



Representations:
Cheshire West &
Chester Council
Regulation 18
Consultation

Land North East of Old Coach Road, No
Mans Heath

Tesni Properties Limited
August 2025

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1 INTRODUCTION

1.1.1. Tesni Properties Limited is a privately owned company based in Mold, Flintshire. Traditionally from a land promotion background the organisation has extensive experience and expertise in nationwide strategic land, as well as evidence of a diverse portfolio of commercial and residential developments within Cheshire, Shropshire and Telford & Wrekin. Tesni seek to be proactive and actively contribute to the preparation of the development plan, making the appropriate representations throughout the Local Plan process.

1.2 OVERVIEW

1.2.1. These representations have been prepared by Tesni Properties Limited (hereafter referred to as Tesni), alongside Mrs.S. Lunt, Mr C. H. Lunt and Mr. R. C. Lunt, in response to Cheshire West and Chester Council's (CW&C) Regulation 18 Local Plan Issues and Options consultation and the associated evidence base.



Image One: Key Considerations Plan (Ref: P21_079_001; Carter Jonas, 2021)

1.2.2. More specifically the following comments are made in the context of Tesni Properties' land interest at Land to the North East of Old Coach Road, No Mans Heath. A 1.2 hectare site located within a contained parcel of land adjacent to the settlement boundary, the A41 and Old Coach Road; as shown in image one.

1.3 PLANNING POLICY BACKGROUND

- 1.3.1. The documents that make up the current adopted development plan for CW&C are as follows:
- Local Plan (Part One) Strategic Policies – adopted on 29th January 2015;
 - Local Plan (Part Two) Land Allocations and Detailed Policies – adopted on 18th July 2019.
- 1.3.2. As outlined above, the current Local Plan is structured in two parts. The Part One Plan, adopted in 2015, covers the period 2010–2030. This establishes the overall vision, strategic objectives, spatial strategy and strategic planning policies for the borough. This includes setting the overall housing requirement, the distribution of new housing land, the identification of strategic sites, and amendments to the Green Belt – all of which are defined as strategic matters.
- 1.3.3. The Part Two Plan, adopted in 2019, provides the more detailed policies and land allocations required to deliver the overarching strategy set in Part One. It is structured around a series of area-specific policies (CH1 to M8), which include land allocations and policies for the development of land within the settlement areas identified in Part One. It also includes Development Management policies (DM1 to DM55), which set out the criteria against which planning applications for new development are assessed. Following the adoption of Part Two, all policies from the former district and county Local Plans were deleted and replaced either by a policy within the Cheshire West and Chester Local Plan (Parts One and Two), or by the National Planning Policy Framework (NPPF).
- 1.3.4. This two-part plan structure has provided a framework for growth to date, but it is now becoming out-of-date. With the end date of 2030 approaching, and in light of revised national policy and updated housing requirements. Tesni is supportive of the Council's proposal to commence work on a new single Local Plan. This creates an important opportunity to reassess how housing and employment growth is distributed, and to consider the role of smaller rural settlements in delivering sustainable and deliverable growth.
- 1.3.5. The regulation 18 consultation seeks views on the emerging options to accommodate 29,000 homes and 150 hectares of employment land over the plan period. This represents a step change in delivery compared with the adopted plan and underlines the need for a flexible and responsive strategy that draws on a broad range of locations and settlement types.
- 1.3.6. The consultation identifies a minimum housing need of 1,914 dwellings per annum, derived from the Government's Standard Method for assessing local housing need. While the Standard

Method provides a consistent baseline across England, the Planning Practice Guidance (PPG) makes clear that this figure should be treated as the starting point, not the final requirement. Local planning authorities are expected to consider whether the baseline should be increased to take account of economic growth aspirations, market signals, affordability pressures, and unmet needs arising from neighbouring authorities.

- 1.3.7. In the case of Cheshire West and Chester, there are compelling reasons to plan for a housing requirement above the Standard Method baseline. Affordability ratios in the borough remain high, particularly in rural and semi-rural areas, where younger households face increasing barriers to home ownership. Delivering a higher level of housing growth would help to address these affordability challenges by boosting supply and increasing the range and mix of homes available.
- 1.3.8. The Council also has ambitious economic growth objectives linked to strategic infrastructure projects, including investment in Chester, Ellesmere Port, and the Cheshire Science Corridor. These initiatives will attract and retain a skilled workforce, but only if sufficient housing is provided in the right locations. Planning to meet only the minimum baseline risks constraining the borough's economic potential.
- 1.3.9. Furthermore, the Council should recognise the importance of housing delivery trajectories when setting its requirement. A plan that is too heavily dependent on large, complex sites will struggle to maintain a rolling five-year supply, creating exposure to speculative development. To safeguard against this risk, the housing requirement should be set at a level that allows a broad mix of sites — including small and medium-sized allocations in rural settlements such as No Mans Heath — to come forward alongside the larger strategic sites. This diversified approach will not only support delivery but will also strengthen the Council's ability to demonstrate a sound plan at examination.

1.4 GROWTH OPTIONS

- 1.4.1. Three broad options have been presented by CW&C within this regulation 18 consultation. While these scenarios explore different distributions of growth, they share a common emphasis on directing the majority of development to the main towns and service centres. Whilst this proposal evidently comes with its advantages, it is essential that the plan also recognises the role of smaller settlements in contributing to housing delivery. Over-reliance on large strategic sites or heavily constrained urban areas risks undermining the Council's ability to maintain a

deliverable five-year housing land supply, which is a key test of soundness under national policy.

1.4.2. Each of the three potential spatial distribution strategies have been tested through the Sustainability Appraisal process and provides a useful starting point for debate. However, it is important that the Council maintains flexibility and does not commit too rigidly to any single option at this early stage. A hybrid strategy, which combines the benefits of each option while addressing their respective shortcomings, will be required to ensure the new Local Plan is positively prepared, justified, effective, and consistent with national policy.

1.4.3. **Option A: Protecting the Green Belt**

This option seeks to minimise Green Belt release by directing the majority of new housing and employment growth to settlements outside the Green Belt, notably Winsford, Northwich, and other non-Green-Belt towns. It also places greater emphasis on expansion within Rural Service Centres. While this approach is consistent with national policy in terms of safeguarding Green Belt land, it creates significant risks. It places undue pressure on a limited number of urban locations, many of which are already contending with regeneration challenges and infrastructure constraints. Relying too heavily on brownfield and regeneration sites can create uncertainty around delivery rates, especially where land assembly, remediation, or market demand issues are complex. From a Tesni perspective, Option A does not provide the necessary flexibility or diversity of supply to maintain a robust five-year housing land supply across the plan period.

1.4.4. **Option B: Continuation of the Current Approach**

Option B broadly reflects the adopted spatial strategy, distributing growth across Chester, Ellesmere Port, Winsford, Northwich, and the network of Key Service Centres. Under this scenario, around 11,000 homes would be delivered through Green Belt release. This approach offers a more balanced distribution of growth compared to Option A, aligning new homes with employment opportunities and existing transport networks. It also reduces over-reliance on regeneration sites, recognising the contribution that strategic Green Belt releases can make to overall supply. However, the risk with Option B is that too much emphasis is placed on large strategic sites, which typically require long lead-in times, substantial infrastructure investment, and complex phasing arrangements. This can undermine delivery in the early years of the plan period. To make this option effective, it should be complemented by smaller-scale allocations in a wider range of settlements, ensuring that housing can come forward quickly and steadily throughout the borough.

1.4.5. **Option C: Transport Corridor Growth**

This option seeks to concentrate development along established and emerging sustainable transport corridors, particularly rail and bus routes. More than 12,000 homes would be delivered through Green Belt release to support this option. In principle, aligning growth with public transport infrastructure is consistent with the objectives of the National Planning Policy Framework and reflects broader sustainability goals, including reducing car dependency and promoting compact development. However, the deliverability of this option is contingent on significant transport investment being secured and delivered in a timely manner. If these improvements are delayed or scaled back, the housing trajectory could falter. Furthermore, focusing growth so narrowly along transport corridors risks neglecting the role of smaller settlements which, although not served by high-frequency public transport, are still sustainable and capable of delivering early housing supply

1.4.6. Individually, each of the three options has clear limitations. A more robust and effective approach would combine their positive elements: focusing significant growth on the main towns and transport corridors, while also distributing a proportion of development to smaller rural settlements. This hybrid strategy would diversify the land supply, support delivery in the early years of the plan period and provide resilience against the risks of over-reliance on a small number of large sites.

1.4.7. Settlements such as No Mans Heath have an important role to play in the delivery of housing across Cheshire West and Chester. While modest in scale, the village benefits from strategic road connections via the A41 and A49, access to local services including a shop and public house, and proximity to a primary school and higher-order facilities in Malpas and Whitchurch. These factors make No Mans Heath more sustainable than its size might suggest and capable of accommodating modest growth in the short term.

1.4.8. Allocating small to medium-sized sites in No Mans Heath would support the vitality of local services, broaden housing choice for families and older households seeking village living, and provide early deliverable housing to contribute to the borough's overall trajectory. Such growth could come forward quickly, often requiring minimal infrastructure, and can be sensitively masterplanned to respect the settlement's rural character.

1.4.9. More broadly, smaller rural settlements can complement growth in larger towns by providing a steady, achievable supply of housing. Incorporating proportionate development across these villages increases resilience, flexibility, and certainty in delivery, helping the Council to maintain a rolling five-year housing land supply and meet the tests of soundness.

1.4.10. In preparing the new Local Plan, the Council should adopt a balanced approach that combines urban expansion with sustainable growth in smaller settlements. No Mans Heath is a clear example of where proportionate growth would be both appropriate and beneficial. A strategy that embraces both larger and smaller settlements will ensure that housing needs are met in full, support the vitality of local communities, and produce a plan that is positively prepared, justified, effective, and consistent with the National Planning Policy Framework.

2 NO MANS HEATH

2.1 BACKGROUND

- 2.1.1. No Mans Heath is located in the southern part of the Borough and is identified as a Local Service Centre within the Local Plan Part Two.
- 2.1.2. As shown on the appended Key Considerations Plan (Image One), there are a range of facilities within the core of the settlement, set out as follows:
- The Wheatsheaf pub and restaurant;
 - Nisa local convenience store/post office; and,
 - Public open space comprising of play equipment and playing field on Back Lane.
- 2.1.3. Tushingam Primary School is also located approximately 2km to the south of the village.
- 2.1.4. The No.41 bus service provides regular services from the village to Whitchurch and Chester.
- 2.1.5. In addition to the above, No Mans Heath is located approximately 2km east of Malpas, which is identified as a Key Service Centre in Local Plan Part One. Within the village of Malpas there is a wider range of facilities including dry cleaners, dentists, bakery, chemist, beauty salon, co-op supermarket, hairdressers, takeaway, opticians, bank, pet shop, restaurants and pubs. Within Malpas there is also a sports centre, primary school and high school.
- 2.1.6. No Mans Heath is therefore a well contained settlement, with the majority of services located within close proximity and available via public transport.

2.2 POLICY APPROACH TO LOCAL SERVICE CENTRES

- 2.2.1. As part of these representations, it is pertinent to highlight that Policy STRAT2 states:
- An appropriate level of development will also be brought forward in smaller rural settlements which have adequate services and facilities and access to public transport. These Local Service Centres will be identified in the Local Plan (Part Two) Land Allocations and Detailed Policies Plan.”*
- 2.2.2. Policy STRAT 8 which addresses the rural area, confirms that:
- “Provision will be made for at least 4,200 new dwellings within the rural area. Development that serves local needs in the most accessible and sustainable locations to sustain vibrant rural communities will be supported. Development should be appropriate in scale and design to conserve each settlement’s character and setting...”*

...It is also proposed that new development will be accommodated at Local Service Centres which are to be identified through the Local Plan (Part Two) Land Allocations and Detailed Policies Plan. The amount of development in each Local Service Centre will reflect the scale and character of the settlement concerned and the availability of services, facilities and public transport.”

- 2.2.3. The identification of Local Service Centres was subsequently considered through preparation of the Local Plan Part Two, and Policy R1 confirms that No Mans Heath is one such settlement. However, Paragraph 6.8 of the Part Two Plan makes clear:

“There are no individual housing requirements set for the Local Service Centres as it is recognised that they have a limited level of sustainability and are not the most appropriate for significant new development. Development may take place that is very limited in scale, meets a rural or other local housing need, or is identified in a neighbourhood plan. It is considered that the local community is best placed to understand the local needs in terms of supporting services or meeting a specific housing need, and local communities are encouraged, through preparing a neighbourhood plan, to take a holistic approach to meeting the future needs, providing the flexibility to shape their communities in a planned way. Neighbourhood plans can enable sites to be identified and allocated for housing and other uses, that will support or enhance local services and provide community infrastructure. Plans should also take account of local infrastructure constraints.”

- 2.2.4. Tesni considers that the absence of defined housing requirements for each Local Service Centre has undermined the sustainability of smaller settlements. We disagree that such settlements have only a limited level of sustainability and maintain that new development is critical to supporting and retaining existing community services.
- 2.2.5. The four-year gap between adoption of the Part One and Part Two Plans meant that the 4,200-dwelling requirement for the rural area was largely met before the matter could be addressed comprehensively through plan-making. By the time the Part Two Plan was prepared—almost a decade into the plan period—there was no longer a requirement to direct development to Local Service Centres, contrary to the intentions of Policies STRAT 2 and STRAT 8.
- 2.2.6. As a result, the level of development in Local Service Centres has not been considered strategically. Tesni believes that any Local Plan Review must properly assess the role and needs of Local Service Centres and examine the effect of minimal or no growth on the viability of local services. Since the start of the plan period, more than thirty pubs have closed within the CW&C area—losses that might have been mitigated through the benefits of new development. The impact of the pandemic has further accelerated such decline. Without sustainable growth, smaller settlements that are otherwise viable places to live will continue to lose essential services.
- 2.2.7. The Part Two Plan emphasises the role of Neighbourhood Plans in identifying sites for development. However, the Neighbourhood Plan for No Mans Heath was adopted in June 2018, over a year before the Part Two Plan was finalised. As such, it contains only limited reference to the settlement’s designation as a Local Service Centre. While Tesni supports the principle of identifying development sites through neighbourhood planning, we consider that the

overall need for development within Local Service Centres must be addressed strategically. In accordance with the NPPF.

- 2.2.8. Any review of the Neighbourhood Plan should therefore take full account of strategic policies, ensuring that local needs are addressed through the allocation of sites supported by the community.
- 2.2.9. At the time of preparing the Local Plan Part Two, CW&C undertook a settlement review. Tesni considers this assessment overly simplistic, as it failed to account for the presence of facilities in the wider hinterland. For example, primary schools located within 2km of No Mans Heath were not factored into the analysis.
- 2.2.10. The latest SHMA identifies a significant borough-wide need for affordable housing. Allowing a greater scale of development within Local Service Centres would help meet this need by delivering both affordable and market housing in locations attractive to developers. Small schemes of fewer than ten homes cannot contribute meaningfully to this requirement. Tesni therefore considers this a key factor when establishing development parameters for Local Service Centres.
- 2.2.11. Of the 28 Local Service Centres identified under Policy R1, 18 are affected by Green Belt designation. Tesni supports the prioritisation of settlements in open countryside over those constrained by Green Belt, as such land is both sustainable and deliverable, and capable of contributing to a coherent development strategy. Until new evidence demonstrates exceptional circumstances, the case for Green Belt release has not been made.

2.3 LAND AT OLD COACH ROAD, NO MANS HEATH

- 2.3.1. This section of the representation provides details of the land within our client's interests and concludes that the site comprises a sustainable location and is suitable, appropriate and available for residential development. The site was previously assessed under the HELAA (2017)¹ and deemed to be suitable, available and achievable.
- 2.3.2. The site comprises approximately 1.2 hectares (3 acres) of relatively flat unremarkable agricultural land immediately adjoining the settlement boundary, between Old Coach Road and A41. The appended Concept Plan (Appendix 2) indicates the location of the site between the existing telephone exchange and a pair of semi-detached dwellings to the north of the settlement. The intervening land fronts onto Old Coach Road from where a vehicular access can be taken. An existing pavement runs in front of the neighbouring telephone exchange right up the site so that pedestrians are connected to the facilities in the village.
- 2.3.3. As shown below the settlement boundary of No Mans Heath is drawn very tightly around the village centre.

¹ Site Reference MAL/0033

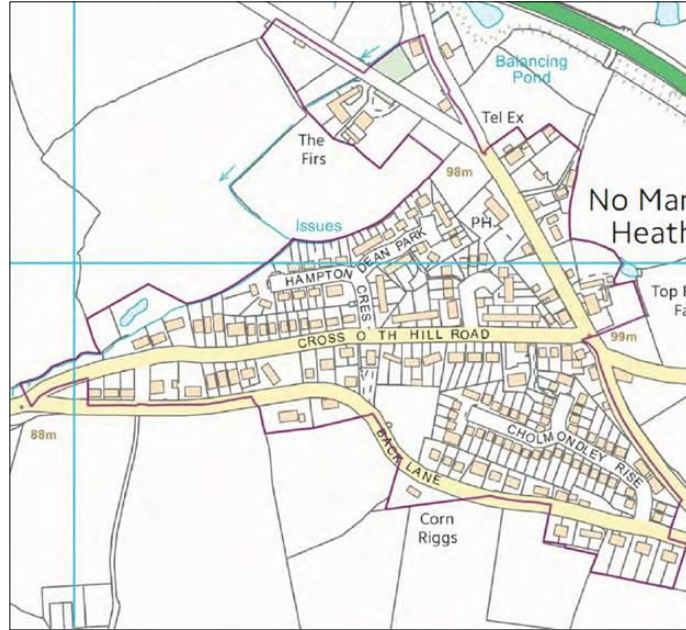


Image Two: Policy Map, Local Plan Part Two (Cheshire West & Chester Council)

- 2.3.4. It is evident that the pair of semi-detached dwellings to the north of the settlement are excluded from the settlement boundary whilst the dwelling on the opposite side of Old Coach Road is included. This appears to make little sense and the settlement boundary should be rounded off to include the land being promoted by Tesni.
- 2.3.5. This land is capable of sustainably accommodating 25-30 dwellings in attractive development which reflects the character of other developments which have taken place within the village. The Concept Plan incorporates an area of land which is capable of accommodating a building and/or space for community use.
- 2.3.6. The proposed properties would be predominantly two-storey in height and could include a mix of detached, semi-detached and terraced dwellings of varying sizes. The Concept Plan shows the properties set back from the site boundaries within a substantial landscape setting. This respects not only the visual appearance of the site but also the relationship with adjoining properties.
- 2.3.7. The field is bordered by native hedgerow planting and scattered trees to all boundaries. These would be retained where possible and new planting would be provided to enhance the character and appearance of the site. The site is bounded to the east by the A41 and the thick vegetation that borders the road. There is consequently very limited visibility of the site from the surrounding area.

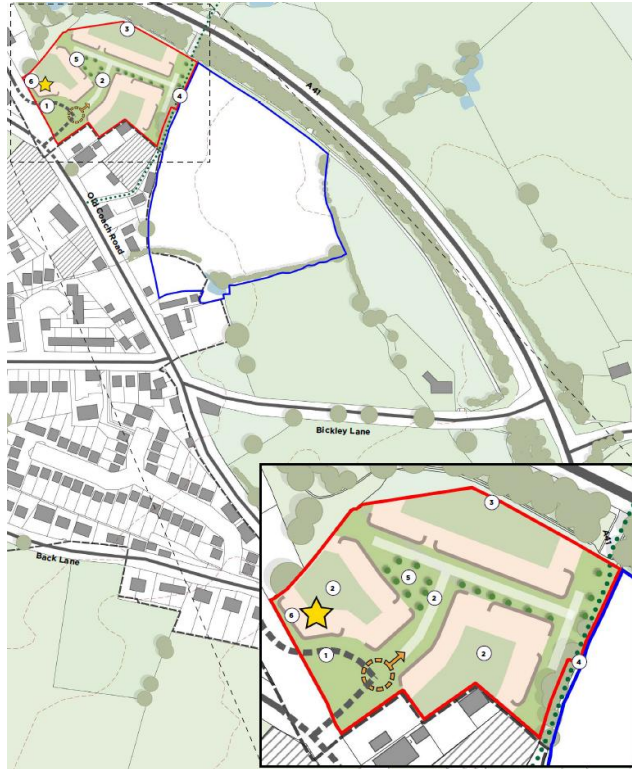


Image Three: Concept Plan (Ref: P21_079_003; Carter Jonas, 2021)

- 2.3.8. The site is located wholly within Flood Zone 1 and there are no known constraints that would prevent the land from being suitable for development.
- 2.3.9. One of the most significant benefits flowing from the scheme is the delivery of much needed affordable housing. In the light of this the provision of up to 30 new homes, 30% of which would be affordable, would play an important social role in supporting a strong, vibrant and healthy community and is a significant social benefit.

2.4 SUMMARY

- 2.4.1. As set out in these representations, No Mans Heath is a village with a convenience shop, post office, pub, existing play area and a bus service. It is also located 2km from Malpas, a key service centre. Malpas is accessible on foot, on bicycle (identified cycle route between the villages) and by bus. The proposed development would assist in maintaining and supporting the services in those villages, one of the objectives of sustainable development as set out in paragraph 83 of the NPPF which states:
- 2.4.2. *“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”*
- 2.4.3. There are significant benefits associated with the proposal including the delivery of market and affordable housing. Tesni are keen to engage with stakeholders in the local community to

understand how the development may best support the needs of the village and provide facilities which are potentially in demand.

3 CONCLUSIONS

- 3.1.1. The Council's housing requirement should be set above the Standard Method baseline of 1,914 dwellings per annum, to properly reflect economic growth ambitions, address affordability pressures, and ensure resilience in delivery.
- 3.1.2. None of the three spatial options is sufficient on its own. A hybrid strategy that combines elements of each approach, while also distributing growth to smaller sustainable settlements, will provide greater flexibility and robustness.
- 3.1.3. Over-reliance on large, strategic Green Belt releases risks slow delivery and housing land supply vulnerability. Smaller sites in rural settlements can come forward quickly and help to maintain a rolling five-year supply.
- 3.1.4. Settlements such as No Mans Heath are well placed to accommodate modest levels of growth, supporting local services, broadening housing choice, and contributing to the borough's overall housing trajectory.
- 3.1.5. By ensuring a diverse supply of sites — large and small, urban and rural — the new Local Plan will be more positively prepared, justified, and effective, giving confidence at examination and providing certainty for local communities and developers alike.