

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



29th July 2026

Submitted online via Neighbourhood Plan Consultation Portal and copied by email to:
neighbourhoodplanning@cheshirewestandchester.gov.uk

Dear Sir/Madam,

Re: Tattenhall & District Neighbourhood Plan 2025-2045 Regulation 16 Consultation 2026 – Further Representation on behalf of Inspired Villages

This representation has been prepared by Avison Young (“AY”) on behalf of Inspired Villages (“IV”) in response to Cheshire West and Chester Council’s public consultation on the submission version (Regulation 16) draft Tattenhall & District Modified Neighbourhood Plan 2025-2045 of May 2026. It follows IV’s earlier representation of April 2026 in relation to the pre-submission (Regulation 14) version of the draft Neighbourhood Plan.

Background to and Purpose of Representation

As explained in our previous representation, IV is one of the UK’s leading providers of Integrated Retirement Communities (“IRCs”) and operates the Gifford Lea retirement village in Tattenhall, a Continued Care and Retirement Community (Use Class C2) for housing older people with the provision of care and support. Since 2014, Phases 1, 2 and 3 of Gifford Lea have been completed and planning permission was granted in March 2026 for Phase 4, an extension to the existing village which will deliver a further 25 Extra Care units with associated access, parking, landscaping, ecological enhancements and other works (ref: 22/00194/FUL).

IV’s Phase 4 site remains within land identified in the latest draft Neighbourhood Plan for the parcel identified for 200 new homes, subject to the requirements set out in emerging Policy 7(B), known as ‘Phase 2: Land to the North of Frog Lane’. While IV has no objection, in principle, to housing development on land to the north of Frog Lane, our previous representation sought to ensure that:

- the Neighbourhood Plan does not prejudice the delivery of IV’s recently permitted Phase 4 extension to Gifford Lea;
- any access strategy associated with the housing allocation is deliverable and meets the Basic Conditions of Neighbourhood Plans;
- the ongoing operation of the retirement village and the amenity of its residents are appropriately safeguarded; and that

- full advantage is taken of the opportunity to include an element of older persons' accommodation (Use Class C2) within the allocation, reflecting both identified need and the site's spatial context.

Review of Amendments Made to the Draft Neighbourhood Plan Since IV's Representation of April 2026

The changes made to the draft Neighbourhood Plan in response to the representations of IV and others are set out in the Modification Statement and Modification Proposal of May 2026, both of which have been made available on the Cheshire West and Chester Council's webpage for the Regulation 16 Consultation.

This section of our letter summarises the changes of most relevance to IV's letter of April 2026, and is not an exhaustive list of all amendments made. The key amendments are as follows:

- A new policy requirement has been added, to the effect that the development layout shall allow for the delivery of the habitat mitigation area consented as part of IV's Phase 4 permission. However, as we go on to explain in more detail below alongside our other concerns with this amendment, this new criterion appears to have been mistakenly added to the policy relating to the parcel of land covered by Policy 7(A): 'Phase 2: Land to the South of Frog Lane', whereas all of the relevant habitat mitigation land is in the area associated with Policy 7(B): 'Phase 2: Land to the North of Frog Lane'.
- A new paragraph in the explanatory wording to Policy 7 (paragraph 3.49) clarifies that the two parcels known as Phase 1 and Phase 2 *'form a single comprehensive allocation'*. It goes on to explain that: *'Development may come forward in phases, but proposals should demonstrate how they contribute to the coordinated delivery of the wider site, including infrastructure, access and green infrastructure. Individual phases will be supported where they do not prejudice the delivery of the wider allocation and demonstrate how they align with a comprehensive approach to the site as a whole.'*
- The boundary of the parcel associated with Policy 7(B): 'Phase 2: Land to the North of Frog Lane' has been expanded to include additional land to the south west. A further alteration has been made to exclude some (but not all) of the land occupied by the Gifford Lea retirement village and associated habitat mitigation areas. The draft Neighbourhood Plan and accompanying consultation documents do not provide an explanation of the reasons for these changes.
- Another new paragraph in the explanatory wording (paragraph 3.50) states that development proposals should include measures to reduce vehicle dominance, improve safety, and enhance walking, cycling and public realm quality. Traffic management, calming measures and street design should contribute positively to the function and character of the village centre.

Much of the other policy elements of relevance to IV's previous representation (including matters such as access, the amenity of neighbouring residents, and older peoples' accommodation) remain the same in substance and emphasis.

Thus, notwithstanding the limited amendments, the majority of the concerns highlighted in IV's submission in respect of the Regulation 14 consultation remain extant for the reasons explained

in the remainder of this representation. For ease, these points are set out under the same headings as used in our letter of April 2026.

Without substantial changes, IV remains concerned about the ability of the emerging Neighbourhood Plan to satisfy the necessary Basic Conditions by contributing positively to sustainable development, and by demonstrating that it is in general conformity with the strategic policies of the development plan.

Conflict between Draft Allocation and IV's Phase 4 Consent

Our previous representation highlighted the overlap between the parcel known as 'Phase 2: Land to the North of Frog Lane' in the draft Neighbourhood Plan and the land subject to various planning permissions associated with IV's continued operation and expansion of its retirement village.

We explained that the recent planning permission for IV's Phase 4 (ref: 22/00194/FUL) includes not just the 25 Extra Care units but also associated open space, ecological mitigation land, and other works. It is a condition of this and previous planning permissions in relation to the retirement village that part of IV's land remain open for the purposes of ecological mitigation and compensation, including the protection of a local population of Great Crested Newts (GCNs) to the north of Gifford Lea.

In response, the latest Regulation 16 draft of the Neighbourhood Plan introduces the following new policy requirement:

The development layout shall allow for the delivery of the habitat mitigation area consented as part of application 22/00194/FUL'

However, there are a number of issues with this draft criterion as currently worded.

Firstly, the new requirement has been added to the wording of Policy 7(A), which relates to the parcel known as 'Phase 1: Land to the South of Frog Lane', whereas the habitat mitigation land in question lies within the area covered by Policy 7(B), which is known as 'Phase 2: Land to the North of Frog Lane'.

Secondly, Gifford Lea has a complicated planning history, and the requirement to deliver and maintain this habitat mitigation land arises as a result of a number of permissions; not just the most recent Phase 4 consent (ref: 22/00194/FUL). The Great Crested Newt mitigation land is also secured under a Protected Species Development Licence agreed with Natural England. The plan provided with our April 2026 letter and reproduced as **Figure 1** in this letter combines the measures approved and required under various past consents, and represents what IV intends to implement at Gifford Lea.

As set out in that previous letter, IV's first preference is that the boundary of the Neighbourhood Plan's Phase 2 parcel be changed to exclude all of the land associated with its Phase 4 permission (including the consented built development, the open land reserved for ecological mitigation, and the landscape planting), with additional space to allow for appropriate landscape buffer or other mitigation measures around the Gifford Lea development and the associated ecological mitigation land/features. However, if the parcel does continue to include the retirement village and introduce a policy requirement to safeguard the Phase 4 permission, then

as a minimum this should refer to the plan reproduced in Figure 1 and include the consented built development as well as the ecological mitigation elements.

Figure 1: Plan showing all habitat creation and enhancement measures approved at Gifford Lea



IV's third concern with the new policy criterion as currently worded is that it only allows for *'the delivery of the habitat mitigation area'*. However, it is a condition of various past Gifford Lea consents, including Condition 14 of the Phase 4 permission, that the ecological mitigation land be not just delivered but also retained indefinitely. The various mitigation measures imposed by planning condition are necessary to provide adequate safeguards for the protection of protected species and their habitats.

In addition, the Protected Species Development Licence agreed with Natural England, which binds both IV and its successors, requires the land to be created and managed in accordance with the mitigation strategy in perpetuity.

At present, the draft policy wording refers only to delivery and does not reflect the various legal requirements to manage the land over the very long-term future.

Fourthly, given that the new paragraph 3.49 in the Regulation 16 draft Neighbourhood Plan is clear that Phases 1 and 2 in Policy 7 form two parts of a single comprehensive allocation, there is a need to ensure that any phased development can demonstrate that it will not interfere with or prejudice the delivery and maintenance of the Phase 4 permission. We consider that the policy wording should make this requirement clear.

In summary, IV considers that the current Regulation 16 draft of the Neighbourhood Plan continues to have the potential to cause substantial conflict with the delivery and ongoing management of its Phase 4 consent at Gifford Lea. IV respectfully requests that consideration be given to the following further amendments:

- **As the first preference**, change the boundary of the parcel known as 'Phase 2: Land to the North of Frog Lane' to exclude all of the land associated with IV's Phase 4 planning permission, including the consented built development; the open land reserved for ecological mitigation; and the landscape planting shown on Figure 1. In addition to excluding this land, the contracted allocation boundary should also allow for an appropriate landscape buffer or other mitigation measures around the Gifford Lea development and the associated ecological mitigation land/features; **or**
- **Less preferably**, revise the wording of the new policy requirement currently set out [mistakenly] at part (xii) of Policy 7(A) in order to:
 - move this criterion into Policy 7(B) to make it clear that it relates to the parcel known as 'Phase 2: Land to the North of Frog Lane';
 - refer to the plan reproduced in Figure 1, rather than solely to the Phase 4 consent (ref: 22/00194/FUL), and include the consented built development as well as the ecological mitigation elements;
 - explicitly require any future development of the site to not only deliver the habitat mitigation areas, but also to retain and manage them in perpetuity in accordance with relevant planning conditions and the Protected Species Development Licence agreed with Natural England; and
 - ensure that any phased development of the single allocation comprising Phases 1 and 2 can demonstrate that it will not interfere with or prejudice the delivery and maintenance of any part of IV's Phase 4 permission.

Emerging Access Strategy

As noted, the latest Neighbourhood Plan draft incorporates an altered boundary for the Phase 2 parcel which includes the additional land to the west of Gifford Lea shown outlined approximately in red in **Figure 2** below. No clear explanation is given for this change in the newest draft Plan or the Regulation 16 consultation documents.

Figure 2: Additional Land included in Phase 2 parcel in Regulation 16 Neighbourhood Plan



The draft wording of part (ii) of Policy 7(B) has not been revised and continues to state that *'the site will be accessed from both Frog Lane and Chester Road with the layout allowing for direct vehicular and pedestrian links between Chester Road and Frog Lane...'*

As a result, it remains unclear how the Phase 2 parcel could ultimately achieve access from Frog Lane, so that IV continues to be concerned about the ability of the draft Neighbourhood Plan to offer a clear or deliverable access strategy without impacting the Phase 4 scheme and associated habitat mitigation land.

In IV's view, the draft Neighbourhood Plan is not prescriptive enough about the access strategy. Unless it is made an explicit policy requirement that any access to the Phase 2 parcel from the south can only be via the land shown in Figure 2, then there is still the potential for developers to seek to access the new housing development either through the Gifford Lea Phase 4 land, or through Clough Lane to the east. As such, we would reiterate the serious concerns raised in our April 2026 letter regarding the feasibility and safety of these routes, and the potential impacts on the amenity of residents and users of the retirement village and surrounding dwellings.

While the introduction of the new paragraph 3.50 in the explanatory wording of the Neighbourhood Plan and its emphasis on measures to reduce vehicle dominance and improve safety are welcome, we consider that these do not go far enough in making it absolutely clear

that no proposal can be considered remotely acceptable without measures to adequately safeguard the amenity and safety of these neighbouring residents.

Our previous letter also pointed out challenges to the deliverability of any access/egress from Chester Road to the north, which would need to take account of the need to ensure that the land earmarked by IV for ecological mitigation and covered by its GCN Licence with Natural England remains fully protected, as well as the presence of the ecologically sensitive brook and Nature Conservation land that continue to cross east-west through the Phase 2 parcel.

IV remains of the view that the current access strategy remains unclear, causing doubt about the deliverability of the Neighbourhood Plan and therefore its ability to meet the Basic Conditions in terms of its contribution to sustainable development. We continue to respectfully request that a reasonable and comprehensive access strategy must be identified and outlined clearly in the relevant policy and mapping. We consider that **either**:

- the access strategy should explicitly require any access to the Phase 2 parcel from the south to be solely via the land shown in Figure 2, and emphasise the requirement to safeguard both the deliverability of IV's Phase 4 consent and, above all, the amenity and safety of residents and users of the retirement village and surrounding dwellings; **or**
- the draft allocation and policy wording should be amended to remove all reference to access from Frog Lane to the south. Instead, all access and egress to the allocation must be from Chester Road in the north, thereby minimising the impacts on the retirement village and ensuring the safety of its users.

Safeguarding the Retirement Village and the Amenity of its Residents

As made clear in its previous representation, safeguarding the ongoing operation of the retirement village and the amenity of its residents is IV's main priority, reflecting the sensitivity of this C2 use and the vulnerability of its occupants (who are older people requiring a degree of care and support).

IV continues to be concerned that the construction and subsequent occupation of new residential development of the scale currently proposed (200 homes) and in such close proximity to the retirement village has the potential to bring unacceptable impacts in terms of:

- traffic;
- noise;
- light pollution; and
- general disturbance/amenity impacts.

In this regard, the policy wording in the Neighbourhood Plan is unchanged, and emerging Policy 7(B) makes no reference to the need to prevent and/or mitigate adverse impacts on the amenity of neighbouring users. IV remains of the view that the following amendments should be made:

- Policy 7(B) should explicitly require that the residential amenity of neighbouring users, including users of the retirement village, is protected and that this consideration will be afforded significant weight in decision-making. This should be expressed as a clear and enforceable policy requirement rather than an aspiration.

Opportunity for Older Persons' Accommodation within the Allocation

As set out in our April 2026 representation, there is a clear need for additional older persons' accommodation at both the national level and within Cheshire West & Chester specifically.

However, there remains no explicit requirement in current Neighbourhood Plan draft to include older persons' accommodation within the mix of homes to be delivered within Phase 2 (or Phase 1). In this regard, IV would like to reiterate the points made in its April 2026 submission to the effect that:

- The proposed allocation to the north of Frog Lane offers an opportunity to make an important contribution towards fulfilling some of the authority's requirement for specialist accommodation aimed at older people.
- From a spatial planning perspective, the location of the draft allocation is well-related to the existing retirement village and capable of functioning as a logical and sustainable extension to it, allowing the new accommodation to benefit from proximity to established facilities and management structures.
- Including an element of Extra Care (C2) accommodation – in addition to the mix of housing types, sizes and tenures already envisaged in draft Policy 7(B) – will help to ensure that the Neighbourhood Plan remains flexible and responsive to changing needs and demands that may arise over the plan period up to 2045.
- The PPG is clear that Neighbourhood Plans must reflect up-to-date local evidence on housing need and other matters if they are to meet the Basic Conditions

As a consequence, IV continues to consider that:

- Policy 7(B) should be modified to provide explicit support for the inclusion of older persons'/Extra Care accommodation (Use Class C2) within the wider residential allocation. Any such provision should be directly linked to Gifford Lea and would represent the only form of development that could be acceptably accessed via Clough Lane, having regard to the reduced traffic generation and the operational synergies with the existing retirement village in terms of care provision and user profile.

Summary and Conclusion

IV, the operator of the Gifford Lea Retirement Village, has previously commented on the Regulation 14 draft Tattenhall & District Modified Neighbourhood Plan in its letter of April 2026. In response to both this and other representations, the Parish Council has made a number of amendments, which are the subject of the current Regulation 16 consultation.

IV continues to have no objection to the principle of residential development on land to the north of Frog Lane but, notwithstanding the changes made, remains concerned about a range of issues relating to the emerging Policy 7(B) and the parcel known as 'Phase 2: Land to the North of Frog Lane'.

The allocation and policy wording require modification to avoid direct conflict with IV's existing planning permissions (including ecological mitigation areas secured in perpetuity), and the operation of a sensitive Class C2 use. IV respectfully requests that amendments be made to the draft Neighbourhood Plan, as summarised **Table 1** overleaf.

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Existing Policy/Wording	Issue(s) and implications for Basic Conditions	Suggested Amendment/Wording
	planning conditions, not just the Phase 4 consent. Current text only allows for delivery of habitat mitigation area, whereas IV and its successors are also obligated to manage the land in accordance with various requirements <u>in perpetuity</u>.	<i>all built development and ecological mitigation elements associated with this and various other planning permissions associated with the Gifford Lea retirement village, in accordance with all relevant planning conditions and the Protected Species Development Licence agreed with Natural England.'</i> Policy 7 (second new policy criterion) – 'Any proposal for phased development of the single allocation comprising Phases 1 (Land to the South of Frog Lane) and 2 (Land to the North of Frog Lane) must demonstrate that it will not interfere with or prejudice the delivery and maintenance of any part of IV's Phase 4 permission and its various obligations in relation to ecological mitigation and enhancement.'
Policy 7(B)(ii) – <i>The site will be accessed from both Frog Lane and Chester Road with the layout allowing for direct vehicular and pedestrian links between Chester Road and Frog Lane, and onward to Rocky Lane, of a standard which will enable the site to be served by public transport and to the satisfaction of the Highways Authority. Bus stop</i>	Neighbourhood Plan not prescriptive enough with regard to the access strategy for Phase 2, and there remains the potential for the access from Frog Lane in the south to compromise the ongoing operation of the Gifford Lea retirement village and the amenity and safety of its residents, employees, visitors and neighbours.	Either, Policy 7(B)(ii) – <i>The site will be accessed from both Frog Lane and Chester Road with the layout allowing for direct vehicular and pedestrian links between Chester Road and Frog Lane, and onward to Rocky Lane, of a standard which will enable the site to be served by public transport and to the satisfaction of the Highways Authority.</i>

Existing Policy/Wording	Issue(s) and implications for Basic Conditions	Suggested Amendment/Wording
<i>infrastructure should also be installed to allow for public transport opportunities.'</i>	Text of draft Plan should be strengthened to make it clear that no proposal can be considered acceptable without strict measures to ensure that the amenity and safety of local residents is safeguarded. Challenges to deliverability of access/egress from Chester Road to the north, which will need to take account of ecological sensitive brook and nature conservation land as well as IV's habitat mitigation areas. Raises questions about the ability of the Neighbourhood Plan to satisfy Basic Condition (d) by contributing to the achievement of sustainable development.	<i>Bus stop infrastructure should also be installed to allow for public transport opportunities. Any access or egress from Frog Lane must be solely via the land within the Phase 2 parcel to the west of Gifford Lea retirement village, and applicants will be strictly required to demonstrate that their proposed access strategy safeguards: (1) the deliverability and maintenance of IV's Phase 4 permission and its various obligations in relation to ecological mitigation and enhancement; and (2) the amenity and safety of users of the retirement village and surrounding residents.'</i> <u>Or, Policy 7(B)(ii)</u> – <i>'The site will be accessed and egressed solely from both Frog Lane and Chester Road with the layout allowing for direct vehicular and pedestrian links between Chester Road and Frog Lane, and onward to Rocky Lane, of a standard which will enable the site to be served by public transport and to the satisfaction of the Highways Authority. Bus stop infrastructure should also be installed to allow for public transport opportunities. Applicants will be strictly required to demonstrate that their proposed access strategy safeguards: (1) the deliverability and maintenance of IV's Phase 4 permission and its various obligations in relation to ecological mitigation and enhancement; and (2) the amenity</i>

Existing Policy/Wording	Issue(s) and implications for Basic Conditions	Suggested Amendment/Wording
		<i>and safety of users of the retirement village and surrounding residents.'</i>
No reference in Policy 7(B) to the need for new development to prevent and/or mitigate adverse impacts on the amenity of neighbouring users.	Construction and subsequent occupation of 200 new homes in such close proximity to a sensitive C2 retirement village use has the potential to bring unacceptable impacts in terms of traffic, noise, light pollution, and general disturbance/amenity impacts. Stronger policy requirements are necessary to safeguard amenity and ensure that the Neighbourhood Plan meets Basic Condition (d) by contributing to the achievement of sustainable development.	Policy 7(B)(new policy criterion) – <i>'Any proposal will be strictly required to demonstrate that the residential amenity of neighbouring occupiers, including the users of the Gifford Lea retirement village, will be adequately protected from any adverse impacts arising from the construction and operation of the development. Such impacts may include, but are not limited to, traffic generation, noise, light pollution, general disturbance, and any other effects that could materially harm amenity. This consideration will be afforded significant weight in decision-making with regard to proposals for new development in proximity to existing residences and businesses.'</i>
No explicit support in Policy 7(B) for the inclusion of older persons'/Extra Care accommodation (Use Class C2) within the wider residential allocation.	There is a clear need for additional older persons' and Extra Care accommodation at the national and local authority levels (see IV's representation of April 2026). The location of the Phase 2 parcel represents an opportunity to provide a logical and sustainable extension to the existing retirement village, which would fulfil some of the identified need in a way that would allow the new development to benefit from proximity to the existing facilities and management structures	Policy 7(B)(new policy criterion) – <i>'The development of new older persons' and/or Extra Care accommodation (Use Class C2) within the allocation will be strongly supported. Support will be given to older persons' and Extra Care provision that is directly linked to the existing Gifford Lea retirement village. Subject to the satisfaction of the Highways Authority, such provision may be accessed via Clough Lane.'</i>

Existing Policy/Wording	Issue(s) and implications for Basic Conditions	Suggested Amendment/Wording
	at Gifford Lea. Given the reduced traffic generation and operational synergies with the existing retirement village in terms of care provision and user profile, IV considers that it would be acceptable for this provision to be accessed via Clough Lane. The inclusion of some older persons/ Extra Care accommodation would also help to demonstrate that the Neighbourhood Plan satisfies Basic Condition (d), by contributing positively to sustainable development, and Basic Condition (e), by being in general conformity with the strategic policies of the development plan.	



IV is willing to engage constructively with the Parish Council to assist in refining the allocation and associated policy wording. The requested amendments would help ensure that the Neighbourhood Plan is robust, deliverable, and capable of supporting sustainable development within Tattenhall.

If you have any questions about this representation or wish to discuss further then please do not hesitate to contact me. In the meantime, I would appreciate it if you could please confirm safe receipt.

Yours faithfully,



Christie Fraser
Associate Director



For and on behalf of Avison Young (UK) Limited

Cc: Ellen Pearce and Sam Tabiner, Inspired Villages
Ed Harvey, Avison Young
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