

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

ECF/01
29th August 2025

Dear Sirs

**RE: CHESHIRE WEST AND CHESTER LOCAL PLAN ISSUES AND OPTIONS (REGULATION 18)
CONSULTATION
ON BEHALF OF THE BENEFICIARIES OF E C FRANCIS**

On behalf of our Client, The Beneficiaries of E C Francis, 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 interests off Caughall Road in Upton, Chester.

Issues and Options Consultation (Regulation 18)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Based on the Local Housing Needs Figures published by the Government in December 2024, the Council should 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, particularly given the considered need for strategic Green Belt release across the Borough; this would allow for amended Green Belt boundaries to endure for a longer period.

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

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

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Question SS 5 - Do you agree with the suggested policy approach towards the settlement hierarchy, as set out in SS 4 'Settlement hierarchy' above? If not please suggest how it could be amended?

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

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 Mains Towns and larger villages, adding pressure to existing infrastructure and services; it will also mean that smaller villages and rural areas/communities are much better supported than they have been since the current Part One Local Plan was adopted in 2015.

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

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

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

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

In line with paragraphs 145 to 147 of the NPPF, it is considered that exceptional circumstances exist to justify a change to the Green Belt boundaries across the Borough.

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

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

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

Question SS 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).

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

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adopted Local Plan do not currently support and facilitate (save for conversion schemes and rural workers dwellings). This aligns with our response to Question SS 13.

Question SS 23 - Which of the identified potential growth areas around Chester do you consider to be the most suitable?

Our Client supports the release of Green Belt land around Chester; this is the only means by which to delivery any significant and meaningful housing growth around the City, and to support its role as the economic growth hub of the Borough. Adopting a positive approach to future Green Belt release around Chester will ensure that the City can remain the hub of economic growth in the Borough and help Cheshire West and Chester retain its economic competitiveness in a region where neighbouring Authorities are seeking to attract new inward investment.

Given that previous Green Belt release has been focused to the south of the City, the next spatial growth strategy should include a balanced release of land to the eastern edge of the urban area, on land that is well-contained with permanent and defensible boundaries, and benefits from good access from the existing highway network.

There are a number of constraints around other parts of the City. This includes areas of flood risk to the south-west, west and south/south-east, Conservation Areas, SSSI's and other landscape/ecological considerations (including Parks and Gardens and Local Wildlife Sites). The land to the eastern edge of the defined urban area as shown on the LDP Policies Map has fewer constraints.

The location of some new housing towards the eastern of the City will also ensure that the housing needs of those smaller outlying settlements to the east of the A55 can also be met given in view of their own Green Belt constraints.

Parcel CH02 encompasses the majority of the land along the eastern edge of Chester, within the A55. This land is sustainably located and would represent a logical expansion of the City utilising permanent and defensible boundaries which could endure beyond the next Local Plan period. Our Client's land interests are located towards the eastern edge of Chester, and represent an excellent candidate site for release from the Green Belt. The land benefits from excellent highway and public transport links into the City of Chester and further afield. Further details are provided later in this letter.

However, it is observed that Parcel CH02 not include the land to the immediate east of Caughall Road and Upton Heath. Whilst some of this land has known archaeological value, there are nevertheless parcels of land immediately adjacent to the east of Upton Heath that would be capable of development; this includes our Client's landholdings, as documented later in this submission. These land parcels should not be discounted at this stage, particularly given that they would enable smaller, incremental Green Belt release

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proportionate in scale to the settlement which they adjoin. We would request that they should be fully assessed as part of a Borough-wide Green Belt Assessment. Further details are provided later in this submission.

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

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

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

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

Policy STRAT9 does also not need to include the test that restricts development to that which requires a countryside location and cannot be accommodated within identified settlements. This is an overly restrictive and unnecessary policy test; as long as development complies with the types of development that are permitted within the Countryside, as will be set out under Policy GB1, this is simply an additional and unnecessary policy requirement.

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

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

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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?

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

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

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

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

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

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

In terms of sites within the Green Belt, an "at least 50% affordable housing" requirement is in no way considered to be justified. We object to such an approach. For previously developed land in the Green Belt, there are likely to be some abnormal costs associated with redevelopment, together with the ever-increasing associated development costs. Furthermore, land in the Green Belt will be located towards the edge of

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existing settlements and/or in the rural area; these may not be the most appropriate locations for such a large proportion of affordable housing, which typically attracts a lower level of car ownership.

Land Interests

Land east of Caughall Road, Upton, Chester

We have attached a Site Location Plan to this submission.

Further details of the Site are provided below:

DETAILS	INFORMATION / ASSESSMENT
Landowner Details	The Beneficiaries of E C Francis
Site Location (Easting/Northing)	341544 / 369758
Site Aerial Image (source: Drone Image)	
Site Area (hectares)	1.93
Site Description	Greenfield

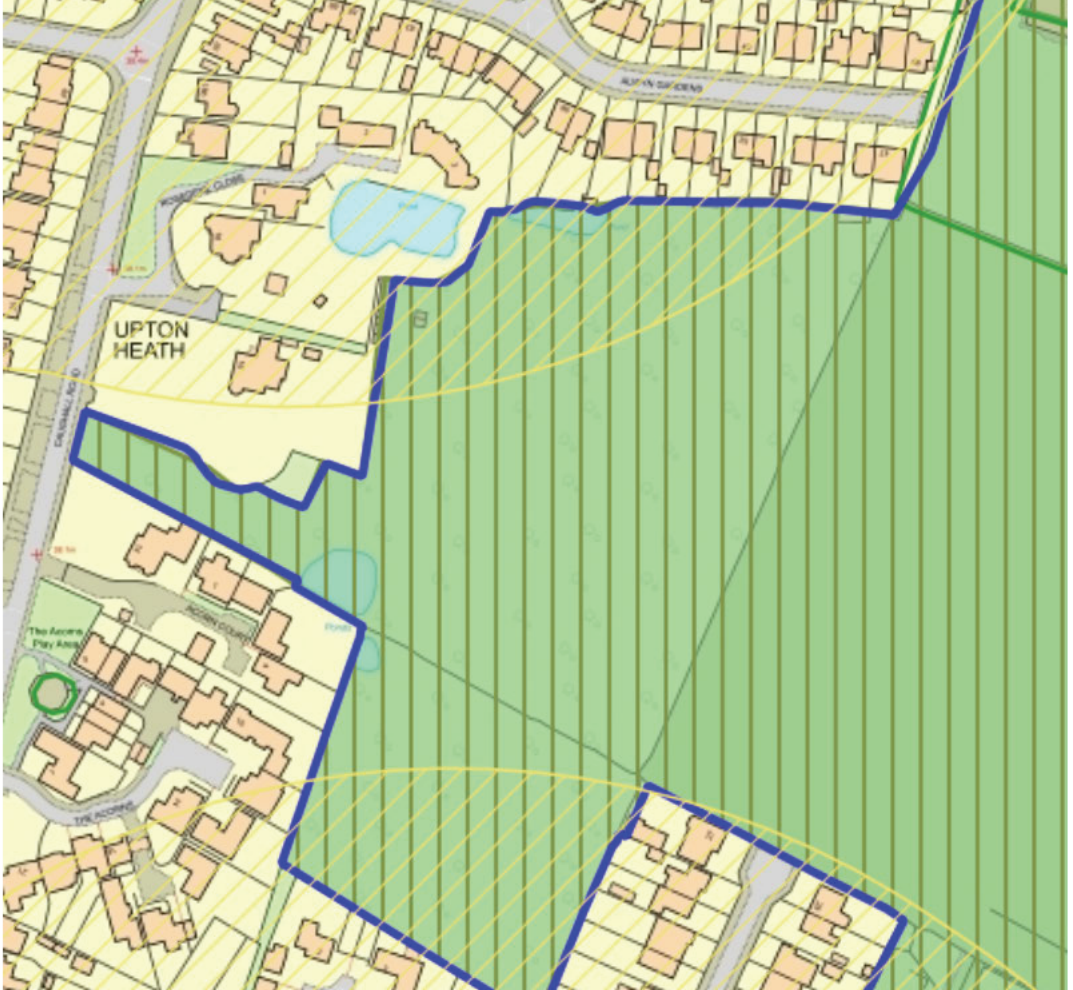
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Site Surroundings	<p>The land is bounded by Caughall Road to the west, with existing residential development lying to the north (off Alwyn Gardens) and south (off The Acorns and Dulas Court). Number 16, Caughall Road, lies to the north of the access. The land to the east is countryside.</p> <p>The majority of the surrounding residential properties are at least two-storeys in height, with some 2.5/3 storey housing forming part of the mix. The properties are mainly semi-detached/detached in type.</p> <p>By virtue of the land 's irregular shape and surroundings, it has more affiliation with the built form/built-up area than it does with the countryside to the west. Its development would effectively allow for a large infill development without extending the building line to the west beyond the existing built form (and indeed the building line would still be further west than the land in question owing to the existing development on Brooke Avenue to the south-east and Acresfield Primary School to the north-east).</p>
Current Use	Scrubland
Previous Use	N/A
Proposed Land Use(s) for consideration	<p>C2 – Retirement / Care Home</p> <p>C3 – Dwellinghouses (Market and Affordable)</p>
Locational Sustainability	<p>The Site is accessible via private car from Caughall Road. Works to the access will be undertaken shortly involving some site clearance works, subject to securing the necessary approvals.</p> <p>There are existing bus stops located on Caughall Road, c. 75m from the entrance to the land heading north, and c. 120m heading south. These bus stops are served by the Monday to Friday Number 26 and 26a services, providing connections into Chester City Centre and to Ellesmere Port (amongst others). Accordingly, the land is well-served by public transport.</p> <p>Caughall Road also benefits from an established pedestrian footway network on both sides of the road, to which the land connects. This route also has street lighting, facilitating and encouraging people to walk and cycle as alternatives to the private car.</p> <p>The land also lies within a short and safe walking distance of the following (all within 400m):</p> <ul style="list-style-type: none"> - Acresfield Primary School; - Chester Zoo; - Convenience Stores (Spar at Upton, Premier at Upton including Post Office); and - Fast Food Take-Away at Upton. <p>Other nearby provision includes the Upton Heath Church of England Primary School, Upton High School, 2 x Places of Worship, Public House, and recreational/leisure facilities/open spaces/play areas.</p>

Planning History	<p>A planning application for 22 no. dwellings on the land was previously submitted in June 1979 and dismissed on Appeal. The reference was 6/6178. At the time of the application, the land was in the Green Belt (as it is today) and was refused on Green Belt grounds. However, this does not mean that the land is not suitable as a Green Belt land release as part of the new Local Plan.</p>
Development Plan Designation (Local Plan and/or Neighbourhood Plan)	<p>STRAT9 – Site lies within the Open Countryside M4 – Proposals for exploration, appraisal or production of hydrocarbons DM11 – Aerodromes</p>
Development Plan Policies Map Extract	
Technical Policy Considerations	<p>Accessibility</p> <p>The land is accessible from Caughall Road to the immediate west. This will also provide the opportunity for pedestrian and cycle access to the land, facilitating sustainable modes of travel to access local services and public transport.</p> <p>An Access Drawing and Swept Path Analysis Drawing showing the potential access arrangements into the Site are appended.</p>

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Ecology

In order to understand the ecological value of the land, a Phase 1 Habitat Survey has been undertaken in February 2024.

A copy of the Phase 1 Habitat Survey is appended to this submission together with a Part 1 Biodiversity Net Gain Assessment.

Landscape

The land is not identified as a valued landscape in the Local Plan. It is a largely flat and presently inaccessible, disused parcel of land. Whilst the development of the land would inevitably result in some landscape change, this is the same for any residential development. It is not considered that this would be significantly and demonstrably harmful, and the scheme design (together with other measures) can ensure that appropriate mitigation can be provided where required. The existing landscape features at the boundaries to the land provide some natural screening from the wider countryside beyond, and which would be capable of being retained.

Trees and Landscaping

There is existing tree coverage across the land. This is currently being assessed, and further information will be available for submission to the Council shortly.

Part of the land is subject to a Tree Preservation Order, as shown below:



The TPO reference is X.05.10202.ORD and is a Group Order. The relevant Group reference is G4 referenced on the Order as “*Situated in the area alongside Caughall Road.*” A copy of the TPO is attached to this submission.

The landowner is currently in discussions with the Council’s Tree Officer with a view to undertaking some clearance works at the access from Caughall Road in order to enable access for essential land management.

The remainder of the land does comprise self-seeded and immature existing tree cover/vegetation, and the quality of these trees is to be assessed as part of a full Arboricultural Survey. However, these trees are not subject to any Tree Preservation Order.

It is considered that the land can be developed such that a number of existing trees and hedgerows within and around it can be retained, and new planting provided, consistent with paragraph 136 of the NPPF.

Flood Risk

The land 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

	<p>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 land is not within a Conservation Area, and there are no listed buildings on or adjacent to it.</p> <p>There are several Scheduled Monuments located to the east of the land; any development on the land would not impact on these heritage assets, spatially or visually, and there would remain existing built form closer to these Scheduled Monuments than any development on the land.</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. A Phase 1 Ground Investigation would be undertaken at the appropriate time, if required.</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 CH638894).</p> <p>There are no existing Option/Promotional Agreements on the land at present, but it has previously been the subject of two Option Agreements with housebuilders. There is ongoing developer interest in the land.</p>
Suitability	<p>The development of the land for a residential use would represent a logical extension to the existing urban area of Upton in this location, to which it is very well-related. It would be an appropriate land-use, compatible with neighbouring residential properties.</p>
Achievability	<p>There is a realistic prospect of the land coming forward for the proposed land-uses, with ongoing developer interest in the land.</p>
Deliverability	<p>The land would be deliverable within 5 years of any land-use allocation in the Local Plan, if not sooner.</p>

Given the location of the land within the Green Belt, we have considered its contribution to the Green Belt against the five purposes of including land within it, as set out in paragraph 143 of the NPPF. This exercise is undertaken below:

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GREEN BELT PURPOSE	ASSESSMENT
To check the unrestricted sprawl of large built-up areas	The proposed development will be limited to 1.93 hectares of land which does not extend beyond the existing, established building lines to the north and south. It would effectively represent an “infill” development plot that would in no way lead to the unrestricted sprawl of the existing urban area.
To prevent neighbouring towns merging into one another	The proposed release of the land for development would in no way result in any issues of coalescence.
To assist in safeguarding the countryside from encroachment	Whilst the development of the land would result in the loss of land designated as countryside, the land evidently does not perform any agricultural function. Furthermore, and as outlined above, the development of the land would not extend beyond the existing, established building lines to the north and south and thus would not lead to any significant encroachment into the countryside. It would involve the modest loss of just 1.93 hectares of land to development.
To preserve the setting and special character of historic towns	The development of the land would not have an adverse, harmful impact on any designated heritage assets, including the nearby Scheduled Monuments.
To assist in urban regeneration, by encouraging the recycling or derelict and other land	As outlined earlier in this submission, there is a shortage of alternative brownfield sources of land supply in and around Chester to meet future housing needs as part of the next Local Plan period. Accordingly, the release and development of this relatively modest parcel of land would make a valuable contribution to these future needs, in a sustainable location, and on a parcel of land which is not sensitive to development.

In respect of the *visual impact* on the Green Belt, the development of the land would introduce new built form on to previously undeveloped land. However, any development would be set within the context and backdrop of existing built form on Caughall Road and surrounding roads, such that it would not appear incongruous within its setting. Indeed, the land has more affiliation with the existing urbanising influences than the countryside such that any development would be capable of being assimilated within the landscape.

Turning to the *spatial impact*, the development of the land would introduce new built form. That is inevitable with any new development on greenfield land. However, it would represent a logical extension to the existing urban area of Upton as an ‘infill’ development in effect.

To this end, and for the collective reasons set out in this submission, it is considered that our Client’s land is available, suitable, achievable and deliverable for a residential land-use should the Council be minded to release land from the Green Belt as part of its new Local Plan to meet Chester’s future housing needs.

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Assuming a Class C3 residential use, our Client's land has an indicative capacity of c. 36 - 43 no. residential units applying a net developable area of 75% (1.44 hectares) at a minimum of 25-30 dwellings per hectare.

The capacity might be greater if the land were to accommodate Class C2 retirement/care development within a single building footprint, which typically has a higher minimum density than standard Class C3 dwellings.

Adjoining Land

In addition to our Client's landholdings, they have been in direct contact with the adjoining landowners at 16 Caughall Road, Upton, Chester. In doing so, a comprehensive development opportunity has been discussed, such that the adjoining land (which extends to c. 0.3 hectares) has now been submitted as part of the Council's Call for Sites exercise. This adjacent land is covered by Title Numbers CH179374 and CH511796, with the title plans attached to this submission. Accordingly, there is the ability for our Client's land and the adjoining land to be developed and released from the Green Belt as a single development opportunity, whilst also negating the need for the loss of any existing trees fronting on to Caughall Road which are covered by the existing Tree Preservation Order (with vehicular access instead achievable through the land at 16 Caughall Road).

The inclusion of this adjacent land alongside our Client's landholdings would naturally increase the potential dwelling yield of the land, as a whole, with the gross development area extending to c. 2.3 hectares.

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



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Steve Grimster
Managing Director

Enc: Site Location Plan (Title Plan)
Title Numbers CH179374 and CH511796 (adjoining land)

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Title register for:

Land on the east side of Caughall Road, Upton, Chester (Freehold)

Title number: CH638894

Accessed on 21 November 2023 at 22:12:28

This information can change if we receive an application. This service can not tell you if HM Land Registry are dealing with an application.



This is not an official copy. It does not take into account if there's a pending application with HM Land Registry. If you need to prove property ownership, for example, for a court case, you'll need to order an official copy of the register.

Register summary

Title number CH638894

Registered owners Michael Charles John Baden
36 Church Street, Flint CH6 5AE
Ian Lee Wright
36 Church Street, Flint CH6 5AE

Value stated £5,000 on 20 May 2015

A: Property Register

This register describes the land and estates comprised in this title.

Entry number **Entry date**

1 2015-05-20 CHESHIRE WEST AND CHESTER

The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land on the east side of Caughall Road, Upton, Chester.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Class of Title: Title absolute

Entry number	Entry date	
1	2015-05-20	PROPRIETOR: MICHAEL CHARLES JOHN BADEN of 36 Church Street, Flint CH6 5AE Executors of Evan Cecil Francis deceased and IAN LEE WRIGHT of 36 Church Street, Flint CH6 5AE Executors of Evan Cecil Francis deceased.
2	2015-05-20	The value stated as at 20 May 2015 was £5,000.
3	2015-05-20	RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.

C: Charges Register

This register contains any charges and other matters that affect the land.

Class of Title: Title absolute

Entry number	Entry date	
1	2015-05-20	A Conveyance of the land in this title and other land dated 1 October 1931 made between contains

restrictive covenants.

NOTE 1: The restrictive covenants referred to in the Conveyance dated 7 July 1897 referred to are set forth in the first part of the Schedule hereto. Neither the original or a certified copy or examined abstract of the Conveyance dated 7 July 1897 was lodged on first registration.

→ NOTE 2:-Copy filed

OC 2 FORM

2	2015-05-20	Restrictive Covenant created by a Contract for sale dated 2 February 1981 made between (1) Evan Cecil Francis and (2) Colin McNae and Hilarie McNae but neither the original Deed nor a certified copy or examined abstract of it was produced on first registration.
---	------------	---

NOTE: This information was taken from a Land Charge Class D(ii) dated 22 February 2007 reference number 32775.

3	2015-05-20	Estate contract created by a Deed dated 4 October 1999 made between (1) Kathleen June Wakelin and Peter Ralph Richards and (2) David McLean Homes Limited but neither the original Deed nor a certified copy or examined abstract of it was produced on first registration.
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NOTE: This information was taken from a Land Charge Class C(iv) dated 4 October 1999 reference number 29989.

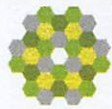
4	2015-05-20	UNILATERAL NOTICE in respect of an Option Agreement dated 17 April 2015 made between (1) Michael Charles John Baden and Ian Lee Wright and (2) Macbryde Homes Limited.
---	------------	--

5	2015-05-20	BENEFICIARY: Macbryde Homes Limited (Co. Regn. No. 1932141) of Macbryde House, Unit 28 St
---	------------	---

Asaph Business Park, St Asaph, Denbighshire LL17
0LJ.

HM Land Registry
Current title plan

Title number **CH638894**
Ordnance Survey map reference **SJ4169NE**
Scale **1:1250**
Administrative area **Cheshire West and Chester**



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H.M. LAND REGISTRY		TITLE NUMBER	
		CH 179374	
ORDNANCE SURVEY PLAN REFERENCE	SJ 4169	SECTION D	Scale 1/1250
COUNTY CHESHIRE	DISTRICT CHESTER		© Crown copyright 1974



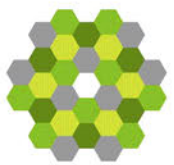
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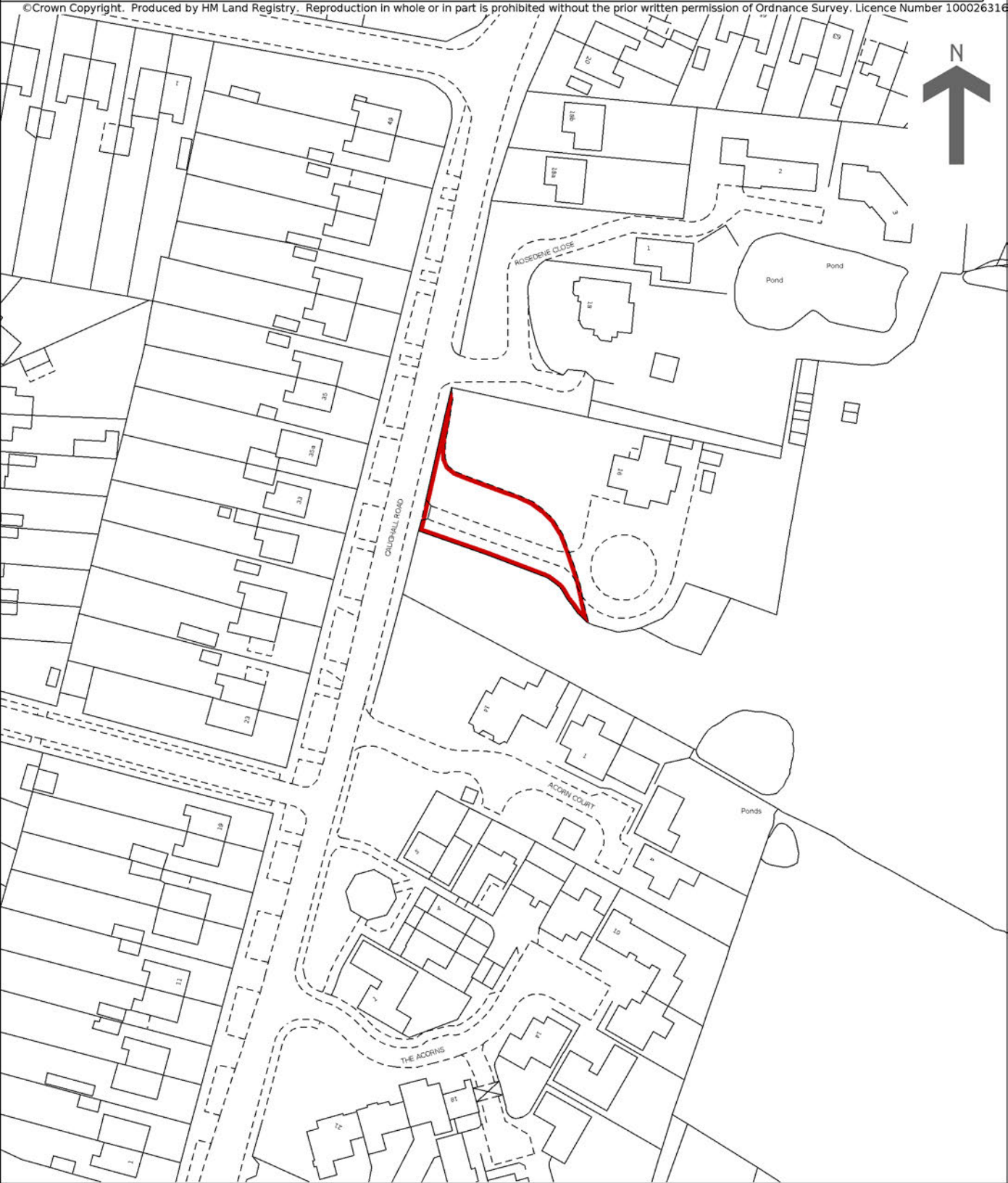
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