

Tattenhall Neighbourhood Plan

Regulation 16 Consultation

Submission Version



July 2026

CONTENTS

1	Introduction	3
1.1	Context	3
2	National Policy and Guidance	4
2.1	National Planning Policy Framework	4
2.2	Planning Practice Guidance	4
3	Development Plan.....	5
3.1	Relationship to Local Plan	5
4	Tattenhall Neighbourhood Plan	6
4.1	Context.....	6
4.2	Evidence Base – Site Selection and Assessment	6
4.3	Strategic Environment Assessment.....	7
4.4	Policy 1: Housing Growth	7
4.5	Policy 7: Site allocations	8
4.6	Conclusion	9

1 INTRODUCTION

1.1 Context

- 1.1.1 These representations provide the response of Gladman Developments Limited (Gladman) to current consultation held by Cheshire West and Chester (CWaC) on the submission version of the Tattenhall Neighbourhood Plan Review (TNPR) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.
- 1.1.2 Gladman specialise in the promotion of strategic land for residential development and associated community infrastructure. From this experience, we understand the need for the planning system to deliver the homes, jobs and thriving local places that the country needs.
- 1.1.3 Gladman are promoting a site within the neighbourhood area for residential development 'Land at Greenlands'. The site has been subject to a live planning application since 6 June 2025 (Reference: 25/01764/OUT). An appeal against non-determination was lodged on 24 July 2026. The appeal site is well located to the existing built-up area of Tattenhall and represents a suitable and sustainable location for housing within the settlement. There have been no showstopper objections to the application raised by consultees and as such the site should be considered as a 'reasonable alternative' within the SEA.
- 1.1.4 Through these representations, Gladman provides an analysis of the TNPR and the policy decisions promoted within the plan. Comments made by Gladman are provided in consideration of the TNPR's of policies and its ability to fulfil the Neighbourhood Plan Basic Conditions as established by paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended) and supported by the Neighbourhood Planning chapter of the Planning Practice Guidance (PPG).
- 1.1.5 In accordance with the Neighbourhood Plan Basic Conditions, Neighbourhood Plan policies should align with the requirements of the National Planning Policy Framework (NPPF 2024) and the wider strategic policies for the area set out in the Council's adopted Development Plan. Neighbourhood Plans should provide a policy framework that complements and supports the requirements set out in these higher-order documents, setting out further, locally-specific requirements that will be applied to development proposals coming forward.
- 1.1.6 The TNPR should only be progressed if it meets the Neighbourhood Plan Basic Conditions, supported by a robust and proportionate evidence base.

2 NATIONAL POLICY AND GUIDANCE

2.1 National Planning Policy Framework

- 2.1.1 The National Planning Policy Framework ('NPPF' or 'the Framework') sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role they play in delivering sustainable development to meet development needs.

2.2 Planning Practice Guidance

- 2.2.1 Planning Practice Guidance (PPG) makes clear that neighbourhood plans should conform to national policy requirements and take account of the most up-to-date evidence of housing needs to assist the Council in delivering sustainable development; a neighbourhood plan basic condition.

3 DEVELOPMENT PLAN

3.1 Relationship to Local Plan

3.1.1 To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan.

3.1.2 The adopted Development Plan relevant to the preparation of the TNPR and the Development Plan which the TNPR will be tested against is the:

- Cheshire West and Chester Local Plan Part 1 (LPP1) which was adopted on the 29th January 2015. The document sets out the visions, objectives, spatial strategy and overarching policies to guide development in the area up to 2030.
- Cheshire West and Chester Local Plan Local Plan Part 2 (LPP2) adopted 18th July 2018. This sets out the non-strategic allocations and detailed policies.

3.1.3 In June, the Council announced its intention to move from the legacy plan making system to the new Gateway planning system. The new Local Plan is in its very early stages and not anticipated for adoption until December 2028. As this could be early in the plan period of the TNPR it is essential that sufficient flexibility is included within the policies of the TNPR now so that it is capable of being effective over the duration of its plan period and not ultimately superseded by s38(5) of the Planning and Compulsory Purchase Act 2004, which states that:

‘if to any extent, a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approached, or published (as the case may be).’

4 TATTENHALL NEIGHBOURHOOD PLAN

4.1 Context

- 4.1.1 These representations are made in response to the current consultation on the submission version of the TNPR, under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This section of the representation highlights the key points that Gladman raise with regard to the content of the TNPR as currently proposed.

4.2 Evidence Base – Site Selection and Assessment

- 4.2.1 The TNPR is supported by a site selection summary and a spreadsheet of site assessments. The site selection sets out a series of broad scenarios rather than the usual approach of assessment of individual sites. The overall approach to site assessment is overly simplistic and lacks any detail over how the scoring is derived other than a yes/no assessment and often a one-line summary comment.
- 4.2.2 Gladman's interest in site 1829, land west of Tattenhall Road is only included within one scenario, scenario 3 which is deemed capable of delivering 1,500. As the only potential negative of developing this site identified as being affected by Flood Zone 2/3, with a sequential layout and SUDs yet a site that scores notably worse is included within all three of the considered scenarios and the fourth ultimately progressed scenario. This can be seen in Table 1 in the Appendix which compares the site being promoted by Gladman, Land west of Tattenhall Road in the assessed sites and which is included in scenario 3, compared to the allocated land in scenario 4 of the SEA.
- 4.2.3 The scheme being promoted by Gladman (Ref: 25/01764/OUT) which Gladman have recently lodged an appeal on has been sensitively designed to the north of the noted flood zone 2 and 3 along Keys Brook. The scheme does not include any of the developable area within the flood zone 2 or 3 and includes a green buffer here to ensure no area is at greater flood risk. Additionally, the SUDs on the proposed scheme allows for the site to achieve a greenfield run-off rate where there will be no negative impact on surface water run-off from the site onto nearby area's including Keys Brook. The Environment Agency confirmed in an updated consultation response on 11 May 2026 that they have withdrawn their objections to the scheme based on the additional information provided.
- 4.2.4 Gladman did not receive the letter as stated in Paragraph 2.7 of the Site Selection Report, yet it is clear that discussions that did take place with other landowners/promoters were used to shape the scenarios. It is unfortunate that these same discussions and the opportunity were not afforded to Gladman and it raises serious questions on the validity of the entire site selection process, particularly in light of the fact that there has a live planning application on land west of Tattenhall Road since June 2025.

4.3 Strategic Environment Assessment

- 4.3.1 The preparation of neighbourhood plans may fall under the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) that require a Strategic Environmental Assessment (SEA) to be undertaken where a Plan's proposals would be likely to have significant environmental effects.
- 4.3.2 The SEA is a systematic process that should be undertaken at each stage of a Plan's preparation. It should assess the effects of a neighborhood plan's proposals and whether they would be likely to have significant environmental effects and whether the Plan is capable of achieving the delivery of sustainable development when judged against all reasonable alternatives.
- 4.3.3 Gladman question whether the reasonable scenarios as set out in the SEA can realistically be deemed as reasonable alternatives to the sites selected and therefore contained within the preferred approach. Land at Frog Lane is included within each of the development scenarios and therefore alternatives to its inclusion within the plan have not been adequately assessed. This is a significant failing of the SEA process and failure of basic condition (f) and one that should mean the failure of the TNPR through examination.
- 4.3.4 There is sufficient doubt on the potential impacts of this development site at Frog Lane on heritage and mineral impacts to have warranted assessment against other options or reasonable alternatives. A further comparison of the allocated land in the TNPR and the land being promoted by Gladman can be found in the below Table 1 in the Appendix.
- 4.3.5 There could have been other development scenarios tested comprising of non-strategic sites to accommodate the indicative housing figure provided by CWAC across the neighbourhood area as will be expanded upon below.

4.4 Policy 1: Housing Growth

- 4.4.1 Cheshire West and Chester have provided an indicative housing requirement in April 2026 with two potential options, of which the highest figure was to be taken forward which is 526 dwellings. Whilst this indicative figure has been provided by the Council, due to the status of the Local Plan there is currently significant uncertainty as to whether this figure will remain sufficient for the duration of the proposed plan period of the neighbourhood plan. Sufficient flexibility should be included within policies of the plan, or a commitment to review the plan should be included within the plan.
- 4.4.2 As drafted this policy would seek to restrict further development, contrary to Strat 1 of the adopted Local Plan which states:

'The Council will always work proactively with applicants where proposals are not in accordance with the Plan to find solutions which mean that proposals can be made sustainable and approved wherever

possible. However, proposals that fundamentally conflict with the above principles or policies within the Local Plan will be refused.

Where there are no Local Plan policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise, taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the National Planning Policy Framework, or specific policies in the Framework indicate that development should be refused.'

- 4.4.3 As drafted this policy would not recognise this position, conflicting with basic condition ea which states that a plan must not result in the local area providing fewer homes than it would if the plan were not made. This policy should either be recognised or Gladman would suggest that specific wording is added to the policy stating development proposals adjacent to the defined settlement boundary should be supported.

4.5 Policy 7: Site allocations

- 4.5.1 Policy 7 addresses the new indicative housing target through an allocation that will be phased and total 600 dwellings. The first phase is located south of the settlement, and the second phase is located west of Tattenhall. The phase 1 land south of Tattenhall now has a pending Outline planning application on (Application reference: 26/00486/OUT) for up to 400 dwellings.

- 4.5.2 It is considered that these sites are strategic in nature in direct conflict with Paragraph 18 of the NPPF (2024) states,

'Policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies.'

- 4.5.3 Gladman's assessment on the allocated site within the TNPR can be found in Appendix 1 alongside This can be compared to the assessment of land being promoted by Gladman, Land west of Tattenhall Road, as this land has not been assessed on an individual basis within the SEA.

- 4.5.4 As is clearly evident from the site assessment report there are clearly sufficient sites within and around Tattenhall to deliver the indicative requirement without the need for strategic site allocations. It is clear that the Council have been seeking a single larger site from the outset, evident from the ever-present nature in development scenarios tested of land north of Frog Lane.

- 4.5.5 Gladman reiterates that it does not consider alternative sites have been adequately assessed in the NP's site selection process to determine the most sustainable land to come forward to meet the increased housing needs. There are alternative options to that which is proposed that would allow for a development strategy that is not reliant on a single strategic site. The strategy as proposed is currently in conflict with national policy and therefore basic condition (a).

4.6 Conclusion

- 4.6.1 Gladman recognises the Government’s ongoing commitment to neighbourhood planning and the role that such Plans have as a tool for local people to shape the development of their local community. However, it is clear from national guidance that the TNPR must be consistent with national planning policy and guidance. If the plan is found not to meet the Basic Conditions at Examination, then the plan will be unable to progress to referendum.
- 4.6.2 The Steering Group must ensure that the policies within the TNPR allow for sufficient flexibility and are based on robust and justified evidence. As detailed through these submissions, we suggest that greater flexibility must now be built into the TNRP’s proposals given the current uncertainty over the future Local Plan. Should the TNPR fail to plan for this flexibility then there is a real risk that its proposals will need to be reviewed upon the adoption of the new Local Plan, to remain an up-to-date part of the Development Plan for the Parish.
- 4.6.3 Gladman consider that there is a significant failing in the SEA process and therefore failure of basic condition (f) and one that should mean the failure of the TNPR through examination.
- 4.6.4 Gladman also consider that the plan fails basic condition (a) for the nature of the sites selected by the Parish Council being strategic, contrary to the requirements of the NPPF.
- 4.6.5 As drafted the policies would also promote less development than that which is supported through policy Strat1 of the Local Plan and therefore contrary to condition (ea).
- 4.6.6 Should the Examiner decide it is necessary to hold a hearing session(s) to discuss the issues raised then Gladman formally request to participate at the examination in public.

Appendix

	Land and Resources	Water	Cultural Heritage	Biodiversity
Land west of Tattenhall (Land at Greenlands, Tattenhall, application Reference: 25/01764/OUT)	Two thin strips of sand and gravel safeguarding areas pass through Tattenhall and along the southern boundary of the proposed scheme. This is along the Keys Brook which has been given a significant green buffer around to ensure the proposed scheme does not impact the flood zones 2 and 3 land and habitats across the watercourse. A Minerals Resource Assessment was submitted with the application that concludes that no sub-alluvial sand and gravel is identified by the borehole logs and the inferred resources by the BGS are not present within the area. The proposed development is therefore compatible with criteria outlined by Policy M2 of the Local Plan. Even in the event any mineral were located on site it is effectively already sterilised from mineral development and the proposed development would still be compliant with criteria outlined by Policy M2. The land is within Grade 3 (good to moderate) Agricultural Land Class.	Land along the Keys Brook sits within flood zone 2 and 3. The Outline application has designed a green buffer around the watercourse and flood zones 2 and 3 meaning no development will be within the higher risk flood zone area. As with the other scenarios, there are pockets of surface water flood risk. Mitigation with a SUDs on the proposed scheme allows for the site to achieve a greenfield run-off rate where there will be no negative impact on surface water run-off from the site onto nearby area's including Keys Brook.	The site sits north of the settlement with a significant distance away from the conservation area and any listed buildings, it is unlikely the proposed scheme will have any impact upon the settlement's heritage assets.	The parish contains no internationally designated sites and none of the scenarios contain sites that fall within priority habitats or ancient woodland. Any development coming forward as part of the scenarios must meet its BNG obligations, so must have a positive biodiversity effect. Since the Outline application does not significantly affect any biodiversity assets and there are opportunities for schemes to improve biodiversity across the sites, including through BNG obligations, this will likely result in a positive effect on biodiversity.
TNRP Scenario 4 assessment of Land north and south of Frog Lane	Two thin strips of sand and gravel safeguarding areas pass through Tattenhall affecting the land included in scenario 4 of the SEA. Land north of frog lane also referred to as the phase 2 of the site allocation in the TNRP includes more of the safeguarded land than other alternative scenarios and site's assessed in the TNRP and therefore has the potential to be the most	The land north of Frog Lane and known as the phase 2 land for the TNRP site allocation is subject to significant flood Zone 2 and 3 constraints where Mill Brook divides the northern site in two. The fluvial flood risk is the most significant in land north of Frog Lane in comparison to any parcels assessed as part of the site selection process.	The land north of Frog Lane sits west next to the conservation area in Tattenhall. There appears to be some intervening vegetation, however, it appears there would be some views to and from the conservation area, additionally with the significant number of dwellings in the allocation it is likely there will be impact to the conservation area's setting. Within the conservation is also The	The parish contains no internationally designated sites and none of the scenarios contain sites that fall within priority habitats or ancient woodland. Any development coming forward as part of the scenarios must meet its BNG obligations, so must have a positive biodiversity effect. Since it is unlikely the scenario will impact upon existing significant biodiversity assets and

	impactful. This can be mitigated with extraction prior to development, however, will only further delay the long-term scheme more. The land is within Grade 3 (good to moderate) Agricultural Land Class.	As with the other scenarios, there are pockets of surface water flood risk, concentrated most densely on the western edge of the site south of Frog Lane. Due to the contained nature of the flood risk area, the impacts of this could be mitigated through site layout and design.	Rookery a Grade II listed building also less than 200 meters away from the allocated site.	there are opportunities for schemes to improve biodiversity across the sites, including through BNG obligations, this will likely result in a positive effect on biodiversity.
--	---	---	---	---

Table 1: Gladman's assessment of the allocated site in the TNRP in comparison to the site-specific assessment of Land West of Tattenhall Road according to the SEA measurements.