



Planning Policy
Cheshire West and Chester Council
Via Email Only
planningpolicy@cheshirewestandchester.gov.uk

Our Ref: 2025UK428794
29 August 2025

Dear Sir/Madam,

Local Plan Issues and Options (Regulation 18)

We act for Brookhouse (Helsby) Limited, who control land at Mere's Edge, Helsby. This land is identified in the Issues and Options consultation as growth option HEL003. The land is subject to planning application 24/03823/OUT (pending determination); Brookhouse are also in the process of preparing a new planning application for the land south of the above site. The two areas of land are identified in the Call for Sites and LAA Stage One Update 2025 as 1483 and 1484 respectively.

We have responded to the consultation through the engagement portal, particularly in support of HEL03 as the most suitable growth option for the settlement. This letter provides further information, drawn from the existing and imminent planning applications, to demonstrate why the site is suitable and deliverable.

CURRENT POLICY DESIGNATIONS

The extent of Brookhouse's control can be divided into two parts for the purposes of site assessment.

The northern parcel is currently allocated for employment development in the extant Local Plan under reference R3.B. The site was allocated for employment use at a time when the adjacent land was in commercial use. The situation has significantly changed now with the adjacent land consented for residential use, and either constructed and occupied, or under construction. The allocated site would now need to be accessed via residential areas so is accepted as no longer suitable or appropriate for commercial use. Full evidence within planning application 24/03823/OUT demonstrates why the site is no longer suitable or needed for employment uses, and why it can be developed for housing without any economic detriment, and rather deliver much needed new homes for Helsby and the borough.

The southern parcel is currently Green Belt land adjoining the settlement boundary. It has strong defensible boundaries to all side, with residential/development to the north and east, a railway line to the west and main road to the south. A Grey Belt Assessment is appended to this letter, which shows that the site meets the definition of grey belt within NPPF, in accordance with the advice in Planning Policy Guidance. Therefore, planning permission can be granted without the need for Very Special Circumstances and without a Local Plan Review. However, as the new local plan is



being prepared, the Green Belt boundary in this location should be revised to follow the A5117 / A56 Chester Road, which is a clearly defensible boundary.

SUSTAINABILITY AND GROWTH IN HELSBY

Helsby is a key service centre that provides a range of services and facilities including supermarket, shops, pubs and schools. It has a railway station on the key Manchester to Chester railway line and is well-served by bus connections. The southern part of Helsby, around Mere's Edge, has been developed within the logical confines of the A56 / A5117 along the southern edge of the settlement. The remaining undeveloped land would conform to the existing linear nature of the town, with a gravity of development at the southern end; it would not extend the built-up area beyond the physical boundaries of the A-roads or the railway line. It is a very suitable location for new residential development to meet local needs.

FLOOD RISK AND DRAINAGE

The site largely lies in Flood Zone 1, with small areas adjoining Hornsmill Brook in Flood Zones 2 and 3. Weetwood have studied and modelled the Hornsmill Brook for many years, to the satisfaction of the Environment Agency and Lead Local Flood Authority. Their detailed scientific modelling is more accurate than the EA flood maps and shows that the site can be developed without any risk of flooding and without increasing the risk of flooding elsewhere. The land is therefore sequentially preferable for development.

GREEN INFRASTRUCTURE

The sites have no protected species or irreplaceable habitats. They have been subject of extensive ecological and arboricultural assessments, including Habitats Regulation Assessment. Development of the site will deliver enhanced environments along the Hornsmill Brook corridor, as well as generous areas of open space within the development sites.

ACCESS

The sites can be satisfactorily accessed via the existing development sites at Mere's Edge, Helsby. Development of the sites will enhance local public transport infrastructure and provide walking and cycling connections to Helsby to enable sustainable access to local shops and facilities. for the public.

LANDSCAPE

A landscape and visual impact assessment has been undertaken and shows that the site can be developed with minimal impact on the wider landscape, largely as it is well contained within the landscape with strong boundaries to all sides (residential to the north and east, a railway line to the west and main A road to the south).

NOISE

Noise assessment work demonstrates that the land is suitable for residential development. With appropriate offset from the railway to mitigate motorway and railway noise, the site can be developed with satisfactory residential amenity.



ARCHAEOLOGY AND HERITAGE

Assessment work shows that the site can be developed without any impacts on the significance of designated or non-designated heritage assets.

AGRICULTURAL LAND

Assessment work shows that only 13% of the site subject of the future planning application is Grade 3a agricultural land, the vast majority is not best or most versatile land.

CONCLUSION

HEL003 is a suitable, achievable and deliverable site which can come forward in the short term to meet the housing needs of Helsby and the borough. It is under the control of a developer with a track record of delivering homes and infrastructure across the region and within Helsby. A planning application is already under determination for 120 homes on the northern parcel, a new planning application for 150 homes on the second parcel is being prepared.

There are no constraints that would prevent the growth option being taken forward as an allocation in the new local plan. Indeed, we anticipate planning permission for both sites will be granted in the near future in advance of the plan being adopted.

We would be pleased to discuss the opportunities afforded by these development sites at your earliest convenience; in the meantime, if there is anything further that we can provide, please do not hesitate to contact me.

Yours faithfully



Matthew Hard
Associate Director

MH/DH
cc: Brookhouse Group
End. Grey Belt Assessment



Brookhouse (Helsby) Ltd

LAND NORTH OF CHESTER ROAD, HELSEBY

Grey Belt Assessment



Brookhouse (Helsby) Ltd

LAND NORTH OF CHESTER ROAD, HELSBY

Grey Belt Assessment

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DATE: JULY 2025

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EXECUTIVE SUMMARY





1 EXECUTIVE SUMMARY

This Grey Belt Assessment supports the case for much-needed residential development, aligning with the clear direction of the new Labour Government elected in July 2024. With a national target to deliver 1.5 million homes over the parliamentary term, the focus is firmly on unlocking land and accelerating delivery.

Recent changes to planning policy, including the introduction of the "grey belt" concept and an updated standard method for calculating housing need, signal a decisive shift. Local authorities across the country – including Cheshire West and Chester¹ - are now facing higher housing targets, and low-quality green belt sites are firmly in scope for release.

As Angela Rayner, Deputy Prime Minister and Secretary of State for Housing, has stated: *“We must create a more strategic system for green-belt release, to make it work for the 21st century. Local authorities will have to review their green belt if needed to meet housing targets, but they will also need to prioritise low-quality grey-belt land.”*²

This Assessment demonstrates why this site provides exactly the kind of opportunity the Government envisaged: underperforming land, of limited environmental or visual value, that can help meet growing housing demand. Approval of this planning application would support both national ambition and local need.

¹ Cheshire West and Chester report to Cabinet ‘Local Plan and Design Code response to national policy’ dated 15 January 2025

² Speech in House of Commons, 30 July 2024

2 INTRODUCTION

- 2.1.1. WSP has prepared this Grey Belt Assessment on behalf of Brookhouse (Helsby) Limited (the applicant) to support an outline planning application for residential development at Land North of Chester Road, Helsby. The application is being submitted to Cheshire West and Chester Council ('the Council') as the local planning authority.
- 2.1.2. Full details of the proposals are set out within the accompanying Planning Statement. The application seeks consent for:
- 'Outline application (with access for approval; appearance, landscaping, layout and scale reserved for future approval) for up to 160 dwellings (Use Class C3) with new vehicular, pedestrian and cycle access, a new bridge, and associated landscaping, engineering and demolition works'*
- 2.1.3. The Site is shown below at Figure 1.



Figure 1 – Site Location

- 2.1.4. The revised National Planning Policy Framework ('NPPF') (2024) introduced a new exception to development being regarded as inappropriate in the Green Belt, associated with development on 'grey belt' land. Paragraph 148 of the NPPF states that 'where it is necessary to release Green Belt

land for development, plans should give priority to previously developed land, then consider grey belt which is not previously developed, and then other Green Belt locations.’

- 2.1.5. New Paragraphs 155-160 of the NPPF set out specific policy governing this change.
- 2.1.6. This report assesses the site and proposals against these policies and the relevant parts of Planning Policy Guidance (‘PPG’) to conclude that **the proposal is appropriate development in the Green Belt in accordance with Paragraph 155 of the NPPF.**

PLAN-MAKING EVIDENCE

- 2.1.7. There is no contemporary or recent Green Belt Assessment of the Helsby area as part of a plan-making process. The last review of the Green Belt in this area pre-dates the current Local Plan.
- 2.1.8. The Council produced a Stage One Green Belt Study in 2011 to support the development of the Local Plan (Part One), and a subsequent report commissioned by the Council and produced by Arup formed a Stage Two Study to assist with considering land for Green Belt release. However, both of these studies focussed on land immediately surrounding Chester (as the main built-up area) and did not assess the Green Belt on a borough-wide scale nor around Helsby.
- 2.1.9. On 27 February 2025 the government published detailed guidance to identify grey belt land to meet housing or other development needs. Our assessment is informed by this guidance, along with policies in the NPPF, to ensure it is compliant with the national policy and most recent Government guidance.
- 2.1.10. The process of assessment is two-fold:
 - 1. Making an assessment of whether the land is grey belt; and
 - 2. Whether the proposals are not inappropriate development in the Green Belt under Paragraph 155 of the NPPF.

Structure of the Report

- 2.1.11. This Grey Belt Assessment is structured as follows:
 - Section 2 assesses the site against the purposes of the Green Belt
 - Section 3 assesses the site against NPPF Footnote 7
 - Section 4 assesses the proposals against paragraph 155 of the NPPF
 - Section 5 assesses the proposals against the Golden Rules
 - Section 6 sets out the Conclusions

3 PURPOSES OF THE GREEN BELT

3.1.1. The NPPF Annex 1 defines ‘grey belt’ as the following:

“For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”

3.1.2. Planning Practice Guidance (PPG) identifies a two-stage process to identify when land can be grey belt in accordance with the Annex 1 definition, shown in Figure 2 below.

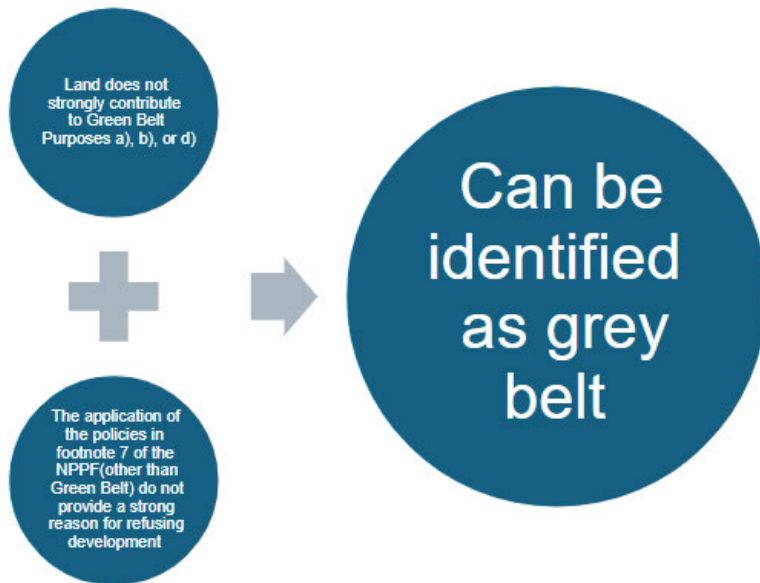


Figure 1. When can land be identified as grey belt

Figure 2 – Planning Practice Guidance on the process to identify land as grey belt



3.1.3. This section of the report addresses the first stage of the process to identify the land as grey belt.

3.2 LAND DOES NOT CONTRIBUTE STRONGLY TO GREEN BELT PURPOSES (A), (B), OR (D)

3.2.1. PPG sets out considerations to inform the assessment of sites against Green Belt purposes (a), (b) or (d) at Paragraph 143 of the NPPF, for the purposes of defining land as grey belt.

3.2.2. If land does not strongly contribute to Green Belt purposes (a), (b) or (d), it would pass the first test.

3.2.3. The following sections set out the PPG advice and then undertake an assessment of the site against each purpose in turn.

Purpose A – to check the unrestricted sprawl of large built up areas

3.2.4. PPG confirms that “this purpose relates to the sprawl of large built up areas” and that “villages should not be considered large built up areas”.

Contribution	Illustrative features (PPG Guidance - Green Belt Paragraph 005 Reference ID: 64-005-20250225)
Strong	<p>Assessment areas that contribute strongly are likely to be free of existing development, and lack physical feature(s) in reasonable proximity that could restrict and contain development.</p> <p>They are also likely to include all of the following features:</p> <ul style="list-style-type: none">- be adjacent or near to a large built up area- if developed, result in an incongruous pattern of development (such as an extended “finger” of development into the Green Belt)
Moderate	<p>Assessment areas that contribute moderately are likely to be adjacent or near to a large built up area, but include one or more features that weaken the land’s contribution to this purpose a, such as (but not limited to):</p> <ul style="list-style-type: none">- having physical feature(s) in reasonable proximity that could restrict and contain development- be partially enclosed by existing development, such that new development would not result in an incongruous pattern of development- contain existing development- being subject to other urbanising influences



<i>Weak or None</i>	<i>Assessment areas that make only a weak or no contribution are likely to include those that: - are not adjacent to or near to a large built up area - are adjacent to or near to a large built up area, but containing or being largely enclosed by significant existing development</i>
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Site Assessment against Purpose A

Contribution	Assessment
None	<ul style="list-style-type: none">• Helsby is not a large built-up area. Importantly, it is identified in the Local Plan as a key service centre. The Helsby Neighbourhood Plan (2015-2030) consistently refers to Helsby as a village.• Furthermore, the site directly adjoins an approved housing development site to the east, an allocated development site to the north, a railway to the west and an A-road and public house to the south. It is clearly an area enclosed by significant existing development.• The site is directly adjacent to physical features which restrict and contain development – please see Figure 3 below.• The site is not adjacent or near to a large built up area and is enclosed by development to all sides so therefore does not contribute to this purpose.



Figure 3 – The site and the physical barriers to development on its borders



Purpose B – to prevent neighbouring towns merging into one another

3.2.5. PPG confirms “this purpose relates to the merging of towns, not villages”.

<i>Contribution</i>	<i>Illustrative features (PPG Guidance)</i>
Strong	<i>Assessment areas that contribute strongly are likely to be free of existing development and include all of the following features:</i> <i>- forming a substantial part of a gap between towns</i> <i>- the development of which would be likely to result in the loss of visual separation of towns</i>
Moderate	<i>Assessment areas that contribute moderately are likely to be located in a gap between towns, but include one or more features that weaken their contribution to this purpose, such as (but not limited to):</i> <i>- forming a small part of the gap between towns</i> <i>- being able to be developed without the loss of visual separation between towns. This could be (but is not limited to) due to the presence or the close proximity of structures, natural landscape elements or topography that preserve visual separation</i>
Weak or None	<i>Assessment areas that contribute weakly are likely to include those that:</i> <i>- do not form part of a gap between towns, or</i> <i>- form part of a gap between towns, but only a very small part of this gap, without making a contribution to visual separation</i>

Site Assessment against Purpose B

Contribution	Assessment
None	<ul style="list-style-type: none">Helsby is a village (per the Neighbourhood Plan) and a key service centre (per the Local Plan). It is not a town. Nearby settlements Dunham on the Hill and Hapsford are either villages or hamlets (i.e. are not towns).

- An Inspector in a grey belt appeal in Surry Heath found that the definition of a site as a village in the Development Plan as sufficient evidence to mean that purpose (b) is not engaged.³
- The closest towns to Helsby are Ellesmere Port, Halton, Northwich and Winsford which are 6.15km, 7.75km, 16.1km and 16.06km from the site respectively. Development of the site would not affect visual separation between these towns.
- Accordingly the site does not form part of a gap between towns.

³ Paragraph 14 of Appeal Decision APP/D3640/W/24/3347530



Figure 4 – Plan showing the distance of Helsby village from neighbouring settlements.



Purpose D – to preserve the setting and special character of historic towns

3.2.6. PPG confirms “this purpose relates to historic towns, not villages. Where there are no historic towns in the plan area, it may not be necessary to provide detailed assessments against this purpose.”

<i>Contribution</i>	<i>Illustrative features (PPG Guidance)</i>
Strong	<p>Assessment areas that contribute strongly are likely be free of existing development and to include all of the following features:</p> <ul style="list-style-type: none"> - form part of the setting of the historic town - make a considerable contribution to the special character of a historic town. This could be (but is not limited to) as a result of being within, adjacent to, or of significant visual importance to the historic aspects of the town
Moderate	<p>Assessment areas that perform moderately are likely to form part of the setting and/or contribute to the special character of a historic town but include one or more features that weaken their contribution to this purpose, such as (but not limited to):</p> <ul style="list-style-type: none"> - being separated to some extent from historic aspects of the town by existing development or topography - containing existing development - not having an important visual, physical, or experiential relationship to historic aspects of the town
Weak or None	<p>Assessment areas that make no or only a weak contribution are likely to include those that:</p> <ul style="list-style-type: none"> - do not form part of the setting of a historic town - have no visual, physical, or experiential connection to the historic aspects of the town

Site Assessment against Purpose D

Contribution	Assessment
None	<ul style="list-style-type: none"> • Helsby does not have a Conservation Area. There are some Listed Buildings with Helsby but these are dispersed across the village. The site is proximate to one listed building (on the opposite side of Chester Road)



	<ul style="list-style-type: none">• The southern part of Helsby to which the site is connected is largely formed of new housing development and some supporting commercial development.• On this basis, Helsby is not an historic town.
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3.2.7. The above assessment concludes that the land makes no contribution to purposes (a), (b) and (d) set out at Paragraph 143 of the NPPF.

4 FOOTNOTE 7 TESTS

- 4.1.1. This section of the report assesses the site against the second part of the two-stage process to identify land as grey belt. That is whether the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.
- 4.1.2. The table below sets out the policies included within Footnote 7 and addresses each one in turn.

Test	Response	Reason to refuse development?
<p>Habitat Sites (and those listed at Paragraph 194):</p> <p><i>(a) potential Special Protection Areas and possible Special Areas of Conservation;</i></p> <p><i>(b) listed or proposed Ramsar sites 71 ; and</i></p> <p><i>(c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.</i></p>	<p>The Shadow HRA submitted with the application prepared by Envance concludes the following:</p> <p><i>“This assessment has predicted no Likely Significant Effects arising from the identified impact pathways on the Mersey Estuary SPA/Ramsar or the Midland Meres and Mosses Phase 1 & Phase 2 Ramsar.[...] Simple mitigation measures can be controlled via standard planning conditions to demonstrate that the absolute integrity of the Mersey Estuary SPA/Ramsar and the Midland Meres and Mosses Phase 1 & Phase 2 Ramsar will be retained.”</i></p>	None
Sites of Special Scientific Interest	The closest SSSIs are XXX and there will be no impact on these	None
Local Green Space	The Local Plan (Part Two) confirms that Local Green Spaces are allocated through Neighbourhood Plans. The Dunham-on-the-Hill and Hapsford	None

	<p>Neighbourhood Plan (which covers the site) is not yet made but pre-submission draft consultation took place between 27 February and 10 April 2025 and the draft version does not propose to allocate the site as a Local Green Space.</p> <p>Moreover, the site is in private ownership and agricultural use.</p>	
A National Landscape	N/A	None
National Park	N/A	None
Heritage Coast	N/A	None
Designated Heritage Assets	There are no Designated Heritage Assets on the site. There is one listed building to the south of Chester Road, but the planning application demonstrates that the impact of the development on the significance of the listed building is negligible.	None
Other heritage assets of archaeological interest referred to in Footnote 75	<p>A Heritage Risk Appraisal, prepared by BWB is submitted with the application. It confirms the following:</p> <p>The Site has a Low to Medium potential for Roman and medieval remains to occur given the presence of the Roman road and the likely use during the medieval period for agricultural purposes.</p> <p>With regards to footnote 7 of the NPPF and consideration of Planning Practice Guidance (Paragraph: 041 Reference ID: 18a-041-20190723), it is considered that in this instance the Roman road and any surviving medieval ridge and furrow would be of local significance only and do not meet the high bar which would deem them to be on the same level as designated heritage assets. Any harm to significance would be mitigated in line with a condition of a planning application. This would be informed by an appropriate scheme of evaluation.</p>	None
Irreplaceable Habitats	The Tree Survey submitted with this application and prepared by Envance, demonstrates there are no ancient or veteran trees on the site.	None

<p>Defined as: <i>Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen.</i></p>	<p>The Ecological Impact Assessment sets out at Table 6 its conclusions against the Footnote Policy 7 Tests. It confirms that there are issues in regard to Habitat Sites; SSSIs; or irreplaceable habitats. Therefore there are no matters included within Footnote 7 from an ecological perspective which would provide strong reason for refusing development.</p>	
<p>Areas at risk of Flooding</p>	<p>The Flood Risk Assessment included with this application and prepared by Wheetwood concludes the following:</p> <p><i>An assessment of flood risk from all identified potential sources of flooding has been undertaken using best available information. The risk of flooding to the proposed development is generally assessed to be low and the Illustrative Masterplan indicates that no built development is proposed within the area identified as being at risk of flooding from surface water. As such, the Sequential Test does not need to be applied.</i></p> <p>Therefore there are no matters from a flood risk perspective which would provide strong reason for refusing development.</p>	
<p>Areas at Risk of Coastal Change</p>	<p>N/A</p>	<p>None</p>

4.1.3. The Table above demonstrates that the policies listed in Footnote 7 do not provide a strong reason for development being refused.

4.1.4. It follows that the site does not strongly contribute to purposes (a), (b) and (d) of the Green Belt purposes, and the policies at Footnote 7 of the NPPF do not provide a strong reason for refusal of the development. **As such the site can be identified as grey belt in accordance with Annex 1 of the NPPF and the PPG.**

5 WHETHER THE PROPOSALS ARE NOT INAPPROPRIATE DEVELOPMENT UNDER PARAGRAPH 155 OF THE NPPF

- 5.1.1. Section 2 and 3 of this report shows that the site is identified as grey belt.
- 5.1.2. The relevant tests for judging if development is 'not inappropriate' in the Green Belt through a grey belt case is duplicated in PPG and is shown at Figure 5 below.

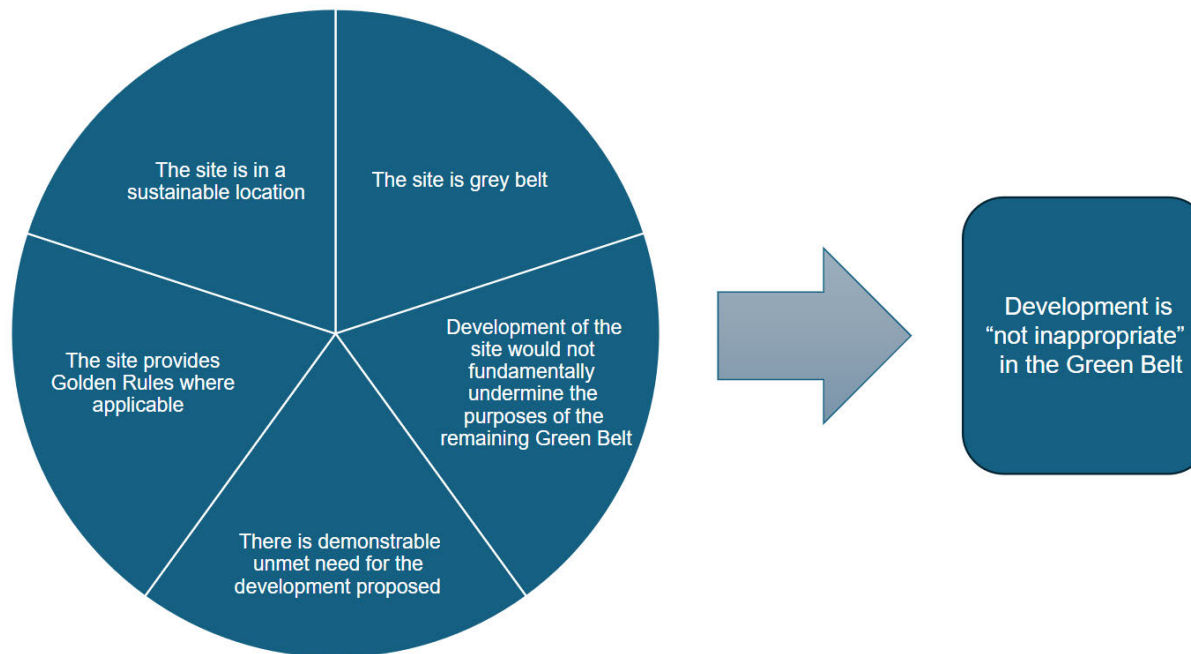


Figure 5 – The process for concluding that the development is not inappropriate in the Green Belt (grey belt case)

- 5.1.3. The tests are set out and addressed in turn below.

Ref:	Test	Assessment	Test met?
155a	<p>The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan</p>	<p>The impact on purposes (a), (b) and (d) has been considered above, concluding the site makes no contribution to these purposes and therefore the proposals would not undermine those purposes of the remaining Green Belt across the area of the Plan.</p> <p>An Inspector in a recent grey belt appeal in Walsall⁴ took this as an assessment of the proposal against all five purposes of the Green Belt and after concluding that purposes (a) and (b) did not make a strong contribution for the purposes of defining the site as Green Belt, did not re-assess the site against these purposes for the Paragraph 155a test.</p> <p>Purposes (c) and (d) are assessed below.</p>	<p>✓</p>
	<p><i>c) to assist in safeguarding the countryside from encroachment</i></p>	<p>PPG does not include a method of assessment against purpose (c). Notwithstanding the Council's Green Belt study (2011) assessment suggested a number of 'opportunities' that the Green Belt should provide to assess the site against and to determine whether this purpose is met. In the absence of national policy, this approach has been adopted for this exercise. These opportunities cited within the Green Belt study are included and commented on as follows:</p> <ol style="list-style-type: none"> 1. Providing access (to open space / countryside); - The land cannot be currently accessed by members of the public as it is private land in agricultural use with no public access. However, the proposals will restore access to this land and the green space to be provided within it. 	

⁴ Paragraph 28 of Appeal Decision APP/V4630/W/24/3347424

		<ol style="list-style-type: none"> 2. Provide opportunities for outdoor sport and recreation; - By virtue of the size of the site, its setting next to the brook, and the reasons set out at point 1, the site does not provide this opportunity. 3. Retain, and enhance landscapes; - There are limited views from the south of the site due to the existing vegetation on Chester Road and the site being open land in agricultural use with limited landscape features. Any views to the east are screened by the trees along the brook and housing development. Views from the west are interrupted by the railway line. Views from the North are limited due to lack of access and existing and allocated development. The landscape does not therefore have a perceived special character that can be retained or enhanced. 4. Improve damaged and derelict land; - The land is not damaged or derelict so this land does not provide this opportunity, nearby brownfield land in Helsby has already been regenerated. 5. Visual amenity and biodiversity; - There is some limited visual amenity value at the site and minimal biodiversity value due to its agricultural use and location next to a brook. The parcel therefore makes some limited contribution to this opportunity. <p>The size of the site is relevant as to the degree of encroachment into the countryside. The Inspector in a recent allowed appeal⁵ for a battery storage farm in Walsall concluded on purpose (c) that '<i>Given the relative scale of the site and Parcel B93, the harm resulting from encroachment would be negligible.</i>' The size of the site was 3.185 Ha.</p> <p>The size of the application site in Helsby is 6Ha which is less than 0.0002% the size of the Cheshire West and Chester Green Belt which measures 38,880Ha. As such encroachment into the countryside is wholly negligible in the context of the Cheshire</p>	
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⁵ Paragraph 29 of Appeal Decision APP/V4630/W/24/3347424

		<p>West and Chester Green Belt. The remaining Green Belt left after the site is developed would continue to serve its purpose.</p> <p>Overall, due to the characteristics of the site, including its size and the bordering development, it does not function as a swathe of open countryside. Rather, it is small parcel contained by existing and planned development with defensible boundaries on all its borders, and urbanising features such as Chester Road (and commercial development along it) and the railway line and sewage works site to the site. It is thus divorced by built development and infrastructure from the wider countryside.</p> <p>As such the site makes limited contribution to purpose (c).</p>	
	<p><i>e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.</i></p>	<p>Much of the derelict and other urban land in Helsby has already been developed or is planned for development, as demonstrated by the planning history. All brownfield sites within the latest Brownfield Register benefit from recent planning permission. The site therefore does not contribute to this purpose.</p>	
<p>155a Conclusion</p>		<p>In light of the above, the proposed development of the site would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan and as such the test at Paragraph 155a is met.</p>	
<p>155b (and footnote 56)</p>	<p>There is a demonstrable unmet need for the type of development proposed (Which, in the case of applications involving the provision of housing, means the lack of a five year supply of deliverable housing sites, including the relevant buffer where applicable)</p>	<p>The Standard Method for calculating local housing need was amended in the revised NPPF published in December 2024. The impact for the Council is set out below:</p> <ul style="list-style-type: none"> • Previous Standard Method – 532 dwellings per annum (dpa) • Current Standard Method (adopted December 2024) - 1,914 dpa • Current Standard Method (five years plus buffer) – 2,008 dpa • Current Local Plan Requirement -1,100 dpa • Average Annual Housing Delivery (past 3 years) -1,413 dpa 	<p>✓</p>

		<p>The Council have acknowledged in a recent report to Cabinet that the impact of the change to Local Housing Need and applying this to calculate housing land supply will mean they will not be able to demonstrate a five-year housing supply.⁶</p> <p>The Council produced a Housing Land Monitor Summary Report in 2024 which reported a five-year housing land supply for 2024-2029 of 4,209 dwellings.</p> <p>A review of major permission and allowed appeals in the authority demonstrates that the supply is unlikely to have changed so significantly that it has increased from 4,209 to the new local housing need figure. Assuming that the Council maintains a five year housing supply of circa 4,209 dwellings, in order to demonstrate a five year supply against the new LHN the Council would need to deliver another circa 4,500 homes.</p> <p>The Council's Strategic Housing Market Assessment (SHMA) identified that there was a need (in terms of the imbalance between supply and demand) for 3,570 affordable homes. Local Plan (Part One) policy SOC 1 set out a target of 6,600 affordable homes by 2030 (based upon up to 30 per cent of 22,000 net additional dwellings). The Council's Annual Monitoring Report (2024) confirms that at 1 April 2024, approximately 80 per cent of this target has been achieved (5,220 dwellings). Data for 2025 is not yet available but it is clear that at April 2025, a further 1,380 affordable homes were required across the Borough to meet the identified affordable housing need.</p> <p>Accordingly, there is a demonstrable unmet need for market and affordable housing and the proposals would make a much-needed contribution to the Council's five year housing supply.</p>	
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⁶ 'Local Plan and Design Code response to national policy' dated 15 January 2025

155c	<p>The development would be in a sustainable location, with particular reference to Paragraphs 110 and 115 of the NPPF</p>	<p>The site is in a sustainable location for the following reasons:</p> <ol style="list-style-type: none"> 1. The site adjoins a Key Service Centre as designated by the Local Plan. 2. The Travel Plan, prepared by Mode and submitted with this application demonstrates at Figure 4.1 that the site is located within an established residential area, and benefits from several public transport connections, amenities, retail areas and employment areas within an acceptable walking distance from the site. 3. There is a bus stop immediately adjacent to the south on Chester Road which provides 2no. hourly bus services providing direct access to Chester, Runcorn, Ellesmere Port and Warrington. 4. Helsby Station within c.1.9km (23-minute walk) of the site. Hourly services are available from Helsby Station to various destinations including Chester, Liverpool Lime Street and Manchester Airport. These services also access local destinations along their routes. 5. The application proposes a 3m wide shared pedestrian cycleway along the site's eastern boundary which will provide continuous traffic free connection along Hornsmill Brook between Cable Drive and Chester Road. This will improve active travel accessibility of the site and neighbouring sites to the Chester Road bus stop and Helsby train station. 6. The application proposes improvements to the existing bus stop on Chester Road including a crossing facility to accommodate pedestrians and cyclists, improving accessibility to the bus stop and further improving the range of transport modes for the site. 7. Development is directed towards Helsby in the adopted Local Plan (300 dwellings). 8. The Draft Issues and Options (Regulation 18) document for the new CWaC Local Plan sets out a number of growth options for the Borough. All three options propose a level of development at Helsby. Option C proposes between 500-1,500 homes as part of a sustainable transport corridor. The application site is referenced as a potential development site 'HEL03'. The Council clearly considered the site a sustainable location for residential development. 	
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<p>110</p>	<p><i>'The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, 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-making'</i></p>	<p>The proposed development aligns with the objectives of Paragraph 110:</p> <ul style="list-style-type: none"> • The site benefits from excellent accessibility to local amenities, with a Tesco supermarket located just 600 metres to the north (15 minute walk / 5 minute cycle) and Helsby Sports Club 350 metres north (17 minute walk / 6 minute cycle). • The Hornsmill bus stop lies immediately adjacent to the site on Chester Road, providing regular services to a range of destinations including Chester, employment opportunities at Ellesmere Port and Runcorn and other destinations such as Mickel Trafford and Frodsham, supporting sustainable travel choices. Helsby train station runs regular services to Manchester, Liverpool, Chester, Llandudno and Holyhead and can be reached in 30 minutes on foot, 9 minutes by bike or in 9 mins using the 2 or X30 bus from the bus stop on Chester Road which runs every 30 mins. <p>In this context, the proposed development is sustainable in terms of limiting the need to travel by private car and being connected by a genuine choice of transport modes.</p> <p>Furthermore, the sustainability credentials will be improved through the improvements to bus stop and through cycle infrastructure improvements through and adjacent to the site.</p>	<p>✓</p>
<p>115</p>	<p><i>'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:</i></p>	<p>The objectives of Paragraph 155 of the NPPF are met as follows:</p> <ul style="list-style-type: none"> • Whilst proposed in outline at this stage with all matters reserved apart from access, the illustrative layout and landscape masterplan demonstrates a vision for a walkable and permeable layout with a network of footpaths joined together to maximise connectivity across the site. The vision is that the footpath along the brook will act as a green and blue corridor to connect the 	<p>✓</p>

	<p><i>a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location; b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.'</i></p>	<p>site to the north and south, with several nodes along the route which will provide connections to key green spaces across the development including LEAP(s), a village green and allotments on the west of the site. This linear path will provide on-foot and on-bike connections to the bus stop on Chester Road, and north to services such as the existing sports club and Tesco Supermarket, and onwards to Helsby 'centre and the train station.</p> <ul style="list-style-type: none"> • The grid-like pattern of development follows national design guidance to reduce journeys times and encourage walking and cycling. • The Illustrative layout demonstrates a vision for outward facing dwellings with rear gardens in line with national design policy with street and footpath widths which align with Manual for Streets. • The proposal includes a new crossing across Chester Road, which will improve walking and cycling connections in the local area; it also includes a new off-road cycle lane on the northern side of Chester Road along the site frontage, connecting with existing cycle lanes to the north and improving cycle infrastructure for local residents. • The proposal will also improve the local bus stop. • The Design and Access statement submitted with the application demonstrates how the development is compliant with the National Design Guide and National Model Design Code. Key points being that the design creates creating outward facing dwellings, with a landscape led approach, with sufficient separation distances. • The Transport Statement submitted with the application demonstrates that any impacts on the transport network and highways safety can be appropriately mitigated. 	
155d	<p>The proposed development meets the 'Golden Rules'</p>	<p>See section below.</p>	



	requirements set out in 156-157 below	
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6 GOLDEN RULES

- 6.1.1. Paragraph 155 of NPPF states that the proposed development must meet the Golden Rules set out in Paragraph 156-157 of the Framework.
- 6.1.2. Paragraph 156 states: 'Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review or on sites in the Green Belt subject to a planning application, the following contributions ('Golden Rules') should be made:

Ref:	Rule	Implications/Work Required	Test met?
156a	Affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below.	Paragraph 157 is instead relevant in this case as the development plan has not been updated in line with Paragraphs 67-68 of the Framework.	✓
156b	Necessary improvements to local or national infrastructure	To accommodate the proposed shared route along Chester Road, the existing bus stop on the northern side of the road will be re-located and the existing bus lay-by removed. To the east of the relocated bus stop, a crossing facility is proposed with a 4m wide island to accommodate pedestrians, cyclists and guardrail. This facility, as shown at Appendix C of the Transport Assessment, will ensure both eastbound and westbound bus services can be accessed from the site and the proposed shared route.	✓
156c	The provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be	This is assessed in full on pages 32 and 33 below.	✓

	able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.*		
157d	<i>Before development plan policies for affordable housing are updated in line with paragraphs 67-68 of this Framework, the affordable housing contribution required to satisfy the Golden Rules is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50%. In the absence of a pre-existing requirement for affordable housing, a 50% affordable housing contribution should apply by default. The use of site-specific viability assessment for land within or released from the Green Belt should be subject to the approach set out in national planning practice guidance on viability</i>	The proposed development will provide 45% affordable housing which is compliant with the Golden Rules. In Cheshire West and Chester the relevant Policy is SOC 1 which would require a level of affordable housing of 30% for the site. Applying Paragraph 157 of the NPPF which sets out the Golden Rules for Grey Belt development which requires an additional 15% on top of the existing affordable housing requirement up to a cap of 50%.	✓

*This rule is covered in more detail in the following section

- 6.1.3. PPG compliments NPPF Paragraph 156c in regards to how proposals can improve access to green space. (Paragraph 012 of the Green Belt PPG (ref: 64-012-20250225). The guidance is assessed against the proposals below:

Consideration	Assessment	Test met?
<p>New residents and the wider public should be able to access good quality green spaces which are safe; visually stimulating and attractive; well-designed; sustainably managed and maintained; and seek to meet the needs of the communities which they serve.</p> <p>Accessible green spaces are areas of vegetation set within a landscape or townscape, often including blue space, which are available for public use free of charge and with limited time restrictions.</p>	<p>Whilst the proposals are in outline at this stage, with all matters reserved apart from access, the illustrative layout shows that good quality green space can be accommodated on site. The proposed formal green spaces include the following:</p> <ul style="list-style-type: none"> • Village Green – a central village green can be accommodated on the site with clear and legible routes leading to it throughout the development. • Linear Park – The development includes a buffer to Hornsmill Brook to accommodate a shared cycle / footpath and areas of green space and landscaping along the eastern boundary of the development. See Landscape Masterplan (ref: P24-2495_EN_0002) • LEAP – A LEAP can be provided adjacent to the linear park and the existing Hornsmill pub. • Allotment – The site has the potential to deliver allotment spaces towards the west of the site. <p>The amount of green space within the development is compliant and in fact demonstrates an overprovision against the standards set out in the Local Plan, namely: Policy DM 35. The scheme proposes a total of 12,013sqm of open space (including amenity/natural grass, parks/recreation, children play space, and youth play space). For 120 dwellings the Local Plan requirement would be 4,774sqm so the application proposes a significant overprovision. The full breakdown is shown in the submitted 'Open Space Provision Areas Plan' reference: P24-2495_EN_0010.</p> <p>By virtue of the site's location there are opportunities for future residents to enjoy local green spaces for recreation with free access to them improved by the footpaths provided on site. These include:</p> <ul style="list-style-type: none"> • Helsby Quarry Nature Reserve and Helsby Hill National Trust are circa 1.2km north east of the site and providing opportunities for walking and engaging with the open countryside 	<p>✓</p>

	<ul style="list-style-type: none"> • There are also lots of public rights of way in the local area include those 350m east around Hapsford (Hapsford FP2/FP3/FP4) and 650m south in Dunham-on-the-Hill (FP3, FP4, FP5) • Helsby Park located 960m north of the site (19-minute walk or 5-min cycle). 	
<p>Where possible access to green spaces should include safe active travel routes and should be served by public transport, which also means providing the necessary infrastructure (such as footpaths and bridleways).</p>	<p>The development will be directly served by the existing bus stop on Chester Road. This will provide opportunities for existing local residents in Helsby or the surrounding area to visit the site and enjoy the green spaces provided.</p> <p>The linear park through the site is designed to form part of a longer network, including through the site to the north, which will aid local connectivity and provide better access to green spaces from the residential developments to the north and east.</p>	✓
<p>Proposals should consider how the creation or enhancement of existing green spaces can contribute to the priorities for nature recovery set out within the relevant Local Nature Recovery Strategies, providing greater benefit to nature and contributing to the delivery of wider environmental outcomes.</p>	<p>The ECiA prepared by Envance and submitted with this application suggest that the Local Nature Recovery Strategy (LNRS) for Cheshire West & Chester is currently in development and has not yet been published. However, Draft Policy DHH 3 'Wildlife and Biodiversity' of the Regulation 14 Draft Neighbourhood Plan provides maps of 'Indicative Wildlife Corridors' and areas of 'Medium and High Distinctiveness Habitats' which are assumed to form the basis of a 'local strategically significant areas' as part of the LNRS.</p> <p><i>The ECiA states that 'with the proposed enhancements to the watercourse and the creation of a linear park focussed on enhancing biodiversity, it is considered the Proposed Development will only have positive impacts on the wildlife corridor of Hornsmill Brook.</i></p> <p><i>The creation of a linear park along Hornsmill Brook will be publicly accessible, allowing local residents access to an area of newly created green space not previously accessible to them. This aligns with the priorities for nature recovery likely to be set out in the LNRS, through enhancing and expanding an existing wildlife corridor and providing accessible green space for local residents.'</i></p>	✓



<p>Where appropriate, authorities should consider the use of conditions or planning obligations. The Community Infrastructure Levy can also be used to fund improvements to existing greenspaces or the provision of new ones. Local authorities should consider arrangements for the long-term maintenance of green spaces.</p>	<p>The delivery and maintenance of the green spaces will be controlled via condition and planning obligation.</p>
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7 CONCLUSION

- 7.1.1. The purpose of this report is to assess whether the development site can be identified as grey belt land; and assess the proposals against Paragraph 155 as to whether they would be not inappropriate development in the Green Belt.
- 7.1.2. The NPPF and PPG together are clear in setting out the process that should be undertaken to define land as grey belt.
- 7.1.3. This assessment has found that the site, by virtue of its characteristics including its size, location and surroundings, does not strongly contribute to purposes (a), (b) and (d) of the Green Belt set out at Paragraph 143 of the NPPF. When applied to the site, none of the policies set out at Footnote 7 of the NPPF provide a strong reason for refusal of the development.
- 7.1.4. For the reasons set out above, the site can be identified as grey belt land.
- 7.1.5. An assessment of the proposals against the policy tests at Paragraph 155 of the NPPF has concluded the following:
1. The development of the site would not undermine the purposes of the remaining Green Belt land as a whole.
 2. The Council have accepted they cannot demonstrate a five-year housing land supply following the adoption of the NPPF and new standard method. They are preparing a new Local Plan to address this which is unlikely to be adopted until 2027. The proposals would therefore meet a demonstrable unmet need for housing.
 3. The site is sustainably located at the immediate edge of a Key Service Centre. The site is accessible by public transport and the proposals will improve active travel options both on and off site.
 4. The proposals provide a significant overprovision (251%) against the open space requirements in the Local Plan and will improve local access to green space through public transport or active travel options.
 5. The proposals meet all of the Golden Rules at 156-157 of the Framework.
- 7.1.6. Accordingly, the proposals for residential development are not inappropriate development in the Green Belt in accordance with Paragraph 155 of the NPPF. Consequently, there is no need to further consider harm to openness.⁷ The accompanying Planning Statement will assess the proposals against the Development Plan as a whole, along with other material considerations.

⁷ Paragraph 20 of Appeal Decision APP/D3640/W/24/3347530



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