granted planning permission by Cheshire West and Chester Council in November 2012 (Application Ref.</p>

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	<p>12/01648/FUL) as part of a development comprising the change of use and conversion of the public house, and construction of 8 no. dwellings. A further 2 no. dwellings were later approved and built under Application Ref. 13/00956/FUL. There is an existing hedgerow and conifers running along the length of the northern boundary of the Site, together with a low-level post and rail fence. Furthermore, an existing bus stop lies immediately adjacent to the Site along its frontage. The northern boundary of the Site forms a permanent and defensible boundary to the Site;</p> <p>- Eastern boundary – the eastern boundary of the Site is formed by well-established existing landscape features in the form of a small number of trees and hedgerows. Beyond those lies the property known as Meadowbank Farm, comprising an existing dwellinghouse and series of outbuildings which are accessed off Hook Lane to the south. This property runs along the full length of the eastern boundary of the Site, separating it from the countryside beyond and forming a permanent, defensible boundary to the Site;</p> <p>- Southern boundary – the southern boundary of the Site is characterised by existing well-established hedgerow and tree coverage, providing a natural barrier to the land to the south whilst also screening views to the countryside beyond down to Hook Lane. Beyond the south-eastern corner of the Site is land in use for agricultural and storage purposes, comprising a dwellinghouse and a series of outbuildings and paraphernalia which extends down to Hook Lane; and</p> <p>- Western boundary – as with all other boundaries to the Site, the western boundary is also characterised by well-established tree coverage. Beyond this lies the residential properties known as Roselyn Cottage and Rose Cottage, the curtilages to which extend at least half-way along the western boundary of the Site. Further beyond the western boundary are more residential properties located to the south of the A51 Tarporley Road, and which wrap around along Burton Lane (and which connects round to Burton Lane).</p>
Current Use	Agricultural Land
Previous Use	N/A
Proposed Land Use(s) for consideration	C3 – Dwellinghouses (Market and Affordable)
Locational Sustainability	<p>Access to Education</p> <p>It is understood that the catchment Primary School is Duddon St Peters Church of England Primary School located on the A51 Tarporley Road within the village, a c. 500m walking distance from the Site. This will be safely accessible on foot via the proposed and existing footways along the A51 Tarporley Road wholly within the 30mph speed limit zone, and which benefit from existing street lighting as outlined earlier.</p> <p>The catchment Secondary School to the Site is Tarporley High School and 6th Form College; this lies c. 7km from the Site and is accessible via public transport.</p>

Access to Shops and Services

Local services available within Duddon include the Primary School, village hall and a place of worship.

The nearest locations for residents to access (and purchase) everyday supplies are found in Tarvin (c. 3km from the Site), and Tarporley (c. 5km from the Site). As Key Service Centres in the Cheshire West and Chester Part One Local Plan, these two settlements provide access to convenience stores, public houses, cafes/restaurants, hair salons, petrol filling station, and post offices. A public house is also accessible in nearby Clotton.

Access to Public Transport and Cycle Routes

The nearest bus stops are located immediately adjacent to the Site on the A51 Tarporley Road. These are served by the Number 84 service route, operating between Chester, Nantwich and Crewe and operated by Stagecoach.

The first service to Nantwich and Crewe on a Monday to Friday is at 06:14, followed by 06:57 and 07:28 after which the service operates hourly up to 20:28. On a Saturday, the first service is at 07:04 and the last service at 23:04. A reduced service operates on a Sunday, between 08:35 and 17:35.

The first service to Chester on a Monday to Friday is at 07:20, followed by 08:19 and 09:41 after which the service operates hourly up to 22:14. On a Saturday, the first service is at 07:28 and the last service at 22:14. A reduced service operates on a Sunday, between 10:34 and 19:31.

The nearest Train Station to the Site can be found in Mouldsworth c. 9km from the Site. This provides regular daily services (7 days a week) to destinations including Chester, Northwich, Altrincham, Stockport and Manchester Piccadilly (with connections to onward services available at Chester, Stockport and Manchester Piccadilly).

Overall, it is reasonable to conclude that the Site, and any future occupants of the proposed development, will benefit from the same level of excellent access to public transport (bus service) Monday-Sunday as existing residents within the village.

Paragraph 110 of the National Planning Policy Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-taking.

Access to Healthcare

The nearest Medical Centres/General Practice Surgeries and Dental Surgeries to the Site can be found in the nearby Key Service Centres of Tarvin, Tarporley and Kelsall.

Access to Leisure/Recreation Facilities

	<p>Development of the Site is considered capable of being designed to allow refuse and other large vehicles to turn within the Site, ensuring that all vehicles can enter and exit the Site in a forward gear.</p> <p>Ecology</p> <p>The Site is not subject to any specific ecological designations. A 10% net gain in biodiversity is capable of being achieved on the Site.</p> <p>Landscape</p> <p>The Site is not a valued landscape for the purposes of paragraph 187(a) of the NPPF.</p> <p>Trees and Landscaping</p> <p>There are no Tree Preservation Order on or adjacent to the Site.</p> <p>Flood Risk</p> <p>The Site lies in Flood Zone 1, and this is deemed to be at low risk of flooding. The opportunity for sustainable urban drainage systems would be explored as part of a detailed drainage design, and only in the event that this is not possible would traditional drainage methods be proposed.</p> <p>Heritage</p> <p>The Site is not within a Conservation Area. Moreover, the Site does not comprise any listed buildings and there are no heritage assets or locally listed buildings adjacent to the Site. The nearest heritage asset to the Site is the Grade II listed Duddon Lodge, located c. 100m to the west of the Site and which is visually and spatially separated by existing built form and well-established landscape features.</p> <p>Ground Conditions</p> <p>There are no known ground conditions associated with the land which could make any future use sensitive/vulnerable to development. It has never been developed or used for any purpose other than farming.</p> <p>Utilities</p> <p>In view of the presence of surrounding development and the land's proximity to the highway network, it is not anticipated that there will be any challenges in securing the necessary utility connections to serve any future development This would be fully assessed in consultation with the utility providers at the appropriate time.</p>
Availability	<p>The land is available for development now.</p> <p>It is in single ownership (Title Number CH134593).</p> <p>There are no existing Option/Promotional Agreements on the land at present. There is ongoing developer interest in the land.</p>

Suitability	The development of the land for a residential use would represent a logical extension to the existing urban area in this location, to which it is very well-related and is naturally very well-contained. It would be an appropriate land-use, compatible with neighbouring residential properties.
Achievability	There is a realistic prospect of the land coming forward for the proposed land-uses, with ongoing developer interest in the land.
Deliverability	The Site would be deliverable within 5 years of any land-use allocation in the Local Plan, if not sooner.

Application Ref. 25/01200/OUT has been submitted for the “**Erection of up to 27 no. dwellings (C3) and associated infrastructure works including access, landscape, drainage and retention of an existing public right of way.**” It is pending determination.

This has demonstrated that the Site is capable of accommodating up to 27 no. dwellings, at a net density of 25 dwellings per hectare.

Summary

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

Should you have any queries about any of the information submitted, or require any further information on our Client’s landholdings, please do not hesitate to contact us.

Our Client would be delighted to meet with the Officers at the Council to discuss their submission and the development potential of their landholdings. They are committed to working closely with the Council to help meet current and future growth requirements and to maintain a sustainable and prosperous future for Cheshire West and Chester.

Yours Sincerely



Steve Grimster
Managing Director

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Enc: Site Location Plan

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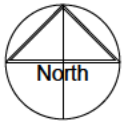
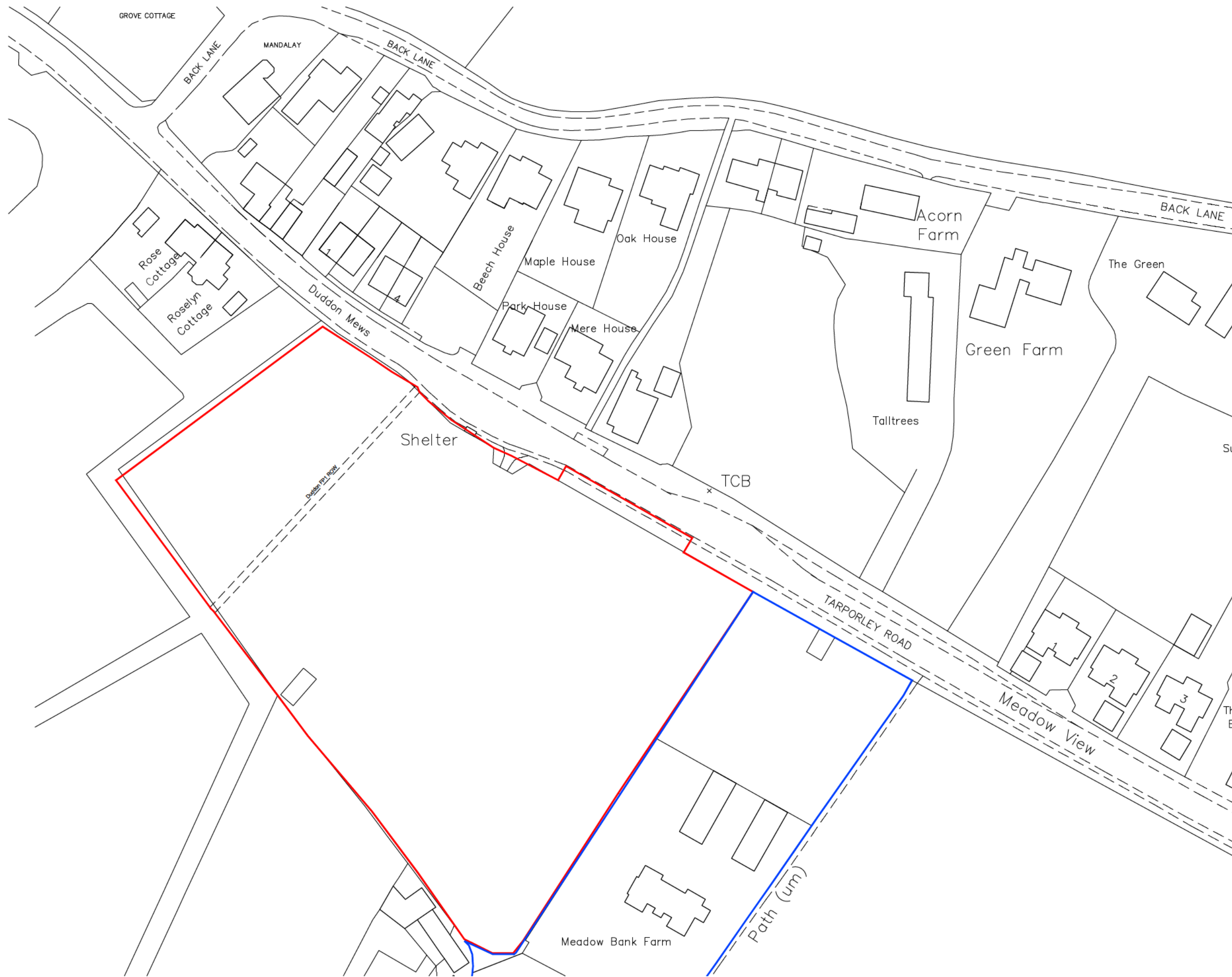
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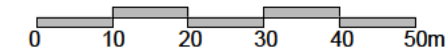


KEY

- Application Site
3.58 Acres / 1.45 Ha
- Adjacent Land under control of the applicant

SITE LOCATION PLAN - SCALE 1:1000

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Project Tarporley Road, Duddon		
Title Location Plan		
Scale 1:1000	Drawing 503-1-PLN-001	Rev #
OUTLINE PLANNING		