

Additional Appendix 2 Regulation 14 responses 2026

Table of Contents

Taylor Wimpey UK Limited	1
Gladman Developments Limited.....	15
Natural England.....	19
United Utilities Water Limited	21
Inspired Villages	23
The Bolesworth Estate	34
Historic England	62
Mersey Forest	65
Cheshire and Merseyside Integrated Care Board	71
Lexwood Developments.....	74
Single strategic allocation	77
Resident Responses	91
LNRS comments on the Tattenhall Neighbourhood plan.....	125
Cheshire West and Chester Consultation Response	126

Taylor Wimpey UK Limited

Date: 13 April 2026

Our ref:

41992/03/BOC/AMcL/40942148v4 To

Tattenhall and District Neighbourhood Plan Regulation 14 Consultation: Submission of Representations on behalf of Taylor Wimpey UK Limited

Introduction

These representations have been prepared by Lichfields on behalf of Taylor Wimpey UK Limited [Taylor Wimpey] in relation to the Regulation 14 (Reg. 14) consultation on the pre-submission stage of the modified Tattenhall and District Neighbourhood Plan [TDNP] within Cheshire West and Chester Council [CWaC].

These representations have been submitted in the context of Taylor Wimpey's land interests at Chester Road, Tattenhall (the Site). A planning application (LPA ref. 25/02070/FUL) was submitted on the Site on 4th July 2025. The determination of the application is now well progressed and it is anticipated to be reported to Planning Committee shortly.

The pre-submission consultation document states that the modified version of the Tattenhall

Neighbourhood Plan is intended to replace the current Neighbourhood Plan, formally ‘made’ on 4th June 2014. A previous Reg. 14 consultation was undertaken by the Parish Council on 12th March 2025 to 28th April 2025. Taylor Wimpey submitted detailed representations to the consultation and identified a number of significant flaws with the draft Neighbourhood Plan, and the process undertaken. Those flaws amounted to a failure to meet the basic conditions and the Neighbourhood Plan clearly could not proceed in that form.

The Parish Council has subsequently taken the decision to re-run the Reg. 14 consultation on the basis of new content for the modified TDNP, introducing a single site allocation.

Taylor Wimpey considers that the preparation of the modified TDNP continues to fail to meet the basic conditions. The evidence base for the plan is not robust and continues to be deficient in a number of areas. Put simply, the plan preparation has been rushed in an attempt simply to put a plan in place, without proper account for national policy and the strategic context in the District.

The Parish Council should now pause all progression of the TDNP until the future spatial strategy and development distribution requirements have been published and properly explained by CWaC.

These representations have been prepared to set out Taylor Wimpey’s concerns with the content of the TDNP and identify areas of deficiency which are considered to undermine the validity and soundness of the modified plan. In particular, Taylor Wimpey has significant concerns in relation to:

- (1) The derivation of an indicative housing requirement for Tattenhall;
- (2) The limited information provided regarding the role and supervisory function of CWaC throughout the process of preparing the modified TDNP;
- (3) The lack of site assessment / viability assessment as required by the PPG;
- (4) The Draft Strategic Environmental Assessment [SEA]; and
- (5) Clear flaws with the evidence and justification which underpins the allocation of sites within the plan.

Further detail on these issues is set out later within these representations.

Counsel’s Opinion prepared by James Corbet Burcher (No5 Chambers) is appended and should be read alongside these representations (**see Appendix 1**). The Opinion identifies similar issues in respect of the housing requirement analysis which has been undertaken, as well as deficiencies arising from lack of site assessment and inadequate SEA. It also identifies the legal flaw in undertaking the consultation without providing sufficient information for an informed response, such that the Regulation 14 consultation exercise is legally deficient in this respect as well.

Background Context

The draft Neighbourhood Plan does not currently reflect Tattenhall’s importance within Cheshire West and Chester in terms of its status as a Key Service Centre and Tier 2 settlement, its size, and its sustainability credentials through its existing range of services and facilities. It is extremely important that decisions within Tattenhall over the next 5 years are made within the context of up-to-date national planning policy. The pre-submission draft does not do this.

If the draft Neighbourhood Plan is submitted for examination under Regulation 15, the Plan will

be assessed by an Examiner against the legal requirements set out in the basic conditions.

The Parish Council have correctly identified that the Plan makes material changes which are so significant or substantial as to change the nature of the neighbourhood development plan. The most significant change to the plan is the inclusion of Policy 7, which introduces a proposed development allocation on land to the north and south of Frog Lane, for a residential led development of up to 600 dwellings. However, there are a number of other substantial changes throughout the draft text.

The Council will need to consider the draft plan and the documents submitted with it under paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990, if the document is submitted under Schedule 4B. Even if submitted as a modification proposal under Schedule A2, the LPA will need to consider it under Schedule 4B, by the operation of paragraph 6. Accordingly, the Examiner must assess whether the proposed Neighbourhood Plan meets the basic conditions under paragraph 8(2) as follows (following s99 of the Levelling-up and Regeneration Act 2023 coming into force):

(a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,

(d) the making of the order contributes to the achievement of sustainable development,

(e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)

(ea) the making of the order would not have the effect of preventing development from taking place which—

(i) is proposed in the development plan for the area of the authority (or any part of that area), and

(ii) if it took place, would provide housing,

(f) the making of the order does not breach, and is otherwise compatible with, assimilated obligations and

(g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.

There are a number of overarching flaws and concerns with the draft Neighbourhood Plan which would require the draft Neighbourhood Plan text to change significantly following this consultation exercise.

For the purposes of these submissions, basic conditions shall be referred to throughout, which is in the same terms (as set out above). All references to basic condition (a) are to the wording of paragraph 8(2)(a). All references to refusal are to a recommendation to refuse under paragraph 10(2)(c) of Schedule 4B and the LPA's eventual refusal under paragraph 12(10) Schedule 4B.

Planning Policy and Guidance

National Planning Policy Framework

Taylor Wimpey's central concern is that the NP (as drafted) effectively ignores new national planning policy and the policy imperative of significantly increasing delivery of housing across the country and especially in areas such as Cheshire West and Chester District.

The updated NPPF was published in December 2024 and therefore the Parish Council have been aware of the major changes to national planning policy and the boost to housing delivery for some time. To ensure the Government can deliver 300,000 homes per year, paragraph 61 states that *“to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed...The overall aim should be to meet an area’s identified housing need, including with an appropriate mix of housing types for the local community”*.

As stated in paragraph 62, to stimulate the supply of homes, key changes that have been implemented include a new Standard Method for calculating local housing need. This change has resulted in a significantly increased housing requirement for CWaC. The Government’s new standard methodology results in an annual figure of 1,915 dpa for CWaC. This is 1,383 more dwellings per year than the previous standard method figure of 532 dpa, and 815 dwellings higher than the adopted CWaC Local Plan figure of 1,100 dpa.

Paragraph 69 of the NPPF states that *“once the strategic policies have been adopted, these figures should not need re-testing at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement”*.

In this instance, paragraph 69 is clearly triggered. The new housing figures need to be re-tested and re-considered by the Parish Council as part of the Neighbourhood Plan review process. The draft Neighbourhood Plan version and the Modifications Statement is, therefore, already out of date given that it does not reflect CWaC’s revised housing requirement for the District.

Paragraph 70 requires that *“where it is not possible to provide a requirement figure for a neighbourhood plan area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority”*.

Taylor Wimpey now understands that this is the approach being relied on by the Parish Council to progress a modified TDNP in advance of the emerging CWaC Local Plan progressing or being adopted. However, the process actually undertaken has been extremely opaque and not in line with the expectations of the PPG. That is, at least part, due to the Parish Council’s attempt to rush matters, without proper regard to the strategic context.

Paragraph 14 states *“that in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:*

- (a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*
- (b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70).”*

The current status of the emerging Local Plan has meant that the Parish Council has not been provided with a definitive or adequate housing requirement figure for the modified TDNP and is currently relying on an indicative figure which does not reflect the wider needs or Tattenhall’s inherent sustainability as a settlement.

National Planning Practice Guidance [PPG]

The PPG Chapter in relation to neighbourhood planning is a mandatory material consideration for the purposes of basic condition (a). It explains the key preparation stages and the considerations required.

Paragraph 096 Reference ID: 41-096-20190509 states that:

- 1) *“Where a qualifying body wants to benefit from the protection of paragraph 14, why is it important that they should include policies and allocations in their neighbourhood plan?”*
- 2) *Allocating sites and producing housing policies demonstrates that the neighbourhood plan is planning positively for new homes, and provides greater certainty for developers, infrastructure providers and the community. In turn this also contributes to the local authorities’ housing land supply, ensuring that the right homes are delivered in the right places.”*

Paragraph 097 Reference ID: 41-097-20190509 states that:

- 3) *“In order for a neighbourhood plan to meet the criteria set in paragraph 14b of the Framework, the ‘policies and allocations’ in the plan should meet the identified housing requirement in full, whether it is derived from the housing figure for the neighbourhood area set out in the relevant strategic policies, an indicative figure provided by the local planning authority, or where it has exceptionally been determined by the neighbourhood planning body. For example, a neighbourhood housing requirement of 50 units could be met through 2 sites allocated for 20 housing units each and a policy for a windfall allowance of 10 units. However, a policy on a windfall allowance alone would not be sufficient.*
- 4) *Policies and allocations within other development plan documents, for example strategic site allocations or windfall development set out in a local plan or spatial development strategy, will not meet criterion 14b of the National Planning Policy Framework.”*

Paragraph: 098 Reference ID: 41-098-20190509 states that:

“Where a neighbourhood planning body intends to allocate sites for development, it will need to carry out an appraisal of options and an assessment of individual sites against clearly identified criteria.”

In terms of setting housing requirements for neighbourhood areas, Paragraph: 101 Reference ID: 41-101-20190509 states:

“The National Planning Policy Framework expects most strategic policy-making authorities to set housing requirement figures for designated neighbourhood areas as part of their strategic policies. While there is no set method for doing this, the general policy making process already undertaken by local authorities can continue to be used to direct development requirements and balance needs and protections by taking into consideration relevant policies such as the spatial strategy, evidence such as the Housing and economic land availability assessment, and the characteristics of the neighbourhood area, including its population and role in providing services.”

In relation to whether a neighbourhood plan come forward before an up-to-date local plan or spatial development strategy is in place, Paragraph: 009 Reference ID: 41-009-20190509 sets out that:

“The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination.

The local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.

Strategic policies should set out a housing requirement figure for designated neighbourhood areas from their overall housing requirement (paragraph 65 of the revised National Planning Policy Framework). Where this is not possible the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body, which will need to be tested at the neighbourhood plan examination. Neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new local plan.”

Assessment of the Draft Neighbourhood Plan

Emerging CWaC Local Plan and Timing of the Draft Modified TDNP

CWaC does not have an up-to-date development plan and is not proposing to review the Plan adopted in 2015 (and reviewed previously in January 2020). The Council has instead committed to progressing a new Local Plan under the current plan making system¹.

The draft Neighbourhood Plan needs to have careful regard to the likely content of the emerging Local Plan to ensure accordance with national planning policy and practice guidance².

The Council’s Local Development Scheme was published in May 2025 and sets out the following timetable for Local plan:

- Regulation 18 Issues and Options - Summer 2025
- Regulation 19 Publication / Pre-Submission Plan - Autumn 2026
- Submission - December 2026
- Examination - Spring / Summer 2027
- Adoption - Summer / Autumn 2027

The Council published a Local Plan Issues and Options document for consultation in Summer 2025. As set out above, changes to national planning policy have seen a significant increase in the local housing need for Cheshire West and Chester (increasing from 534dpa to 1,915dpa). Based on the previous spatial strategy for Cheshire West and the sustainability of Tattenhall as a Key Service Centre, the emerging Local Plan will have to direct significant growth to the sustainable settlement of Tattenhall.

As we shall set out below, the Parish Council have not properly understood the scale of that necessary growth. They have instead sought to define it themselves, on the stated basis in the Modification Statement [2.13] that they wish to “manage their own growth” and “identify[y] the sustainable limits of

¹ Under the Transitional Arrangements, all earlier stage plans will be expected to be submitted for examination under the existing 2004 Act system no later than December 2026.

² PPG – Para. 009 Ref ID: 41-009-20190509 development”. That is not a correct exercise of identifying the actual requirement figure, with proper regard to the strategic context.

The Issues and Options Regulation 18 consultation document considered the following overall spatial

strategy options for meeting the Council’s housing need, namely:

- 1 Option A – Retain existing Green Belt boundaries, directing a significant amount of development in and to the south of Northwich and around places not located in the Green Belt.
- 2 Option B – Follow the current Local Plan level and distribution of development set out in the current LPP1 Policy STRAT2.
- 3 Option C – Direct development to sustainable transport corridors, in and around settlements on the railway network and on main bus corridors.

In addition, a series of potential growth areas were also identified within settlements for each of the spatial options. The consultation included questions regarding the housing target, spatial strategy options and settlement hierarchy. The results of the consultation have not yet been published. The outcome of the consultation will determine CWaC’s strategic plan for growth and where new housing development will be directed, with regard to the spatial options set out above.

By a recent e-mail (dated 31 March 2026), the Council’s Principal Planning Policy Officer (see **Appendix 2**), states that the Council is still currently reviewing consultation responses and updating the evidence base following the conclusion of the Issues and Options Regulation 18 consultation. It is therefore clear that the emerging plan is at a very early stage of preparation, the evidence base is not particularly well progressed and an overall housing need and spatial strategy for the upcoming plan period has not yet been clearly defined and finalised by the Council.

As such, the distribution of development and growth has also not yet been apportioned across the key settlements in the Borough, based on a defined spatial strategy. It is unlikely that this information will be progressed further and made available until publication of the Regulation 19 Publication / Pre-Submission Plan, which is not anticipated to be published until Autumn 2026 (at the earliest).

Furthermore, this date could potentially slip further considering the Council is still considering and reviewing Regulation 18 consultation responses, with a significant amount of work likely still required prior to Regulation 19 consultation.

At this point in time, the Parish Council do not have a sufficient evidential basis for determining either overall housing need or a defined spatial strategy for the plan period, for identifying the housing need and requirement for housing growth in Tattenhall. The modified TDNP consultation document notes that indicative figures have been provided (para. 3.42) a figure of “between 500 and 600” (Modification Statement, [2.14]). However, no evidence has been published to support this, either within the consultation material or within published Parish Council meeting minutes over the past 12 months.

This is a serious procedural defect and contrary to the PPG which expects full transparency, both on the part of the Parish Council as the qualifying body and the LPA exercising its statutory supervisory functions.

The same e-mail from the Council's Principal Planning Policy Officer states that although the NPPF and planning practice guidance state that indicative numbers can be provided, they provide "little guidance", especially where a local planning authority is at an early stage of plan making. That does not correctly reflect the national policy position. If the Council is not at advanced stage in plan-making, then any attempt by a qualifying body to try to draw up an indicative figure requires the process to be even more detailed and transparent, properly reflecting the exceptional nature of NPPF 70.

As the PPG explains, there must be proactive engagement between the neighbourhood plan making body and the local authority is important to avoid disagreements and '*minimise the risk of neighbourhood plan figures being superseded when new strategic policies are adopted*'. The Parish Council has not even published the purported correspondence between CWaC planning policy officers and the Parish Council, explaining what spatial strategy has been used and how the indicative housing requirement for Tattenhall has been identified. This is addressed in further detail at a later stage of the representations.

The Parish Council expressly state that they are prematurely progressing and accelerating the process for modifying the TDNP, in a clear effort to frustrate or prevent much needed housing growth in Tattenhall, ahead of the strategic plan and at a time of serious 5YHLs shortfall.

The Parish Council should now pause all progression of the TDNP until there is a clear direction in terms of the future spatial strategy and development distribution aspirations of the new Local Plan. At this point in time, it is not appropriate to proceed with a plan that is based on assumptions on the spatial strategy and distribution of development, which will very likely be subject to substantial change as the emerging plan progress to Regulation 19 stage and Examination.

The PPG states that:

"The local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan."

It is expected that the emerging CWaC Local Plan will be progressed further in the coming months and a clearer understanding will be provided at Regulation 19 stage, at which point the Parish Council should then recommence progression of the modified TDNP to ensure closer alignment with the emerging CWaC Local Plan, and ensure a neighbourhood plan is made which meets the basic conditions. If the Parish Council does not follow this approach, it is highly likely that conflicts will exist between the development plan documents, by the operation of section 38(5) of the Planning and Compulsory Purchase Act 2004.

Tattenhall Housing Requirement

In order for the TDNP to benefit from the protections provided by NPPF paragraph 14, the neighbourhood plan must contain policies and allocations to **meet its identified housing**

requirement. In the first instance, the modified TDNP consultation document does not explicitly set out a housing requirement for Tattenhall within any policy contained within the document. Policy 7

³ PPG – Para. 102 Ref ID: 41-102-20190509

seeks to introduce site allocations into the modified TDNP. However, the allocations are not based on a housing requirement which has been clearly set out and included within a policy.

The Regulation 14 document simply states at para. 3.42 that “CWAC have confirmed that whilst a housing number is not yet available for Tattenhall, indicatively a figure of between 500 and 600 is considered by Planning Policy team to be appropriate (confirmed in writing February 2026).”

Therefore, as currently drafted, the modified TDNP does not contain an identified housing requirement at all. There is merely an indicative range, simply referenced in supporting text. If a housing requirement figure has been set, then it must clearly be set out in the policy text. In the instant case, the Parish Council are clearly unable to do this, as there is no such requirement yet and the correct process has not been followed.

The origin and justification for the “indicative” figure of 500-600 dwellings is wholly unclear, which is a procedural defect in the preparation exercise.

CWaC appear to accept that, at this point in time, it is not possible for them to provide a requirement figure for the neighbourhood plan area as the LPA has not sufficiently progressed the emerging CWaC Local Plan to a point where this is available. As set out earlier, email correspondence has confirmed this point (see **Appendix 2**) and it is unlikely that this information will be available until the Regulation 19 Publication Stage Plan has been published (anticipated Autumn 2026).

NPPF Paragraph 70 requires that “where it is not possible to provide a requirement figure for a neighbourhood plan area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority”. There must therefore be a specific request, followed by a robust and transparent explanation of how the figure has been drawn up.

Para. 3.42 of the modified TDNP states that the indicative housing requirement figure of 500-600 dwellings was considered by the Planning Policy team to be “appropriate” and confirmed in writing in February 2026. This is factually inaccurate based on the correspondence we have received from the Council’s Officers (**Appendix 2**). The correspondence states that when Tattenhall Parish Council requested an indicative housing figure, the approach to distributing development had not been formally approved internally at CWaC Council. Furthermore, no evidence of this correspondence has been published as part of the Regulation 14 consultation material. There is therefore no justification behind the use of this indicative figure. As a result of this lack of information and transparency, Taylor Wimpey requested that CWaC Council provides detail of the correspondence referred to on para. 3.42. This direct correspondence has not been provided, although the Council did set out the following:

“When Tattenhall Parish Council requested an indicative housing figure, the approach described above had not been formally approved internally. The parish council were keen to continue work on the neighbourhood plan and to prevent any delays to the neighbourhood

plan, an approximate indicative figure of 500 – 600 dwellings was provided by the local authority. It was made clear to the neighbourhood plan group that this was an approximate indicative figure and that it may change.”

The Council further stated that the indicative numbers provide little guidance, especially where a local planning authority is at an early stage of plan making, and there is a risk that housing requirements provided in advance of the Local Plan will change. The Parish Council has evidently relied on very limited correspondence and an early stage, indicative figure to progress the modified TDNP, despite the Council advising that it had not formally approved the approach to the emerging spatial strategy, and despite the advice that the approximate indicative housing figure is subject to change. This is a flawed approach given the clear uncertainty in the spatial approach and housing requirement figure for Tattenhall, and the Parish Council is acting prematurely in seeking to progress a modified TDNP at this stage. At the very least, the Parish Council should wait until the publication of the Regulation 19 Publication Stage Plan to progress the TDNP further.

The PPG⁴ sets out that:

“The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination.”

Taylor Wimpey considers that the above guidance has not been correctly followed to date which is likely to result in inconsistencies between the proposed TDNP modifications and the emerging CWaC Local Plan, particularly in relation to a housing requirement figure. This is in direct conflict with established planning policy and guidance and basic conditions 8(2)(a) and (d).

Para. 3.42 also states that *“Policy 7 introduces site allocations into the modified Tattenhall and District Neighbourhood Plan. This represents a deliberate and plan-led response to the scale of development pressure facing the parish and the absence of an up-to-date adopted Local Plan with a demonstrable five-year housing land supply.”*

The reference to *“a deliberate and plan-led response to the scale of development pressure facing the parish”* illustrates the central flaw. The plan’s content is not being led by the correct quantitative or properly evidenced approach. It is not following a detailed and robust assessment of housing need in

CWaC and for key settlements across the Borough. Instead, it is obvious that the introduction of Policy 7 is an attempt to try to put a plan in place on an artificially expedited basis. It is an attempt to try to engage NPPF 14 and thereby attempt to frustrate and prevent the progression and positive determination of pending planning applications on sustainable and deliverable sites within Tattenhall, which have been submitted as a response to significant housing shortfall across the Borough. However, for the reasons identified above and further below, the evidence base is so deficient that there is no compliance with NPPF 69-70 and therefore NPPF 14(b).

Need for a Higher Housing Requirement

Tattenhall should have a higher housing requirement included in any modified TDNP. The figure of “between 500 and 600” is plainly too low.

Emerging CWaC Local Plan Draft Policy SS 1 states that the Council plans to deliver a minimum

of 1,914 new homes per year over the plan period. The most up to date LHN (April 2025) for CWaC is 1,915. For a 15-year plan, this equates to a total of 28,725 new homes. This represents a significant increase (75%) on the adopted housing requirement of 1,100 dpa. It is clear that the emerging Local Plan will therefore need to identify a significant quantum of housing land in order to meet needs.

⁴ Paragraph: 009 Reference ID: 41-009-20190509

Aside from the larger settlements of Chester and Ellesmere Port, CWaC is a borough characterised by a broad range of market towns and sustainable settlements. The most sustainable rural settlements act as Key Service Centres to the local population, including Tattenhall. Locating most new development within and on the edge of the Borough's main urban areas and key service centres enables the maximum use of existing infrastructure and resources and allows homes, jobs and other facilities to be located close to each other. Key Service Centres will therefore play a significant role in ensuring that the Council can meet its housing needs over the next plan period. Directing a higher proportion of development growth to these locations will ensure that new residential development is appropriately apportioned across the Borough in a sustainable manner and will avoid placing an overreliance on larger settlements to accommodate the additional growth required.

Due to Tattenhall's role as a Key Service Centre in a rural part of the Borough, it is anticipated that the settlement will be required to accommodate new housing development in the next plan period to ensure that the new Plan can accommodate local housing needs. CWaC LPP1 Policy Strat 8 identified a housing requirement of 250 homes for Tattenhall over the plan period. Given the scale of overall housing need in CWaC, it is expected that a much larger proportion of new homes will need be apportioned to Tattenhall in the emerging Local Plan to reflect the significantly higher housing requirement, respond to the housing needs of the local population and to ensure the continued vitality of Tattenhall. This is directly referenced in the meeting minutes from the Tattenhall Extraordinary Parish Council Meeting (6th August 2025) which sets out that the ongoing Local Plan consultation suggests an allocation of 500 to 1500 homes⁵.

The figures which have been indicatively provided to the Parish Council from the Council is at the absolute lowest end of this potential range, and the Council has advised (see correspondence at **Appendix 2**) that the approach is yet to be definitively confirmed and agreed internally. In this context, it is considered that a higher figure should be considered which is **at least 1,000 dwellings** (the mid-point of the range initially suggested by the Council).

Tattenhall is not constrained by Green Belt, and is considered a highly sustainable and suitable location to accommodate additional levels of growth in the emerging Local Plan. Tattenhall contains a wide range of existing services and facilities, and benefits from a good level of accessibility and existing social infrastructure. Tattenhall is a well-served settlement and comprises key services such as Tattenhall Park Primary School, healthcare facilities, convenience stores, public houses, cafes/restaurants, a library, a sports centre. The high street in Tattenhall is designated as a Local Retail Centre.

In terms of housing need in Tattenhall, there is clear evidence that the housing market is strained. The TDNP Review (2024) para. 5.6 sets out that affordability remains a key housing issue for Tattenhall and there is a compelling case to meet local targets for affordable housing provision, with average house prices too high for those on average incomes.

The affordability issue in Tattenhall is emphasised by a Housing Needs Report (2023) which

was originally undertaken in 2018 for Tattenhall and District Parish. This report indicated that whilst Tattenhall had performed well in terms of dwelling completions during the plan period, the area had fallen short of achieving 30% affordable housing. The Housing Needs Report detailed that in 2022 the

⁵ chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://tattenhallpc.co.uk/wp-content/uploads/2025/08/Tattenhall-Minutes-AUGUST-X-2025-Draft.pdf

affordability ratio in Tattenhall Ward was 10.5, i.e. house prices are 10.5 times the annual average Tattenhall Ward salary. This is significantly higher than the CWaC average of 6.83 and indicates considerable stress in the Tattenhall housing market. As acknowledged in the TDNP Review (2024) para. 5.8, these figures clearly demonstrate how unaffordable local house prices are in relation to income.

Taylor Wimpey considers that a primary method of ensuring affordability issues is addressed is the delivery of a sufficient amount of market and affordable housing which meets the needs of the Borough. A higher housing requirement, supported by the allocation of additional sustainable and viable sites for residential development will assist with this.

Policy 7: Site Allocations

Policy 7 seeks to introduce allocations to the TDNP and sets out the following:

“The Neighbourhood Plan allocates land to the north and south of Frog Lane, for a phased, high-quality, mixed use, residential led development of up to 600 dwellings, as shown on the Policies Map. Development proposals will be supported, provided they accord with the site-specific requirements set out below and with other relevant policies of the development plan.”

The draft allocation is split across two separate sites:

- Phase 1 (Land to the south of Frog Lane) comprises a residential scheme of approximately 400 homes.
- Phase 2 (Land to the north of Frog Lane) comprises a residential scheme of approximately 200 homes.

Both proposed draft allocations comprise a number of site-specific requirements which are appended to this note for reference (**see Appendix 3**).

Need for Additional Allocations

Once a suitable housing requirement has been identified for the modified TDNP correctly in accordance with national policy and the strategic and settlement-specific factors identified above, this will need to be matched by the allocation of sufficient additional sites within the settlement to meet the higher housing requirement. These allocations should focus on sites which are demonstrated to be suitable, available and deliverable.

Taylor Wimpey's site at Chester Road, Tattenhall has the capacity to deliver around 110 new homes including affordable housing. The full planning application (LPA ref. 25/02070/FUL) for the delivery of 110 homes is currently pending determination and anticipated to be reported to Cheshire West and Chester's Planning Committee shortly. Taylor Wimpey therefore has a committed land interest in the Site and considers that the Site represents an excellent opportunity for a new sustainable residential development to meet Tattenhall's needs, particularly in the short term whilst other proposed draft allocations are being

considered. The Site is highly sustainable and benefits from the following:

- **Access by foot:** The site is well located to cater for trips on foot and by cycle and provides potential for a high degree of pedestrian trips between the development and the surrounding area;
- **Access by cycle:** The services from the bus stops on High Street, travelling to destinations such as Chester and Whitchurch, shows that the proposed development can be considered as accessible by bus;
- **Access by bus:** Bus services are available from the centre of Tattenhall providing hourly connections between Chester and Whitchurch. The nearest bus stops to the site are located along the High Street approximately 500 metres to the southeast of the site.
- **Access by train:** The nearest train station located to the site is Chester Railway Station. Although the station is situated outside the 2-kilometre pedestrian catchment, it is accessible from the proposed site via a 30-minute bus journey on the 41 service. The train station is managed by Transport for Wales, and is operated by Avanti West Coast, Merseyrail, Northern and Transport for Wales. The station has 7 platforms, offering various services to destinations such as Liverpool, Leeds, Manchester and London. There is the opportunity to access Chester train station by bus, which provides the opportunity to travel by rail.

The PPG⁶ also advocates for additional flexibility when preparing neighbourhood plans that include allocations:

“Neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new local plan.”

Taylor Wimpey therefore considers that as a minimum, the modified TDNP should include some flexibility to accord with the above guidance, and allocate additional, reserve sites in the modified TDNP. To accord with the PPG, the Parish Council should also include indicative timetables for delivery of the draft allocations in Policy 7 to demonstrate when these can be realistically delivered within the upcoming plan period.

Flaws in the Site Identification and Site Assessment Process

Draft Modified TDNP paragraph’s 3.49-3.62 sets out that the site assessment that was undertaken to establish preferred site allocations for Policy 7. The fundamental flaw is that none of the site assessment work was conducted on an individual site basis, as expressly required by PPG 41-042-20170728: *“A neighbourhood plan can allocate sites for development, including housing. A qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria. Guidance on assessing sites and on viability is available.”* The site assessment work has not even been published, which is a clear breach of the PPG and invalidates the current consultation, as it is impossible to interrogate the evidence base.

It is asserted that the process followed a three-stage approach (paragraph 3.54). Paragraph’s 3.61 and

3.62 state that sites were assessed for availability through landowner engagement and intent, any known legal or ownership constraints and a willingness to bring sites forward within the plan period. It is then said that sites were also assessed for deliverability, through considering access and highways

⁶ Paragraph: 009 Reference ID: 41-009-20190509

capacity, known infrastructure requirements, known abnormal costs or constraints and the likely scale and phasing of development.

The modified TDNP and the supporting evidence base demonstrates that the process has not been undertaken in a robust and comprehensive manner. The process and methodology described in paragraph's 3.49-3.62 is not transparent and is not clearly outlined in any supporting evidence base document, including the Strategic Environmental Assessment (SEA). Taylor Wimpey does not consider that the draft modified TDNP (and the policies contained within) is not adequately supported and underpinned by an appropriate evidence base as required by national policy (NPPF para. 32).

In relation to the methodology used by the Parish Council to identify potential site allocations, Taylor Wimpey considers that the scenario-led approach is flawed and does not represent an appropriate approach to identifying site allocations. Paragraph 3.56 notes that unlike a simple "call for sites" exercise, Tattenhall adopted a scenario-led approach, using the Settlement Spatial Plan to explore alternative spatial patterns of growth, rather than assessing sites in isolation, to understand better the long-term growth constraints and opportunities for the parish, and to understand how to grow to its sustainable limit. This approach deliberately ignored the clear merits of known sites and areas within Tattenhall, including Taylor Wimpey's site at Chester Road. It did not adequately assess the specific deliverability of individual sites, either as required by the PPG, nor as reasonable alternatives for the purposes of SEA.

Taylor Wimpey also considers that the preferred spatial scenario (Scenario 2 - A New Western Half of the Village) does not represent a sustainable option for the growth of Tattenhall over the next plan period. An extension of this scale would not be aligned with the spatial pattern of the settlement and does not form a logical or appropriate extension given its size and location. This scenario also does not align with the seven potential growth options for housing within Tattenhall, as identified in the CWaC Regulation 18 Issues and Options Plan. CWaC has not identified an option of this nature as an appropriate option to accommodate growth in Tattenhall. It should not have formed the basis for identifying site allocations with the modified TDNP as it is clearly in conflict and not aligned with this proposed approach.

Taylor Wimpey considers that a more sustainable option is to identify a number of smaller sites in different locations across Tattenhall which would represent a more organic and appropriate way of addressing growth requirements. New developments would therefore be more aligned with the existing settlement pattern, closer to existing services and facilities which tie in with existing movement and connectivity routes across the village. Taylor Wimpey considers that Scenario 1 (A Bigger Village) would be far more appropriate and ensures a level of growth which responds to the needs of the Borough and reflects Tattenhall's strong sustainability credentials. The site's identified within Scenario 1 also partly align with the Tattenhall growth options identified in the CWaC Issues and Options Consultation which identifies seven potential growth options for Tattenhall, six of which are for housing and one for mixed use. Again, this should have been fully assessed as a reasonable alternative, with a higher level of detail, including site-specific assessment of known development sites at application stage.

Paragraph 3.63 also states that an iterative Strategic Environmental Assessment (SEA) was undertaken alongside the site selection process, focusing on those policies and allocations capable of giving rise to significant environmental effects. In addition to the flawed scenario-led

approach, Taylor Wimpey also

considers that the SEA is inadequate as an evidence base document to support the modified TDNP (see further legal analysis set out in **Appendix 1**). As set out above, the assessment of reasonable alternatives is considered to be extremely deficient, with no proper site-specific assessment.

Regarding Policy 7, the SEA (pg. 30) notes that the two allocations that have been included formed the fourth potential growth scenario (land north and south of Frog Lane) and this was chosen for inclusion in the allocation policy due to *“a combination of factors including community preferences, the scenario not extending development beyond the sustainable limits of the settlement, land availability, and ability to work with the landowner to mitigate the environmental effects identified in the individual scenario assessments.”* Taylor Wimpey considers that this site selection justification is inadequate and the reasons noted to support scenario 4 are not sufficient to justify the allocations in Policy 7. In particular, there is no evidence presented to suggest that the identified environmental effects can be sufficiently mitigated, or that the potential community benefits could actually be delivered in reality.

The SEA (pg. 30) also states that reasonable alternatives to the allocation of ‘land to the south of Frog Lane’ and ‘land to the north of Frog Lane’ would have been to replace them with alternative allocations or remove them altogether. Of the alternative allocations, Scenario 1 was noted as being *“unable to bring forward the mitigation and community benefits sought due to its distribution, and received little support from the community”*. Again, Taylor Wimpey considers that these do not represent sufficient reasons to discount Scenario 1 as a potential option, and there is extremely limited evidence provided to discount other potential sites that could come forward. There is also no mention of or reference to the live planning applications submitted on sites within Tattenhall, including Taylor Wimpey’s site at Chester Road (LPA ref. 25/02070/FUL) which should form a fundamental part of the site analysis and selection process. It has been demonstrated through the planning application process and the positive feedback from technical consultees that there are no technical constraints which would prevent development of the Site. There are no objections to the application raised by technical consultees, and as such the Site should be considered as a ‘reasonable alternative’ within the SEA.

Overall, the SEA document is considered to be deficient in a number of areas. The SEA does not meet the requirements of the SEA Regulations and the draft NP is in breach of basic condition 8(2)(f). A more site-specific and granular approach should have been adopted which would have ensured a more robust and comprehensive assessment. Therefore, the SEA process must now be restarted and an updated document prepared to inform the modified TDNP. The Regulation 14 process must also be run again.

Regarding stakeholder and community engagement, paragraph 3.64 notes that community engagement was a material consideration in site selection, consistent with neighbourhood planning principles that the Plan should be community led and subject to referendum. As such, the preferences of residents formed a key part of the process. Engagement took the form of a dedicated public meeting, an all-day drop-in session and a parish-wide survey (with online and paper consultation methods). Taylor Wimpey has at no stage been approached by the Parish Council to engage closely with the Parish or feed into the site selection and identification process described in the draft modified TDNP, despite the fact that a full planning application had been submitted on the site at Chester Road and was pending determination.

Furthermore, as noted in published meeting minutes (21st November 2025 and 20th January 2026) and correspondence noted in the consultation material, it is understood that the Parish Council undertook targeted engagement in relation to the Bolesworth Estate land which relates directly to the allocations listed in Draft Policy 7. It is not clear what evidenced site selection process was undertaken by the Parish Council to inform which landowners were contacted. Based on these facts, it is therefore evident that only selective discussions with a limited number of landowners were undertaken (specifically two). The Parish Council’s approach was therefore predetermined rather than an objectively prepared site selection

process which engaged with all relevant stakeholders and landowners, and included a transparent and robust assessment of all other individual sites in Tattenhall which represented reasonable alternatives for the purposes both of SEA and for the PPG site assessment requirements.

Allocation Specific Flaws

Taylor Wimpey has identified a number of flaws regarding the allocations included in Policy 7, which mean that it is not likely to be deliverable for the figure allocated, which is a major flaw for the purpose of basic conditions 8(2)(a) and (d).

- 1 **Lack of Viability Evidence:** The PPG makes clear that site allocations should be subject to viability assessment: PPG 41-005 and 41-098 and this has not occurred. Policy 7 sets out that both Phase 1 (Land to the south of Frog Lane) and Phase 2 (Land to the north of Frog Lane) must provide a number of additional benefits and mitigation measures. The list of requirements is extensive, however there is no viability related evidence to demonstrate that the requirements for either phase can actually be delivered. At present, the measures set out in the policy have not undergone any form of rigorous viability testing to prove that the measures can be delivered and the contribution requirements can be met. In particular, the policy requires land to be safeguarded on-site for the provision of a new GP surgery (Class E (e)) to be agreed with the local GP surgery and Integrated Care Board. However, no evidence has been provided to demonstrate how this would be delivered in reality, or if there is an agreement in place with the local GP surgery and Integrated Care Board. Therefore, at this stage, this can only amount to an unsubstantiated policy measure.

- 2 **Technical Considerations:**

a Based on a review of the evidence base published by the Parish Council to support the Reg. 14 consultation, it is clear that very limited technical evidence base work has been carried out particularly in relation to the proposed site allocations in Policy 7. In particular, there appears to be no highways or transport evidence base work prepared to support the modified TDNP and proposed site allocations. The TDNP is seeking to allocate large-scale residential sites that will have implications on traffic movements in Tattenhall and highways and transport evidence is therefore fundamental to demonstrating the acceptability of the draft allocations.

- 3 **Bolesworth Estate Delivery Record** – Taylor Wimpey understands that the Bolesworth Estate is the landowner of the Castlefield site to the east of Tattenhall, which is safeguarded for residential development after 2025 in the CWaC LPP2 (Policy R 2 B – Land to the rear of 68-84 Castlefields). No planning application has been submitted on the site to date, despite the policy allowing the site to come forward for development since 2025. This raises questions around the deliverability of the site, and the track record of the Bolesworth Estate for bringing forward development on land in its ownership.

The Bolesworth Estate is also not a developer. It will need to sell the site to a housebuilder to enable the site to be delivered. A planning application and subsequent permission will be required before it can come forward, and there is currently no certainty provided that this will transpire. During this time, Taylor Wimpey's site can also be delivered and development brought forward in full to meet immediate housing needs.

Policy 1: Housing Growth

Taylor Wimpey has identified a fundamental flaw in relation to Policy 1 and the reference to forthcoming NDMP policies: S3 and Ho8. Effectively, by including reference to these emerging policies, the draft

neighbourhood plan is attempting to predict national planning policy's updated text substantially in advance of the final publication of the updated NPPF. This point is also relevant in relation to a singular reference to the heritage policy NDMP HE4 in the Policy 7 text.

Given the clear intention to match the policy text to the NDMPs, the modified TDNP's text can be properly consulted upon and eventually examined once the NDMPs are in their final form. This is considered to be a significant issue, and it is considered that plan consultation under Regulation 14 should be re-commenced at a later date once the national policy position is known.

Policy 2: Local Character

Policy 2 has two types of fundamental flaws. Firstly, there are a number of substantive objectives that do not have a robust evidence base underpinning them. Secondly, there are several points that duplicate national policy planning policy.

Policy 2 (A1) states that *“development will be supported where it safeguards or enhances the local character and historic and natural assets of the surrounding area”*. This point is a duplication of NPPF paragraph 187 (b) and should therefore be removed from Policy 2.

Policy 2 (A2) refers to locally distinctive features such as Cheshire railings and fingerposts which is ambiguous and vague. This part of the policy conflicts with the requirement within NPPF Paragraph 16 (d) which states that plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Policy 2 (A2) should be removed.

Policy 2 (A3) prevents the erosion of the undeveloped gaps between three settlements. To facilitate housing growth in and around Tattenhall to address the identified housing needs, some erosion of undeveloped gaps may be required. Point 3 should, therefore, be removed given that there has not been an assessment as to what Tattenhall's housing needs are, and there is no landscape assessment within the evidence base to assess this requirement against.

Policy 2 (4) requires development to fully accord with the *‘Tattenhall and District Design Code (2022) or any subsequent version’*. Whilst Taylor Wimpey is not opposed to the principle of a Design Code and agree that the use of a Design Code is beneficial in shaping places in keeping with their local character, it is critical that the Design Code is prepared in accordance with the adopted Development Plan and national guidance.

The Design Code cannot introduce additional policy requirements which are in conflict with policies within the adopted Development Plan and should not introduce overly prescriptive design requirements. In terms of timing and given that CWaC's current Local Plan is now out of date, the Design Code should be considered in the context of the new Local Plan currently being prepared. The Council is also proposing to prepare a new Borough-wide CWaC Design Code which we anticipate will be prepared in advance of the new Local Plan. Therefore, the requirement for development to fully accord with a Design Code is unjustified and contrary to national planning policy.

Notwithstanding this, from a review of the Design Code (2023) document, the following fundamental issues have been identified:

- 1 In its current form, the Design Guide identifies three-character areas: the Historic Character Area; the Modern Character Area; and the Surrounding Landscape Character Area. As highlighted earlier within this representation, it is critical that the TDNP proactively allocates or seeks to facilitate development to meet the identified needs of CWaC. Therefore, it is inevitable that land on the periphery of Tattenhall is built upon to address these identified needs. The Design Guide identifies

that all land outside the settlement boundary of Tattenhall fallings within the ‘Surrounding Landscape Character Area’. If development takes places on the periphery of Tattenhall’s settlement boundary, development would naturally progress to fall within the Modern Character Area, rather than the Surrounding Landscape Character Area. As such, Taylor Wimpey request that the Design Code is updated to reflect future changes in land use that would result in a change to a sites character area.

- 2 The Design Code in its current form does not promote flexible density requirements to enable and reflect the increased housing need requirements for CWaC. The Design Code conflicts with the National Design Guide (2021) which confirms that well designed places do not need to cop their surroundings in every way, and it is appropriate to introduce elements that reflect how we live today to include innovation or change such as increased densities. In addition, the National Design Guide confirms that where the scale or density of new development is very different to the existing place, it may be more appropriate to create a new identity rather than to scale up the character of an existing place in its context.

It is evident that the Tattenhall and District Design Code (2023) does not comply with basic condition (a) as it has no regard for up-to-date national planning policy and guidance, including the requirement to provide housing land supply, affordable housing, the requirement to make the more efficient use of land, and does not allow development to prescribe with CWaC’s required housing mix. Policy 2 (A4) should therefore be removed in its entirety. Any Design Code that is referenced within policy must be produced with regard to the current planning policy requirements, and must be submitted and consulted upon.

Policy 2 (A5) states that “*development will be supported where it respects local landscape quality ensuring that views and vistas are maintained wherever possible (Appendix A)*”.

Referring to Appendix A ‘Views and Vistas’, viewpoint 7 is currently extremely ambiguous and it is unclear why there are two arrows identified on the map in relation to viewpoint 7. Policy 2 point 5 is therefore in conflict with the requirement within NPPF Paragraph 16 (d) which states that plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. A Landscape and Visual Policy Note has been prepared by Stantec (dated April 2025) to accompany this representation (**Appendix 4**). This Note confirms that policy 2 (5) should be removed. Viewpoint 7 is not required to be protected for the following reasons:

- The multiple viewpoint locations are ambiguous and do not match the description in Appendix A;
- Viewpoint 7 disregards the presence of the public right of way (Tattenhall Footpath 8); and,
- There is an over-emphasis on the importance placed on historic buildings nearby which are barely perceptible from Millenium Mile.

Policy 2 (A6) considers energy performance and carbon emissions which is unrelated to local character and should be removed.

Policy 2B states that where development is proposed in excess of 30 homes on any one site, to avoid losing the village character of the area, they should comprise smaller areas with different types of housing setting as set out in the Tattenhall and District Design Code (2023) or subsequent edition.

Policy 2 (8) unjustifiably exceeds the requirements set within CWaC’s Policy DM45, and NPPF paragraph 193 (c) and should therefore be removed.

Policy 4: Local Facilities

The draft modified TDNP Policy 4 states:

“A) Proposals for development will be required to identify their likely impact on local infrastructure,

services and facilities and to demonstrate how any such impacts will be addressed. Account must also be taken of the cumulative impacts arising from the new development combined with other schemes that have planning permission. Where new development proposals bring new utility services to parts of the village that currently are not served by them, this will be seen as a positive benefit.”

Taylor Wimpey does not agree that this requirement should be carried forward. It should be removed. It is not the responsibility of an applicant to undertake an analysis of the existing capacity in local infrastructure, or the cumulative impact arising from a new development combined with other schemes which benefit from planning permission. It is the role of the LPA to determine the current capacity of local infrastructure, and the likely impact that a proposed development may have on this capacity to determine the necessary mitigation measures or financial contributions required to address any impact upon capacity.

Any requests of an applicant from the LPA must be in accordance with the statutory planning obligations tests (Community Infrastructure Levy Regulations 2010 Part 11 Regulation 122) (and repeated in policy in NPPF paragraph 58). The proposed wording which states ‘*account must also be taken of the cumulative impacts arising from the new development combined with other schemes that have planning permission*’ is therefore vague and should be removed from the policy.

Policy 5: Transport and Communication

The draft modified TDNP Policy 5 states:

“A) Development should:

- 1. Identify the realistic level of traffic it is likely to generate. It must assess the potential impact of this traffic on pedestrians, cyclists, road safety, parking and congestion within the parish and include measures to mitigate fully any impacts. Development that would give rise to unacceptable highway dangers and road congestion will not be permitted.*
- 2. Maximise opportunities to walk and cycle, including between Tattenhall, Newton by Tattenhall and Gatesheath, including the linking and upgrading of existing public rights of way, as well as supporting public transport where possible.*
- 3. Make provision for 30 megabit per second high-speed broadband to serve it.*

B) Development of new 30 megabit per second high-speed broadband infrastructure to serve the parish will be supported.

C) Car Parking in Tattenhall Village Centre. Schemes to increase car parking provision to serve Tattenhall village centre will be supported in principle.”

Policy 5 (A1) does not reflect NPPF paragraph 116 and is ambiguous. Policy 5 (A1) does not meet basic condition (a) given its lack of regard to national policies and guidance, or basic condition (d) given the wording does not contribute to the achievement of sustainable development. Point 1 should therefore be removed.

With regards to Policy 5 (A3) and B), Taylor Wimpey endeavour to provide the highest broadband speeds within all their developments however developers can only rely on the broadband supplied by providers who dictate the speed provision. The requirements within points 3 and 4 are not consistent with the national policy requirement which does not specify a precise megabit per second. Points (A3) and B should therefore be removed.

Strategic Environmental Assessment

A Strategic Environmental Assessment has been prepared as an evidence base document to support the modified TDNP. The SEA assessed the environmental effects of short-listed scenarios, the environmental effects of proposed site allocations in the preferred scenario and then the reasonable alternative growth scenarios.

As set out in the PPG⁷, it is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a neighbourhood plan submitted to it have been met. The local planning authority must decide whether the neighbourhood plan proposal is compatible with relevant legal obligations including Strategic Environmental Assessment Directive:

- when it takes the decision on whether the neighbourhood plan should proceed to referendum; and
- when it takes the decision on whether or not to make the neighbourhood plan (which brings it into legal force).

To support this process, it is helpful for the qualifying body to make its own assessment of whether the draft neighbourhood plan that it intends to submit to the local planning authority:

- meets each of the basic conditions;

⁷ Paragraph: 031 Reference ID: 11-031-20150209

- has been prepared in accordance with the correct process and all those required to be consulted have been;
- is accompanied by all the required documents.

In this context, Taylor Wimpey considers that the site selection justification set out in the SEA is inadequate and the reasons noted to support the preferred scenario (Scenario 4) and to discount other alternatives are not sufficient to justify the allocations included in Policy 7. As set out earlier in relation to the site identification process, the SEA document is considered to be deficient in a number of areas, and a more site-specific and granular approach should have been adopted which would have ensured a more robust and comprehensive assessment. The SEA is a fundamental component of the preparation of a modified TDNP, and there is a distinct failure within the SEA to consider reasonable alternatives. Therefore, the Parish Council should restart the SEA process and prepare an updated document which can inform the modified TDNP on a lawful basis. The Regulation 14 process would need to be started again. If this is not followed, CWaC Council should consider that the neighbourhood plan should not proceed further in its current form.

Taylor Wimpey considers that it would be wrong to proceed to submission of the modified TDNP on the basis of the SEA which has been prepared, and there is likely to be a legal challenge if the Parish Council choose to proceed. A legal Opinion prepared by James Corbet Burcher (see **Appendix 1**) expands on this point and provides further assessment of the deficiencies within the SEA from a legal perspective.

Conclusions

Taylor Wimpey considers that the draft modified TDNP has been prematurely rushed through to a Regulation 14 consultation, and as such, the plan is not robust and continues to be deficient in a number of areas. It is evident to Taylor Wimpey that the Parish Council has sought to prematurely progress and accelerate the process for modifying the TDNP, in a clear effort to frustrate or prevent much needed housing growth in Tattenhall, which will hinder Cheshire West's immediate need for development given

their housing land supply position. There has also been limited supervision provided by CWaC Council, and a flawed and incomplete evidence base and SEA has been prepared to support the modified TDNP. This has resulted in a draft plan which is not sufficient to continue towards examination and referendum.

Taylor Wimpey considers that the intention of the Parish Council to review and update the Neighbourhood Plan at this time, ahead of the new CWaC Local Plan progressing further to at least Regulation 19 stage, presents a significant error in the approach being taken from both a planning and legal perspective. Taylor Wimpey considers that there are clear issues and deficiencies with the modified TDNP in terms of the:

- Premature timing of the Reg. 14 consultation, in advance of the CWaC Local Plan Regulation 19 stage;
- Approach to identifying an appropriate housing requirement for Tattenhall and the limited engagement and supervision provided by CWaC Council;
- Site identification and selection process, and the evidence and justification which underpins the allocation of sites within the plan; and,
- Supporting evidence base and SEA, and the failure to consider reasonable site allocation alternatives.

Taylor Wimpey considers that the Parish Council should pause preparation of the modified TDNP to address the issues outlined above. This would ensure that any subsequent update to the Neighbourhood Plan is consistent with the emerging CWaC Local Plan and fully aligned in terms of overall objectives, a defined spatial strategy and distribution of development, and the identification of allocations for housing within the neighbourhood plan.

Progressing the modified TDNP to submission in its current form is likely to result in an Inspector concluding that it does not meet the basic legal conditions, and preparation should be paused on this basis until at least the CWaC Local Plan reaches Regulation 19 stage. Should the Parish Council choose to proceed on the basis of the current document and supporting evidence base without addressing the identified flaws, there the neighbourhood plan would likely be subject to legal challenge as the plan's content and preparation procedure have been unlawful.

Even if the modified TDNP progress to being 'made' in advance of the CWaC Local Plan progressing further, it is likely that it will quickly become out of date and inconsistent with the Local Plan within a short period of time, and will therefore hold very limited weight in the context of determining planning applications.

Taylor Wimpey would be happy to engage further with the Parish Council should it wish to discuss these representations in more detail.

Appendix 1: Counsel Opinion – James Corbet Burcher (No. 5 Chambers)

IN THE MATTER OF THE TOWN AND COUNTRY PLANNING ACT 1990
LAND AT CHESTER ROAD, TATTENHALL
AND THE DRAFT TATTENHALL NEIGHBOURHOOD PLAN REVIEW

OPINION

Introduction

1. I am instructed to advise Taylor Wimpey Ltd (“TW”), through their instructed planning consultants, Lichfields, in respect of the Tattenhall Neighbourhood Plan.
2. Taylor Wimpey have submitted Planning Application Reference 25/02070/FUL for the erection of 110 dwellings and associated development on Land at Chester Road (“the Site”) to Cheshire West and Chester Council (“CWAC”) as Local Planning Authority.
3. Tattenhall Parish Council (“the Parish Council”) adopted a Neighbourhood Plan (“the Current NP”) which was formally made on 4 June 2014. The Parish Council are now consulting on a draft version for the purposes of Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (“the Pre-Submission Version”).
4. My instructing consultants have set out in their consultation response a significant number of concerns with both the content of the draft Neighbourhood Plan and the process undertaken. In summary, they consider that the evidence base is not robust and that the draft plan is substantially flawed.
5. I am also asked to advise as to whether the Pre-Submission Version meets the basic conditions under paragraph 8(2) of Schedule 4B and the overall lawfulness of the draft plan content and the procedure.
6. In summary, my view is that the Regulation 14 version is being promoted on a legally flawed basis, both substantively and procedurally. Put simply, the process is being rushed. The requisite steps have therefore been undertaken on an incorrect and ultimately unlawful basis. There has been (a) no adequate identification of the appropriate housing requirement; (b) no published site assessment at all and (c) deficient strategic environmental assessment. The LPA should therefore recommend that the plan process is paused to allow the necessary steps to take place and in a correct manner. The pre-submission consultation under Regulation 14 will also need to be re-commenced prior to any plan submission.
7. Unusually, the plan’s own text and limited supporting documents admit to an express wish to manufacture a basis for objection to current planning applications, rather than undertake the thorough process required for a plan document that seeks

to plan the future of Tattenhall for a 20-year period up to 2045.

8. The legal flaws in the exercise conducted to date are significant and wide-ranging, as the exercise is being conducted without correct application of the PPG Chapters in respect of Neighbourhood Planning (Chapter 41) and Site Assessment (Ch3: Housing and Economic Land Availability Assessment) (in breach of basic condition 8(2)(a) in its own right), as well as the SEA flaws (in breach of basic condition 8(2)(f) alongside the Environmental Assessment of Plans and Programmes Regulations 2004).
9. Moreover, the current Regulation 14 consultation exercise is legally deficient in failing to provide the requisite evidence base for a properly informed response. The published Minutes from December-January 2025 record an intention to rush the plan to submission in further breach of the requirements for lawful consultation. There is therefore an overarching breach of the Sedley/*Gunning* requirements endorsed in *R v North and East Devon Health Authority ex parte Coughlan* [2001] QB 213 and then in *R(Moseley) v Haringey* [2014] PTSR 1317, [25] (with square brackets added):

To be proper, [1] consultation must be undertaken at a time when proposals are still at a formative stage; [2] it must include sufficient reasons for particular proposals to allow those consulted to give intelligent consideration and an intelligent response; [3]adequate time must be given for this purpose; and [4] the product of consultation must be conscientiously taken into account when the ultimate decision is taken

10. In summary, there are at least four major flaws in the Draft Plan content and the process carried out to date:

- (1) The draft plan's Policy 1 seeks to impose a settlement boundary policy and allocate housing under Policy 7, without having correctly identified the housing requirement for the neighbourhood area in accordance with NPPF 69-70 and the PPG Chapter on Neighbourhood Planning, 41-009, 101 and 102.
- (2) Policy 1 and 7 have not been based on any site assessment and viability assessment. This is a serious breach of PPG 41-102, especially in the context of the lack of evidence as to the housing requirement and of a proposed allocation for 600 homes, without proper regard to other sites, including those at application.
- (3) Policy 1's settlement boundary and the Policy 7 allocation have not been subject to adequate or lawful strategic environmental assessment, notably through abdication of the LPA's role in screening, artificial constraints on scope and a failure to assess reasonable alternatives, especially Taylor Wimpey's Site at Land at Chester Road.
- (4) Finally, Policy 1 and 7 both refer to future national planning policy in the NDMPs that has not yet been published. The plan should therefore cease until

publication of the final version of the new NPPF.

11. I shall briefly consider the plan content and evidence base and then address each of these fundamental flaws in turn.

The Pre-Submission Version Plan and Consultation Material

The Plan

12. The Pre-Submission Version states that it “will cover the period from 2025 to 2045” (i.e. 20 years) (paragraph 1.3).
13. For present purposes, I shall focus on Policies 1 (Housing Growth) and 7 (Site Allocations), although Lichfields’ consultation responses has identified significant flaws in the drafting and content of a number of other policies, notably Policy 2.
14. Policy 1 (Housing Growth), paragraph (A) and (B) provide (so far as relevant):
“A) The Neighbourhood Plan defines the settlement boundary at Tattenhall, as shown on the Policies Map for the purposes of applying the NPPF National Decision-Making Policy (NDMP) S3 on the presumption in favour of sustainable development.
B) Housing proposals of 10 or more dwellings should:
i) Provide a mix of types, tenures and sizes of homes, taking into account objectively identified housing needs (established through the Tattenhall Housing Needs Report December 2023 or subsequent update) and:
ii) include the provision of on-site affordable housing in accordance with NDMP HO8. The affordable housing will be subject to a S106 Legal Agreement ensuring that it remains an affordable dwelling for local people in perpetuity.
iii) Off-site affordable housing provision or cash payment in lieu shall only be permitted where exceptional circumstances are demonstrated to justify off-site or cash contributions, in accordance with NDMP HO8. Any off-site or cash contributions sought should be used towards the provision of affordable housing in Tattenhall Neighbourhood Plan Area in the first instance, where there is an identified need.
15. Policy 7 (Site Allocations) proposed the allocation on land to the north and south of Frog Lane:
“The Neighbourhood Plan allocates land to the north and south of Frog Lane, for a phased, high-quality, mixed use, residential led development of up to 600 dwellings, as shown on the Policies Map. Development proposals will be supported, provided they accord with the site-specific requirements set out below and with other relevant policies of the development plan.
16. A number of site-specific requirements then follow, including the proposal that various additional benefits will be delivered at this allocation:
- vi) The scheme shall safeguard land on-site for the provision of a new GP surgery (Class E (e)) to be agreed with the local GP surgery and Integrated Care Board. Should the safeguarded land no longer be required within an agreed period, it shall revert to use as public open space to serve the development. Any financial contribution towards the new GP surgery shall be secured via legal agreement.*
vii) The scheme shall also include the off-site provision, in the vicinity of Barbour Square, of a multipurpose “green” car park (Sui Generis) and ancillary community event space, secured by legal agreement with an option to transfer ownership to the Parish Council or nominated community body.

...

- ix) The scheme shall be accompanied by a Heritage Statement which demonstrates compliance with NDMP HE4 (Securing the Conservation and Enhancement of Heritage Assets) relating to the*

Tattenhall Conservation Area and the Grade II listed building at Rose Corner.

Evidence Base

17. The evidence base provided as part of the consultation is limited and brief. There is notably no assessment of individual sites against clearly identified criteria, nor any viability assessment of the chosen allocation, as required by PPG 41-042. The qualifying body have published some minutes from recent meetings, but all such minutes should be published for the purposes of PPG 41-015. There is a significant lack of other evidence base documents, including anything relating to how the housing requirement was identified.
18. The apparent reason for this deficit of evidence and published documentation is that the process has been expedited to meet an artificial deadline, to attempt to engage NPPF 14 or to generate a prematurity objection, notwithstanding the very severe housing land supply shortfall in the LPA.
19. The Parish Council, in the Draft Modifications Statement (February 2026) openly state that they are attempting to manufacture a prematurity objection to current applications. This is also confirmed in the published Minutes from November, December 2025 and January 2026.
20. The stated aim is avoid the consequences of a housing land supply below 2 years which already engages the NPPF 11d presumption. It is also explained that the LPA do not yet know what the appropriate housing requirement for Tattenhall should be.

2.8 Given the combination of potential growth options for Tattenhall, the continuation of the presumption in §11d (tilted balance) remaining in place with no current Local Plan, no 5 YHLS (1.89years) at CWAC and given the pressure by local developers seeking to bring forward applications with the continued policy vacuum, the Neighbourhood Plan took the decision to further revise the proposed modified plan to include site allocations.

2.9 This was with the intention of amending the settlement boundary in Policy 1 and introducing site allocations to engage §14 NPPF but also to enable CWAC to use the modified NP as a material consideration in respect of determining speculative

applications once it completes the Regulation 16 stage, citing the prematurity argument as required....

2.13 The Parish Council, as the Qualifying Body, has taken a pragmatic approach in seeking to manage their own growth and identifying the sustainable limits of development and have worked hard alongside land interests to iterate proposals.

2.14 As such, the Pre-submission version of the Plan now amends the Plan period to 2045 and allows for up to 600 homes which is considered the sustainable limit of growth for the settlement, beyond which the cost of required upgraded infrastructure, including a new Primary School, would require a scale of growth incompatible with the character and location of the village. Whilst CWAC have been unable to provide indicative housing number prior to the Regulation 14, they have confirmed that a figure of between 500 and 600 homes would indeed be appropriate.

21. The Draft NP does not then contain any policy specifying its identified housing requirement for the purposes of NPPF 14, 69-70. There is only supporting text is paragraph 3.42, which refers to, but underscores the uncertainty in relation to this

figure:

“3.42 Policy 7 introduces site allocations into the modified Tattenhall and District Neighbourhood Plan. This represents a deliberate and plan-led response to the scale of development pressure facing the parish and the absence of an up-to-date adopted Local Plan with a demonstrable five-year housing land supply. CWAC have confirmed that whilst a housing number is not yet available for Tattenhall, indicatively a figure of between 500 and 600 is considered by Planning Policy team to be appropriate (confirmed in writing February 2026)”

22. The February 2026 communication has not been published, or otherwise explained by CWAC or the Parish Council. Indeed, this is true for the vast majority of the evidence base, including any site assessment work.

1) The Housing Requirement

Basic Condition 8(2)(a) and (d)

23. The Parish Council’s Modification Statement is unclear as to the exact statutory route that the draft plan will follow.
24. The Parish Council appears to accept that the changes are so substantial and/or significant that the plan should be subject to full assessment against basic conditions

in paragraph 8 of Schedule 4B and eventually a referendum. The Plan should therefore formally be submitted under paragraph 8 of Schedule 4B.

25. Assessment against Schedule 4B would also have to occur if the plan were submitted under Schedule A2 of the Planning and Compulsory Purchase Act 2004, given paragraph 7 which directs to consideration of the proposal under Schedule 4B:

- (1) *This paragraph applies if—*
 - (a) *a proposal has been made to a local planning authority,*
 - (b) *the authority have not exercised their powers under paragraph 5 to decline to consider it, and*
 - (c) *the authority consider that the modifications contained in the draft plan to which it relates are **so significant or substantial as to change the nature of the neighbourhood development plan which the draft plan would replace.***
- (2) *The local planning authority must instead consider the proposal under paragraph 6 of Schedule 4B to the principal Act (as applied by sections 38A(3) and 38C(5) of this Act).*
- (3) ***That Schedule** is to apply in relation to the proposal as if the proposal had been submitted to the local planning authority under that Schedule.*

26. The basic conditions under Schedule 4B, paragraph 8(2) have recently been amended by Section 99 of the Levelling-up and Regeneration Act 2023.

27. Basic conditions 8(2)(a) and (d) remain in the same terms. Basic condition (a), Paragraph 8(2)(a) provides:

- (2) *A draft [plan] meets the basic conditions if—*
 - (a) *having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,*

28. Basic condition (d) sits alongside Basic Condition (a) and provides that that the making of the plan must also contribute to the achievement of sustainable development. It therefore closely relates to basic condition 8(2)(a):

(d) the making of the order contributes to the achievement of sustainable development,

29. The new basic conditions include:

(ea) the making of the [plan] would not have the effect of preventing development from taking place which

- (i) is proposed in the development plan for the area of the authority (or any part of that area), and*
- (ii) if it took place, would provide housing,*
- (f) the making of the [plan] does not breach, and is otherwise compatible with, assimilated obligations*
- (fa) any requirements imposed in relation to [the plan] by or under Part 6 of the Levelling-up and Regeneration Act 2023 (environmental outcomes reports) have been complied with, and*

30. Basic condition (a) is at the core of the entire neighbourhood plan-making preparation and examination exercise. It comprises both substantive and procedural elements, for example the requirement to undertake a proper site assessment process in accordance with the PPG.

31. A neighbourhood plan qualifying body must have careful regard to the content of

national policy and also practice guidance for the purposes of basic condition (a) at the point of submission. Whilst the content of “national policies” includes the NPPF, the PPG and relevant Written Ministerial Statements, the PPG is also formally “advice contained in guidance”.

32. If an LPA identifies that a neighbourhood plan has a serious defect prior to submission, then they should advise that the Neighbourhood Plan should not proceed to submission, exercising their duty under paragraph 3 of Schedule 4B and the parallel duty under paragraph 6(2) to consider whether requirements of the Neighbourhood Planning (General) Regulations 2012 have been met ahead of accepting the proposal.
33. In a case such as the present, the LPA should instruct the qualifying body that the neighbourhood plan-making exercise should cease until the Local Plan evidence base has been considerably progressed and the strategy is known. This is especially so given the other myriad evidential flaws, such as the absence of the site assessment exercise and the deficiencies in the SEA process.

NPPF 14, 69-70

34. If a neighbourhood plan qualifying body wish to benefit from NPPF 14 then they must go through the formal process set out in the PPG. They must (1) identify a housing requirement and set that out clearly in the plan, in full accordance with the NPPF and PPG; (2) assess and designate new allocations or policies that meet that identified requirement.
35. NPPF 69 and 70 (alongside the PPG) require that the process of identifying a housing requirement must be robust and transparent, i.e. conducted on the basis of public documents that can be properly interrogated and understood – especially at the Regulation 14 statutory consultation phase (in line with the requirements for a lawful consultation):
 - (1) NPPF 69 sets out the default position. An LPA should ordinarily have up-to-date strategic policies in place (see notably PPG 41-101 (first paragraph) and 41-102 (first paragraph)).
 - (2) Where there are no such policies in place, then the identification of the housing figure is being carried out on an exceptional basis. The process undertaken requires careful scrutiny to ensure that there is no frustration of the Government’s policy imperative to boost housing delivery.
 - (3) NPPF 70 therefore requires that (in default of the NPPF 69 position) qualifying

bodies must make a formal request for an indicative figure (PPG 41-104 (second paragraph) and 41-105 (first paragraph)).

- (4) The NPPF 70 provision for a qualifying body to set its own housing requirement must then be conducted transparently, in discussion with the LPA (PPG 41-105).
- (5) Each of the stated factors should be examined and the inputs and outputs properly explained: (a) the latest evidence of local housing need, (b) the population of the neighbourhood area and (c) the most recently available planning strategy of the local planning authority.

36. The guidance in PPG 41-096, 097, 098 alongside PPG 41-009, PPG 41-101, 102, 103, 104 all require a phased process, mirroring the Local Plan process in microcosm, and 105 provide detailed guidance on how an LPA should be involved in that process.
37. A neighbourhood plan qualifying body should actively discuss neighbourhood plan proposals with an LPA and make public the products of that discussion. This is a recurrent theme throughout the PPG Chapter and therefore a requirement of basic condition 8(2)(a) itself. Lichfields' representations cite a number of breaches of the relevant parts of the PPG in this respect.

Council's Role and Lack of Transparency

38. As the Lichfields submissions have identified, the NPPF changed the LPA's housing requirement markedly from 12 December 2024. This brought significant increases in the LPA's own housing requirement, increasing it from 532dpa to 1,914 dpa. That is one of the largest increases in the country, and reflected severe and entrenched affordability issues, and a long-standing failure to provide for sufficient housing.
39. CWAC's Local Plan is now seriously out of date (Local Plan Part One Strategic Policies (adopted January 2015) ["LPP1"]; Local Plan Part Two Land Allocations and Detailed Policies (adopted July 2019) ["LPP2"]) and the LPA have made clear that they will therefore need to effectively start afresh with a new plan.
40. Chapter 5 of the NPPF sets out the clear expectation to boost housing. This sits alongside the Secretary of State's instructions in the original WMS (30 July 2024), the Minister of State's second WMS (12 December 2024) and the current NPPF. The increase in the housing requirement for CWaC was immediate, given the date of the LPP1 and LPP2 adoption, generating a radical increase in the housing requirement and a major reduction in the LPA-wide housing land supply figure.
41. However, the emerging Local Plan is at a comparatively early stage, with no certainty that it will reach submission ahead of the Government's deadlines later in 2026. As the Lichfields' representations have set out, the LPA have expressed clear uncertainty as to what the appropriate figure is.
42. The Parish Council have therefore not taken the required steps to identify their housing requirement.
43. Policy 1 and 7 are said to be based on a figure of "between 500 and 600" which has not been explained by the LPA in any public document.
44. As the Lichfields representations identify, a figure of at least 1,000 is appropriate given Tattenhall's location in the settlement hierarchy, its inherent sustainability as a

settlement and the wider issues with delivery across CWAC.

45. The Parish Council's attempt to argue that in putting the plan in place that they are acting in a manner that is variously said to be "*pragmatic*" and "*manag[ing] their own growth*" is not an answer to this clear defect. The purpose of NPPF 69 and 70, read together, is to ensure that there is a robust evidence base, derived properly from a thorough process undertaken at the strategic level, not one that is constrained by local considerations/assumptions. It is not open for a qualifying body to simply ignore the sharp increases in the housing requirement at the LPA-wide level.

Summary

46. For all these reasons, if the Neighbourhood Plan were to be submitted in its current form, then the Examiner would find that Policy 1 and Policy 7 breach basic conditions (a) and (d), as the evidence base is insufficient and the qualifying body are attempting to generate a constraint on housing delivery, capping the figure at 600 units in a manner that is wholly at odds with the direction of national policy since 2024. Given the centrality of Policy 1 and 7, it would be appropriate for the whole draft plan to be refused at that stage.
47. CWaC should not be permitting a draft plan of this kind to proceed and should advise the Parish Council to cease further steps until the figure has been identified, on the basis of an up-to-date understanding of the strategy. In present circumstances, that must await the further progression of the Local Plan, including any Regulation 19 consultation in the autumn.
48. The Local Plan strategy requires substantial revision to meet the increased housing target and Tattenhall will evidently have to make a much larger contribution to housing delivery. A policy that continues to maintain a constrained settlement boundary, with an insufficient allocations is not justified, and would not meet basic condition (a), nor basic condition (d) in respect of sustainable development.

2) Site Assessment

49. The second fundamental flaw relates to a second major gap in the evidence base, and a breach of basic condition 8(2)(a) that is so serious that the plan preparation exercise cannot continue.
50. NPPF 41-098 states in terms that if a plan wishes to allocate sites, then it must carry out an assessment of individual sites in accordance with the PPG:

How should a neighbourhood plan allocate sites for development?

*Where a neighbourhood planning body intends to allocate sites for development, **it will need to carry out an appraisal of options and an assessment of individual sites against clearly identified criteria.***

Guidance on general principles for assessing sites and on viability can provide the framework for the assessment of sites. *The neighbourhood planning toolkit on site assessments may also be used. A strategic environmental assessment may be required if the plan is likely to have a significant effect on the environment. A neighbourhood planning body is strongly encouraged to consider the environmental implications of its proposals at an early stage, and to seek the advice of the local planning authority.*

51. This exercise has not occurred. The Draft Plan's 3.54 refers to Stage 1 (Long List) exercise. That has not been published and has therefore not been provided to consultees for the purposes of the current Regulation 14 exercise, which is a clear breach of the Sedley requirements, as well as the PPG.

52. Paragraph 3.56 then states that:

"3.56 Unlike a simple "call for sites" exercise, Tattenhall adopted a scenario-led approach, using the Settlement Spatial Plan to explore alternative spatial patterns of growth, rather than assessing sites in isolation, to understand better the long term growth constraints and opportunities for the parish, and to understand how to grow to its sustainable limit."

53. There is additional reference elsewhere (e.g. in the Environmental Report) to a Settlement Spatial Planning (SSP) exercise. There is no such exercise referred to in the NPPF or the PPG. A "settlement spatial planning exercise" is not a site assessment document or an assessment of individual sites against the PPG.

54. The explanation provided simply adverts to the breach of the PPG. The Parish Council has apparently refused to assess sites on an individual basis, on the purported basis of a need to look at "spatial patterns of growth", on the basis of assumption as to "sustainable limit".

55. The PPG is very clear that a carefully ordered, and comprehensive process should be undertaken, with a call for sites, properly engaging all landowners with an interest, mindful of 41-048: *"Other public bodies, landowners and the development industry should, as necessary and appropriate be involved in preparing a draft neighbourhood plan or Order."* In the instant case, the Parish Council have simply not carried out a fundamental procedural requirement and thereby breached basic conditions 8(2)(a) and (d).

56. The site assessment exercise should also have been accompanied by an assessment of viability of Policy 7, including the constituent additional components (e.g. the GP surgery). There has been no such viability assessment at all, in further breach of the PPG.

57. Once again, there has been a clear basic conditions (a) and (d) through the failure to comply with the PPG.

3) Strategic Environmental Assessment

58. The Pre-Submission Version is accompanied by what has been described as a "Draft SEA Report".

59. The Lichfield submission has set out a number of methodological flaws in the content of that document. The SEA exercise is deficient and to an extent that to proceed to examination would give rise to a legal flaw if the plan were ultimately to

be made. The errors are related to and/or similar to the defects in respect of the housing requirement and the site assessment exercise.

60. In short, the SEA exercise has been rushed, with a notable abdication of responsibility by the LPA in respect of screening. It artificially narrows the assessment exercise, including by rejecting consideration of reasonable alternatives on a comparable basis. The assessment therefore is wholly defective and not capable of amounting to a lawful environmental report for the purposes of submission under Regulation 15(e)(i) of the Neighbourhood Planning (General) Regulations 2012.
61. Under Regulation 9 of the SEA Regulations, the “responsible authority” must undertake a screening assessment.

62. Regulation 12(2) then sets out the requirements for the environmental report:

12.— Preparation of environmental report

(1) Where an environmental assessment is required by any provision of Part 2 of these Regulations, the responsible authority shall prepare, or secure the preparation of, an environmental report in accordance with paragraphs (2) and (3) of this regulation.

(2) The report shall identify, describe and evaluate the likely significant effects on the environment of—

(a) implementing the plan or programme; and

(b) reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme.

(3) The report shall include such of the information referred to in Schedule 2 to these Regulations as may reasonably be required, taking account of—

(a) current knowledge and methods of assessment;

(b) the contents and level of detail in the plan or programme;

(c) the stage of the plan or programme in the decision-making process; and

(d) the extent to which certain matters are more appropriately assessed at different levels in that process in order to avoid duplication of the assessment.

(4) Information referred to in Schedule 2 may be provided by reference to relevant information obtained at other levels of decision-making or through other law.

(5) When deciding on the scope and level of detail of the information that must be included in the report, the responsible authority shall consult the consultation bodies.

(6) *Where a consultation body wishes to respond to a consultation under paragraph (5), it shall do so within the period of 5 weeks beginning with the date on which it receives the responsible authority's invitation to engage in the consultation.*

63. Schedule 2 sets out a comprehensive list of requirements. Notably, paragraph 6 further requires assessment of:

6. The likely significant effects on the environment, including short, medium and long-term effects, permanent and temporary effects, positive and negative effects, and secondary, cumulative and synergistic effects, on issues such as–

- (a) biodiversity;*
- (b) population;*
- (c) human health;*
- (d) fauna;*
- (e) flora;*
- (f) soil;*
- (g) water;*
- (h) air;*
- (i) climatic factors;*
- (j) material assets;*
- (k) cultural heritage, including architectural and archaeological heritage;*
- (l) landscape; and*
- (m) the inter-relationship between the issues referred to in sub-paragraphs (a) to (l).*

64. Schedule 2, paragraph 8 further sets out a parallel requirement in respect of reasonable alternatives:

*“8. An **outline of the reasons for selecting the alternatives dealt with**, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information.”*

65. The courts have repeatedly emphasised the need for the assessment of reasonable alternatives on a equivalent manner and on a comprehensive basis that is properly explained: (1) *Save Historic Newmarket Ltd v Forest Heath DC* [2011] EWHC 606 (Admin); (2) *Heard v Broadland DC* [2012] EWHC 344 (Admin) and (3) *Ashdown Forest Economic Development LLP v Secretary of State for Communities and Local Government* [2015] EWCA Civ 681. It is essential that the assessment is carried out in a comparable manner, without pre-determination or arbitrary exclusion of sites.
66. A failure to assess reasonable alternatives will be a breach of Regulation 12 and Schedule 2, paragraph 6 and 8, and a related breach of basic condition 8(2)(f): “*the*

making of the order does not breach, and is otherwise compatible with, assimilated obligations". This latter term incorporates the duties under the SEA Regulations, previously under the SEA Directive.

67. Failure to have regard to other statutory process, such as applications and appeals will give rise to an error of law in the rejection of reasonable alternatives, see *R(Stonegate Homes) v Horsham BC* [2016] EWHC 2512 (Admin), [74].

The SEA Report

68. The SEA Report does not meet the requirements of SEA Regulation 12(2) or (4) or Schedule 3, paragraphs 6 and 8, in at least four key respects. To "make" the plan on the basis of this document would give rise to a breach of the SEA Regulations and Schedule 4B.
69. First, the updated screening exercise should have been conducted by the LPA itself. They have conducted one already for the draft plan, prior to the material changes in the present text. No adequate explanation has been provided for the LPA abdicating that role once it knew that the plan content was going to change. A proper screening opinion with relevant findings on scoping would have ensured the requisite LPA oversight. Instead, the exercise that has been conducted has simply revealed disagreements as to content (see further below).
70. Second, the qualifying body's four assessment headings ((1) Land and Resources, (2) Water; (3) Cultural Heritage and (4) Biodiversity) are opaque and far too limited with regard to Schedule 2, paragraph 6.
71. Most notably the SEA exercise has excluded "population" and "human health" altogether, including the provision of sufficient homes, as well as related factors such as transport. However, it has also expressly rejected landscape, climate change, energy and air quality, and the inter-relationship between all paragraph 6 factors.
72. Paragraph 8.2(c) adverts to a dispute with CWAC in respect of screening and omission of these other factors:
- c) Paragraph 3.2 questioned the topics of landscape and climate change, energy and air quality being screened out. CWaC suggested they should be screened in as the SEA identifies the likely significant effects and enables identification of potential mitigation measure Respectfully, the author is of the view that these remain scoped out for the SEA as there are no likely significant effects in respect of these topics within any of the locations under consideration in Tattenhall, and as set out in the baseline assessment.*
73. It is not simply a question of "respectful disagreement". SEA is a statutory process in which the LPA as the supervisory body has identified a defect in the document in the omission of consideration of statutory factors. The result is a highly simplistic four-factor narrative assessment, which does not reflect the full range of Schedule 2's considerations.

74. Third, SEA Report is far too narrow in its assessment of relevant policies and ignores cross-boundary effects, as the SEA Report further records

d) In respect of the framework in section 4, CWaC questioned whether the policies would be assessed as part of the SEA process, noting that “Decisions on the amount of development will have a major impact on the environmental effects of the proposed sites” Using the proportionate approach advocated by the PPG we have identified the relevant policies to be assessed as part of the SEA process which includes the site allocations policy. It is the likely quantum of development proposed within the site allocations policy which has resulted in the view that TNP2 is screened in for SEA. In relation to the other policies, as this is a modified plan and those policies remain materially unchanged from the previous SEA Screening Opinion where they were screened out, they are therefore considered not requiring assessment. The reasonable alternatives, will likely relate to similar growth options but in different locations but may also consider lower or higher growth options.

75. Fourth, the SEA Report has arbitrarily rejected consideration of reasonable alternatives. There are a number of gaps in this respect, building on the earlier evidential flaws.
76. The central flaw is that the SEA Report does not identify individual sites, including those at application stage, which are clearly well-advanced and which have been subject to detailed consideration by statutory consultees. Where, as here, an individual site is chosen for allocation, it is essential that other known individual sites are subject to equivalent assessment on a comparable basis.
77. No reasons have been given for the approach adopted, beyond the very broad brush explanation at:

4.2 Scenarios 1 and 2 would deliver approximately 600 and 700 dwellings respectively, with scenario 3 being capable of delivering approximately 1,500 dwellings. These therefore represent 2 lower growth models and 1 higher growth model. Low and high growth scenarios were considered the most plausible, with no medium growth scenarios being considered as part of the assessment. The medium scenarios were considered a ‘worse of both worlds option’, given that they would not deliver as significant a volume of housing as the high growth scenarios and they would also not be able to deliver sufficient infrastructure to support the new housing. Therefore, during the validation process of the Settlement Spatial Planning (SSP) scenario exercise and by using available evidence (e.g. school places), the medium growth scenarios were set aside as not plausible.

78. The reasoning here is opaque, as the Settlement Spatial Planning exercise has not been published and is not a site assessment exercise. The reasoning is also back-to-front, as the “medium scenario” of 1000 units has been rejected out of hand on the basis of infrastructure delivery issues that have not been documented either.
79. In summary, the Parish Council have expressly refused to carry out SEA on a site-specific basis, i.e. by reference to this known parcel and quantum of land and instead the assessment has essentially merged other sites into a general figure of “1500”.
80. In the instant case, the SEA Report has therefore deliberately excluded consideration

of Land at Chester Road, even though there is a detailed evidence base in the application documents and determination of the application is well-advanced. The SEA has therefore been undertaken on an arbitrary basis and in a manner which excludes obvious material considerations.

Summary

81. In summary, the SEA Report in its current form breaches basic condition 8(2)(a), (d) and (f). The making of the plan would lead to a breach of assimilated obligations. The only remedy for this is to re-start the SEA process and the Regulation 14 consultation as well, on the basis of a proper assessment of the Land at Chester Road sites (and other applications).

4) Future National Planning Policy

82. The final fundamental flaw relates to Policy 1's reference to forthcoming NDMP policies: S3 and H08 and a singular reference to the heritage policy NDMP HE4 in the Policy 7 text. The draft neighbourhood plan is attempting to predict national planning policy's final text some months ahead of the final publication of the NPPF.
83. Given the intention to match the policy text to the NDMPs, the Plan's text can be properly consulted upon and eventually examined once the NDMPs are in their final form.
84. Given the significant issues identified above, this is one further reason why plan consultation under Regulation 14 should be re-commenced at a later date, i.e. only once the national policy position is known.

Conclusion

85. The Draft Neighbourhood Plan continues to be based on a flawed approach and manifest gaps in the evidence base. The Minutes and the Modification Statement advert to the wish artificially to expedite adoption of the document. However, the NPPF and PPG are clear that neighbourhood plan-making should be carried out on a detailed and thorough basis, without seeking to shortcut evidential requirements in respect of the housing requirement, site assessment and SEA.
86. The correct response is for the plan exercise to pause so that all requisite steps can be carried out on a basis that accords with national policy and guidance and is transparent as to the full evidence base, after which a Regulation 14 consultation can re-commence. To continue to proceed on the basis of the current deficient evidence base would clearly give rise to plan content that does not meet the basic conditions and ultimately would be unlawful.

JAMES CORBET BURCHER

No5 Chambers 13 April 2026

Appendix 2: Cheshire West and Chester Email Correspondence

Andy McLaren

From: MORGETROYD, Catherine
<Catherine.Morgetroyd@cheshirewestandchester.gov.uk>
Sent: 31 March 2026 13:34
To: Andy McLaren
Cc: Brian O'Connor; Ben Edmundson
Subject: RE: Tattenhall Neighbourhood Plan Reg. 14 Consultation [LICH-DMS.FID796048]

CAUTION: This email originated from an external source.

Andy

Apologies for the delay to our response regarding the indicative housing figure for Tattenhall. The adopted CW&C Local Plan (Part One and Part Two) sets out housing requirements for the borough as a whole and for the city of Chester and towns of Ellesmere Port, Northwich and Winsford. It also sets out requirements for the Key Service Centres, including Tattenhall. The housing target for Tattenhall, set out in the adopted Local Plan is 250 dwellings. We are currently working on the new CW&C Local Plan and the housing requirement for the borough will be based on the calculations of housing need using the new standard method. We have undertaken a Local Plan Issues and Options consultation, which set out the government housing target, three spatial strategy options and a series of potential growth areas. The consultation included questions regarding the housing target, spatial strategy options and settlement hierarchy.

As we are still working on the new CW&C Local Plan, reviewing consultation responses and updating the evidence base, we have not yet set specific new housing targets or figures for settlements such as Tattenhall. Paragraph 70 of the NPPF identifies that where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

Although the NPPF and planning practice guidance outline that indicative numbers can be provided, they provide little guidance, especially where a local planning authority is at an early stage of plan making. It is accepted that where a Council knows the strategy it wants to pursue and has made significant progress on the plan, then indicative numbers could be provided that are less at risk of having to change. While it is understandable that local communities wish to use neighbourhood planning to control and shape development in their areas, there is a risk that housing requirements provided in advance of the Local Plan will change.

Given the current uncertainties, two options have been developed for calculation of indicative housing figures for key service centres. One option is based on increasing requirements proportionally, based on the Local Plan (Part One) requirement, local housing need adjusted requirement and a 20% buffer. Another option involves redistributing the increase in Key Service Centres, based on current number of dwellings (taken from the Local Land and Property Gazetteer). It is recommended that the highest of the two options is used.

When Tattenhall Parish Council requested an indicative housing figure, the approach described above had not been formally approved internally. The parish council were keen to continue work on the neighbourhood plan and to prevent any delays to the neighbourhood plan, an approximate indicative figure of 500 – 600 dwellings was provided by the local authority. It was made clear to the neighbourhood plan group that this was an approximate indicative figure and that it may change.

Catherine Morgetroyd (She/Her)

Principal Planning Officer – Planning

Policy Planning and Place Making

Cheshire West and Chester Council

Tel: 01244 972282

Email: catherine.morgetroyd@cheshirewestandchester.gov.uk
Visit: www.cheshirewestandchester.gov.uk
Consultation portal: [Planning Policy](#) | [Cheshire West Planning Policy](#)

From: Andy McLaren <andy.mclaren@lichfields.uk>
Sent: 27 March 2026 14:32
To: MORGETROYD, Catherine <Catherine.Morgetroyd@cheshirewestandchester.gov.uk>
Cc: Brian O'Connor <brian.oconnor@lichfields.uk>; Ben Edmundson <ben.edmundson@taylorwimpey.com>
Subject: RE: Tattenhall Neighbourhood Plan Reg. 14 Consultation [LICH-DMS.FID796048]

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Catherine

In relation to your email below, please can you advise when we can expect to receive this figure? If it can be provided early next week that would be much appreciated as the TDNP consultation runs until 13th April 2026.

Many

thanks

Andy

Andy McLaren
Associate
Director BSc
(Hons) MSc MRTPI
Lichfields, Ship Canal House, 98 King Street, Manchester M2
4WU T 0161 837 6130 / M 07341773571
E andy.mclaren@lichfields.uk

Lichfields.uk

This email is for the use of the addressee. It may contain information which is confidential and exempt from disclosure. If you are not the intended recipient you must not copy, distribute or disseminate this email or attachments to anyone other than the addressee. If you receive this communication in error please advise us by telephone as soon as possible. Nathaniel Lichfield & Partners Limited (trading as "Lichfields") is registered in England, no. 2778116, registered office at The Minster Building, 21 Mincing Lane, London EC3R 7AG.

From: MORGETROYD, Catherine <Catherine.Morgetroyd@cheshirewestandchester.gov.uk>
Sent: 19 March 2026 16:32
To: Andy McLaren <andy.mclaren@lichfields.uk>
Subject: RE: Tattenhall Neighbourhood Plan Reg. 14 Consultation [LICH-DMS.FID796048]
CAUTION: This email originated from an external source.

Hi Andy

Apologies for the delay in responding to you on this issue. We are awaiting the briefing of senior members and officers on the indicative housing figures. As soon as this has been done, I'll get back to you – hopefully next week.

Kind regards

Catherine Morgetroyd (She/Her)

*Principal Planning Officer – Planning
Policy Planning and Place Making*

Cheshire West and Chester Council

Tel: 01244 972282

Email: catherine.morgetroyd@cheshirewestandchester.gov.uk

Visit: www.cheshirewestandchester.gov.uk

From: Andy McLaren <andy.mclaren@lichfields.uk>
Sent: 18 March 2026 17:17
To: MORGETROYD, Catherine <Catherine.Morgetroyd@cheshirewestandchester.gov.uk>
Cc: Brian O'Connor <brian.oconnor@lichfields.uk>
Subject: RE: Tattenhall Neighbourhood Plan Reg. 14 Consultation [LICH-DMS.FID796048]

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Catherine

Are you please able to advise in relation to my emails below, and if possible provide the correspondence referred to at paragraph 3.42 of the Tattenhall Neighbourhood Plan Reg. 14 Consultation?

Lichfields.uk

This email is for the use of the addressee. It may contain information which is confidential and exempt from disclosure. If you are not the intended recipient you must not copy, distribute or disseminate this email or attachments to anyone other than the addressee. If you receive this communication in error please advise us by telephone as soon as possible. Nathaniel Lichfield & Partners Limited (trading as "Lichfields") is registered in England, no. 2778116, registered office at The Minster Building, 21 Mincing Lane, London EC3R 7AG.

From: Andy McLaren
Sent: 10 March 2026 11:45
To: 'Catherine.Morgetroyd@cheshirewestandchester.gov.uk'
<Catherine.Morgetroyd@cheshirewestandchester.gov.uk>
Cc: Brian O'Connor <brian.oconnor@lichfields.uk>
Subject: RE: Tattenhall Neighbourhood Plan Reg. 14 Consultation [LICH-DMS.FID796048]

Hi Catherine

I am just following p on my email below to check if you are able to provide the correspondence referred to at paragraph 3.42 of the Tattenhall Neighbourhood Plan Reg. 14 Consultation?

Lichfields, Ship Canal House, 98 King Street, Manchester M2

4WU T 0161 837 6130 / M 07341773571

E andy.mclaren@lichfields.uk

Lichfields.uk

This email is for the use of the addressee. It may contain information which is confidential and exempt from disclosure. If you are not the intended recipient you must not copy, distribute or disseminate this email or attachments to anyone other than the addressee. If you receive this communication in error please advise us by telephone as soon as possible. Nathaniel Lichfield & Partners Limited (trading as "Lichfields") is registered in England, no. 2778116, registered office at The

Minster Building, 21 Mincing Lane, London EC3R 7AG**rom:** Andy McLaren

Sent: 05 March 2026 10:51
To: Catherine.Morgetroyd@cheshirewestandchester.gov.uk
Cc: Brian O'Connor <brian.oconnor@lichfields.uk>
Subject: Tattenhall Neighbourhood Plan Reg. 14 Consultation [LICH-DMS.FID796048]

Hi Catherine

In relation to the current consultation on the Tattenhall Neighbourhood Plan Reg. 14 Consultation, we note at paragraph 3.42 of the plan the following reference:

“CWAC have confirmed that whilst a housing number is not yet available for Tattenhall, indicatively a figure of between 500 and 600 is considered by Planning Policy team to be appropriate (confirmed in writing February 2026)”

We have not been able to locate this correspondence within any published documentation as part of the consultation, or within any published material on the Parish Council neighbourhood plan

webpage. As such, would it please be possible for you to provide this correspondence?

Appendix 3: Draft Modified TDNP Policy 7

- 3.39 The sites contained in Policy 6 remain unchanged from the made TNP. The only change to the policy is one minor modification to update the reference in the policy to “village character” with the source document now being the Tattenhall and District Design Code rather than the Village Design Statement. No additions and amendments to the designated Local Green Spaces (LGS) are proposed, which is reflective of the intention of LGS to endure beyond the Plan period.
- 3.40 Policy 6 is aligned with the Local Plan’s environmental protection policies and provides locally specific detail to support their implementation.
- 3.41 The designation of Local Green Spaces reflects the principles set out in Local Plan (Part One) Policies ENV 2, ENV 3 and SOC 6, which recognise the importance of open space, green infrastructure and recreational provision to community wellbeing. The policy does not introduce new designations beyond those already justified and instead seeks to ensure their long-term protection, consistent with the Local Plan’s objectives

Requirements for biodiversity enhancement and landscape protection align with Local Plan (Part Two) Policies DM 44 and DM 45, ensuring that development contributes positively to ecological networks and landscape character rather than resulting in incremental harm

Policy 7: SITE ALLOCATIONS

The Neighbourhood Plan allocates land to the north and south of Frog Lane, for a phased, high-quality, mixed use, residential led development of up to 600 dwellings, as shown on the Policies Map. Development proposals will be supported, provided they accord with the site-specific requirements set out below and with other relevant policies of the development plan.

- A) Phase 1 (Land to the south of Frog Lane) shall comprise a residential scheme of approximately 400 homes and include the following:
- i) The housing scheme shall comprise a tenure mix to include 30% affordable housing as well as a wide range of property types and sizes including but not limited to, those looking to buy their first home, family homes, rental properties, downsizer homes, bungalows and/or self/custom build plots, subject to site specific considerations.
 - ii) Any bungalows shall be built to M4(3)(a) wheelchair adaptable standard with all other properties strongly encouraged to M4(2) accessible standard, unless this is demonstrated to be unviable.
 - iii) The site shall be accessed from Frog Lane with the layout allowing for a potential secondary access from Rocky Lane to enable direct vehicular and active travel links between Frog Lane and Rocky Lane as appropriate. The access shall be 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.
 - iv) The creation of any road link from Frog Lane to Rocky Lane shall facilitate the redesignation of Rocky Lane to the north of the development site entrance to “quiet lane” status to limit vehicular movements to access only and enable safe walking and cycling along this stretch of road to access village amenities, subject to agreement and implementation by the Highways Authority.
 - v) The scheme shall include up to 9.8ha of publicly accessible open space including play areas.
 - vi) The scheme shall safeguard land on-site for the provision of a new GP surgery (Class E (e)) to be agreed with the local GP surgery and Integrated Care

Board. Should the safeguarded land no longer be required within an agreed period, it shall revert to use as public open space to serve the development. Any financial contribution towards the new GP surgery shall be secured via legal agreement.

- vii) The scheme shall also include the off-site provision, in the vicinity of Barbour Square, of a multipurpose “green” car park (Sui Generis) and ancillary community event space, secured by legal agreement with an option to transfer ownership to the Parish Council or nominated community body.
- viii) The layout and landscape scheme delivers defensible boundaries between the site and the adjacent countryside at its western and southern boundaries to create a definitive settlement edge.
- ix) The scheme shall be accompanied by a Heritage Statement which demonstrates compliance with NDMP HE4 (Securing the Conservation and Enhancement of Heritage Assets) relating to the Tattenhall Conservation Area and the Grade II listed building at Rose Corner.
- x) The scheme shall demonstrate, through a proportionate Transport Assessment and/or Active Travel audit, that residents will be able to safely and conveniently walk and cycle from the site to Tattenhall village centre, and Tattenhall Primary School, using accessible routes that are fit for purpose.
- xi) The development shall enhance the existing public rights of way network by upgrading and extending routes to provide direct access to the disused railway line and creating a new circular walk around the south west of the village linking Frog Lane and Rocky Lane.
- xii) All mature trees and hedgerows within the site are retained unless their removal is necessary, and the minimum required to facilitate an efficient development layout. The existing tree belt along the boundaries shall be retained and reinforced.
- xiii) The scheme seeks to optimise opportunities to produce and use renewable energy on-site.
- xiv) The scheme ensures that adjacent watercourse and their catchments are protected and provides an appropriate surface water flood alleviation scheme to serve the development, to the satisfaction of the local planning authority.
- xv) Where the development is assessed by the Local Education Authority as generating additional demand that cannot be accommodated within existing capacity, appropriate mitigation will be required, secured through a planning obligation.

B) Phase 2. Land to the north of Frog Lane shall comprise a residential scheme of approximately 200 homes and include the following:

- i) The housing scheme shall comprise a tenure mix to include 30% affordable housing as well as a wide range of property types and sizes including but not limited to, those looking to buy their first home, family homes, rental properties, downsizer homes, bungalows and self/custom build plots.
- iii) 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 infrastructure should also be installed to allow for public transport opportunities.
- iv) The layout and landscape scheme delivers strong defensible boundaries between the site and the adjacent countryside along the length of its western boundary to create a definitive settlement edge and provide connectivity to existing wildlife corridors.
- v) The scheme shall include the provision of appropriate land to provide additional

- village burial ground space, to be secured by legal agreement and transferred to the Parish Council.
- vi) The scheme shall also include provision of accessible public open spaces, reflecting local identified need, including allotments and a mix of formal and informal recreation spaces including sufficient land for playing pitches as required, secured by legal agreement with an option to transfer ownership to the Parish Council or a nominated local community body.
 - vii) The scheme shall demonstrate, through a proportionate Transport Assessment and/or Active Travel audit, that residents will be able to safely and conveniently walk and cycle from the site to Tattenhall village centre, and Tattenhall Primary School, using routes that are fit for purpose.
 - viii) The development shall enhance the existing public rights of way network by:
 - i) Upgrading and extending routes to provide future direct access to the disused railway line, and
 - ii) Creating new off-road walking and cycling links between Frog Lane and Chester Road.
 - ix) The scheme ensures that adjacent watercourse and their catchments are protected and provides an appropriate surface water flood alleviation scheme to serve the development, to the satisfaction of the local planning authority.
 - ix) The scheme seeks to optimise opportunities to produce and use renewable energy on-site.
 - x) Where the development is assessed by the Local Education Authority as generating additional demand that cannot be accommodated within existing capacity, appropriate mitigation will be required, secured through a planning obligation.
- 3.42 Policy 7 introduces site allocations into the modified Tattenhall and District Neighbourhood Plan. This represents a deliberate and plan-led response to the scale of development pressure facing the parish and the absence of an up-to-date adopted Local Plan with a demonstrable five-year housing land supply. CWAC have confirmed that whilst a housing number is not yet available for Tattenhall, indicatively a figure of between 500 and 600 is considered by Planning Policy team to be appropriate (confirmed in writing February 2026)
- 3.43 The policy is therefore intended to provide certainty for communities, landowners and decision-makers by identifying where development will be supported in principle, and by setting clear, locally specific requirements to ensure that growth is delivered in a sustainable, coordinated and high-quality manner, supported by the community.
- 3.44 The NPPF supports neighbourhood plans that proactively plan for growth and allocate land for development. The National Planning Policy Framework (December 2024) confirms that neighbourhood plans which allocate sites and are brought forward in a timely manner should be given significant weight in decision-making, including where an authority cannot demonstrate a five-year housing land supply (§14).
- 3.45 The emerging NPPF (consultation version) December 2025 NPPF further strengthens this position by emphasising the importance of plan-led growth and the role of neighbourhood plans in shaping the location, form and quality of development and the need to align housing delivery with infrastructure, design quality and environmental protection.
- 3.46 Policy 7 responds directly to this national policy context by identifying the most sustainable location for growth, avoiding unplanned speculative development and supported by the community as the preferred location for the long-term prosperity of the village, ensuring that development contributes positively to the long-term function and character of Tattenhall.

- 3.47 The allocation of land north and south of Frog Lane is in general conformity with the strategic policies of the Cheshire West and Chester Local Plan (Part One), particularly:
- STRAT 1 (Sustainable Development),
 - STRAT 8 (Key Service Centres),
 - STRAT 9 (Countryside and settlement boundaries), and
 - STRAT 11 (Infrastructure provision).
- 3.48 Policy 7 complements, rather than duplicates, Local Plan Part Two Policy R2 by addressing longer-term growth requirements beyond those previously identified and by responding to the emerging Local Plan context.
- 3.49 The site allocation is informed by:
- a Settlement Spatial Plan prepared in 2025,
 - community engagement undertaken in October–November 2025,
 - engagement with Cheshire West and Chester Council officers, infrastructure providers and land interests,
 - and the findings of the draft Strategic Environmental Assessment (SEA)
 - National Planning Policy Framework (NPPF, December 2024)
 - Planning Practice Guidance (PPG), including Housing and Economic Land Availability Assessment (HELAA) guidance
 - Cheshire West and Chester Local Plan (Parts One and Two)
 - The emerging Cheshire West and Chester Local Plan Update
- 3.50 Tattenhall is identified in the adopted Cheshire West and Chester Local Plan as a Key Service Centre, with a role in supporting sustainable rural communities.
- 3.51 Since the making of the original Tattenhall Neighbourhood Plan, a combination of factors has materially changed the planning context, including:
- An identified borough-wide shortfall in five-year housing land supply
 - An out-of-date Local Plan position
 - Increased speculative development pressure
 - Changes to national policy strengthening the presumption in favour of sustainable development
- 3.52 In response, the Parish Council resolved to modify the Neighbourhood Plan to include site allocations, in order to regain local influence over the location, scale and form of growth, rather than leaving decisions solely to speculative applications prior to the Local Plan being adopted in 2028.
- 3.53 Site choices were made in a way that balances:
- The need to plan positively for growth
 - Protection of landscape character and village identity
 - Infrastructure capacity and deliverability
 - Strongly expressed community preferences
- 3.54 The site assessment process follows a three-stage approach, consistent with PPG guidance and neighbourhood planning best practice, as set out in the table below. This approach is proportionate to a neighbourhood plan, recognising that neighbourhood plans:
- Need to meet Basic Conditions
 - Must be sufficiently robust to withstand independent examination
 - Must take account of community opinion due to the referendum requirement.

PPG approach	How Applied in Tattenhall
--------------	---------------------------

Stage 1: Site Identification	Local knowledge, landowner submissions, promoted sites and previously assessed sites (CWaC LAA)
Stage 2: Site Assessment	Suitability, availability, and achievability tested using planning, environmental, and highways evidence
Stage 3: Site Allocation Decision	Sites selected or rejected based on SSP, sustainability, and consultation feedback

3.55 Stage 1: Site Identification (Long List). A comprehensive long list of potential sites was identified using the following sources:

- Promoted land interests and known development sites
- Previously assessed sites within the borough's land availability evidence
- Sites emerging through live or recent planning applications
- Local knowledge of land opportunities
- Scenario-based growth areas tested through the Settlement Spatial Plan

3.56 Unlike a simple "call for sites" exercise, Tattenhall adopted a scenario-led approach, using the Settlement Spatial Plan to explore alternative spatial patterns of growth, rather than assessing sites in isolation, to understand better the long term growth constraints and opportunities for the parish, and to understand how to grow to its sustainable limit.

Scenarios (and the sites within them) were excluded at this stage where they were:

- Clearly unsuitable in principle
- Physically disconnected from the settlement
- Contrary to strategic policy constraints
- Not realistically available or achievable

3.57 Stage 2: Scenario refinement (Short List). A key distinction of the Tattenhall approach is the use of a Settlement Spatial Plan (SSP) to frame the refinement of options. The SSP tested a range of growth scenarios (low, medium and high growth), examining:

- Relationship to the existing village form
- Infrastructure capacity and step-change requirements
- Landscape and environmental effects
- Traffic and access implications
- Cumulative and long-term impacts

3.58 Scenario testing was undertaken on the options which were considered plausible prior to selecting individual sites, ensuring that site allocations would:

- Follow a coherent spatial strategy
- Avoid piecemeal or unplanned growth
- Allow infrastructure planning to be considered early

3.59 The SSP process included technical scenario development, Parish Council validation, community consultation, engagement with landowners, stakeholders and the LPA, with iterative refinement informed by evidence.

3.60 Stage 3: Site Allocations. Sites carried forward from Stage 2 were assessed against three interrelated tests, reflecting PPG guidance. Sites were assessed for suitability having regard to:

- Relationship to the settlement boundary
- Consistency with the SSP spatial strategy
- Landscape and visual sensitivity
- Heritage assets and their setting
- Flood risk and drainage constraints
- Ecology, trees and biodiversity
- Agricultural land quality

- 3.61 Sites were also assessed for availability through landowner engagement and intent, any known legal or ownership constraints and a willingness to bring sites forward within the plan period.
- 3.62 Sites were also assessed for deliverability, through considering access and highways capacity, known infrastructure requirements, known abnormal costs or constraints and the likely scale and phasing of development.
- 3.63 An iterative Strategic Environmental Assessment (SEA) was undertaken alongside the site selection process, focusing on those policies and allocations capable of giving rise to significant environmental effects. The SEA assessed the environmental effects of short-listed scenarios, the environmental effects of proposed site allocations in the preferred scenario and then the reasonable alternative growth scenarios. It also considered potential mitigation measures and development principles attached to allocated sites. The SEA process is documented separately and should be read alongside this Plan.
- 3.64 Community engagement was a material consideration in site selection, consistent with neighbourhood planning principles that the Plan should be community led and subject to referendum. As such, the preferences of residents formed a key part of the process. Engagement took the form of a dedicated public meeting, an all-day drop-in session and a parish-wide survey (with online and paper consultation methods.)
- 3.65 Feedback demonstrated strong opposition to dispersed or piecemeal growth, clear concern about traffic, flooding and infrastructure capacity, preference for more focused growth patterns and strong views on protecting landscape setting and village character.
- 3.66 The land north of Frog Lane was identified as the preferred option (Scenario 2) by the community and at engagement activity in October/November 2025 having regard to landscape impact, accessibility, flood risk, deliverability and the ability to provide meaningful community benefits. The allocation reflects the principle of directing development to the most sustainable and least constrained locations.
- 3.67 The land to the south of Frog Lane was also subject to community engagement in December 2025. Similar to the land north of Frog Lane, this was identified as an appropriate location due to the meaningful community benefits it could offer and its accessibility to the A41 without driving through the village centre.
- 3.68 Due to the proximity of the location of the two sites, separated by Frog Lane, Policy 7 enables development to come forward in phases to ensure that growth is coordinated, infrastructure is delivered in a timely manner, and impacts on the village are properly managed. Phasing allows early delivery of essential infrastructure and community facilities, whilst ensuring that later phases respond to changing needs over the plan period.
- 3.69 Although separate planning applications may come forward, development is expected to be planned comprehensively, with strong regard to cumulative impacts, shared infrastructure and long-term place-making outcomes. The policy allows for up to 600 homes across the two sites, with the individual numbers applied to each location being indicative.
- 3.70 The policy places a strong emphasis on delivering a wide range of housing types and tenures, reflecting local evidence of need and national policy requirements to create inclusive, balanced communities. This includes provision for:
- affordable housing,
 - first-time buyers,
 - families,

- downsizers,
- and accessible and adaptable homes.

The landowner has confirmed that 30% affordable housing can viably be delivered on the site, alongside the community benefits sought from the two phases of development.

- 3.71 Requirements for M4(2) and M4(3)(a) accessible and adaptable standards reflect both local demographic trends and national objectives to support independent living and ageing in place, consistent with the current and emerging NPPF. Tattenhall currently has a rapidly ageing community, as detailed in the 2023 Housing Needs Survey. The policy therefore encourages all housing to be fully accessible, with any bungalows built to M4(3)(a) to ensure they are adaptable, should the homeowner require wheelchair accessibility (M4(3)(b)) in the future to allow people to remain in their own home within their existing community. This ensures properties are constructed in such a way to be flexible to needs of the occupier without restricting the marketability of the property nor impose a standard which may not be viable for the developer.
- 3.72 The site-specific requirements seek to ensure that development is supported by appropriate physical and social infrastructure to benefit the community. This includes:
- opportunities to enable improved access to public transport,
 - improved walking and cycling connectivity,
 - provision for healthcare facilities,
- measures to promote viability and vibrancy of the village core
additional public open space including formal and informal recreational areas.
- provision of additional burial ground space.
- 3.73 The policy has been worded to ensure that development safeguards and enhances the landscape setting of Tattenhall, protects ecological assets, and contributes positively to green infrastructure networks. Requirements for open space, wildlife corridors, flood mitigation and environmental enhancement align with Local Plan environmental policies and the objectives of the SEA.
- 3.74 The allocation avoids land at greatest flood risk and ensures that surface water and drainage are addressed through a coordinated, site-wide approach.
- 3.75 In relation to clause A) vi) discussions are on-going with The Village Surgeries Group in respect of relocating the current premises surgery in Ravensholme Lane to a larger site. The preferred location is within the village centre in Barbour Square, which would provide the opportunity for a larger premises, centrally located, in an existing building with ample parking. It has been agreed with the landowner that an appropriate parcel of land shall be safeguarded within the development site for the eventuality that this building is unable to be secured by the surgery. The Integrated Care Board currently apply an average cost of £1,500 per new dwelling to cover the cost of extending GP provision to new developments.
- 3.76 For the purposes of clause A) vii) a “green” car park is defined as a sustainable parking facility which enhances urban greening and is designed to minimise environmental impact through the use of permeable paving and eco-friendly materials. Such spaces should also maximise use of solar lighting, and trees, to reduce the “urban heat island” effect, manage stormwater runoff, and, improve air quality. The purpose of “green” parking in the village centre is to ensure development does not add to the on-street parking issues and resulting congestion, experienced in the vicinity of the village centre facilities. The TNP is keen to avoid measures which would result in additional tarmac spaces which have adverse environmental impacts and increase surface water run-off. Such a space is designed to have a multifunctional community benefit, through the provision of suitably sized space appropriate to accommodate the increasing village population, which can be used for events, or pop-up markets etc. ensuring the facility can functionally endure beyond the short-term need for additional parking.
- 3.77 In relation to clause A) x) and clause B) vii) walking routes should be accessible year-

round, continuous, appropriately lit where necessary and suitable for use by children, older people and those with mobility impairments. Any works required to improve routes outside of the development sites which are required to make the schemes acceptable shall be secured through legal agreement (either S106 or S278) as required by the highways authority. Any further works to improve active travel routes in the parish to the benefit of the wider community shall be considered as potential use of strategic or parish CIL contributions as appropriate.

- 3.78 In relation to clause B), as stated above, this land was identified by the community as their preference for future growth of the village, ascertained through a community engagement activity in October/November 2025. The land is owned by the Bolesworth Estate who also own the land comprising the proposals in Clause A. This has enabled the two locations to work together to provide a longer term, phased, spatial growth strategy for the village, ensuring both sites work together to provide the community benefits sought by the community, in a co-ordinated way, avoiding over or under provision. Whilst Phase A will shortly be subject to a planning application and therefore a comprehensive masterplan will not be produced, on-going dialogue with the landowner has and will ensure that the schemes, when taken as a whole, will ensure the village has long term sustainability, avoiding building on land most at risk from flooding and avoiding development which would harm the village centre as a result in a substantial increase in additional vehicle movements.
- 3.79 At the application Phase 1 and/or Phase 2, may be required to contribute towards education provision within the parish. The Cheshire West and Chester Local Plan does not prescribe fixed education contribution rates. Instead, it requires development to be supported by appropriate infrastructure, including education provision, and for developers to mitigate any identified impacts through planning obligations where necessary. Education contributions are therefore assessed on a site-specific basis by the Local Education Authority, having regard to pupil yield, existing capacity and the scale of development.
- 3.80 Dialogue with Tattenhall Primary School has indicated that there is currently capacity to meet the additional pupil numbers generated by 600 homes. Above this number funding will be required to extend the school to allow for a further 0.5 form entry.
- 3.81 Once made, Policy 7 will form part of the statutory development plan for Tattenhall. In accordance with national policy, it is intended to carry significant weight in decision-making and to assist the local planning authority in resisting inappropriate or premature development elsewhere in the parish where it would undermine this plan-led strategy.

Policy 8: FLOOD MANAGEMENT LAND

The Neighbourhood Plan safeguards land off Burwardsley Road, as shown on the Policies Map for the delivery of a natural flood risk management scheme.

A. Proposals to expand the existing Millbrook scheme through the creation of new bunds and river re-meandering to reduce flood risk to people, property, infrastructure and deliver multi-functional environmental benefits, including biodiversity net gain, landscape enhancement, and improved climate change resilience will be supported, subject to agreement with the Environment Agency.

Appendix 4: Stantec Landscape and Visual Response

Chester Road, Tattenhall

Representations to the Regulation 14 Consultation on the modified Tattenhall and District Neighbourhood Plan Landscape and Visual Policy Response to Policy 2 (Local Character)

On behalf of **Taylor Wimpey**

1 Policy Response

- 1.1.1 *This note provides a response from a Landscape and visual perspective to the representations to the Regulation 14 Consultation on the modified Tattenhall and District Neighbourhood Plan.*
- 1.1.2 On behalf of Taylor Wimpey, Stantec have been asked to respond to Policy 2 (Local Character) which states that development will be supported where it...5. *Respects local landscape quality ensuring that views and vistas are maintained wherever possible (Appendix A).* Appendix A Views and Vistas identifies 16 key views and vistas that are important to the character of Tattenhall and District.
- 1.1.3 Views 7, 15 and 16 were considered as part of the Landscape and Visual Impact Assessment. The National Planning Policy Framework under paragraph 16 (d) states that *"plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals"*. However, View and Vista 7 described as *"The views across the fields from Chester Road to Brook Hall"* is in two locations on the supporting map in Appendix A looking in different direction making it ambiguous. It is unclear whether View 7 should be considered and assessed as two separate views or as a collective view.
- 1.1.4 The 'reason' for the identified view and vista is *"This view from the heavily used Millennium Mile is across grazed farmland and takes in the vista from Brook Hall to Greaves Farm. It is the only remaining publicly accessible open view from the West side of the village. Views are attractive on the approach to the village across fields towards a prominent house in the history of Tattenhall"*. This description corresponds with the easternmost View and Vista 7 location along Millenium Mile which looks north in the direction of Greaves Farm. The westernmost View and Vista 7 is situated on Chester Road looking north-west in the direction of Brook Hall and not Millenium Mile.
- 1.1.5 Part 5 of Policy 2 Local Character is restrictive in its nature and outdated as it disregards the influence of existing built form in the immediate context of viewpoint locations detracting from the 'rural' the nature of views. Millenium Mile along Chester Road covers a total length of 125m of which 80m contains built form. Moreover, views of Greaves Farm are oblique and barely perceptible due to being situated along a busy road and existing built form along Chester Road and off Rookery Road in the immediate context of the view.
- 1.1.6 Having visited the Site and undertaken a comprehensive visual appraisal, views towards and into the Site are only obtained from a limited part of Chester Road. Views *"across grazed farmland"* are visible through gaps in the existing hedgerow and through limited sections of the hedgerow where gates are situated; see Site Context Photographs 4 and 5. Receptors travelling along Millenium Mile along Chester Road will experience oblique and partial views *"across grazed farmland"* due to the presence of managed hedgerows and hedgerow trees screening views of the local landscape.
- 1.1.7 The 'reason' for View and Vista 7 states that Millenium Mile *"is the only remaining publicly accessible open view from the West side of the village. Views are attractive on approach to the village across fields towards a prominent house in the history of Tattenhall."* This disregards public rights of way Tattenhall Footpath 8 situated to the west of the Site and village, where open views of agricultural farmland and Greaves Farm are present compared to the peri-urban context and nature of views in the vicinity of Views and Vista 7. Moreover, public open space along the northern edge of the Site as part of the landscape strategy, results in a 150m gap from the setting of Greaves Farm and Brook Hall thus retaining views of the historic buildings from public rights of way Tattenhall Footpath 8.
- 1.1.8 Reference is also made to views *"towards a prominent house in the history of Tattenhall"* which again is ambiguous with regards to whether it is in regards to built form in Greaves Farm or Brook Hall. Although, there are very limited mid distance views through gaps in hedgerows and hedgerow trees, there are no views Brook Hall due to the presence of dense mature native hedgerows and hedgerow belts along intervening field parcels and surrounding the immediate context of Brook Hall.
- 1.1.9 In reviewing the evidence base, it is clear that part 5 of Policy 2 Local Character in the Tattenhall Neighbourhood Plan is not sound and there is ambiguity with multiple viewpoints for View and Vista 7. Additionally, the 'description' and 'reason' for View and Vista 7 does not correspond with their locations

and so, is considered to be ambiguous in nature. In light of the above, the emphasis given on Part 5 of Policy 2 Local Character and Appendix A Views and Vistas is misplaced, and highlights that the plan is not based on the most appropriate strategy as its evidence base is lacking with respect to landscape character and visual matters.

- 1.1.10 As a result of the above, Viewpoint 7 is not required to be protected for the following reasons:
- Multiple viewpoint locations identified for a single view and vista;

- Location of viewpoint locations do not match the description in Appendix A of the Tattenhall Neighbourhood Plan;
 - Disregards the presence of public right of way Tattenhall Footpath 8 which provides open views of agricultural farmland on the western side of the village; and
 - Over emphasis and importance placed on historic building/s which are barely perceptible from Millenium Mile.
- 1.1.11 Over and above this Policy 5 point 2 is in conflict with the requirement within NPPF Paragraph 16 (d) which states that plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals.

Gladman Developments Limited

Response to Consultation

Project Tattenhall Neighbourhood Plan Consultation

Date / Time Monday 13th April 2026
Client Gladman Developments Limited

Introduction

Johnson Mowat Planning (JM) have been appointed by Gladman Developments Limited (Gladman) to respond to the Tattenhall Neighbourhood Plan (NP) at the Regulation 14 Public Consultation stage.

Gladman have an interest in the Tattenhall area in the form of the Outline application (Cheshire West Council (CWC) Ref: 25/01764/OUT, Land at Greenlands, Tattenhall. A proposal for up to 110 dwellings.

The Outline application was validated by CWC on 06/06/2025.

The Outline application currently awaiting determination subject to resolving a number of minor technical issues with further studies.

Johson Mowat are additionally aware of another residential application in Tattenhall. This second application is submitted by Taylor Wimpey (TW). It carries the CWC Ref: 25/02070/FUL. This TW proposal is located northwest of the settlement off Chester Road. The proposal is for 100 dwellings. Like Gladman, the TW application faces very few statutory consultee objections. In the application determination process, Gladman have been asked to provide a potential walking/cycling link between the Gladman and TW developments to ensure enhanced accessibility in the event both projects are ultimately approved.

There is a further Outline application submitted recently on one of the draft Allocations in the NP. This is for 400 dwellings. The application was submitted in February 2026 by the Bolesworth Estate, located off Frog Lane with the CWC Application Ref: 26/00486/OUT.

Overall, Gladman support the production of the Neighbourhood Plans (NPs) where they represent sustainable growth in a transparent and well tested manner. Gladman have no objection to the Tattenhall NP being reviewed.

However, the text below will inform that Gladman have concerns over the timing of this review following the housing requirement uplift in Cheshire West District following the introduction of the Government's revised housing targets in their most recent Standard Method calculation.

It is apparent the Tattenhall NP Review has been in production since 2021. It is our opinion this most recent change in housing need circumstances for the CW District has not been adequately assessed in the NP Review documentation. While Gladman note the NP's intention is to align itself with the CWC Local Plan strategy, there is currently no up-to-date CWC Local Plan strategy to align with.

Documentation Background Remarks

Johnson Mowat has reviewed the publicly available Tattenhall NP documents from the Tattenhall NP website. For the purpose of making this response, Johnson Mowat has reviewed the following key Tattenhall NP Review documents:

- a) Reg 14 Consultation Review NP 2026
- b) NP Modification Paper February 2026
- c) Draft SEA Report February 2026

Johnson Mowat has not spent significant time reviewing pre-2025 documents as these documents no

longer reflect the NP's latest intentions. The pre-2025 documents do not reflect the NPs intention of allocating 600 dwellings nor any introduction of the NPPF Standard Method. The Local Housing Needs Report appears not to reflect the increased market and affordable housing delivery that flow from the 2026 Draft NP. There is currently a disconnect between the older documents and the latest strategy.

14 Draft NP Remarks:

General:

- We note and welcome the 20-year Plan period up to 2045.
- We support the Plans intention to allocate land.
- We note the 13th April 2026 deadline for responses and request Johnson Mowat be informed of all future updates.

Notes on specific items of Draft NP text:

- Para 2.2. We note Tattenhall is well served by accessible local facilities.
- Para 2.3. We note the intention of reviewing the 2026 NP to be in 'general conformity' with the 2015 CWC Local Plan Part 1 strategy but have major concerns given this 2015 strategy is now out of date.
- Para 2.6. This makes reference to an emerging CWC Local Plan being at an early stage. This suggests this NP Review is currently running ahead of the CWC Local Plan and somewhat blind to what that CWC strategy might be. In our opinion, the NP is running the risk of being out of conformity with the CWC Local Plan. In that respect, it would be wiser for the NP to be delayed (possibly by 12 months) until such time the CWC LP strategy becomes clearer on the role for Tattenhall as a Key Service Centre. It is our view the current draft NP 2026 is premature.
- Para 2.16. This references the significant increase in CWC's housing requirements and their current lack of a 5-year housing land supply. It references a considered range of housing option scenarios for the Tattenhall NP area in the event the NP choses to allocate housing sites. It references a range of housing growth options; that being the net addition of between 500 and 1,500 dwellings. It makes no reference to how these numbers were considered given there is currently no CWC Local Plan guidance on these numbers. We note the final decision to allocate 600 dwellings split over two parcels of land all within the same landownership is at the lower end of the range considered.
- Policy 1. We note reference to housing mix relates to factors that were the outcome of the 2023 Local Housing Needs Report. However, the 2023 Report is not based upon the quantum of dwelling proposed in Policy 7, the allocations. The assumptions on needs and mix will need an update to that 2023 Report.
- Policy 2 - Important Views and Vistas. We note view No.15 shows from the disused railway line to the village and the Peckforton Hills and Sandstone Ridge overlooks the Gladman and TW application sites. There is no example of the views and looking online we question how clear it is with the intervening vegetation.
- Policy 7. We note the contents of the requirements from each allocation. We note the allocations are Phased albeit there is no delivery trajectory, that being no understanding of how both allocations will be built within the lifetime of the Plan and at what rate. Both sites are with a landowner not developer. The NP contains no delivery track record of that owner.
- Para 3.42 refers to CWC being broadly supportive of the 600 dwelling NP allocation. However, the CWC letter is not included in the documents on the NP document website. It is not known if the 600 is an absolute maximum.

- Para 3.55 to 3.60 provides text on how the allocations were selected through a process of growth strategy options tested through a range of local constraints (see the Draft SEA). There is no detail provided in any document on the NP website on the list or locations of sites considered and discounted.
- Para 3.80. This appears to provide the single and only reason for the allocations being capped at 600 dwellings and relates directly and solely to the capacity of the local Primary School. It provides
 - I. no capacity data for the school,
 - II. no data on current local demand such as pupils using the school from outside the catchment area,
 - III. no forward capacity projects with and without the allocations in a trajectory,
 - IV. no detail on alternative schools or catchment boundaries.

On the basis Primary School capacity appears to be the single most defining capacity constraint to higher levels of growth, much greater detail on this topic will be necessary.

Notes on specific items of Feb 2026 Modifications NP text:

General:

This document appears to set the background as to why the NP Review decided to include allocations and why the numbers were set.

Para 2.14 informs the 600 dwelling 'sustainable limit' was set by the capacity of the primary school and not wider environmental constraints.

Notes on specific items of Draft SEA Report Feb 2026 text:

Paras 1.12 to 1.13 suggest the NP Review (TNP2) was drafted in a hurry to respond to speculative planning applications in the Parish, presumably the TW and Gladman applications?

The SEA provides a Screening Exercise which effectively dismisses several environmental topics as not being a constraint to growth. For example, Landscape.

Section 4 of the SEA assesses the 'Growth Options'. Para

4.2 is repeated below:

4.2 Scenarios 1 and 2 would deliver approximately 600 and 700 dwellings respectively, with scenario 3 being capable of delivering approximately 1,500 dwellings. These therefore represent 2 lower growth models and 1 higher growth model. Low and high growth scenarios were considered the most plausible, with no medium growth scenarios being considered as part of the assessment. The medium scenarios were considered a 'worse of both worlds option', given that they would not deliver as significant a volume of housing as the high growth scenarios and they would also not be able to deliver sufficient infrastructure to support the new housing. Therefore, during the validation process of the Settlement Spatial Planning (SSP) scenario exercise and by using available evidence (e.g. school places), the medium growth scenarios were set aside as not plausible.

The Draft February 2026 SEA does not include any Plans to sit alongside the Draft SEA testing. There is therefore no way of checking how each area/scenario was tested without a Plan or any reference to any area. Without such information, the Draft SEA conclusions are meaningless.

Summary of Gladman's observations, concerns and objections

On behalf of our client, Johnson Mowat responds to this Regulation 14 Draft Local Plan consultation with an objection to the Plan based largely on a lack of consultation material that adequately demonstrates the Draft NP is evidence based.

The Draft NP accepts the settlement needs to grow having regard to the increased housing requirement that flow from the changes brought about by the Government's NPPF standard Method. This is welcomed.

However, the Draft NP is being produced ahead of any CWC Local Plan update. This is a concern. It is

absent of any general conformity with any higher strategy, CWC have yet to publish, consult, examine or adopt any strategy that complies with their higher housing requirement. While the Draft NP Team suggest there is a '*letter of support*' from CWC Planning Policy Team to support the allocation of circa 600 dwellings in the Draft NP, that letter is not in the NP document library and, even if it were, would carry no weight at this stage.

The Draft NP makes reference to tested growth scenarios approach and a short list of sites assessed. None of this material is available.

The February 2026 Modifications Paper suggests the limit of 600 dwellings is based entirely on the capacity of the primary school but provides no school data that informs how those additional dwellings dovetail with capacity projections over time. There is no data on school catchments and how such catchments are currently influenced by local demand or any amendments that could be easily made to catchments to mitigate any capacity issues.

The Draft February SEA 2026 is equally unhelpful in evidencing the strategy. The document informs of a spatial assessment of three district scenarios with hybrid 4th scenario. It provides no plans or sites. It informs of increased environmental harms of certain strategies that suggests anything up to 600 dwellings is acceptable but anything marginally above 600 dwellings is the most harmful, more harmful than a 1,500 dwelling Scenario 3. The evidence to support this conclusion is lacking.

Our client (Gladman) has an Outline application for circa 110 dwellings sitting close to the TW application for 100 dwellings. Having reviewed the material available on the Draft NP Document Library, there is currently no evidence to suggest these additional sites are not acceptable having regard to the considerable housing delivery benefits they offer.

Johnson Mowat wishes to be kept informed of any NP progress.

Natural England

Date: 20 April 2026
Our ref: 543037; 543753

Your ref: Tattenhall Neighbourhood Plan – Regulation 14 Consultation

Planning Consultation: Tattenhall Neighbourhood Plan – Regulation 14 Consultation; and HRA and Marine Plan Screening Opinion

Thank you for your consultation on the above dated and received by Natural England on 23 February 2026, and for the Habitats Regulations Assessment (HRA) and Marine Plan Screening Opinion dated and received on 16 March 2026.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We welcome the opportunity to provide comments on the pre-submission Neighbourhood Plan as well as the HRA provided by Cheshire West and Chester Council. As the comments for both consultations are related, we have provided a single combined response.

TATTENHALL NEIGHBOURHOOD PRE SUBMISSION PLAN – FEB 2026

Policy 7: Site Allocations

Natural England would welcome additional policy wording to ensure the protection of the River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid Special Area of Conservation (SAC) from development. The land allocated to the north and south of Frog Lane falls within a Site of Special Scientific Interest Impact Risk Zone (SSSI IRZ) for River Dee (England) SSSI, including the internationally designated sites in underpins, suggesting a hydrological link to the site. The specific policy requirements should reflect findings of the HRA and Strategic Environmental Assessment (SEA) reports. We advise that key considerations are likely to include the need for a Construction Environmental Management Plan (CEMP) during the construction phase, along with appropriate management of surface water and wastewater drainage.

HABITATS REGULATIONS ASSESSMENT SCREENING OPINION

Appendix 1: HRA Screening – European sites relevant to the Neighbourhood Plan

Natural England does not agree with the conclusion that the River Dee and Bala Lake SAC is unlikely to be directly affected by the policies of the plan due to the IRZ suggesting that the development allocation has potential hydrological connections to the designated site. We would expect this to be assessed in more detail.

Appendix 2: HRA Screening – Screening of Neighbourhood Plan policies for Likely Significant Effect

Natural England does not agree that likely significant effects (LSE) can be ruled out from Policy 7: Site Allocations without further assessment regarding River Dee and Bala Lake SAC. Furthermore, if LSE could occur in combination with other housing or employment developments, as stated may be the case, then this will need assessing in an appropriate assessment. The conclusion states that mitigation measures present in the policy are sufficient to warrant no further assessment, however none of the

policy requirements explicitly refer to internationally designated sites so are not bespoke enough to demonstrate how specific potential impacts will be avoided or mitigated.

DRAFT ENVIRONMENTAL REPORT – FEB 2026

3. Assessment of Final Policies & Reasonable Alternatives

The land allocated to the north and south of Frog Lane falls within a SSSI IRZ for River Dee (England) SSSI. We note that the IRZ has been identified in section 4 (assessment of growth scenarios) of the report. As outlined above, we would expect this to be assessed due to the potential impacts from drainage to the site. It is also important to highlight that the notified features of the SSSI may differ from those of the SAC, meaning the HRA may not fully cover the SSSI assessment, and we expect this to be considered in the SEA. Further information on the SSSI and its designation can be found on [Designated Sites View](#).

Please continue to send any new consultations, or further information on existing consultations, to consultations@naturalengland.org.uk.

By email only: reg14@tattenhallpc.co.uk

Your ref:
Our ref:
Date: 13-APR-26

Dear Sir / Madam

DRAFT TATTENHALL & DISTRICT MODIFIED NEIGHBOURHOOD PLAN 2025-2045 (PRE-SUBMISSION VERSION) (FEBRUARY 2026)

Thank you for your consultation seeking the views of United Utilities Water Limited (U UW) as part of the Neighbourhood Plan (NP) for Tattenhall. U UW wishes to build a strong partnership with neighbourhood groups to aid sustainable development and growth.

Our Assets

It is important to outline the need for our assets to be fully considered in any proposals in the NP Area.

U UW will not allow building over or in close proximity to a water main.

U UW will not allow a new building to be erected over or in close proximity to a public sewer or any other wastewater pipeline. This will only be reviewed in exceptional circumstances.

Site promoters should not assume that our assets can be diverted.

On occasion, an asset protection matter within a site can preclude delivery of a proposed development. It is critical that site promoters / applicants engage with U UW on the detail of their design and the proposed construction works.

All U UW assets will need to be afforded due regard in the masterplanning process for a site. This should include careful consideration of landscaping and biodiversity proposals in the vicinity of our assets and any changes in levels and proposed crossing points (access points and services).

We strongly recommend that the LPA advises future applicants / promoters of the importance of fully understanding site constraints as soon as possible, ideally before any land transaction is negotiated, so that the implications of our assets on development can be fully understood. We ask site promoters

to contact U UW to understand any implications using the below details:

Developer Services – Water Tel:

0345 072 6067

Email: Watermains@uuplc.co.uk

Developer Services – Wastewater

Tel: 03456 723 723

Email: SewerAdoptions@uuplc.co.uk

Please note that U UW does not supply water and wastewater services to all areas of the NP Boundary. As such, you should ensure that you also consult with other water / wastewater undertakers that may be responsible for the provision of services to the area.

Allocations for New Development

Following our review of the NP, we note that there are new site-specific allocations as follows:

- land to the north and south of Frog Lane, for a phased, high-quality, mixed use, residential led

- development of up to 600 dwellings under Policy 7; and
- the safeguarding of land off Burwardsley Road for the delivery of a natural flood risk management scheme under Policy 8.

Each is addressed below.

Policy 7: Land to the North and South of Frog lane

Building Regulations Part G includes an optional standard for water efficiency of 110 litres per person per day (l/p/d) for new residential development which can be implemented through local planning policy where there is a clear need based on evidence. In this regard, we have evidence prepared by UUW and Water Resources West which supports the adoption of the Building Regulations optional requirement for local authorities in North West England and the Midlands. We therefore recommend the inclusion of the following additional wording in Policy 7 of the emerging NP regarding water efficiency.

All new residential developments must achieve, as a minimum, the optional requirement set through Building Regulations Requirement G2: Water Efficiency or any future updates.

We also request that non-residential development also includes water efficiency measures as per the below recommended wording:

All major non-residential development shall incorporate water efficiency measures so that predicted per capita consumption does not exceed the levels set out in the applicable BREEAM 'Excellent' standard.

We wish to highlight that improving water efficiency makes a valuable contribution to water reduction as well as carbon reduction noting that water and energy efficiency are linked. We also wish to note the associated societal benefits by helping to reduce customer bills.

We also request that Policy 7 refers to the location of the sites (both north and south of Frog Lane) as being on water catchment land. Development proposals on water catchment land can have an impact on water supply resources and therefore we recommend that you include wording which identifies the need to engage with the statutory undertaker for water (UUW) to determine what supporting information may be required to assess and mitigate the impact of development at this site on water catchment land. We recommend the following wording:

The site is located on water catchment land. A risk assessment of the impact of the development on public water supply may be required with the identification and implementation of any required mitigation measures including a management plan.

Policy 8: Flood Management Land

This land is also located on water catchment land. As noted above, development proposals on water catchment land can have an impact on water supply resources and therefore we recommend that you include wording which identifies the need to engage with the statutory undertaker for water (UUW) to determine what supporting information may be required to assess and mitigate the impact of any proposals on water catchment land. We recommend the following wording:

The site is located on water catchment land. A risk assessment of the impact of the development on public water supply may be required with the identification and implementation of any required mitigation measures including a management plan.

With respect to this area we also wish to note that we have assets within Dark Lane, which would need to be considered in the design of any flood management land.

Summary

If you have any queries or would like to discuss this representation, please do not hesitate to contact me at planning.liaison@uuplc.co.uk.

Re: Tattenhall & District Neighbourhood Plan 2025-2045 Regulation 14 Consultation 2026 – Representation on behalf of Inspired Villages

This representation has been prepared by Avison Young (“AY”) on behalf of Inspired Villages (“IV”) in response to the Parish Council’s public consultation on its pre-submission (Regulation 14) draft Tattenhall & District Modified Neighbourhood Plan 2025-2045 of February 2026.

Background to and Purpose of Representation

IV is one of the leading operators in the United Kingdom for providing Integrated Retirement Communities, also known as IRCs. IV offers specialist housing for older people in the form of a selection of specialist apartments, bungalows and cottages that are purpose-built for the functional and aspirational needs of older people. The term Integrated Retirement Community (“IRC”) was coined by the sector body the Associated Retirement Community Operators (“ARCO”) in November 2021 following research with over 600 55-75+ year old consumers across England.

The term IRC reflects the integration and connections that these communities have with the services, care availability/adaptability and links with existing communities in the areas in which they operate. Integrated Retirement Communities have existed under different names since the 1970s as care was added by operators to existing retirement housing schemes, leading to IRCs becoming one of the main focuses of delivery in recent years. Each village developed and operated by IV incorporates a wide range of communal facilities specifically designed and operated to promote physical and mental health and wellbeing.

IV 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. The retirement village comprises a mix of one, two and three bed apartments and a variety of facilities, including a: wellbeing centre comprising, gym facilities, studio, swimming pool, sauna and steam room; beauty salon and hairdressers; bistro restaurant; café-bar; landscaped gardens; and library.

Since 2014, Phases 1, 2 and 3 of Gifford Lea have been completed. In March 2026, Cheshire West & Chester Council granted planning permission (under ref: 22/00194/FUL) for Phase 4, an extension to the existing retirement village which will comprise an additional 25 Extra Care units with associated access, parking, landscaping, ecological enhancements and other works.

As explained in more detail below, IV’s Phase 4 site is on land included within proposed allocation described in Policy 7(B), known as ‘Phase 2: Land to the North of Frog Lane’, as set out in the Regulation 14 consultation draft of the Local Plan. While IV has no objection, in principle, to housing development on land to the north of Frog Lane, the purpose of this representation is to seek 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.

Conflict between Draft Allocation and IV's Phase 4 Consent

Figure 1 overleaf shows the extent of the overlap between the draft allocation (outlined red) and the extent of the land which is subject to various planning permissions associated with IV's continued operation and expansion of the retirement village (outlined blue).

IV's recently granted planning permission for Phase 4 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 the land shown edged blue in Figure 1 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.

Condition 14 of the most recent planning permission stipulates that:

'14. Prior to commencement of development, a Great Crested Newt (GCN) Mitigation Document shall be submitted to the Local Planning Authority for approval. This shall include a method statement which will need to be implemented in full during works and 10-year habitat management plan, with GCN mitigation plans (based on Pennine Ecology April 1st 2021 revision 10 year habitat management plan and Method Statement document by Pennine Ecology). The GCN mitigation areas shall be retained in perpetuity.

Reason. To provide adequate safeguards for the protection of protected species and their habitats [our emphasis].'

Accordingly, the GCN mitigation land is secured under a Protected Species Development Licence agreed with Natural England. IV and its successors are bound by this agreement, which requires the land to be created and managed in accordance with the mitigation strategy in perpetuity.

Figure 1: Annotated extract from Google Maps showing draft allocation outlined in red and boundary of IV land with planning permission outlined in blue (boundaries are approximate)

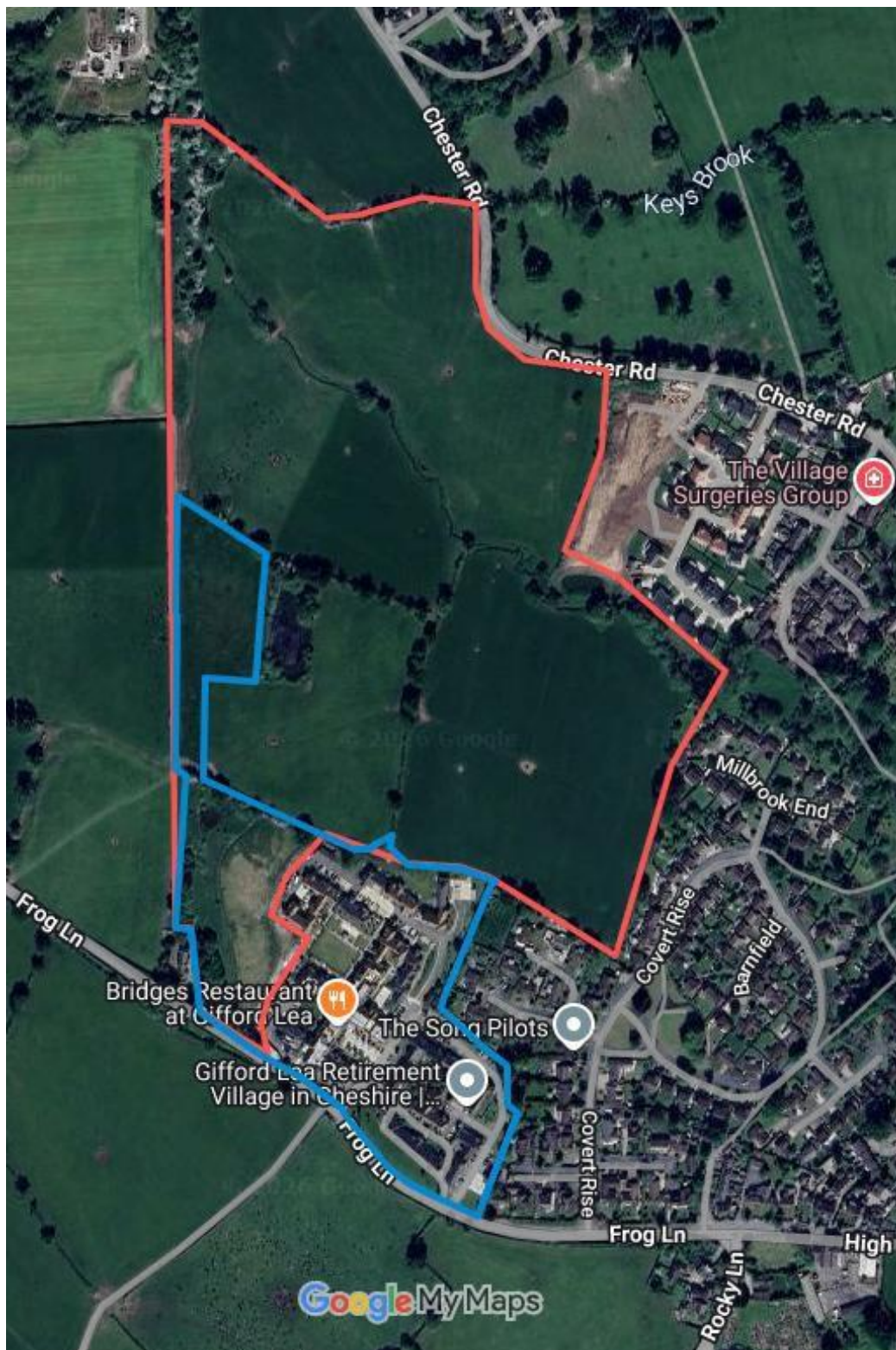


Figure 2 overleaf is an extract from one of the application plans for the Phase 4 permission showing all of the habitat creation and enhancement measures approved at Gifford Lea. This plan is reproduced in full as Enclosure 1.

IV intends to implement its permissions for Phase 4 and other development at the Gifford Lea site in full, including:

- the built development labelled Phase 4 in Figure 2;
- both of the ecological mitigation areas outlined with the red dashed line in Figure 2; and
- the landscape planting outlined with a dashed purple line in Figure 2.

The development of residential uses in an overlapping location would clearly contravene several planning conditions and the licence with Natural England, and prejudice the delivery of IV's permission.

While we note the explanation for the chosen allocation boundary set out in the supporting text to Policy 7 in the draft Neighbourhood Plan, the current boundary does not reflect the local context and is not aligned with land ownerships. As a consequence, IV has concerns that the allocation as currently drafted would not meet the Basic Condition for the Neighbourhood Plan to contribute to sustainable development.¹

For these reasons, IV respectfully requests that the draft Neighbourhood Plan be amended as follows:

- **As the first preference**, change the boundary of the emerging allocation described in Policy 7(B) known as 'Phase 2: Land to the North of Frog Lane' to exclude all of the land associated with its Phase 4 planning permission, including both the consented built development; the open land reserved for ecological mitigation; and the landscape planting shown on Figure 2. 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 emerging Policy 7(B) to make it explicit that safeguarding the Phase 4 built development and ecological mitigation elements is a strict policy requirement.

¹ See Planning Practice Guidance (PPG) [paragraph reference ID: 41-065-20140306](#)

Figure 2: Plan showing all habitat creation and enhancement measures approved at Gifford Lea



Emerging Access Strategy

The draft wording of Policy 7(B) states 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...’*

However, in our view the current draft of the Neighbourhood Plan does not offer a clear or deliverable access strategy.

With regard to Frog Lane, as far as we are aware, there are no feasible access points to the southern boundary of the draft allocation that would avoid conflict with neighbouring uses and permitted schemes.

Figure 3 overleaf is a satellite image showing the relevant part of Frog Lane. Looking at

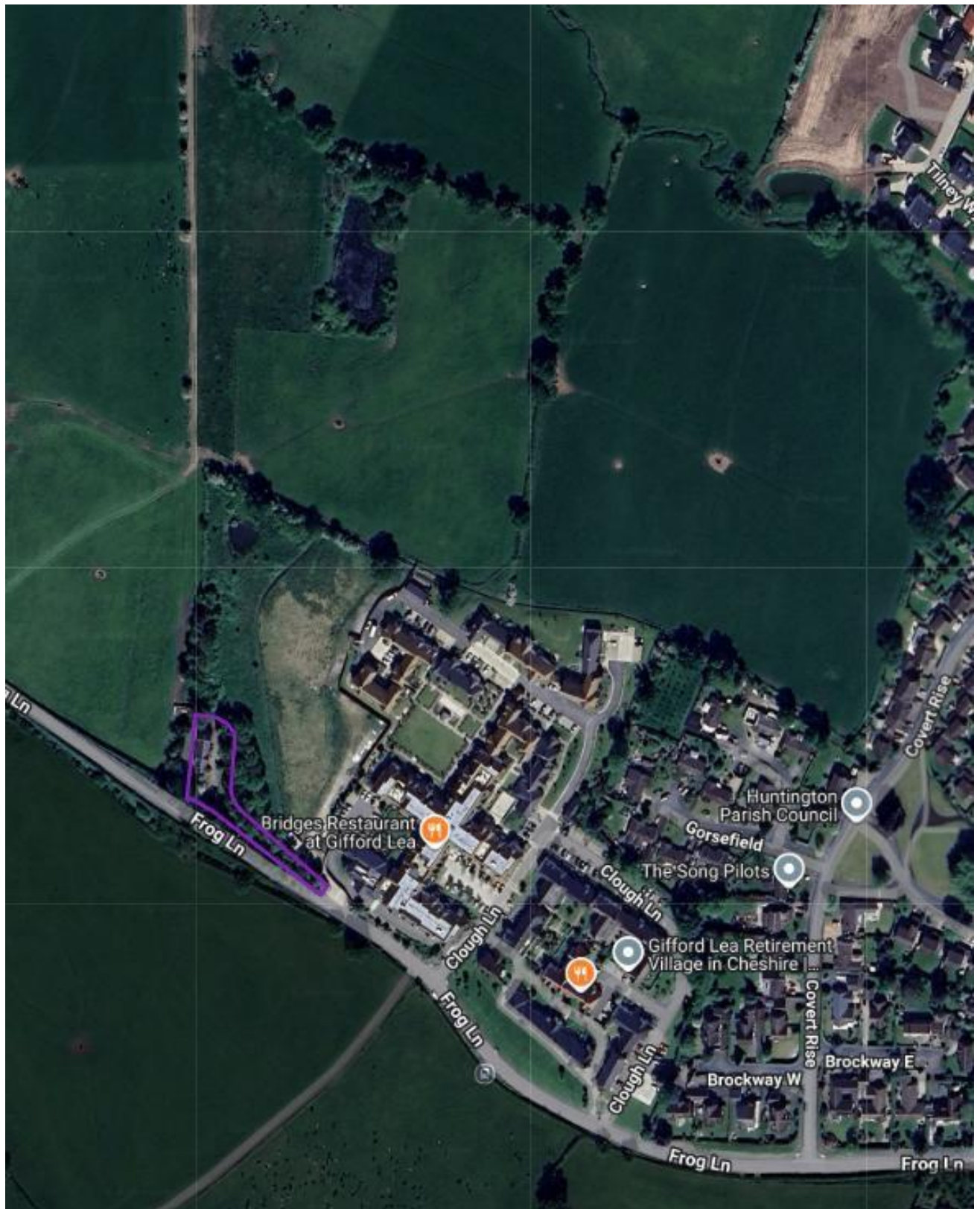
Figure 3 and moving from west to east:

- The land in the south-west corner of the draft allocation shown outlined in purple on Figure 3 is in the control of a private landowner.
- The land immediately adjacent represents the boundary of IV's Phase 4 permission, including the area safeguarded for ecological mitigation.
- The part of Clough Lane that serves as access to the retirement village is a single-track, unadopted road that is clearly not suitable for two-way traffic of the level that would be generated by 200 new homes. The road runs directly through the retirement village and there are no formal pedestrian crossing points for residents, many of whom are older and have reduced mobility. The resulting increase in vehicle movements would cause significant amenity and potentially safety impacts for Gifford Lea's vulnerable residents both during construction and once the development is occupied.
- The eastern section of Clough Lane is currently 'no entry'; it serves purely as egress onto Frog Lane for users of the retirement village. This arrangement was only approved relatively recently, in July 2024 under application ref: 23/03931/FUL. The Council's Highways Officer considered the proposal on the basis of specific and tightly defined circumstances, including:
 - reliance on visibility splays suitable for a 30mph road;
 - the stipulation that all vehicles using this section of Clough Lane would be travelling in a westerly direction in order to ensure acceptable visibility (hence the current 'one-way' restriction); and
 - a condition requiring the carriageway to be reduced to a width of 3.5m. Indeed,

Condition 3 of permission ref: 23/03931/FUL is clear that *'the visibility splays, roadway width of 3.5 metres and use as an exit route only shall be retained in perpetuity [our emphasis]'*. The stated reason for this condition was: *'In the interests of highway safety.'*

The Highway Authority's assessment was therefore undertaken in the context of very limited, one-way traffic movements associated with the existing retirement village and cannot reasonably be relied upon to justify the introduction of the volume of new, likely two-way traffic movements that would be needed to construct and then serve 200 homes.

Figure 3: Satellite Image of Frog Lane showing land in private ownership outlined in purple



For these reasons, access to the draft allocation from Frog Lane, and particularly through Gifford Lea, would not be achievable, acceptable, or safe; and thus the allocation and policy wording should be amended to remove all reference to access from the south.

Consequently, any access/egress serving the proposed 200 homes would need to come wholly from Chester Road in the north, subject to the land earmarked by IV for ecological mitigation and covered by its GCN License with Natural England remaining fully protected.

However, this option also appears to present challenges to deliverability, primarily due to the presence of the brook that runs broadly from the north-west to the east of the draft allocation site. The brook appears to roughly correspond to the swathe of land shown in green and labelled 'Sites of Nature Conservation' on the Policies Map and Inset Map in the emerging Neighbourhood Plan.

An access solution would need to be found to allow users of the residential development to cross the brook without having unduly adverse impacts on the identified Sites of Nature Conservation.

For these reasons, IV considers that, as drafted, Policy 7(B) raises serious concerns regarding deliverability of the Plan and therefore its ability to meet the Basic Conditions in terms of its contribution to sustainable development.

With this context in mind, IV's requested amendments to the access strategy in the draft Neighbourhood Plan are as follows:

- A reasonable and comprehensive alternative to the current access strategy must be identified.
- 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

Safeguarding the ongoing operation of the retirement village and the amenity of its residents is IV's main priority.

The retirement village is a sensitive (C2) use with vulnerable users; its occupants are older people requiring a degree of care and support. This is evidenced further and restricted by the various planning permissions granted for Gifford Lea including the Legal Agreement accompanying the most recent permission ref: 22/00194/FUL.

Enclosure 2 to this letter is a copy of the Legal Agreement, which sets out a range of operational definitions and restrictions in respect of the retirement village, such as the Qualifying Persons who may occupy the units; the Care and Wellbeing Package to be provided to each user; and the Qualifying Person Assessment that must be carried out to ensure that residents meet the requirements of this C2 use. Enclosure 3 is a table setting out the wider planning history of the site which includes the various descriptions of approved development and the relevant application reference numbers.

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.

The current wording of emerging Policy 7(B) makes no reference to the need to prevent and/or mitigate adverse impacts on the amenity of neighbouring users. IV considers that the following amendments should be made in this regard:

- As noted above, the boundary of the draft allocation should be amended to exclude the retirement village and associated ecological mitigation elements, plus an appropriate buffer area for landscaping and other mitigation.
- 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. Again, this should be expressed as a clear and enforceable policy requirement rather than an aspiration.

Opportunity for Older Persons' Accommodation within the Allocation

There is a clear need for additional older persons' accommodation at both the national level and within Cheshire West & Chester specifically.

[Paragraph ID: 63-001-20190626](#) of the national Planning Practice Guidance (PPG) reads:

'Why is it important to plan for the housing needs of older people?

The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million. Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking [our emphasis].'

In the Cheshire West & Chester authority, the Council's most recent Housing Needs Assessment of February 2026 records a requirement for additional housing units with care (e.g. Extra Care) between 2025 and 2045.

IV itself has also provided substantial evidence of need for new older persons accommodation within the authority area in support of its various planning applications. A recent example is the Needs Report prepared by Contact Consulting in relation to the Phase 4 permission, which is reproduced as Enclosure 4 to this letter. This report identified a deficit in the supply of Extra Care housing specifically in the locality of Tattenhall and cautioned that, unless substantial additional provision is made, that deficit will increase as the population continues to age.

Notably, while Policy SOC 3 of the Local Plan Part One and Policy DM 26 of Local Plan Part Two do refer to the general need to account for older people in proposals for new housing, neither the adopted nor emerging Local Plans for Cheshire West and Chester allocate any specific sites to deliver specialist accommodation for older persons and/or those in need of Extra Care.

Moreover, the suggested policy approach in the current Regulation 18 draft Issues and Options document will be to resist Extra Care developments in the countryside outside of settlements, further limiting the authority's ability to meet the identified need.

In this context, 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.

Moreover, 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. [Paragraph ID: 41-009-20190509](#) states:

‘Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing need evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.’

The inclusion of some older persons’/ Extra Care accommodation would therefore 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.

As a consequence, IV considers 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, welcomes the opportunity to comment on the Regulation 14 draft Tattenhall & District Modified Neighbourhood Plan. While IV has no objection to the principle of residential development on land to the north of Frog Lane, it has serious concerns about the draft allocation set out in emerging Policy 7(B). 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 the following amendments be made to the draft Neighbourhood Plan:

- In order to avoid the possibility of the allocation prejudicing the delivery of IV’s Phase 4 and other planning permissions:
 - **As the first preference**, change the boundary of the emerging allocation described in Policy 7(B) known as ‘Phase 2: Land to the North of Frog Lane’ to exclude all of the land associated with its Phase 4 planning permission, including both the consented built development; the open land reserved for ecological mitigation; and the landscape planting shown on Figure 2. 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 emerging Policy 7(B) to make it explicit that safeguarding the Phase 4 built development and ecological mitigation elements is a strict policy requirement.
- A reasonable and comprehensive alternative to the current access strategy must be identified.
- In the interests of safeguarding amenity and as noted above, the boundary of the draft allocation should be amended to exclude the retirement village and associated ecological mitigation elements, plus an appropriate buffer area for landscaping and other mitigation.

- 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. Again, this should be expressed as a clear and enforceable policy requirement rather than an aspiration.
- 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.

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.

The Bolesworth Estate

1. *Introduction*

- 1.1. Pegasus Group has been instructed on behalf of their client, The Bolesworth Estate, to submit Representations to the Regulation 14 Pre-submission Version consultation of the Tattenhall Neighbourhood Plan. The consultation ran for a 6-week period between 23rd February to 13th April 2026. These representations are made further to the Estate's previous representations made to the Regulation 14 consultation in March 2025.
- 1.2. At the outset, the Estate wish to express their strong support for Policy 7 (Site Allocations), which proposes to allocate Land to the north and south of Frog Lane for residential led development of up to 600 dwellings. The majority of this land is controlled by the Estate, who can confirm that both phases are deliverable sites (as explained in full detail within these Representations).
- 1.3. The draft site allocations at Land to the north and south of Frog Lane reflect the positive and collaborative discussions and work undertaken jointly by the Estate and the Parish Council to date. Bolesworth, as a long-term steward of their strategic landholdings within and around Tattenhall, have an intrinsic understanding of the key issues facing the village.
- 1.4. Therefore, both the Estate and the Parish Council are on the same page in terms of their desire and commitment to deliver sustainable development which will deliver genuine and holistic long-term benefits to the local community. The proposed site allocations at Frog Lane will deliver this aim.

Report Structure

- 1.5. Following this introductory section, these Representations are structured as follows:
 - **Section 2** outlines the national planning policy requirements in respect of Neighbourhood Plans;
 - **Section 3** contains Deliverability Assessments for Land north and south of Frog Lane, which confirms they are deliverable sites suitable for allocation - in accordance with PPG Guidance;
 - **Section 4** discusses draft Policy 7: Site Allocations and the evidence base underpinning the site selection;
 - **Section 5** discusses draft Policy 8 (Flood Management Land);
 - **Section 6** comments on the Visions & Objectives of the Neighbourhood Plan;
 - **Section 7** comments on Policy 1 (Housing Growth);
 - **Section 8** comments on Policy 2 (Local Character);
 - **Section 9** provides commentary on the other Neighbourhood Plan policies; and

- **Section 10** provides our overall conclusions.

2. *Neighbourhood Plan Requirements*

NPPF (December 2024)

- 2.1. Paragraph 30 of the NPPF sets out how neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.
- 2.2. Footnote 17 states neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.
- 2.3. NPPF paragraph 31 notes that once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.
- 2.4. NPPF paragraph 132 outlines how neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.
- 2.5. In respect of decision making, NPPF paragraph 14 confirms that:

“In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and

b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70).”
- 2.6. NPPF paragraph 70 confirms that where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body.
- 2.7. Further guidance regarding neighbourhood planning is set out within the NPPG. The Parish Council will be very familiar with these requirements, therefore we do not intend to unnecessarily repeat the contents of the NPPG, other than the ‘basic conditions’ tests – against which the Plan Review will be tested by an independent Planning Inspector.

National Planning Practice Guidance

What are the basic conditions that a draft neighbourhood plan or Order must meet if it is to proceed to referendum?

Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:

- a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).*
- b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.*
- c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.*
- d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.*
- e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).*
- f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.*
- g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).*

Paragraph: 065 Reference ID: 41-065-20140306

3. *Deliverability Assessments: Land south and north of Frog Lane*

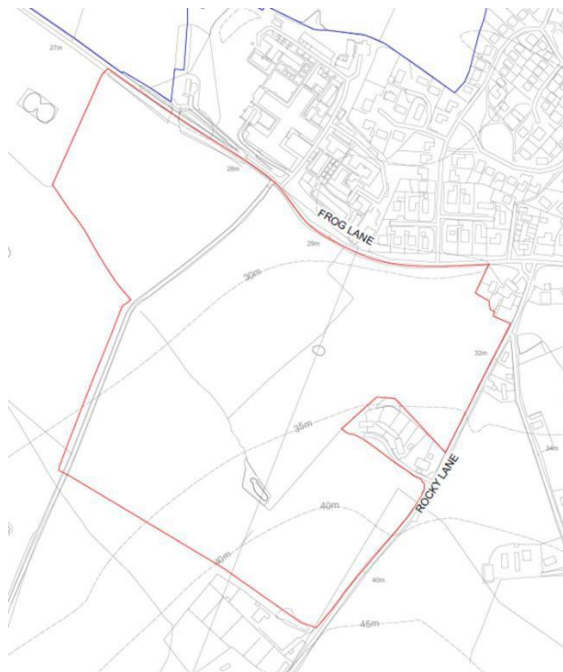
- 3.1. Before discussing the draft policies in the Neighbourhood Plan, including Policy 7 (Site Allocations), at the outset we provide deliverability assessments for land south and north of Frog Lane. This exercise confirms that both sites are deliverable and that the proposed allocations are entirely justified.
- 3.2. Annex 2 of the NPPF defines deliverable sites as follows:

“To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years...”
- 3.3. This is a judgement about the economic viability of a site and the capability of a developer to provide housing within a defined period, taking into account marketing, cost and deliverability factors. Accordingly, we consider the deliverability of the sites in this context with reference to the relevant supporting guidance in the PPG (paras 3-018-20190722 - 3-021-20190722).

Land South of Frog Lane Deliverability Assessment (Phase 1 of Draft Policy 7)

- 3.4. Land south of Frog Lane comprises a 23.24 hectares (ha) parcel of greenfield land, which is currently in pastoral/agricultural use. The site is located to the south of Frog Lane on the southern edge of Tattenhall (see **Figure 1** below) and lies within the existing village gateways.

Figure 1 – Land South of Frog Lane, Tattenhall



- 3.5. As we discuss in further detail throughout this assessment, a live planning application (reference: 26/00486/OUT) is currently pending determination for:

“Outline planning application with all matters reserved (except for principal means of access), for development comprising up to 400 no. dwellings (Use Class C3) and potential new Medical Centre (Use Class E), with associated open space, landscaping, allotments and other associated works including earthworks and drainage”

- 3.6. The Illustrative Masterplan for the development is contained at **Appendix 1**.

Available

- 3.7. Bolesworth Estate is the sole Landowner of the site – and there are no ownership constraints which would prevent or delay the site coming forward for development. A live planning application is pending determination for residential-led development on site, demonstrating that the site is available and is being actively promoted for development.

Suitable

- 3.8. The NPPG (para 3-018-20190722) confirms that a site can be considered suitable if it would provide an appropriate location for development when considered against relevant constraints and their potential to be mitigated, listing the following considerations:

- national policy;
- appropriateness and likely market attractiveness for the type of development proposed;
- contribution to regeneration priority areas; and
- potential impacts including the effect upon landscapes including landscape features, nature and heritage conservation.

3.9. The NPPG requires that the suitability of sites should be guided by the Development Plan, emerging plan and national policy; as well as the market and industry requirements in the housing market area (Ref: 3-018-20190722).

National Policy

3.10. NPPF paragraph 77 states that the supply of large numbers of new homes can often be best achieved through for planning for larger scale development, provided they are well located and designed, and supported by the necessary infrastructure and facilities.

3.11. NPPF paragraph 101 also states that significant weight should also be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development.

3.12. The live planning application at Frog Lane confirms that a medical centre will be delivered either on site or off-site (at an existing premises at Barbour Square). This will be legally secured within a S106 Agreement. The holistic, infrastructure-led approach to development that Bolesworth Estate is advocating therefore fully aligns with national policy. Namely, development of around 600 homes can be delivered across both development phases and be supported by the necessary infrastructure for Tattenhall – therefore in accordance with NPPF paragraph 77 & 101.

Appropriate and Market Attractiveness

3.13. One significant consideration in terms of the appropriateness of a site is its level of locational sustainability and access to services. As explained in full detail in the Planning Statement submitted in support of the planning application on site, the site benefits from a sustainable location directly adjacent to the existing settlement edge of Tattenhall. It is well related to local amenities, with Tattenhall's defined local retail centre located circa 800m from the centre of the site and can be accessed within a 10-minute walk. Here a variety of local services are present, including a SPAR, pubs, pharmacy and post office. Other facilities, including a Pharmacy are located further south on the High Street, and therefore closer to the site. Tattenhall Primary School is also located to the north of the site and within a 10-minute walk.

3.14. In respect of public transport, the nearest bus stops to the site are located near to the Gifford Lea development on Frog Lane. The number 41 bus service operates along this route, running between Chester and Whitchurch. The service operates on an hourly frequency, with an approximate journey time of 33 minutes to Chester Railway Station. The number 41 service provides access to Bishop Heber High School in Malpas, which is the main feeder school for Tattenhall and can be accessed within a 21-minute bus journey. The 41 bus service also provides access to Christleton High School, which is located in Christleton on the outskirts of Chester.

- 3.15. In terms of market attractiveness, Bolesworth's live planning application confirms that it is an attractive market location from a commercial perspective. Early discussions have taken place with potential future housebuilders, who have confirmed strong market interest.

Contribution to Regeneration Priority Areas

- 3.16. Whilst the site is not located within a Regeneration Priority Area, there is a need for additional growth in Tattenhall in order to support its long-term vitality. It is notable that there is a critical shortage in suitable family housing in the village – reflected by the fact that Tattenhall Primary School is under capacity.
- 3.17. NPPF paragraph 83 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. This will clearly be achieved by Land South of Frog Lane, through the delivery of a long-term solution for the constrained Medical Centre as well as other improvements which will be delivered across the two phases.

Potential Impacts (Landscape, Nature and Heritage Impacts)

- 3.18. The site is located entirely within Flood Zone 1 (lowest probability of flood risk). The majority of the site is also at low risk of surface water flood risk. Some localised areas of medium-high water risk are located at the north-western section of the site – where the proposed surface water attenuation basin is located. The Flood Risk & Drainage Strategy Reports submitted in support of the planning application on site confirms that the residential development on site is acceptable from a flood risk and drainage perspective.
- 3.19. No Conservation Areas or Listed Buildings are located within the site boundary – albeit Tattenhall Conservation Area abuts the site to the immediate east, with the Grade II Listed Rose Corner also located to the north-east. The Illustrative Masterplan submitted as part of the live planning application has been sensitively designed to appropriately consider the nearby designated heritage assets. Furthermore, a Heritage Statement has been submitted in support of the live planning application, which concludes that:
- There will be less than substantial harm in NPPF terms to the significance of Tattenhall Conservation Area (TCA). The effect would be limited to the experience of the TCA from the less significant areas of the TCA along Rocky Lane and Edgecroft and has been minimised through design measures. The level of effect would therefore be at the low end of the less than substantial harm category.
 - In respect of the Grade II Listed Rose Corner, there would be a degree of less than substantial harm in NPPF terms to the significance of this listed building, resulting from the suburbanisation of undeveloped fields that contributes to the rural historic context of Rose Corner and the introduction of additional built form into views of the building which contribution to an appreciation of the asset. This would be at the lowest end of the less than substantial harm category due to the mitigation measures comprising the set back of development from the listed building and retention of hedgerows along Frog Lane and Rocky Lane.
 - The significance of the Grade II* Bolesworth Castle and Grade II listed Greenbank would be sustained.

- 3.20. Therefore, heritage does not pose a constraint to residential development on site.
- 3.21. In respect of access, the site can be accessed via Frog Lane to the north. A Highways Consultant has prepared a Transport Assessment in support of the outline planning application on site. This confirms that two priority junctions at Frog Lane can appropriately and suitably serve residential development on site. It is also notable that development in this location minimises additional traffic flows through the High Street. The site is therefore entirely suitable from an access and highways perspective – and we provide more commentary on this matter (particularly in respect of reference to a potential link road) later in these representations.
- 3.22. Finally, in respect of landscape, a Landscape & Visual Impact Assessment (LVIA) is also submitted in support of the outline planning application. The report concludes that:
- There are no international, national or local landscape designations on the Site. Several Tree Preservation Orders (TPOs) are present outside of the Site along Rocky Lane and Edgcroft.
 - The landscape proposals will deliver embedded mitigation, to ensure the preservation of character and managing visual impact. This includes the retention of existing hedgerows and vegetation where possible and proposed landscape screening along Frog Lane and Rocky Lane.
 - Overall, any effect on landscape character would be limited and relatively localised. The proposed development would relate well to its context adjacent to existing residential areas along Frog Lane.
- 3.23. There are therefore no landscape constraints which prevent development coming forward at Land south of Frog Lane.
- 3.24. To conclude, the detailed technical assessments submitted in support of the outline planning application on site confirm that there are no physical or technical constraints preventing development of this site.
- 3.25. Development of the site is therefore suitable in accordance with the NPPF and the NPPG. Its allocation within the Neighbourhood Plan is entirely justified.

Achievable

- 3.26. When preparing the outline planning application on site, Bolesworth has reviewed the economic viability of the development proposals in terms of the attractiveness of the locality, potential market demand as well as the cost factors associated with the site including preparation costs and constraints and consider the site is not constrained from a viability perspective. In doing so, Bolesworth can confirm that this is a suitable location for housing development from a commercial perspective.
- 3.27. Bolesworth can therefore confirm that the development of the site is economically viable in accordance with the NPPF and NPPG.

Deliverability Conclusions

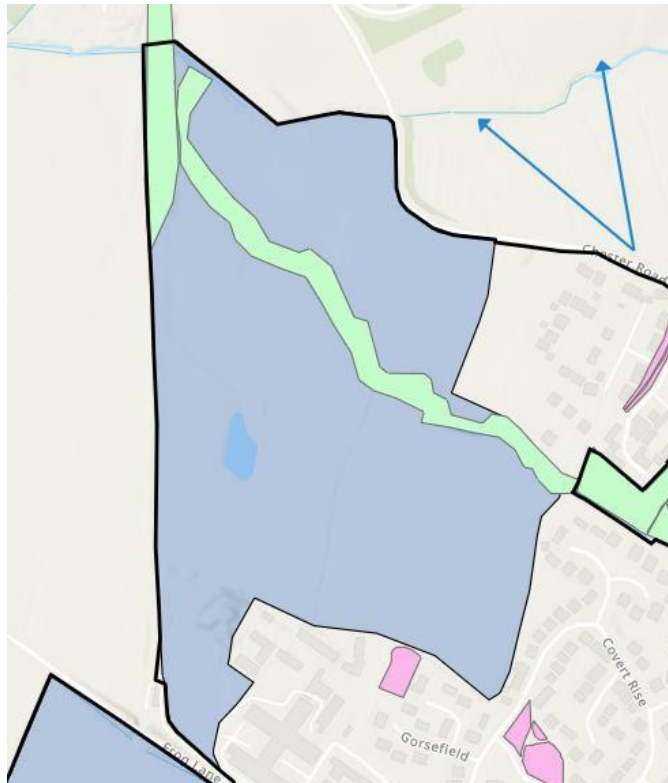
- 3.28. This assessment has confirmed that Land south of Frog Lane (Phase 1 of Site Allocation Policy 7) is available, suitable and achievable in accordance with the latest national guidance. It's proposed

allocation within the emerging Neighbourhood Plan is therefore fully justified.

Land North of Frog Lane Deliverability Assessment (Phase 2 of Draft Policy 7)

- 3.29. Land north of Frog Lane comprises parcels of greenfield land, which are currently in agricultural use. The site is located to the north of Frog Lane and south of Chester Road, on the western edge of Tattenhall (see **Figure 2**).

Figure 2: Extract from Neighbourhood Plan Policies Map – Land North of Frog Lane



- 3.30. The site comprises phase 2 of Site Allocation Policy 7 of the emerging Neighbourhood Plan. We outline below how the site is wholly deliverable – which fully justifies its proposed allocation.

Available

- 3.31. Bolesworth Estate is the majority landowner of the site (see Title Plan contained at **Appendix 2**). Lister Carter own a small parcel of land adjacent to the watercourse and their existing development at Millbrook Meadow.
- 3.32. There are no ownership constraints which would prevent or delay the site coming forward for development. Bolesworth would be happy to engage with Lister Carter on any future masterplanning process for the site. Bolesworth confirm that the site is available – and their intention is to deliver the site for residential-led development at the earliest opportunity.

Suitable

- 3.33. The NPPG (para 3-018-20190722) confirms that a site can be considered suitable if it would provide an appropriate location for development when considered against relevant constraints and their potential to be mitigated, listing the following considerations:

- national policy;
- appropriateness and likely market attractiveness for the type of development proposed;
- contribution to regeneration priority areas; and
- potential impacts including the effect upon landscapes including landscape features, nature and heritage conservation.

3.34. The NPPG requires that the suitability of sites should be guided by the Development Plan, emerging plan and national policy; as well as the market and industry requirements in the housing market area (Ref: 3-018-20190722).

National Policy

3.35. NPPF paragraph 77 states that the supply of large numbers of new homes can often be best achieved through for planning for larger scale development, provided they are well located and designed, and supported by the necessary infrastructure and facilities.

3.36. NPPF paragraph 101 also states that significant weight should also be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development.

3.37. As explained previously, the allocation of both land parcels allows for strategic infrastructure delivery across the two development sites. The holistic, infrastructure-led approach to development that Bolesworth Estate is advocating therefore fully aligns with national policy. Namely, development of around 600 homes can be delivered across both development phases and be supported by the necessary infrastructure for Tattenhall – therefore in accordance with NPPF paragraph 77 & 101.

3.38. Furthermore, draft policy 7 also states that as part of Phase 2 of development (i.e. Land North of Frog Lane), the potential delivery of additional playing pitch land and land for additional village burial ground space will be explored. Noting Bolesworth's strategic land interests, this again demonstrates how the Land North of Frog Lane site represents a suitable allocation which can be supported by necessary infrastructure and deliver other community benefits.

Appropriate and Market Attractiveness

3.39. One significant consideration in terms of the appropriateness of a site is its level of locational sustainability and access to services. The site benefits from a sustainable location directly adjacent to the existing settlement edge of Tattenhall. Notably:

- Tattenhall Primary School is located circa 600m to the east of the site (within a 10-minute walk). The Primary School can be accessed via Chester Road, and a future Masterplan for the site will also explore potential walking route/connection opportunities elsewhere.
- The site is well related to local amenities, with Tattenhall's defined local retail centre located circa 800m from the northern section of the site and can be accessed within a 10-minute walk. Here a variety of local services are present, including a SPAR, pubs, pharmacy

and post office.

3.40. In respect of public transport, the nearest bus stops to the site are located on Frog Lane. The number 41 bus service operates along this route, running between Chester and Whitchurch. The service operates on an hourly frequency, with an approximate journey time of 33 minutes to Chester Railway Station. The number 41 service provides access to Bishop Heber High School in Malpas, which is the main feeder school for Tattenhall and can be accessed within a 21-minute bus journey. The 41 bus service also provides access to Christleton High School, which is located in Christleton on the outskirts of Chester.

3.41. In terms of market attractiveness, Bolesworth confirm that it is an attractive market location from a commercial perspective.

Contribution to Regeneration Priority Areas

3.42. Whilst the site is not located within a Regeneration Priority Area, there is a need for additional growth in Tattenhall in order to support its long-term vitality. It is notable that there is a critical shortage in suitable family housing in the village – reflected by the fact that Tattenhall Primary School is under capacity.

3.43. NPPF paragraph 83 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. This will clearly be achieved by Land North of Frog Lane, through the delivery of potential new playing pitches, as well as a number of benefits across the two development phases.

Potential Impacts (Landscape, Nature and Heritage Impacts)

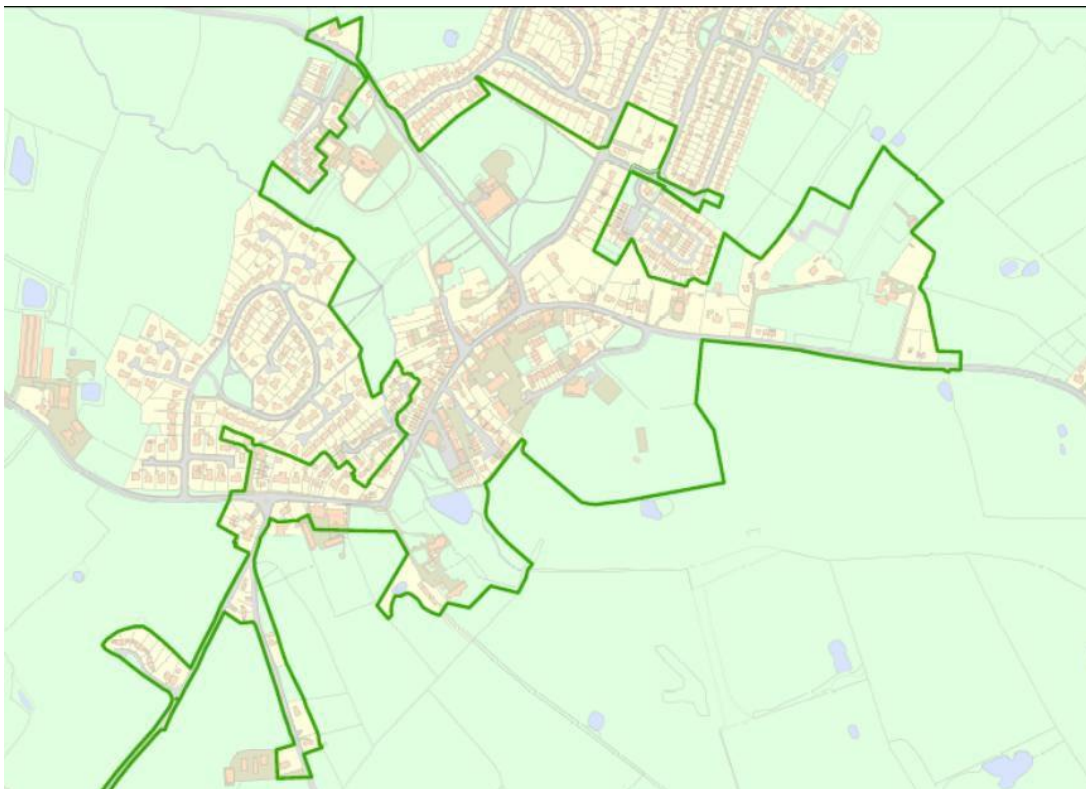
3.44. The majority of the site is located within Flood Zone 1 (lowest probability of flood risk), with some areas of the site located within Flood Zones 2 & 3 – where Mill Brook and Key Brook run through the site. See **Figure 3** below.

Figure 3 – Extract from online flood map for planning



- 3.45. This is not considered to be a constraint to development – as future Masterplanning of the site will ensure that no dwellings are proposed in this location. The flood zone areas on site could be utilised as a multi-functional BNG/blue infrastructure area. Outdoor sports pitches could also potentially be explored here. It is envisaged that the proposed drainage strategy for the site will outfall via Mill Brook, in line with the drainage mitigation hierarchy.
- 3.46. No Conservation Areas or Listed Buildings are located within the site boundary. Tattenhall Conservation Area is located to the east of the site (see **Figure 4** below), to the north of Mill Brook. This will be carefully considered as part of the future Masterplanning of the site and is not considered a constraint to development.

Figure 4: Tattenhall Conservation Area



- 3.47. The site benefits from a road frontage with both Chester Road and Frog Lane, providing a number of options for site access. Bolesworth reserve the right to provide detailed comments on the red line boundary for Phase 2 in this respect- additional technical work will be undertaken on detailed site access points, which will be shared with the Parish Council at the earliest opportunity.
- 3.48. Finally, in respect of landscape, the site is not subject to any statutory landscape designations such as SSSIs, SACs etc.
- 3.49. To conclude, there are no physical or technical constraints preventing development of this site. Bolesworth will be commissioning a technical team of consultants to undertake additional technical reports and surveys for Land north of Frog Lane, which will be shared with the Parish Council at the earliest opportunity.
- 3.50. Development of the site is therefore suitable in accordance with the NPPF and the NPPG. Its allocation within the Neighbourhood Plan is entirely justified.

Achievable

- 3.51. Bolesworth has reviewed the economic viability of residential development on site in terms of the attractiveness of the locality, potential market demand as well as the cost factors associated with the site including preparation costs and constraints and consider the site is not constrained from a viability perspective. In doing so, Bolesworth can confirm that this is a suitable location for housing development from a commercial perspective.
- 3.52. Bolesworth can therefore confirm that the development of the site is economically viable in

accordance with the NPPF and NPPG.

Deliverability Conclusions

- 3.53. This assessment has confirmed that Land north of Frog Lane (Phase 2 of Site Allocation Policy 7) is available, suitable and achievable in accordance with the latest national guidance. It's proposed allocation within the emerging Neighbourhood Plan is therefore fully justified.
- 3.54. Now that the deliverability of both sites/development phases has been demonstrated, we now provide commentary on draft Policy 7 of the emerging Neighbourhood Plan.

4. *Policy 7: Site Allocations & Evidence Base/Site Selection Process*

- 4.1. Bolesworth express their strong support for draft Policy 7, which proposes to allocate Land north and south of Frog Lane for around 600 homes. We provide detailed comments on the draft policy wording below – which are made in the context of the extensive technical work undertaken to date on the planning application at Land south of Frog Lane, as well as having regard to the basic condition tests which must be met in order for a Neighbourhood Plan to be adopted.

Draft Policy Wording

- 4.2. The draft wording of Policy 7 is highlighted in bold – with our comments provided underneath.

The Neighbourhood Plan allocates land to the north and south of Frog Lane, for a phased, high-quality, mixed use, residential led development of up to 600 dwellings, as shown on the Policies Map. Development proposals will be supported, provided they accord with the site-specific requirements set out below and with other relevant policies of the development plan.

A) Phase 1 (Land to the south of Frog Lane) shall comprise a residential scheme of approximately 400 homes and include the following:

- 4.3. This policy wording is supported. We reserve the right to comment on overall dwelling numbers at a later date, noting that the local planning authority has yet to provide a confirmed housing requirement figure for Tattenhall to the Parish Council.
- i) The housing scheme shall comprise a tenure mix to include 30% affordable housing as well as a wide range of property types and sizes including but not limited to, those looking to buy their first home, family homes, rental properties, downsizer homes, bungalows and/or self/custom build plots, subject to site specific considerations.
- 4.4. The Estate support this policy wording – and can confirm that Phase 1 of the development proposals will deliver 30% affordable housing (as confirmed in the draft Heads of Terms submitted under Planning Application 26/00486/OUT). These are also contained at **Appendix 3** for ease of reference.
- 4.5. The Estate also supports the flexible 'subject to site specific considerations' wording, as housing mix matters will be determined at the future Reserved Matters stage.

ii) Any bungalows shall be built to M4(3)(a) wheelchair adaptable standard with all other properties strongly encouraged to M4(2) accessible standard, unless this is demonstrated to be unviable.

- 4.6. There is currently no adopted planning policy in Cheshire West requiring the above. We also note that basic condition a) requires *‘having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).*

Footnote 51 of the NPPF states that:

“Planning policies for housing should make use of the Government’s optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties.”

- 4.7. Therefore, the Estate politely highlights that an evidence base will need to be provided by the Parish Council during the examination process, for this policy wording to be deemed to meet the basic condition tests.

iii) The site shall be accessed from Frog Lane with the layout allowing for a potential secondary access from Rocky Lane to enable direct vehicular and active travel links between Frog Lane and Rocky Lane as appropriate. The access shall be 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.

- 4.8. The illustrative masterplan contained at **Appendix 1** confirms that the site is proposed to be accessed via two new priority junctions on Frog Lane. The Transport Assessment submitted in support of the planning application also contains the detailed site access drawings.

- 4.9. In respect of the layout allowing for a potential secondary access from Rocky Lane, the Masterplan has been designed to carefully consider heritage and landscape matters along Rocky Lane. As the application site is located to the immediate west of Tattenhall Conservation Area – which terminates south of the Righi on Rocky Lane, the Masterplan does not propose a direct connection onto Rocky Lane for heritage reasons. A landscape buffer is also proposed along the eastern site boundary (extract below) – again for heritage and landscape reasons.



Landscape Buffer

- 4.10. Furthermore, as explained by the appointed highways consultant Arcadis (in an email sent to ONH on 30.01.26), secondary access via Rocky Lane is not viable – as it would necessitate significant hedgerow removal and rock outcrop to achieve required visibility distances.
- 4.11. Notwithstanding the above, the Masterplan has been future proofed to allow for a potential connection route – with the site access points designed to this standard. Future Reserved Matters applications will provide full details of the exact internal road layout for the site.
- 4.12. Bolesworth will be discussing the potential need for any bus infrastructure on site with Cheshire West & Chester highways during the determination of the planning application. Progress on this matter will be shared and discussed with the Parish Council as the Neighbourhood Plan progresses.

iv) The creation of any road link from Frog Lane to Rocky Lane shall facilitate the redesignation of Rocky Lane to the north of the development site entrance to “quiet lane” status to limit vehicular movements to access only and enable safe walking and cycling along this stretch of road to access village amenities, subject to agreement and implementation by the Highways Authority.

- 4.13. Bolesworth support the wording ‘subject to agreement and implementation by the Highways Authority’ – noting that the need and scope for any improvement works along Rocky Lane would need to be agreed and adopted by the Highways Authority. Bolesworth also support the flexible wording of ‘any link road’ – with the policy making it clear that this is not a strict requirement. As above, such matters will be led by the Highways Authority.

v) The scheme shall include up to 9.8ha of publicly accessible open space including play areas.

- 4.14. We note that this figure has been taken from the illustrative masterplan – which is in support of an outline planning application. Exact open space provision details will be provided at the future Reserved Matters stage.
- 4.15. Bolesworth are fully cognisant of the importance of delivering high quality open space within new developments and are fully committed to delivering this for these proposals. It is also noted that public open space provision requirements are set within the Cheshire West Development Plan.
- 4.16. In order to better meet the basic condition tests, it is politely suggested that this criterion is reworded as follows:

“The scheme shall provide public accessible open space including play areas, in accordance with the requirements of Local Plan Policy DM35 or any subsequent revisions”

vi) The scheme shall safeguard land on-site for the provision of a new GP surgery (Class E (e)) to be agreed with the local GP surgery and Integrated Care Board. Should the safeguarded land no longer be required within an agreed period, it shall revert to use as public open space to serve the development. Any financial contribution towards the new GP surgery shall be secured via legal agreement.

- 4.17. Having discussed this matter with the Parish Council, Bolesworth are supportive of this wording –

and can confirm that the provision of a site to facilitate a new GP surgery will be secured either on or off-site (see Draft Heads of Terms contained at **Appendix 3**).

vii) The scheme shall also include the off-site provision, in the vicinity of Barbour Square, of a multipurpose “green” car park (Sui Generis) and ancillary community event space, secured by legal agreement with an option to transfer ownership to the Parish Council or nominated community body.

- 4.18. The Estate are currently exploring their land options for this proposal – and will discuss further with the Parish Council as the Neighbourhood Plan and planning application progresses.

viii) The layout and landscape scheme delivers defensible boundaries between the site and the adjacent countryside at its western and southern boundaries to create a definitive settlement edge.

- 4.19. Bolesworth support this wording – and can confirm that this will be achieved as part of the development proposals. The illustrative Landscape Masterplan (contained at **Appendix 4**) confirms that additional woodland screening is proposed along the western and southern site boundaries.

ix) The scheme shall be accompanied by a Heritage Statement which demonstrates compliance with NDMP HE4 (Securing the Conservation and Enhancement of Heritage Assets) relating to the Tattenhall Conservation Area and the Grade II listed building at Rose Corner.

- 4.20. Bolesworth consider that this wording should relate to existing national and local heritage planning policy, in order to meet the basic condition tests. The wording can be future proofed to account for future policy changes – including the National Development Management Policies which are not yet in force. We politely suggest the following altered wording to ensure the basic condition tests are met:

“The scheme shall be accompanied by a Heritage Statement which demonstrates compliance with the relevant heritage policies in the NPPF and Development Plan (or any subsequent revisions), relating to the Tattenhall Conservation Area and the Grade II listed building at Rose Corner.”

- 4.21. Bolesworth can also confirm that the submitted Heritage Statement in support of the planning application concludes that the development proposals are acceptable from a heritage perspective.

x) The scheme shall demonstrate, through a proportionate Transport Assessment and/or Active Travel audit, that residents will be able to safely and conveniently walk and cycle from the site to Tattenhall village centre, and Tattenhall Primary School, using accessible routes that are fit for purpose.

- 4.22. Bolesworth are supportive of this wording.

xi) The development shall enhance the existing public rights of way network by upgrading and extending routes to provide direct access to the disused railway line and creating a new circular walk around the south west of the village linking Frog Lane and Rocky Lane.

- 4.23. Bolesworth will be discussing the above matters with the local highways authority during the

determination of the planning application – and will discuss and share updates with the Parish Council as matters progress.

xii) All mature trees and hedgerows within the site are retained unless their removal is necessary, and the minimum required to facilitate an efficient development layout. The existing tree belt along the boundaries shall be retained and reinforced.

4.24. Bolesworth are supportive of this policy. The only suggested tweak is to add '*where possible*' after the last sentence – as there may be instances where it is neither feasible nor desirable to retain existing tree belts. If removal was to occur, appropriate compensation/additional landscape planting would be delivered. This matter will only be fully understood at the detailed design/Reserved Matters stage.

xiii) The scheme seeks to optimise opportunities to produce and use renewable energy on-site.

4.25. Bolesworth support this wording and can confirm that environmental sustainability is at the heart of their sustainable development ethos.

xiv) The scheme ensures that adjacent watercourse and their catchments are protected and provides an appropriate surface water flood alleviation scheme to serve the development, to the satisfaction of the local planning authority.

4.26. Bolesworth support this wording.

xv) Where the development is assessed by the Local Education Authority as generating additional demand that cannot be accommodated within existing capacity, appropriate mitigation will be required, secured through a planning obligation.

4.27. Bolesworth support this wording – and will be discussing such matters through the determination of the planning application.

B) Phase 2. Land to the north of Frog Lane shall comprise a residential scheme of approximately 200 homes and include the following:

i) The housing scheme shall comprise a tenure mix to include 30% affordable housing as well as a wide range of property types and sizes including but not limited to, those looking to buy their first home, family homes, rental properties, downsizer homes, bungalows and self/custom build plots.

4.28. Please see earlier comment at paragraphs [4.4-4.5](#).

iii) 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 infrastructure should also be installed to allow for public transport opportunities.

4.29. As noted previously, additional technical work on site access points will be prepared and shared with the Parish Council as part of the Neighbourhood Plan process. This may alter the final

allocation site boundary, as previously discussed. On this point, we also highlight that the planning application (Reference: 22/00194/FUL) to extend Gifford Lea Retirement Village was recently granted detailed consent on 6th March 2026. This should be considered when establishing the final site allocation boundary.

4.30. In respect of onward connectivity to Rocky Lane, again the suitability and need for this will be discussed with the highways authority.

iv) The layout and landscape scheme delivers strong defensible boundaries between the site and the adjacent countryside along the length of its western boundary to create a definitive settlement edge and provide connectivity to existing wildlife corridors.

4.31. Bolesworth support this policy wording. In respect of connectivity to existing wildlife corridors, this will be explored as part of future ecological assessments of the site.

v) The scheme shall include the provision of appropriate land to provide additional village burial ground space, to be secured by legal agreement and transferred to the Parish Council.

4.32. The Estate are currently exploring their land options for this proposal – whether it be on this site or within wider Landholdings, and will discuss further with the Parish Council as the Neighbourhood Plan progresses.

vi) The scheme shall also include provision of accessible public open spaces, reflecting local identified need, including allotments and a mix of formal and informal recreation spaces including sufficient land for playing pitches as required, secured by legal agreement with an option to transfer ownership to the Parish Council or a nominated local community body.

4.33. Public open space will be provided in compliance with adopted Development Plan policies. In respect of playing pitches, the Estate are also currently exploring land options for this – and will discuss further with the Parish Council as the Neighbourhood Plan progresses.

vii) The scheme shall demonstrate, through a proportionate Transport Assessment and/or Active Travel audit, that residents will be able to safely and conveniently walk and cycle from the site to Tattenhall village centre, and Tattenhall Primary School, using routes that are fit for purpose.

4.34. Bolesworth are supportive of this wording.

viii) The development shall enhance the existing public rights of way network by:

- i) Upgrading and extending routes to provide future direct access to the disused railway line, and**
- ii) Creating new off-road walking and cycling links between Frog Lane and Chester Road.**

4.35. These matters will need to be discussed with the local public rights of way team. Until further details are advanced, it is suggested that the wording of this policy is slightly tweaked as follows:

“The development will explore potential enhancements to the existing public rights of way

network by exploring....:

x) The scheme ensures that adjacent watercourse and their catchments are protected and provides an appropriate surface water flood alleviation scheme to serve the development, to the satisfaction of the local planning authority.

4.36. Bolesworth support this wording.

ix) The scheme seeks to optimise opportunities to produce and use renewable energy on-site.

4.37. Bolesworth support this wording and can confirm that environmental sustainability is at the heart of their sustainable development ethos.

x) Where the development is assessed by the Local Education Authority as generating additional demand that cannot be accommodated within existing capacity, appropriate mitigation will be required, secured through a planning obligation.

4.38. Bolesworth support this wording.

Site Selection

4.39. Paragraph 3.42 onwards provides supporting text to the policy wording, including explanation of the site selection process.

4.40. Paragraph 3.49 states that site allocation is informed by:

- community engagement undertaken in October–November 2025,
- engagement with Cheshire West and Chester Council officers,
- infrastructure providers and land interests,
- the findings of the draft Strategic Environmental Assessment (SEA)
- National Planning Policy Framework (NPPF, December 2024)
- Planning Practice Guidance (PPG), including Housing and Economic Land Availability Assessment (HELAA) guidance
- Cheshire West and Chester Local Plan (Parts One and Two)
- The emerging Cheshire West and Chester Local Plan Update
- a Settlement Spatial Plan prepared in 2025,

4.41. The draft Environmental Report (dated February 2026) has been prepared by ONH and published as part of this consultation. Paragraph 3.2 of the report notes how reasonable alternatives were considered for policy 7, namely:

“For Policy 7, which allocates sites, the reasonable alternative is to allocate one of the other 3 growth scenarios that has been assessed as part of the site allocation process, or to allocate no sites at all”

- 4.42. Assessment based on growth scenario options, rather than individual sites, is supported and proportionate to the Neighbourhood Plan process – noting the requirements of NPPF paragraph 38 which confirms neighbourhood plans must meet certain basic conditions and other legal requirements before they can come into force. This is therefore a separate process to the examination of Local Plans as set out at NPPF paragraph 36.
- 4.43. It is recommended that as part of the next stage of the consultation process, the locations of the growth scenario options are clearly shown on a map within the SEA, so that this can be clearly followed and understood.
- 4.44. Turning to the growth scenario options assessed, these are summarised in the report as follows:
- Scenario 1: would deliver around 600 homes– which features sites to the west, east and south of Tattenhall.
 - Scenario 2: would deliver approximately 700 homes and labelled ‘a new western half of the village’
 - Scenario 3: higher growth option delivering approximately 1,500 homes.
 - Scenario 4: Hybrid scenario, which was developed following community engagement and dialogue with key stakeholders including the landowner. This scenario represents a combination of the available land within scenario 2 (closest to the existing settlement boundary) and a parcel of land within Scenario 3 which was considered to adhere closest to a combination of community preference, (i.e. near the existing settlement boundary and geographically aligned with Scenario 2) environmental constraints and mitigation opportunities.
- 4.45. Scenario 2 scored the best out of all scenarios in the SEA, however, has ultimately been discounted on the basis it is not available.
- 4.46. Scenario 4 – i.e. the sites ultimately selected under Policy 7:
- Scores comparatively well (and better than scenario 3) in the Land and Resources category.
 - Scores comparatively with all scenarios in the Water category.
 - Scores comparatively with scenarios 1 and 3 in the Cultural Heritage category. It scores worse than scenario 2 on this category.
 - Scores the same (green) with all scenarios on the Biodiversity category.
- 4.47. The above scorings confirm that scenario 4 is supported by the SEA – performing better or comparatively well than the other growth scenarios. Whilst scenario 2 scores best overall, it is not available.
- 4.48. Turning back to the draft Neighbourhood Plan, paragraph 3.64 also states ‘Community

engagement was a material consideration in site selection, consistent with neighbourhood planning principles that the Plan should be community led and subject to referendum. As such, the preferences of residents formed a key part of the process. Engagement took the form of a dedicated public meeting, an all-day drop-in session and a parish-wide survey (with online and paper consultation methods.)

- 4.49. It is clear that the Neighbourhood Plan process has been supported by a SEA and other material considerations to establish the best scenario for growth in the village. This fully supports the sites identified for allocation under Policy 7.

Supporting Text

- 4.50. Turning to other supporting text paragraphs, paragraphs 3.68 – 3.69 state the following:

Due to the proximity of the location of the two sites, separated by Frog Lane, Policy 7 enables development to come forward in phases to ensure that growth is coordinated, infrastructure is delivered in a timely manner, and impacts on the village are properly managed. Phasing allows early delivery of essential infrastructure and community facilities, whilst ensuring that later phases respond to changing needs over the plan period.

*Although separate planning applications may come forward, development is expected to be planned comprehensively, with strong regard to cumulative impacts, shared infrastructure and long-term place-making outcomes. **The policy allows for up to 600 homes across the two sites, with the individual numbers applied to each location being indicative.***

- 4.51. Bolesworth fully support this wording, which reflects the Estate's ambition to deliver long-term and holistic benefits to the village of Tattenhall. They also strongly support the text highlighted in bold above – that the individual numbers applied to each location is indicative. The final dwelling number for each phase will only be known at the Reserved Matters stage for Land south of Frog Lane and as part of a future planning application for Phase 2. Therefore, acknowledgement that the 600 homes will be delivered across the two parcels, and that the numbers in the policy wording are indicative, is supported.
- 4.52. Bolesworth support paragraph 3.77, which confirms that any improvement works to walking routes to make the scheme acceptable shall be secured through a legal agreement, as required by the highways authority. This is consistent with NPPF paragraph 58 and also clarifies that the highways authority will advise on such matters.

5.

Policy 8: Flood Management Land

- 5.1. Draft Policy 8 relates to wider Bolesworth Estate land off Burwardsley Road, to the east of Tattenhall. It covers the area contained at **Appendix 5**.
- 5.2. At the outset, Bolesworth wish to express their strong support for draft Policy 8 – which is reflective of their discussions to date with the Parish Council. The safeguarded flood management proposal is further reflective of the Estate's commitment to deliver a number of strategic benefits to the local community and how the Neighbourhood Plan as drafted is infrastructure led.
- 5.3. In terms of the policy wording itself, Bolesworth do not have any particular comments at this stage – albeit reserve the right to provide more detailed comments at a later stage – as technical work on the potential scheme progresses.

6. *Vision, Objectives and Policies*

6.1. As explained in the proceeding chapters, Bolesworth fully support the Neighbourhood Plan's allocation of land north and south of Frog Lane. In doing so, the objectives of the neighbourhood plan (as set out at paragraph 3.2 of the draft plan and replicated below), can be met as follows*:

1. *Delivery of a housing growth strategy tailored to the needs and context of Tattenhall. **The Estate will closely work with the Parish Council to understand local housing needs – and already have an intrinsic understanding of this through an extensive public consultation process.***
2. *Sensitive, sustainable development of good design which protects and enriches the landscape and built setting. **A Design Code will be prepared for both development phases, to ensure high quality design.***
3. *Sustaining and improving excellent local facilities for existing and new residents. **The proposals will deliver a site to facilitate the delivery of a new GP Surgery for Tattenhall.***
4. *Strengthening and supporting economic activity. **The delivery of much needed family homes, and a new GP Surgery, will support economic activity.***
5. *Seek on-going improvements to transport, to utility infrastructure and to digital connectivity. **The development proposals will deliver improvements in respect of active travel measures.***
6. *Prioritise local distinctiveness in every element of change and growth. **Local distinctiveness will be delivered through a Design Code.***
7. *Protect greenspace, the landscape and support nature conservation. **Development proposals will be delivered in a sensitive manner to protect the existing landscape, whilst also delivering new and high-quality greenspace.***
8. *Involve local people in an ongoing basis in the process of plan-making, monitoring and delivery of development. **Bolesworth remain wholly committed to maintaining ongoing dialogue with the local community.***

*N.B: the objectives of the Neighbourhood Plan are in italic text, with the bold text confirming how the proposed site allocations meet these objectives.

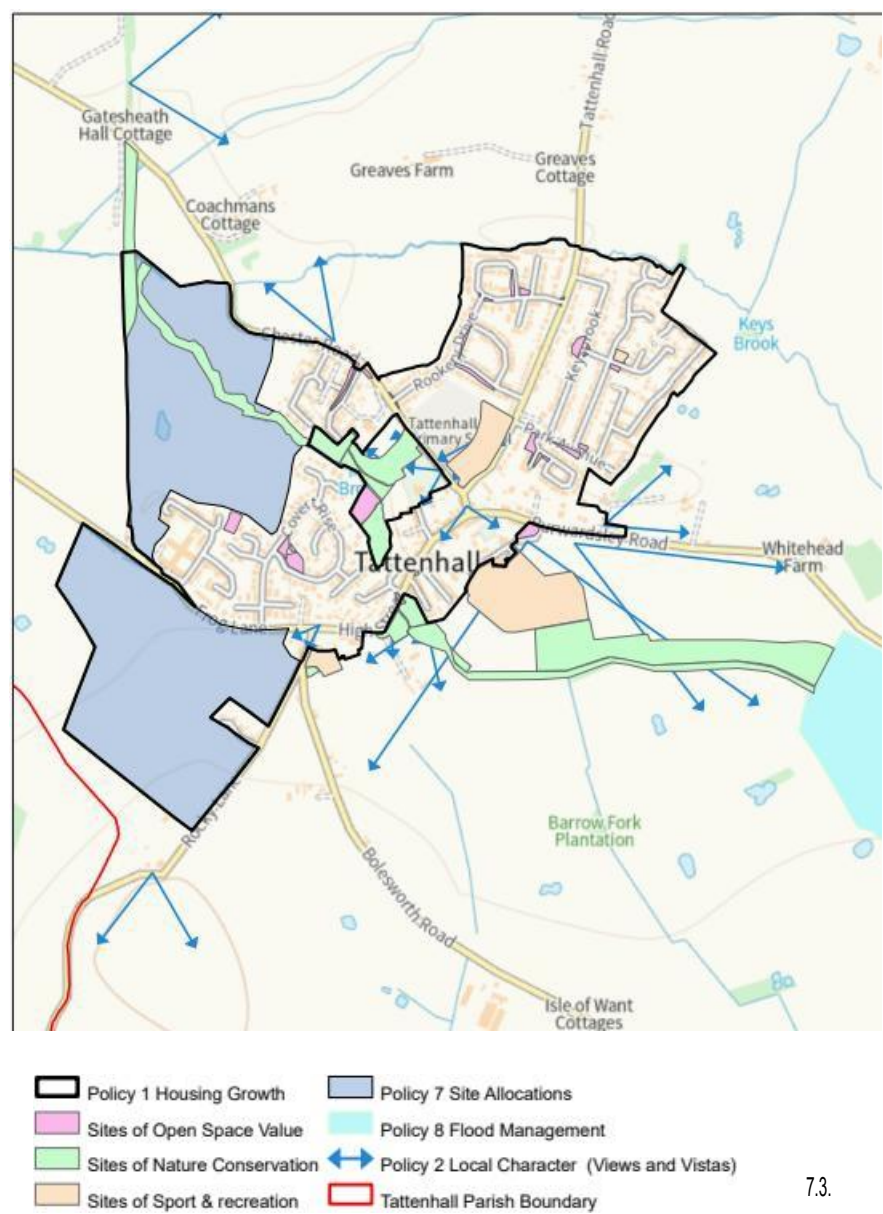
7. *Policy 1 (Housing Growth)*

7.1. Part A of draft policy 1 states:

"The Neighbourhood Plan defines the settlement boundary at Tattenhall, as shown on the Policies Map for the purposes of applying the NPPF National Decision-Making Policy (NDMP) S3 on the presumption in favour of sustainable development."

7.2. Bolesworth fully support the proposal to include land north and south of Frog Lane within the defined settlement boundary, as replicated at Figure 5 below:

Figure 5: Extract of Neighbourhood Plan Proposals Map



- 7.4. We reiterate our earlier comments that the policy should refer to existing national and local planning policies, given the outcome of the recently consulted NPPF (which seeks to introduce national decision making policies) is unknown. To meet the basic condition tests, we suggest the following amended wording:

“The Neighbourhood Plan defines the settlement boundary at Tattenhall, as shown on the Policies Map, for the purposes of applying the NPPF (or any subsequent revisions) presumption in favour of sustainable development.”

- 7.5. Part B of the draft policy states the following:

Housing proposals of 10 or more dwellings should:

- i) Provide a mix of types, tenures and sizes of homes, taking into account objectively identified housing needs (established through the Tattenhall Housing Needs Report December 2023 or subsequent update) and:*
- ii) include the provision of on-site affordable housing in accordance with NDMP HO8. The affordable housing will be subject to a S106 Legal Agreement ensuring that it remains an affordable dwelling for local people in perpetuity.*
- iii) Off-site affordable housing provision or cash payment in lieu shall only be permitted where exceptional circumstances are demonstrated to justify off-site or cash contributions, in accordance with NDMP HO8. Any off-site or cash contributions sought should be used towards the provision of affordable housing in Tattenhall Neighbourhood Plan Area in the first instance, where there is an identified need.*

- 7.6. Bolesworth politely suggest the following alterations are made to this policy in order to meet the Basic Condition tests:

- Remove reference to NDMP HO8 in part i), and replace with ‘*in accordance with adopted Development Plan policy SOC 1 or any subsequent revisions*’.
- Substitute the second sentence of part ii) as follows, noting that the local planning authority lead on affordable housing delivery matters and how it is secured and defined within S106 Agreements ‘*The affordable housing will be subject to a S106 Legal Agreement, and should, where possible, prioritise affordable housing for local people.*’
- Remove reference to NDMP HO8 in part iii), and delete the first sentence in its entirety, noting that this is not a current adopted policy requirement and the recent NPPF consultation changes are not yet in force.

8. *Policy 2 – Local Character*

- 8.1. The Estate is supportive of this policy – which seeks to ensure the delivery of high- quality design which is sensitive to the existing character of Tattenhall. We provide comments below on some (but not all) of the policy criteria.

Part A Criterion 3

- 8.2. Criterion 3 notes that development will be supported where it does not erode the important, predominantly undeveloped gaps between the three settlements of Tattenhall, Newton-by-Tattenhall and Gateheath. Firstly, it is important to note that these three settlements are not specifically designated as settlements within the Development Plan, nor afforded any specific landscape protection to prevent merging. Furthermore, the hugely successful Ice Cream Farm is based in Newton-by-Tattenhall.
- 8.3. It is important that the Neighbourhood Plan strikes an appropriate balance between protecting landscape worthy of protection and helping to support a thriving, rural economy. Criterion 3, as it currently stands, would not support potential future expansion of existing rural businesses in the area/gaps defined. To deliver the appropriate balance, we therefore politely suggest criterion 3 is re-worded as follows:

Development will be supported where it:

“Does not result in unacceptable harm to the landscape character of the settlements of Tattenhall, Newton-by-Tattenhall and Gatesheath.”

Criterion 4

- 8.4. Criterion 4 states that development will be supported where it fully accords with the Tattenhall and District Design Code (2022) or any subsequent version. Firstly, the Estate wish to express their support for the draft Design Code – which will help to deliver the high-quality design that Tattenhall deserves. Indeed, the Estate is uniquely invested in delivering a high -quality design legacy for development proposals brought forward on their land. As already noted, the Estate will prepare site-specific Design Codes for both sites allocated within the Neighbourhood Plan.
- 8.5. We only suggest a minor tweak to the criterion, so it is consistent with the wording of the National Model Design Code (Part 1), which confirms that:
- “Design guides and codes should provide clear parameters within which there is scope for flexible application to allow for innovation”*
- 8.6. Flexibility is important, as there may be site-specific instances where it is not possible (or indeed preferable) to completely accord with the Design Code and other solutions may be appropriate. It is also important to consider that the site specific design codes for the Frog Lane sites may differ to the Tattenhall Design Code – for fully justified design reasons. We therefore suggest the following minor change to criterion 4:
- ~~“Fully accords~~ **Is in broad accordance** with the Tattenhall and District Design Code (2022 2023) or any subsequent version”*
- 8.7. This flexibility is particular important noting the Estate’s commitment to deliver site-specific Design Codes for the proposed allocations.

Part B

- 8.8. Noting our comments above, we recommend part b) of the policy is amended as follows:

"Where development is proposed in excess of 30 homes on any one site, to avoid losing the village character of the area, ~~they should comprise smaller areas with different types of housing setting as set out in the Tattenhall and District Design Code (2022) or subsequent edition.~~ character areas should be proposed on site – having regard to the Tattenhall and District Design Code and any other relevant Design Codes where applicable'

Part D

- 8.9. This states that 'proposals must be designed to retain and protect ancient, veteran and mature native trees, hedgerows, ponds, areas of woodland in accordance with NDMP N6(2)'.
8.10. Ancient and veteran trees are, rightly so, afforded significant protection under NPPF paragraph 193 and we are therefore wholly supportive of this. Policy DM 45 (Trees, woodland and hedgerows) of the Part Two Local Plan also discusses the importance of retaining healthy trees and replacement planting ratio of at least two new trees for each tree lost.
8.11. In respect of existing hedgerows, mature trees, ponds and areas of woodland – not all of these categories are of high quality which merit retention as part of development proposals. Therefore, to allow for site-specific circumstances, we recommend the following amended wording in respect of Part D:
*"proposals must be designed to retain and protect ancient and veteran trees, and **where possible and feasible**, mature trees, hedgerows, ponds and areas of woodland'*
8.12. Reference to Policy NDMPN6(2) should be removed at this stage in order to meet the Basic Condition Tests – given this is not adopted policy.

9. *Other Policies*

Policy 3 – The Local Economy

- 9.1. The Estate is wholly supportive of this Policy, which reflects the NPPF's aim to support a prosperous, rural economy.
9.2. We do, however, consider that the Policy would benefit from further expansion to reflect NPPF paragraph 88, which recognizes the importance of sustainable rural tourism and leisure development, as well as the development and diversion of agricultural and other land-based businesses.
9.3. We therefore suggest that the following wording is added to the policy, to help Tattenhall reach its full potential:

The following types of employment and retail development will be supported:

- 1. The conversion of existing buildings and the small-scale expansion of existing employment premises across the Parish.*
- 2. the development and diversification of agricultural and other land-based rural businesses;*
- 4. sustainable rural tourism and leisure developments which respect the character of the countryside;*

Policy 4 – Local Facilities

- 9.4. The Estate is fully supportive of Policy 4, which seeks to retain and enhance services within Tattenhall. We do not have any detailed comments to make on the policy wording itself at this stage.
- 9.5. It is important to reiterate that the proposed allocations under Policy 7 will accord with this policy – providing a number of benefits to the local community, including a site for a new GP surgery.

Policy 5 – Transport and communication

- 9.6. The Estate do not have any particular comments to make on this policy – which covers a number of matters we have already separately commented on under draft Policy 7 (Site Allocations).

Policy 6 – Landscape and Environment

- 9.7. The Estate do not have any particular comments to make on this policy – with matters on landscape and environment covered under our earlier comments on draft Policy 7.

10. *Conclusions*

- 10.1. The Bolesworth Estate is wholly supportive of the Parish Council's decision to formally allocated land north and south of Frog Lane for housing in the emerging Neighbourhood Plan. In doing so, a number of benefits will be delivered to Tattenhall, beyond just housing.
- 10.2. These Representations confirm that both land parcels (Phases 1 & 2) comprise deliverable sites which justify their allocation. The Estate is actively promoting both sites for development – with a live planning application (26/00486/OUT) at land south of Frog Lane currently before the local planning authority for determination. The development will deliver up to 400 homes and a new site to facilitate the delivery of a new GP Surgery for Tattenhall. These commitments are confirmed in the draft Heads of Terms contained at Appendix 3 of these representations.
- 10.3. In respect of Phase 2 (Land North of Frog Lane), initial due diligence also confirms that this site is wholly deliverable. Additional technical work will be undertaken as the Neighbourhood Plan progresses – and will be shared with the Parish Council in due course.
- 10.4. The Estate also reaffirm their commitment to deliver a potential natural flood management scheme on wider Estate Land, subject to receiving planning consent for development proposals. Draft Policy 8 is therefore also wholly supported.
- 10.5. Where relevant, these representations have suggested amendments to policy wording to ensure that the Basic Condition tests are met and reflective of the significant technical work undertaken to date. Such matters will be tested at the Examination stage of the Neighbourhood Plan, before it proceeds to referendum.
- 10.6. The Estate look forward to continuing their positive working relationship with the local community – and to deliver genuinely sustainable development that Tattenhall deserves.

Historic England

Date: 09 April 2026

Neighbourhood Planning (General) Regulations 2012 Tattenhall Neighbourhood Plan (modified) Reg 14 Consultation

Thank you for consulting Historic England. As the public body that advises on England's historic environment, we are pleased to offer our comments on the modified Tattenhall Neighbourhood Plan.

General Advice on neighbourhood planning & the historic environment

The area contains a number of designated heritage assets such as listed buildings and a conservation area. The plan area is also likely to contain many other features of local historic, architectural or archaeological value. The planning and conservation staff at Cheshire West and Chester Council are best placed to assist with the developing your plan in relation to the historic environment, but we will offer our comments and guidance below.

If you have not already done so, we also recommend that you also speak to the staff at The Cheshire Historic Environment Record who manage the Historic Environment Record (HER, formerly SMR). They should be able to provide up to date details of locally important buildings, archaeological remains and landscapes as well as designated heritage assets.

To ensure that the protection and enhancement of the historic environment is fully embedded within Tattenhall Neighbourhood Plan, we recommend that you refer to our advice on neighbourhood planning, and particular our [Neighbourhood Planning and the Historic Environment Advice Note](#) (HEAN11) and the 4 accompanying information sheets, which are available on our website here: historicengland.org.uk/advice/planning/improve-your-neighbourhood/ This should be the first port of call for advice on heritage in neighbourhood plans.

Historic England also publish other [guidance and advice notes](#) that you may find helpful, including:

- [The Historic Environment & Site Allocation in Local Plans](#) (HEAN3) which is also applicable to neighbourhood plans where the plan proposes allocating sites for development
- [Conservation Area Appraisal, Designation & Management](#) (HEAN1)
- [Local Heritage Listing](#) (HEAN7)
- [Making Changes to Heritage Assets](#) (HEAN2)
- [Setting & Views](#) (GPA3)
- [Sustainability Appraisal and Strategic Environmental Assessment Advice Note](#) (HEAN8)

The National Planning Policy Framework (NPPF) indicates that plans should set out a positive strategy for the conservation and enjoyment of the historic environment (para 203) and can include detailed policies on conserving and enhancing the historic environment and establishing design principles (para 29).

It is important that your plan identifies heritage assets in the area and includes a positive strategy to safeguard those elements that contribute to their significance. This will ensure that they can be

appropriately conserved and enjoyed now and in the future. The plan might, for example, address the following:

- How the plan's objectives can be achieved by maximising the wider social, cultural, economic and environmental benefits of the area's heritage, e.g. regeneration, tourism, learning, leisure, wellbeing and enjoyment.
- Locating new development to protect the significance of heritage assets and their settings.
- Give detail on the expected layout, scale, density, massing, height, landscape, materials and access of new development.
- Offer solutions to heritage assets that are at risk from their condition or vacancy; or are vulnerable to becoming so during the life of the plan. The national register of Heritage at Risk does not ordinarily cover Grade II listed buildings or non-designated heritage assets, so your plan could usefully consider whether any are at risk.
- Consider how the significance of heritage assets can be enhanced.

As well as designated heritage assets, your plan presents an opportunity to include a positive strategy for local heritage assets (these may include buildings, monuments, sites, places, areas, landscapes or views that are important to the local community for their heritage value and can be identified through the plan process). Government's National Planning Practice Guidance (PPG) is clear that neighbourhood plans need to include enough information about local heritage to guide local authority planning decisions and to put broader strategic heritage policies from the local authority's local plan into action but at a neighbourhood scale.

The strategy and policies in your plan should be based on proportionate, robust evidence. For heritage, this might include a characterisation study, historic area assessment, conservation area appraisal or archaeological appraisal, for example. Rather than just the presence or absence of heritage assets, evidence should focus on what makes them significant and, where relevant, vulnerable.

In terms of the plan's policies, rather than re-writing higher-level policy, we suggest that neighbourhood plan policies add local depth to their application. For example, setting out specific themes, characteristics or features to be protected, or what measures would be acceptable to mitigate the impact of development that higher-level policy might allow. Policies can set out good design principles, local characteristics and appropriate materials to which new development will be required to respond. Paragraph 132 of the NPPF supports this, saying that neighbourhood planning groups can play an important role in identifying the special qualities of the area and explain how this should be reflected in development.

Where site allocations are proposed, we recommend that a plan is supported by an assessment that follows the 'site selection methodology' set out in [HEAN3](#). This will help ensure that heritage considerations are fully integrated into your site selection methodology; and that the historic environment plays a positive role in allocating sites for development.

We also recommend that you familiarise yourself with the terminology of historic environment planning (such as "historic environment", "conservation", "significance", "heritage asset", and "setting") by referring to the glossary in the NPPF; and ensure that your plan maintains consistency with the terminology used in the NPPF. We also suggest copying these and other terms across to your plan's own glossary.

Specific comments on the plan's policies

Given the number of designated heritage assets present within the plan area and the allocation of land to the south and north of Frog Lane for the development of circa 600 houses, we also have some specific comments in relation to the plan's policies.

Heritage Policy

The Plan area includes a number of heritage assets, however, the neighbourhood plan does not currently include a separate heritage policy. NPPF paragraph 29 notes that 'non-strategic policies should be used by communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include...conserving and enhancing the ... historic environment.' This should be supported by appropriate evidence. We recommend that you consult this document [Historic environment - GOV.UK](#) which discusses such topics as appropriate evidence base for plan-making and how heritage issues can be addressed in neighbourhood plans.

Policy 7 – Site Allocations

In Policy 7, the Neighbourhood Plan allocates land for a phased development to the south and north of Frog Lane. The inclusion of these sites in the neighbourhood plan does not appear to be accompanied by sufficient evidence to demonstrate that the sites can be developed without harm to the historic environment, which includes both the conservation area and other heritage assets and their settings.

NPPF (paragraph 208) states that the particular significance of any heritage asset affected by a proposal - in this case, proposed site allocations - should be identified and assessed, taking account of available evidence and necessary expertise. The impact of the proposal on that significance should be considered, aiming to avoid or minimise any conflict between the asset's conservation and the proposal. It is important that sites are assessed and mitigated through a Heritage Impact Assessment.

To address our concerns and ensure that heritage is fully taken into account given that the proposed plan includes site allocations, we recommend that you review Historic England's advice note [HEAN3](#) and make sure that the plan is accompanied by an assessment that aligns with the 'site selection methodology' outlined in this document.

Strategic Environmental Assessment (SEA)

We note your inclusion of cultural heritage in the SEA, and support this decision. However, we have concerns regarding your assessment in relation to the historic environment. We would encourage you to digest our advice note on SEA - [HEAN 8](#) – to ensure that you take the historic environment fully into account, especially in relation to the proposed site allocations.

Specifically, we draw your attention to Stage 3, then Stages 4 & 5, and particularly, paragraphs 4.1 and 4.2. To address our concerns, we recommend that you revise your SEA in accordance with this advice note.

Finally, and to avoid any doubt, this guidance does not reflect our obligation to provide further advice on, or potentially object to specific proposals which may subsequently arise as a result of the proposed neighbourhood plan, where we consider these would have an adverse effect on the historic environment.

Thank you for providing Historic England with the opportunity to comment.

Mersey Forest

Response to the Tattenhall Neighbourhood Plan

The Mersey Forest Team welcomes the opportunity to comment on the Tattenhall Neighbourhood Plan. We also previously submitted a response to a consultation on this Neighbourhood Plan in April 2025. Our feedback is within the context of The Mersey Forest Plan (<https://merseyforest.org.uk/our-plan/>) and the Tree Atlas, its associated online mapping tool (<https://merseyforest.org.uk/tree-atlas/>).

The Mersey Forest is Cheshire and Merseyside's Community Forest, established in the early 1990s. We work with trees for the benefit of people, nature, and climate. For the past 30 years, we have been growing the network of well looked after trees and woods, as well as other habitats, and encouraging people to get involved. As a result, more than 10 million new trees have been established, or 4 trees for every person living here. We work with lots of people and organisations to make this happen – partners, landowners, managers, and farmers, and local communities, businesses and schools. Together, we are bringing change for the benefit of all. We are one of England's 15 Community Forests and part of the Northern Forest initiative.

The Mersey Forest Plan is the long-term and strategic guide to the work of The Mersey Forest team and partners, extending to 2050 and beyond. It has recently been refreshed with input from all local authority partners. Cheshire West and Chester Council is a core Partner in The Mersey Forest.

Under paragraph 152 of the [National Planning Policy Framework](#): "Community Forests offer valuable opportunities for improving the environment around towns and cities, by upgrading the landscape and providing for recreation and wildlife... An approved Community Forest Plan may be a material consideration in preparing development plans and in deciding planning applications. Any development proposals within... Community Forests in the Green Belt should be subject to the normal policies for controlling development in Green Belts".

The Mersey Forest Plan can contribute to neighbourhood planning, setting out and supporting local priorities and aspirations.

Key point for this neighbourhood plan: We would welcome the strengthening of connections between this Neighbourhood Plan and The Mersey Forest Plan, so that any development coming forward in the area also helps to deliver key aspects of The Mersey Forest, bringing benefits for people, nature, and climate.

The Mersey Forest Plan vision

"More with Trees

Acting together to grow and care for trees and woods, as part of a thriving mosaic of habitats in and around Cheshire and Merseyside's cities, towns and villages.

Intertwining cherished trees with people's lives and livelihoods, flourishing nature, and strengthened climate resilience.

Inspiring action and spreading hope for our future."

Key point for this neighbourhood plan: We would welcome reference to The Mersey Forest Plan in the Tattenhall Neighbourhood Plan.

The Plan also contains a number of key principles that are of relevance to this neighbourhood plan (there will be other relevant principles too):

The Mersey Forest Plan principle 4. Establish trees, woods, and other habitats

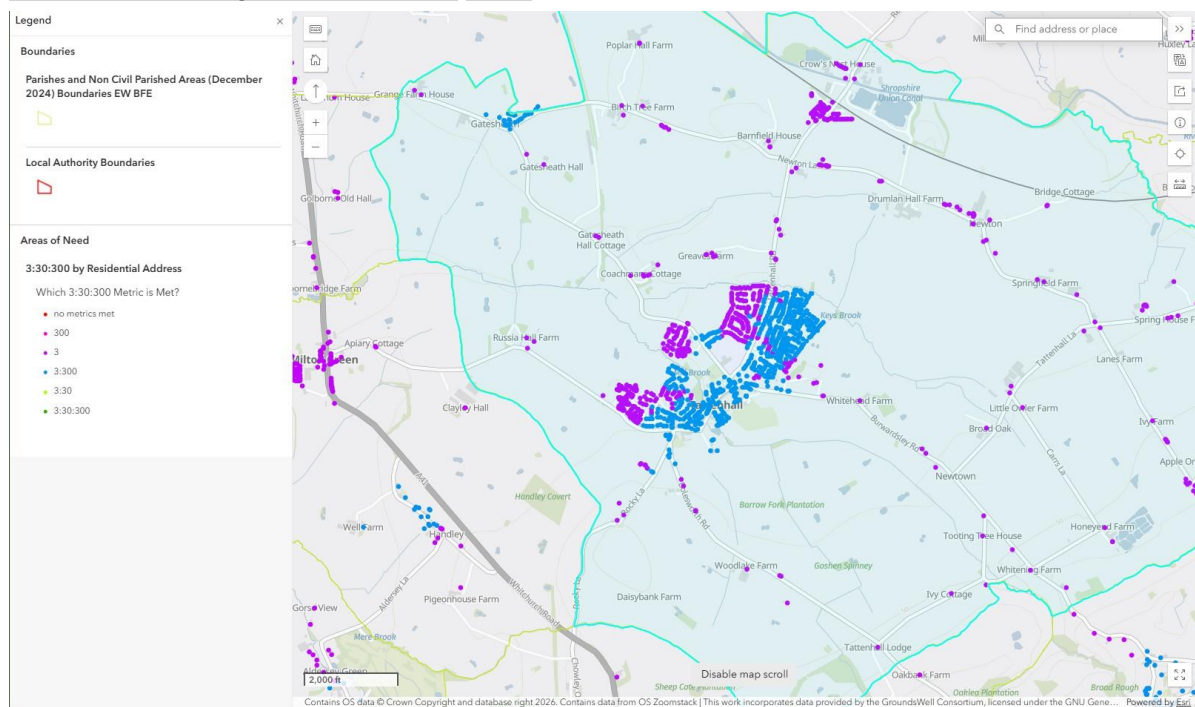
4.1 Aim to reach 15% tree cover across Cheshire and Merseyside by 2050 (from a 2025 baseline of 13.7%), pushing beyond this if possible towards our long-term ambition of 30% tree cover. Our “[Where principles](#)” map how this longer-term 30% tree cover ambition might look across The Mersey Forest (see principle 16 below).

Key point for this neighbourhood plan: The neighbourhood plan currently sets out no ambition to increase tree cover, focusing on protecting greenspace. Increasing tree cover is vital in so many ways, bringing benefits for people’s lives and livelihoods, nature, and climate. We think that this plan should set out clear ambitions to increase tree cover, which would contribute to the delivery of the wider ambitions set out in The Mersey Forest Plan.

4.2 Aspire to meet the 3+30+300 ambition, within our urban areas in particular. Where every home can see 3 trees, every neighbourhood has 30% tree cover, and everyone lives within 300m of an accessible green space with trees. Individual local authorities have their own adopted accessible greenspace standards, so this aspiration does not override these. Tree cover ambitions also vary across our area.

Key point for this neighbourhood plan: We would encourage the neighbourhood plan to aspire to this 3:30:300 ambition. Often plans focus on the 300 part, considering proximity of green spaces. But research has demonstrated how vital the 3 and 30 aspects are for our wellbeing (recent research as part of the GroundsWell project by the University of Liverpool), regulating heat (and thereby heat stress, very important with climate change), air pollution removal etc.

Our Tree Atlas (<https://merseyforest.org.uk/tree-atlas/>) includes a 3:30:300 map layer showing that no residential addresses in the Neighbourhood Plan area currently achieve all three elements of 3:30:300. Some meet only the 3 element, some meet 3 & 300, and no addresses currently meets the 30 element. Tree planting could be targeted to improve on these metrics. Please see screenshot below of this layer for part of the Neighbourhood Plan area.



The Mersey Forest Plan principle 7. The Mersey Forest team and partners

7.3 Work with a wide range of public, private, research, charitable, and community organisations, from local to national and international levels, and from delivery, to knowledge, strategy, and funding.

The Mersey Forest Plan principle 8. Communities

8.1 Work alongside people to help them achieve what is needed in their local communities.

Key point for this neighbourhood plan: We would welcome the opportunity to work with you on this to ensure support for The Mersey Forest Plan and to enable delivery. Our Tree Atlas, detailed in principle 16 below, can be used to help prioritise where increased tree cover may be most needed within the local area.

The Mersey Forest Plan principle 12. Strategy and policy

12.4 Contribute to neighbourhood planning, setting out and supporting local priorities and aspirations.

Key points for this neighbourhood plan: We see neighbourhood plans as a key opportunity to set out local aspiration with regard to the establishment and management of trees, woods, and other habitats. Regard to The Mersey Forest Plan and associated Tree Atlas can help to frame and provide context for some of these aspirations.

12.3 Contribute to place making, new development, regeneration and restructuring, by securing recognition to it within Local Plans.

- Paragraph 152 of the National Planning Policy Framework says “Community Forests offer valuable opportunities for improving the environment around towns and cities, by upgrading the landscape and providing for recreation and wildlife... An approved Community Forest Plan may be a material consideration in preparing development plans and in deciding planning applications. Any development proposals within... Community Forests in the Green Belt should be subject to the normal policies for controlling development in Green Belts”.
- Trees and woods should create the setting for, and be a key part of, new development, regeneration and restructuring.
- Existing irreplaceable and mature trees should be retained wherever possible, and appropriate replacement ratios developed for any trees lost.
- Trees should be incorporated as an effective and safe part of new street scenes and highways.
- Secure private sector conditional funding for this green infrastructure and its maintenance (principle 13.2 specifies that this includes funding secured through the planning system, such as section 106 agreements, Community Infrastructure Levies, and Biodiversity Net Gain).

Key point for this neighbourhood plan: Support for The Mersey Forest Plan in the neighbourhood plan can help to unlock funding through planning for delivery. The Mersey Forest Team can assist with advising on tree planting scheme designs and delivery. The Mersey Forest has a number of delivery programmes to facilitate tree planting and habitat establishment, such as Trees for Climate and Northern Forest. The Forest can also support delivery through Section 106 agreements or Community Infrastructure Levies where it can be shown that our funds provide additionality in terms of the delivery of The Mersey Forest Plan. This can support Tattenhall’s objective to “protect greenspace, the landscape and support nature conservation”.

The Mersey Forest Plan principle 16. Right tree, right place, right reason – area-specific principles

16.1 Use the area-specific principles, and their associated long term tree cover ambitions, to guide what our longer-term 30% tree cover ambition might look like across our area. They are not binding targets for each area, but they do help to guide our work. These area-specific principles are displayed in the map (at <https://merseyforest.org.uk/our-plan/principles-where/>), in our [Tree Atlas](#), and in a downloadable pdf. They:

- Use landscape character as their basis.
- Build on work from the original 1994 Mersey Forest Plan and subsequent development with our local authority partners.
- Take into account constraints to new trees and woodland, such as peatland, other habitats, high quality agricultural land, and urban areas.

This Neighbourhood Plan falls within the area specific principles CW01 settlement area and CW15 Cheshire Plain West, although both of these principles cover areas larger than Tattenhall Neighbourhood Plan. These principles can be used to help guide tree establishment in specific areas. Both of these principles have a long term tree cover ambition of 30% associated with them, tying in with the 30 aspect of 3:30:300. CW01 has a current tree cover of 12%, of which woodlands is 3% and Trees Outside of Woodlands is 10%. CW15 has a current tree cover of 8%, of which woodlands is 2% and Trees Outside of Woodlands is 6%.

The principle description for CW01 settlement area is “Plant individual trees, groups of trees and small woodlands on appropriate and available urban areas, settlements and employment sites, such as school playing fields, open spaces, streets, highway verges, in the grounds of large institutions, derelict land, and development sites, including buffering their edges and the surrounding landscape. Target planting to meet identified needs”.

The principle description for CW15 Cheshire Plain area is “Manage small woodlands and coverts to ensure a diverse structure and ground flora. Establish pockets of trees and small woodland blocks in field corners, which are declining features. Soften built edges with small scale native broadleaved planting, and to provide a recreation resource near to settlements. Screen major highways and views towards Stanlow. Maintain hedges and plant hedgerow trees and orchards. Better integrate golf courses through maintenance of hedgerow field boundaries and existing woodland rather than establishing ornamental species. Ensure land use respects traditional field patterns”.

Key point for this neighbourhood plan: It would be welcome if the neighbourhood plan aspired to the tree cover ambitions set out for CW01 and CW15, and identified local areas where tree planting may be most appropriate/desirable. Please see below points about constraints for tree planting, and areas where trees may be most needed.

16.2 Consider constraints for trees and woodland, as part of any tree and woodland establishment and management.

- Constraints have been built into our area-specific principles, and their associated long term tree cover ambitions.
 - Further to this our team considers a full range of constraints for each potential establishment or management site. Some of these constraints are included in our Tree Atlas, but we consider a wider range including location of utilities, and using data that we are not licensed to display on the Tree Atlas.
 - In some instances, a constraint will mean that trees and woodlands are not appropriate at a given location. In many, the constraint will influence the nature of the trees and woodlands that are appropriate.
-

Key point for this neighbourhood plan: Please refer to the [Tree Atlas](#) for constraints for the neighbourhood area. Much of the area is mapped by the Forestry Commission as “low sensitivity to woodland creation”, which could be explored further for woodland establishment as they have fewer immediate constraints. Much of the area is grade 3 agricultural land, with a small area of grade 2.

The recent [Land Use Framework for England](#) includes updates to the mapping of agricultural land grades (see page 39). This mapping has not yet been released, but looking at the static map it appears that much of the land mapped as grade 3 in the previous “provisional” map included in the Tree Atlas might be classed as grade 3a now, putting it in the “Best and Most Versatile” land category for agricultural production. We will update the Tree Atlas when this new mapping is made available. On the “Best and Most Versatile” agricultural land, it might be better to avoid significant woodland creation in favour of agricultural production. It is still possible to incorporate trees onto productive farmland, in boundaries and through agroforestry.

16.3 Consider what needs there are for trees and woodland, as part of any establishment and management.

- This can inform the nature of trees and woodland, and their management, as appropriate for each location.
- Some needs mapping has been included in our Tree Atlas, but it is not an exhaustive list.

Key points for this neighbourhood plan: Please refer to the [Tree Atlas](#) for needs mapping for the neighbourhood area. These include:

- Please see previous comment on principle 4 with regard to 3:30:300 mapping, showcasing where more tree planting could help to improve these metrics.
- Much of the Neighbourhood Plan area is prioritised by the Environment Agency (EA) as a catchment that is highly suitable for using Natural Flood Management (NFM) interventions. Further to this EA NFM priority map, The Mersey Forest has mapped our highest priority catchments within our area to protect existing communities at risk of flooding. EA has approved this for display in our Tree Atlas, but we are awaiting the license in order to do this. This highlights that areas within the Neighbourhood Plan area are of the highest priority for us for NFM interventions, to help resolve flooding at Old Mill Place and Keys Brook. In addition to tree planting, The Mersey Forest, in partnership with EA and Bolesworth Estate, has already installed a series of NFM interventions along Mill Brook which provide flood mitigation benefits to properties at risk of flooding at Old Mill Place. We welcome the inclusion of this in the Neighbourhood Plan (in 3.85), but would also welcome the mention of The Mersey Forest in connection with this. We hope to expand the number of NFM interventions in the catchments upstream of Tattenhall in future to further reduce flood risk and benefit the community. The Mersey Forest is in the unique position of having in-house technical expertise on appraisal, design, project management of delivery and monitoring of NFM schemes through our NFM Manager, and we would welcome the opportunity to work with new and existing partners to further reduce flood risk, improve water quality and enhance water resources in the area.
- The area is flagged as being exposed to increased heat with climate change, though not in the top 20% of socially vulnerable neighbourhoods. It may still be appropriate to target tree planting to areas where you will want to manage higher temperatures, with trees providing cooling through evapotranspiration and shading. This especially important in settlements and places where people will gather, including school grounds. But also in farmland to provide shade for livestock, and next to rivers and watercourses to keep water temperatures lower and benefit aquatic wildlife.
- Other priorities for tree planting, not currently in the Tree Atlas include:
 - Proximity to schools
 - In areas with poorer air quality, water quality, or in need of noise regulation.

- Local Nature Recovery Strategy (LNRS) mapping <https://experience.arcgis.com/experience/5356942a5aa54cb0a656379a65a25947/>. This mapping shows Core Nature Sites within the neighbourhood plan area, as well as opportunity areas for nature recovery. This includes significant mapped actions for trees, woodland and hedgerows. Buffering and connecting existing trees and woods should be a consideration. The LNRS mapping also maps actions for other habitats: grassland and heathland, watercourses, and for urban and nature based solutions. These should also be taken into consideration in the Neighbourhood Plan.

The Mersey Forest Plan principle 20. Call for locations

20.1 Encourage people to use our Tree Atlas to suggest locations where they would like to see more trees and woods.

20.2 Follow up on suggested locations to see if there is potential to establish trees and woods there or nearby and, if possible, work with the people who suggested it to make it happen.

Key points for this neighbourhood plan: Our Tree Atlas includes locations where people would like to see more trees established. Whilst there are currently no locations included in the Neighbourhood Plan area, there is potential for the Neighbourhood Plan group to add other locations to this map.

Many thanks again for the opportunity to comment on the draft Neighbourhood Plan. If you have any queries, please do not hesitate to contact me.

Cheshire and Merseyside Integrated Care Board

8th April 2026

RE: Consultation on the Tattenhall and District Modified Neighbourhood Plan Pre-Submission Version (Regulation 14)

Thank you for the opportunity to comment on the above document. The following representations are submitted by NHS Property Services (NHSPS) on behalf of Cheshire and Merseyside Integrated Care Board (ICB).

Background

Cheshire and Merseyside ICB commissions (plans, designs and purchases) many of the health services that local people use, including medicines, hospital care, urgent and emergency services, mental health care, GP services, Community Pharmacy, dentistry and general ophthalmology (eye care services) and many community services.

NHSPS is part of the NHS and is wholly owned by the Department of Health and Social Care (DHSC). NHSPS manages, maintains and improves NHS properties and facilities, working in partnership with NHS organisations to create safe, efficient, sustainable and modern healthcare environments. We partner with local NHS Integrated Care Boards (ICBs) and wider NHS organisations to help them plan and manage their estates to unlock greater value and ensure every patient can get the care they need in the right place and space for them.

Developments often have very significant impacts in terms of the need for additional healthcare provision for future residents, meaning that a planning obligation requiring that the development contributes to or delivers a new healthcare facility is often necessary.

Policy 4 Local Facilities

We support the inclusion of Policy 4 Local Facilities, which requires developments to identify their likely impact on local infrastructure, services and facilities and demonstrate how impacts will be addressed.

The delivery of new and improved healthcare infrastructure is significantly resource intensive. The NHS as a whole is facing significant constraints in terms of the funding needed to deliver healthcare

services, and population growth from new housing development adds further pressure to the system. New development should make a proportionate contribution to funding the healthcare needs arising from new development. Health provision is an integral component of sustainable development – access to essential healthcare services promotes good health outcomes and supports the overall social and economic wellbeing of an area.

Residential developments often have very significant impacts in terms of the need for additional primary and community healthcare provision for future residents. Given health and care infrastructure's strategic importance to supporting housing growth and sustainable development, it should be considered at the forefront of the priorities for infrastructure delivery. The ability to continually review the quality and utilisation of healthcare, and wider public estate, optimise land use, and deliver health services from modern fit for the future facilities is crucial. Infrastructure including access to digital solutions must be supported to develop, modernise, or be protected in line with integrated NHS strategies. Planning policies should enable the delivery of essential health and care infrastructure.

Policy 7 Site Allocations: Land to the North and South of Frog Lane

We acknowledge inclusion of the above site for a mixed allocation for the delivery of 600 dwellings split across two phases. We note that the Policy refers to the following at part vi):

“The scheme shall safeguard land on-site for the provision of a new GP surgery (Class E (e)) to be agreed with the local GP surgery and Integrated Care Board. Should the safeguarded land no longer be required within an agreed period, it shall revert to use as public open space to serve the development. Any financial contribution towards the new GP surgery shall be secured via legal agreement.”

We are pleased to see that the need for healthcare infrastructure is addressed in the Policy and at paragraph 3.72 relating to site specific requirements. In addition, we welcome inclusion of the reference of the need to work in conjunction with NHS Cheshire and Merseyside ICB.

It is worth noting that whilst the ICB's preferred mitigation is for either an on or off-site new healthcare facility, the Neighbourhood Plan and any S106 agreement should also enable the provision of financial contributions towards improvements at existing practices in the scenario whereby a new build facility is not possible.

Please see recommended amendments outlined below for clarity. Notwithstanding this, the ICB look forward to close working on this matter and as planning applications are considered.

Proposed amendment at part vi):

The scheme shall safeguard land on-site for the provision of a new GP surgery (Class E (e)) to be agreed with the local GP surgery and Integrated Care Board. Should the safeguarded land no longer be required within an agreed period, it shall revert to use as public open space to serve the development. Any financial contribution towards a new GP surgery (on or off-site) or financial contributions towards existing practices shall be secured via legal agreement.

Proposed amendment at paragraph 3.72:

3.72 The site-specific requirements seek to ensure that development is supported by appropriate physical and social infrastructure to benefit the community. This includes:...

- *provision for healthcare facilities, which could include a new healthcare facility (on or off site) or contributions towards existing practices.*

Conclusion

Cheshire and Merseyside ICB and NHSPS thank the Council for the opportunity to comment on the Regulation 14 consultation. Should you have any queries or require any further information, please don't hesitate to contact us. NHSPS would be grateful to be kept informed of the progression of the Neighbourhood Plan via our dedicated email address, town.planning@property.nhs.uk.

Lexwood Developments

REGULATION 14 REPRESENTATIONS

Tattenhall & District Neighbourhood Plan Review

Executive Summary

Lexwood Developments supports the preparation of an updated Tattenhall & District Neighbourhood Plan (TNP) in principle. However, in its current form, the draft Plan raises significant concerns regarding its ability to meet the Basic Conditions and deliver sustainable development across the Local Plan period.

The draft Plan is fundamentally flawed due to its over-reliance on a single strategic allocation to deliver the entirety of housing growth. This approach introduces significant delivery risk and fails to provide flexibility, contrary to national planning policy.

A realistic delivery trajectory demonstrates that no housing is likely to be delivered from the strategic site for approximately 3–4 years, resulting in an early shortfall of approximately 100–140 dwellings. There is also a clear identified risk of under-delivery in the later stages of the Plan period.

The Plan fails to include any contingency framework or alternative site provision. There are no reserve sites, no criteria-based policies, and no mechanism to respond to under-delivery. This lack of flexibility is inconsistent with the National Planning Policy Framework (NPPF), which requires plans to respond to changing circumstances.

The Plan also fails to provide a policy framework for small and medium-sized sites. This is a direct conflict with NPPF paragraph 73, which requires at least 10% of housing supply to be delivered on sites of less than one hectare. The absence of such provision significantly weakens the Plan's ability to deliver housing, particularly in the early years.

In addition, the housing evidence base underpinning the Plan is not robust. The draft Housing Needs Report is outdated and methodologically flawed.

To address these issues, the Plan must be modified to introduce a flexible and deliverable policy framework. This includes:

- The introduction of a small sites policy supporting developments of up to 30 dwellings;
- Provision for at least 10% of housing supply to be delivered on small sites;
- The inclusion of contingency mechanisms to address under-delivery;
- Amendments to Policy 1 and 7 to allow sustainable development outside the strategic allocation;
- Revisions to affordable housing policy to enable delivery via a range of mechanisms.

Lexwood Developments is promoting two deliverable small sites at Park Avenue and Shire Way. These sites are available, suitable and achievable, and would provide early housing delivery, flexibility, and support for small site provision. Importantly, they would not prejudice the delivery of the strategic allocation and should therefore be allocated or safeguarded within the Plan.

In summary, the draft TNP fails to meet the Basic Conditions, is not consistent with national policy, and is not capable of delivering its housing requirement.

The modifications proposed within these representations provide a clear, proportionate and deliverable route for the Plan to proceed to Examination and referendum.

Introduction

Lexwood Developments welcomes the opportunity to comment on the Regulation 14 version of the Tattenhall & District Modified Neighbourhood Plan (TNP).

The preparation of an updated neighbourhood plan is supported in principle as a means of ensuring that growth is plan-led, locally responsive and aligned with the needs of the community.

However, in its current form, the draft Plan raises significant concerns in respect of its ability to meet the Basic Conditions.

In particular, the Plan does not adequately have regard to national policy, fails to provide sufficient flexibility to respond to changing housing requirements, and does not contribute positively to the achievement of sustainable development.

These representations are therefore submitted to identify key deficiencies and to provide constructive recommendations to ensure the Plan can be found compliant at Examination.

Assessment Against National Planning Policy (NPPF)

The National Planning Policy Framework (NPPF) requires Neighbourhood Plans to support the achievement of sustainable

development, significantly boost the supply of housing, and provide a flexible framework capable of responding to changing circumstances.

The draft TNP does not adequately reflect these requirements. In particular the Plan:-

- Relies almost entirely on a single strategic allocation in the control of one land owner for Tattenhall's housing delivery during the plan period.
- Provides no contingency framework should the strategic allocation fail or be delayed and is inflexible to respond to potential changes in housing delivery during the plan period.

The NPPF emphasises the importance of flexibility in plan-making. Plans should not be overly prescriptive or rigid but should instead allow for responsive decision-making.

The TNP's reliance on a single strategic allocation, without any form of contingency or policy framework to allow sustainable alternatives to come forward, is inconsistent with this requirement and risks undermining the delivery of housing across the plan period.

- Fails to provide a mechanism for the delivery of small and medium-sized sites, despite clear national policy support for such development. The NPPF paragraph 73 requires that at least 10% of housing supply should be delivered on sites no larger than one hectare and Paragraph 74 emphasises Neighbourhood plan groups should allocate small and medium housing sites. The absence of a policy framework in the TNP to deliver this requirement represents a clear inconsistency with national policy.
- Is overly restrictive and prescriptive in its wording.
- Seeks to cover a plan period which extends beyond the emerging Local Plan without sufficient justification and appears to be mainly focused constraint rather than delivery of sustainable development.

Relationship with the Emerging Local Plan

The emerging Cheshire West and Chester Local Plan is still at an early stage and has not yet established a confirmed housing requirement for Tattenhall.

The TNP's reliance on an indicative figure of approximately 600 dwellings is therefore premature and not based on a robust or settled evidence base.

If the eventual housing requirement exceeds this figure, the Plan will immediately become out-of-date and require review. This represents a significant weakness in the Plan's approach and highlights the need for a more flexible and responsive policy framework.

Neighbourhood Plans should not pre-empt strategic policy decisions. By fixing development at a level which may not align with the emerging Local Plan, the TNP risks being found not to be in general conformity with strategic policy.

Key Deficiencies in the Plan - Failure to Meet Basic Conditions

The Plan is characterised by several key deficiencies which collectively undermine its ability to meet the Basic Conditions.

Single strategic allocation

Firstly, the Plan relies almost entirely on a single strategic allocation. Whilst this may provide a substantial proportion of housing, it does not provide resilience within the housing supply and this approach introduces significant delivery risk including:

- Phasing delays;
- Infrastructure constraints;
- Viability issues;
- Reliance on a single landowner/developer.
- Shortfall highly likely in delivery at the early stages of the Plan (2025-2030)
- Shortfall potentially likely in delivery at the latter stages of the Plan (2035-2040)

The absence of flexibility is contrary to national policy which seeks to diversify housing delivery and increase resilience in supply, especially in the short term.

Lack of a Contingency Framework

Secondly, the Plan fails to provide any form of contingency framework. There are no reserve sites, no criteria-based policies for additional development, and no mechanism to respond to under-delivery.

Lack of small and medium-sized sites provision

Thirdly, the Plan does not provide a policy framework for small and medium-sized sites or even windfall sites. This omission is particularly significant given national policy requirements and the important role such sites play in early housing delivery.

It must be recognised that there is an acute housing shortage with Cheshire West and Chester / Tattenhall via the fact that there is a 5-year housing supply shortfall and this position is unlikely to change for a number of years even with the number of applications for housing sites recently increasing in the wider Borough.

Albeit not formally confirmed at this stage, taking 600 units as the housing requirement number for Tattenhall this would mean at least 40 new homes per annum over the proposed 15 year Local Plan period.

In looking at a potential delivery timetable for the strategic allocation this is suggested below :-

Programme Item	Date	Notes / Date
Outline Planning application	Submitted February 2026	Approval say February 2027 (12 months after submission is not unusual for scale of scheme and S106 required)
Reserved Matters Preparation	Preparation at least 3 months	March - May 2027 (potentially Ecology dependant)
Reserved Matters Application	Submitted June 2027	Approval say June 2028 (12 months after submission not unusual for scale of scheme)
Discharge of Conditions Preparation	Preparation at least 3 months	July – Sept 2028
Discharge of Conditions Application	Submission say October 2028	Approval say March 2029 (6 months after submission not unusual for scale of scheme)
Start on site Mobilisation / Infra structure set up	3 months	Say April - June 2029
House Build Start on Site	July 2029	
First House Delivery (6 months after house build start)	January 2030	Delivery of Phase 1 allocation within the Local Plan period requires 40 units per annum thereafter subject to Sales environment.

In summary, the reliance on a single strategic allocation does result in a clear and demonstrable delivery gap in the early years of the

Plan, with no housing likely to be delivered for a period of approximately 3–4 years.

This creates an immediate shortfall in housing supply, which is not addressed elsewhere in the Plan. Furthermore, there is a realistic prospect of under-delivery in the later stages of the Plan period, particularly if build-out rates are slower than anticipated. In the absence of alternative sites or a contingency framework, the Plan is therefore not capable of delivering its housing requirement across the full plan period.

Therefore, taking that on average of 40 units a year is required for delivery then in effect housing delivery across the TNP period would be behind by 140 homes prior to the first house being delivered on the single strategic allocation.

Even if the project timetable was shortened by 1 year due to early positive outcomes at various stages of the planning / delivery process, housing delivery in Tattenhall would still be 100 units behind.

Importantly this programme does assume no delays in the land owner selling the site or part of it to a Housebuilder to deliver, which given its scale must also be considered a risk in the short term which would exacerbate the short term housing delivery gap of 100-140 units even more.

Looking longer term, if delivery of Private Sales / Affordable on the Strategic Allocation was at 40 homes per annum, which has been suggested at Public Neighbourhood Plan meetings, then delivery through the Local Plan period could well be 400 homes. This would in effect give rise to a significant shortfall in delivery of 200 homes in the TNP area during the Local Plan period.

In effect it could be considered that the TNP is openly planning to constrain / underdeliver housing due to having only one strategic allocation.

The lack of early delivery and also potentially long-term delivery is something the TNP has ignored and its approach in effect is a constraint on supply / delivery of housing in the plan period.

NPPF is quite clear that small sites can deliver early housing provision and this is why a 10% provision should be allowed for in plan making. If 60 units / 10% provision were allocated on small sites it is highly likely they would complement or come forward ahead of the Strategic allocation and plug this early delivery gap.

Restrictive and Prescriptive Approach to Delivery

Finally, the Plan adopts an overly restrictive and prescriptive approach which risks constraining sustainable development rather than enabling it.

The policy wording could be interpreted to restrict even one additional new dwelling coming forward, within the settlement boundary or sustainable edge of settlement location, which isn't on the strategic allocation site in Policy 7. This overly restrictive approach is unlikely to reflect the intended objective of supporting sustainable housing delivery.

The issues identified above demonstrate that the Plan fails to meet the Basic Conditions in the following respects:

- **Basic Condition (a)** – the Plan does not have sufficient regard to national policy, in particular the requirement for early housing delivery and to support small and medium-sized sites to maintain flexibility in housing delivery. In effect the TNP by default, plans for a likely shortfall in housing delivery early on and also in the later stages of the Local Plan period ;
- **Basic Condition (b)** – the Plan does not contribute to the achievement of sustainable development, due to its over-reliance on a single allocation, lack of flexibility, and absence of a contingency framework to ensure delivery of housing, in effect by default the TNP plans for a likely shortfall in housing delivery early on and also in the later stages of the Local Plan period ;
- **Basic Condition (c)** – the Plan risks not being in general conformity with the strategic policies of the development plan, having regard to the emerging Local Plan, due to prematurity and uncertainty regarding the housing requirement for Tattenhall.

Without modification, the Plan is therefore unlikely to pass Examination.

In particular, the absence of any small site allocations or a policy mechanism to deliver small and medium-sized sites early to compliment the strategic allocation represents a clear failure to have regard to national policy and undermines the Plan's ability to deliver sustainable development at every stage of the plan period.

Required Policy Amendments

To address the deficiencies identified above, it is necessary the Plan must be modified to introduce a series of policy amendments which be summarised as:

- Include flexibility to respond to changes in housing requirements
- Reduce reliance on a single strategic allocation
- Introduce a robust small sites policy
- Allocate small sites
- Provide contingency mechanisms
- Support affordable housing-led schemes

NPPF clearly requires 10% of housing numbers to be allocated on small sites for delivery via SME builders. If this requirement fails at Local / micro level within Neighbourhood plans then clearly it would require CWaC to allocate additional small sites in other non-neighbourhood plan areas.

That approach is surely incorrect and each area must allocate such sites or to comply at least have flexible policies which allow small sites to come forward in the plan period.

Albeit the housing numbers for Tattenhall are yet to be confirmed given that the TNP is currently working on 600 homes as the housing requirement in the plan period, then a small sites allowance of 60 units (10%) is a fundamental requirement of the new TNP at this stage.

Therefore, to comply with NPPF requirements a clear and robust small sites policy should be included to support development of this nature.

Similar to the made TNP it is suggested that sites of up to 30 dwellings on sites adjacent to the settlement boundary are allowed where such proposals are sustainable. This would allow two schemes of 30 dwellings or 6 sites of 10 dwellings to come forward.

In considering the scale of such proposals it is highly unlikely they would undermine the delivery of the strategic allocation proposed and would actually be complimentary housing delivery.

A secondary point which is particularly relevant is that a contingency policy should be introduced to allow additional sites to come forward where the strategic allocation does not deliver as anticipated or where a housing shortfall is identified.

The Plan should also include a policy supporting affordable housing-led developments, including schemes of up to 30 dwellings which are brought forward by a Registered Provider or where they meet identified local needs.

These amendments would significantly improve the flexibility, deliverability and overall soundness of the Plan.

In order to address the deficiencies identified above, it is not necessary to fundamentally alter the spatial strategy of the Plan. However, targeted amendments to Policy 1 and Policy 7 are required to introduce flexibility, ensure compliance with national policy, and allow for the delivery of small and medium-sized sites.

The following modifications are therefore recommended to ensure the Plan can meet the Basic Conditions and provide a robust and deliverable framework for housing growth.

Suggested Amendment to Policy 1:-

Proposed modification, Policy 1 – Housing Growth (Additional Clauses C & D)

C) Small and Medium-Sized Sites (General Policy)

C) In order to ensure flexibility in housing delivery and to support national policy objectives, proposals for small and medium-sized residential developments of up to 30 dwellings will be supported on sites within or immediately adjacent to the defined settlement boundary where:

- i) The site represents a logical infill, rounding-off or small-scale extension to the settlement.
- ii) The proposal is in a sustainable location with safe and suitable access to local services and facilities.
- iii) The development would not result in unacceptable harm to residential amenity, landscape character, heritage assets or highway safety.
- iv) The proposal reflects the design principles set out in Policy 2 and the Tattenhall Design Code
- v) The site is capable of being delivered within a short-term timeframe (1–5 years).
- vi) The cumulative total of housing numbers provided on small sites is less than 10% of the strategic housing requirement for Tattenhall.

Development supported under this clause will contribute towards maintaining a flexible and responsive supply of housing and will complement the strategic allocation identified in Policy 7.

Affordable Housing-Led Schemes (Distinct Policy Route)

D) Proposals for small and medium-sized residential developments of up to 30 dwellings which deliver a majority or significant proportion of affordable housing will be supported, including as an exception to normal policy requirements, where:

- i) The development is led by, or delivered in partnership with, a Registered Provider; or
- ii) The scheme demonstrably meets an identified local housing need, including affordable or specialist housing; and
- iii) The proposal accords with other relevant policies of the development plan.

Such proposals will be supported where they contribute to meeting identified local housing needs and will be considered as complementary to the overall housing strategy, including the delivery of the strategic allocation in Policy 7.

Supporting Text for Policy 1(C & D) - To ensure compliance with national policy, the Plan will seek to deliver approximately 10% of housing supply on sites of less than 1 hectare through small site allocations, small scale approvals and windfalls.

Policy 1(C) provides a general framework for the delivery of small and medium-sized sites in sustainable locations, ensuring flexibility in housing supply. Policy 1(D) is distinct in that it specifically supports affordable housing-led schemes, including those delivered by Registered Providers or meeting identified local needs. Together, these clauses ensure that the Plan supports both market and affordable housing delivery, whilst maintaining the primacy of the strategic allocation.”

In addition to the strategic allocation identified in Policy 7, it is recognised that small and medium-sized sites play an important role in delivering housing, particularly in rural settlements such as Tattenhall.

National planning policy places significant weight on the need to support the development of small and medium-sized sites, both to

assist in meeting housing needs and to ensure a diverse and resilient housing market. Paragraph 73 / 74 of the National Planning Policy Framework (NPPF) requires that at least 10% of housing supply should be delivered on sites no larger than one hectare, unless strong reasons are provided to the contrary.

Small and medium-sized sites are typically:

- Delivered more quickly than large strategic sites
- More accessible to SME housebuilders
- Better able to respond to local housing needs, including affordable housing

In this context, Policy 1(D) provides a flexible mechanism to support the delivery of such affordable sites where they:

- Deliver a significant proportion of affordable housing, and/or
- Are supported by a Registered Provider, or
- Respond directly to identified local housing needs

The threshold of up to 30 dwellings reflects:

- The scale of development previously supported within the made Neighbourhood Plan
- The capacity for such sites to be delivered without requiring major infrastructure investment
- The need to ensure that development remains proportionate to the size and character of Tattenhall and does not affect the strategic allocation

Importantly, development supported under Policy 1(D) is intended to complement, not compete with, the strategic allocation identified in Policy 7. Such schemes will:

- Contribute to early delivery of housing within the Plan period
- Provide flexibility in the event of delays to the strategic site
- Assist in delivering a more balanced mix of housing, including affordable homes

The inclusion of this policy ensures that the Plan:

- Remains consistent with national policy
- Provides a positive and flexible framework for housing delivery
- Supports the achievement of sustainable development

As currently drafted, Policy 7 is overly restrictive in that it directs the entirety of housing growth to a single allocation without providing any mechanism for alternative or additional sites to come forward. The policy does not include any flexibility or

contingency provisions and could reasonably be interpreted as preventing otherwise sustainable development elsewhere within or adjacent to the settlement.

This approach is inconsistent with national policy which requires plans to be sufficiently flexible to respond to changing circumstances and risks constraining housing delivery over the Plan period.

Suggested Amendments to Policy 7 :-

Proposed Modification, Policy 7 – Site Allocations (Additional Clause C)

C) To ensure the delivery of housing throughout the Plan period, proposals for sustainable residential development outside of the allocated site will be supported where:

- i) The proposal is for a small and medium-sized residential development of up to 30 dwellings; or
- ii) The cumulative total of housing numbers provided on small sites is less than 10% of the strategic housing requirement or less than the overall strategic housing number if housing from the strategic site is delayed or not being delivered; or
- iii) There is evidence that the strategic allocation is not delivering at the anticipated rate; or
- iv) A shortfall in housing supply is identified within the Neighbourhood Plan area or the wider Local Planning Authority area; or
- v) The proposal accords with Policy 1(C) and other relevant policies of the development plan.

Proposals of a scale less than 10% of the total supply requirement on / across small sites should not prejudice the comprehensive delivery of the strategic allocation or associated infrastructure.

Supporting Text Policy 7(C) - To ensure compliance with national policy, the Plan will seek to deliver approximately 10% of housing supply on sites of less than 1 hectare through small site allocations, small scale approvals and windfalls in line with NPPF.

Other TNP proposed Policy Commentary / Suggested Modifications TNP – Plan Period

The suggested TNP period is 2025-2045, this does not reflect the Local Plan Period which is proposed to be 2025-2040. NPPF is quite clear in its aims to boost housing supply in the short term and the suggested longer period does not achieve those aims.

The extended plan period cannot be justified by a housing evidence base that only reaches to 2040.

As shown in Section 4 when the delivery timescales of the Strategic allocation are considered, it could in effect give rise to a significant shortfall in delivery of 100-140 homes in the early years of the TNP and also a 200 homes shortfall in housing delivery in the latter stages of the Local Plan period.

In effect it could be considered the TNP is planning by default to constrain / underdeliver housing delivery in the area due to

having only one strategic allocation which will not meet the strategic needs of the area / Borough.

The longer plan period could actually be seen as a blatant attempt to pre-empt strategic decisions and constrain or fixing growth for a longer period of time, when in reality the evidence base shows a clear under provision of housing in the short term and also uncertainty of overall delivery / under supply again in longer term.

Therefore, it is requested / required that the TNP period should be correctly amended to purely reflect the emerging Local Plan Period 2025-2040 to meet the Basic Conditions.

Affordable Housing Provision – Delivery via Planning Condition

In Policy 1 B) ii) it is unclear why the Parish Council are seeking to remove the ability of affordable housing being secured by planning condition as no justification is given.

Affordable housing delivery via S106 is only one affordable housing delivery mechanism for Registered Providers and additional wording relating to planning conditions is required to be inserted to allow the policy to function correctly for Affordable housing sites and Registered providers.

Proposed Policy 1 B) ii) – for the Policy to function correctly the additional wording to the policy is required / proposed in bold below:-

‘ii) include the provision of on-site affordable housing in accordance with NDMP HO8. The affordable housing will be **secured by planning condition** or subject to a S106 Legal Agreement ensuring that it remains an affordable dwelling for local people in perpetuity.’

The amendment to policy 1 is required as the additional wording would allow affordable housing to be secured by condition which is the usual route where a Registered provider is seeking grant funding from Homes England Affordable Homes Programmes to subsidise delivery of affordable housing, as against a standard s106 situation.

The distinction between a Planning Condition and a S106 scenario is particularly important to recognise. Registered Providers can only secure grant funding for Affordable homes if it is secured via a planning condition not a S106 agreement. If it secured via a S106 then it is the open market housing which is subsidising the affordable provision and not grant funding.

Given the affordable housing need in Tattenhall this is not considered to be appropriate and is overly restrictive as it would clearly prevent the prospective of grant funded schemes coming forward throughout the TNP period to the detriment of the

area.

In effect, if this additional wording is not included in the TNP the only affordable housing that will be able to be provided in Tattenhall will be through private housebuilder led housing schemes whereby the ratios of tenures are likely to be 70% open market for sale homes to 30% affordable home tenures, as in this scenario it would be the open market private sales that would subsidise the affordable homes not any grant funding from Homes England.

In summary the additional wording is required to allow affordable housing schemes to be secured by planning condition and be delivered via grant funding, not developer subsidy. Otherwise, a significant route for affordable housing delivery has been discounted from the TNP.

Housing Provision – Housing Needs Evidence Concerns and Flexibility

Our concern with the current wording of Policy 1 relates to the apparent reliance on the Parish Council as the sole body responsible for identifying and evidencing housing mix / local affordable housing need.

Whilst it is noted that the Parish Council commissioned the *Tattenhall & District Parish Housing Needs Report (December 2023)*, this document remains in draft form and reflects a position which is now approaching three years old. In the context of rapidly changing economic conditions, including increased household costs and affordability pressures, reliance on a static and unpublished evidence base is not considered to provide a sufficiently robust or up-to-date assessment of local need.

Furthermore, there are a number of Registered Providers and affordable housing delivery partners active within the Neighbourhood Plan area who maintain up-to-date data on:

- Local housing need
- Waiting lists
- Demand for different tenures

However, the current policy wording does not provide any mechanism for such organisations to submit or rely upon their own evidence to demonstrate local housing need. This is considered to be an overly restrictive approach which may unintentionally constrain the delivery of affordable housing and private housing as well.

In addition, there are concerns regarding the methodology of the draft Housing Needs Report itself.

The out dated report identifies a need for 29 affordable homes but discounts 13 of these based on anticipated re-lets within the existing housing stock. It is not considered appropriate to reduce identified need on this basis. Re-lets do not create additional housing supply and do not address underlying unmet need, particularly in the current context of increasing affordability pressures.

As such, the full identified need should be considered as a requirement for additional affordable housing provision.

Furthermore, whilst the report identifies significant affordability issues, including elevated house prices within the Tattenhall Ward, it does not identify a need for affordable home ownership products such as shared ownership or low-cost home ownership.

This is a notable omission given:

- The disparity between local incomes and house prices
- National policy support for a range of affordable tenures In its current form, Policy 1 risks:
- Relying on outdated or incomplete evidence
- Restricting the ability of Registered Providers to bring forward schemes
- Limiting the delivery of affordable housing to a single evidence source

This approach is inconsistent with national policy, which seeks to boost significantly the supply of housing and support a range of affordable housing tenures.

Recommended Policy Modification

It is therefore recommended that Policy 1 is amended to:

“Allow the demonstration of local affordable housing need to be informed by up-to-date evidence provided by Registered Providers, the Local Planning Authority, or other relevant housing delivery organisations, in addition to any Parish-level housing needs assessment.”

Without such flexibility, the policy risks preventing otherwise sustainable and policy-compliant affordable housing schemes from coming forward. It may also restrict development of private housing as well, due to limited evidence on required mix of housing types.

- Code 3B Density

The NPPF requires planning policies that make an efficient use of land that takes into account: the identified need for different types of homes; local market conditions; availability and capacity of infrastructure, notably sustainable travel modes; an existing area's character; and securing healthy well-designed places.

Code 3B of the Tattenhall Neighbourhood Design Code sets out a density guide based on three character areas (surrounding landscape, historic and modern areas). This is based on a survey set out on page 19 of the Design Code. Whilst the NPPF supports the use of area-based character assessments to set out development density guidance it is clear from the survey undertaken that the density of development within the identified character areas varies considerably, and in some cases exceeds the limits on density set out in Code 3B, for example the Greenlands sample is 22 dwellings to the hectare and Harding Avenue and Shire Way sample areas are 20 dwellings to the hectare, but the modern character area (within which they sit) is restricted to no more than 15 dwellings per hectare, and the Blackhams Way survey area is identified as 30 dwellings per hectare, but is located in an area restricted to no more than 12 dwelling per hectare.

In addition, as set out in paragraphs 129-130 of the NPPF character assessments form just one consideration in ascertaining appropriate density for new development. As the village benefits from regular public transport links, and is in an area where there is a need for smaller homes where there is an affordability issue (as evidenced in the Tattenhall & District Parish Housing Needs Report) a higher density of development should be sought. This approach would enable the development of smaller homes, and would also require less land take for more new homes.

Ultimately, we consider that the density of the Neighbourhood Plan area varies such that application of a density standard needs to either be more varied, more flexible or removed to allow a density to be considered on a per scheme basis.

- Code 3C Materials and Detailing

Code 3C of the Tattenhall Neighbourhood Design Code sets out materials and detailing that will be required for new development over the plan period, the first bullet point of which states:

'The use of traditional, or natural building materials such as brick, red sandstone, timber and natural slate in new buildings will be expected. Artificial or man made replicas of these materials should be avoided.'

The phrase 'will be expected' and latter part of this requirement, avoidance of artificial or man made materials, is anticipated to cause conflict with emerging requirements to achieve Building Regulations in new development.

Increasingly there is a need to include solar panels and UPVC windows in new homes to achieve the sustainability and higher energy efficiency requirements.

The cost efficient delivery of affordable housing may be prevented if a scheme using all the identified high cost traditional materials are required, and may only be possible with good quality modern equivalents.

Also a development scheme located within the Village Conservation area would expect to have a high quality of building material and design to reflect its setting. It then follows that a well designed development scheme in the more modern areas of the village will not cause the quality of the area to be reduced if modern materials are appropriately used in its design solution.

Modern materials are evolving such that they can be indivisible from traditional materials, and are easier to maintain. Building materials will continue to evolve throughout the Plan period and modern materials should not be discouraged purely because they are seen to be man made, it is about the quality of material and their use in appropriate scenarios / locations.

Also, it could potentially prevent well designed contemporary development / housing schemes come forward if modern materials are in effect seen to be discouraged or even barred.

We do not disagree with the objective of high quality materials, but this should not preclude artificial materials. Accordingly, this first bullet point should be amended to seek the use of good quality traditional or modern materials in appropriate locations.

Deliverable Solutions – Lexwood Sites

Lexwood Developments has active land interests in Tattenhall and is promoting the following small sites for development and inclusion in the TNP:

- Land off Park Avenue
- Land off Shire Way

These two small sites at Park Avenue and Shire Way provide clear examples of small-scale deliverable, sustainable development opportunities which would contribute to addressing the deficiencies identified in the Plan.

The Park Avenue site represents a logical infill opportunity within the existing settlement, capable of delivering a modest number of dwellings in a sustainable location.

The Shire Way site represents a well-contained extension to the settlement, capable of delivering both a small-scale scheme of 9 units or a wider small allocation / development of up to 30 units in a plan-led context.

An illustrative layout plan of the proposed 7 and 9 units at Park Avenue / Shire Way respectively are attached for reference. Also, an illustrative layout plan of a potential small scale scheme for 30 units at Shire Way is attached for ease of reference.

Importantly, the delivery of these two small scale sites would not undermine the strategic allocation. Instead, they would complement it by providing additional flexibility, supporting early delivery, and contributing to a more balanced housing supply.

Planning in Principle applications are currently running on both sites and decisions on these applications is are likely to be determined prior to the TNP being considered at Independent Examination.

Also, it is important to note that the Parish Council did not object to either of the Planning in Principle applications and the proposed housing was acceptable in principle subject to the comments made by the Parish Council.

Accordingly given the TNP's deficiency in addressing the early housing delivery gap via clear provision of allocating small sites or providing a framework for provision in the plan, it is considered necessary to address these identified deficiencies in the Plan, that both the Park Avenue and Shire Way sites are allocated or safeguarded within the TNP as 'Small Sites' under the proposed amendments to Policy 7.

This would clearly provide an element of meeting the 60 units / 10% small site provision which is required in the TNP area.

Conclusion

In conclusion, the draft TNP is unlikely to pass Examination as in its current form fails to meet the Basic Conditions, is not consistent with national policy, and is not capable of delivering its housing requirement across the plan period.

The introduction of additional policy flexibility, direct policy support for small sites, revised affordable housing wording and contingency mechanisms for housing delivery failure or delays is essential to ensure that the Plan can deliver sustainable development and remain effective over the Local Plan period.

The sites promoted by Lexwood Developments do represent appropriate and deliverable opportunities which would assist in achieving these objectives and should be positively considered within the TNP framework.

Lexwood Developments strongly supports and requests the allocation of the Park Avenue and Shire Way sites for housing in the TNP or, alternatively, the inclusion of a positive policy framework to support small and medium-sized sites.

The modifications proposed within these representations provide a clear and proportionate route for the Plan to meet the Basic Conditions without requiring a fundamental change to its spatial strategy.

Overall, the TNP must be revised to ensure compliance with national policy, deliverability, and flexibility in housing supply. The modifications proposed and suggested allocations within these representations provide a clear, proportionate and deliverable route for the Plan to proceed to Examination.

Resident Responses

Resident response 1	I feel I must object to any plans to build more houses in Tattenhall. The country lanes cannot accommodate the volume of traffic that they will bring, they are already very busy with vehicles of varying sizes in which most drivers do not adhere to the speed limits or respect other road users. Tattenhall is also frequently flooded, how can building more houses benefit the area? The area that they wish to build on between Frog Lane and Rocky Lane has so many animals and wildlife. There are badgers, newts, hares, partridge, pheasants, rabbits, bats, migrating birds/ Canadian geese, owls and used to graze cows for dairy purposes (Sainsbury's milk). Several of these animals are protected - how can this land be used if this is their foraging area? Tattenhall is surrounded by lanes, it cannot accommodate any more traffic, it will totally ruin Tattenhall,
Resident response 2	Name: xxxxxxxxxxxx Address: xxxxxxxxxxxxxxxxxxxxxx Tattenhall, CH3 9PX Relationship to Area: Residents living close to proposed development sites, and local employer We have been residents living close to the areas identified for development within the Tattenhall Neighbourhood Plan for almost 7 years. George manages a business on the north side of the village for 15 years, employing over 20 people in the area. We appreciate the work undertaken to prepare the plan and support the principle of allowing carefully managed growth. However, based on our daily experience of living and working in Tattenhall, we are concerned that the current draft does not go far enough to address the real and foreseeable impacts of increased traffic. Both from the additional housing proposed and the significant construction traffic over many years. Our comments below are based on how the proposals would affect day-to-day life for those of us who already live here. Our most serious concern relates to traffic and safety, particularly on 1) Rocky Lane, 2) Frog Lane, 3) the junction of High Street, Rocky Lane and Frog Lane, 4) the junction of Rocky Lane and Bolesworth Road, and 5) the junction of Rocky Lane and the A41, all of which we use regularly. We can confirm that for all these five roads and junctions: • Traffic congestion already occurs regularly at busy times. • They are already dangerous, are very narrow, have very narrow or no pavements, have multiple blind spots and corners, are heavily potholed, and flood regularly to the extent of being impassable and closed to traffic. • Many of these factors above already lead to traffic regularly using the middle of the road, increasing risk of collisions. • Despite George being a very experienced and confident cyclist, including e.g. commuting by cycle across London for 9 years, and across Cheshire for 15 years, he actively avoids cycling on these routes because of the dangers they pose. • As parents of young children we avoid pushing prams along these roads because of the dangers they pose. • The junction layouts are constrained. • Traffic levels have noticeably increased over the last 10 years. • The junctions are used by pedestrians, cyclists, buses and agricultural vehicles, creating significant safety risks today at current traffic levels.

	The additional traffic generated by the proposed developments would, in our view, significantly worsen these issues. The plan does not currently give residents confidence that these junctions and roads have been properly assessed or that effective solutions will be delivered in time. We strongly believe the plan should: • Require development-specific and cumulative traffic assessments that include all these junctions and roads. • Ensure that any necessary highway or safety improvements are delivered before or alongside development, not afterwards. • Prevent development that would worsen safety or congestion without guaranteed mitigation. Traffic impacts are not abstract planning considerations for nearby residents, they directly affect safety, noise levels and quality of life.
Resident response 3	I have viewed the new Neighbourhood Plan and attended the meeting in the Barbour on March 25th so am aware of the difficult position the Parish Council feels they are in and their desire to have some control over the future development in the village when the Government are proposing so much new housing. Notwithstanding this, I do strongly object to the size of the development proposed as I feel it is too large for the size and character of the village, the road access into and out of the village and the amount of traffic in the village centre. The traffic survey upon which Bolesworth has based their decision that no further road development is needed is out of date and I believe was carried out during a quiet period. We have had further housing development in the village since then. Most households have 2 cars so potentially 800 more cars having to travel through the village to the school or to the A41 towards Chester will surely cause immense problems and destroy the centre of the village. If this development does have to go ahead then I strongly urge that it needs a link road across from Frog Lane to the Chester Road to bypass the village centre. My personal preference would be for a much smaller development on the site and a strong message to Cheshire West and Chester and Central Government that there is not the demand for a large number of new houses in our rural area and any large developments are not supported by our infrastructure and will spoil the village character. I intend to write to our MP about this myself. Your sincerely XXXXXXXXXXXXXXXXXX
Resident response 4	I would like you to consider the two comments I have regarding this Plan. Policy 17 site allocation A iv) The Righi or Rocky Lane has catered for traffic going to or from the South via the A41 for many years. This includes local traffic to Farndon and Malpas to access two of the surgeries that form part of the Village Surgeries group and also the local high School Bishop Heber High. I would think it would be more sensible to retain this road for access to the village rather than pollute the new estate by diverting heavy lorries, buses and increased traffic through it. Maybe incorporate cycle routes and footpaths into the proposed estate to access bus routes that already use the main roads through the village and let the new residents breathe clean air and experience a peaceful environment.

	vi) The current GP surgery could be extended upwards if car parking space is at a premium. If the surgery is to be relocated it should move to the centre of the village for easier access for all. Kind regards Xxx and xxxxxxxxxxxxx
Resident response 5	XXXXXXXXXX CH39EY My view of the neighbourhood plan. I have objection to the Parish Council committing their approval to one specific planning application. There should be a generic policy of planning numbers and not to specific applications. Seems a late provision of a plan is pushing a rash decision and the tunnel vision is to be a detriment to the Village. How can a PC align with a commercial activity for a prospective 400 home application. This is an acceptance of decline for Tattenhall as a village with a potential 35/40% population increase and is not beneficial to Village infrastructure. I would like to know which Parish Councillor / Councillor is directing this action as they seem to have no regard for the Village well being. It seems the push to recommend the Bolesworth proposal is flawed and the documentation and decision trail is lacking scrutiny. Decisions to approve the location is ill advised. The scare tactic of a mass of housing is not a good policy. Have private meetings with Bolesworth been documented and open for review? There should be an independent assessment of the impact of such a development to the infrastructure and traffic congestion within the Village boundaries, this should give a prospected impact statement. The effect would have a major sustainability effect due the traffic congestion increase and the effect of people driving into the Village and properties to the furthest part of the development will be around one mile from the Primary School. The Neighbourhood Plan should pursue multiple areas for development. Chester Road, Tattenhall Road, Newton by Tattenhall, Gatesheath, Burwardsley Road with smaller pockets of development reducing the congestion impacts. I don't believe the majority of Parish Councillors have the ability to pre determine the problems facing such a major development they are promoting. Many Villagers do not accept the PC decision to push for such a large single development and feel that smaller projects would have been a more suitable proposal.

	As ever the Villagers do have a final say and I hope the referendum shows you the feelings people have and then the Parish Council take their time to review more practical sites with more scrutiny and energy
Resident response 6	It is recognised that the Parish Council have had a difficult task in developing a revised version of the Tattenhall Neighbourhood Plan(TNP), especially as the NPPF now supports neighbourhood plans that plan for growth and allocate land for development. The commendable strategy of employing an external consultancy, skilled in this area, to produce various scenarios for allocating development land and then submitting these for the community to review, has resulted in the choice to proceed with allocation of land to the west of the village. A key element in this choice was that congestion in the High Street from the increase in traffic will be mitigated by the ability of traffic exiting the village to use Rocky Lane and Frog Lane to access the A41 for travel North and South. Would it be possible for the TNP to include a requirement for any developer's application to help finance the required improvements to the junctions with the A41? Similarly, the link roads through the developments between Rocky Lane and Frog Lane and between Frog Lane and Chester Road should be provided before development commences as otherwise the construction traffic will cause increased risk of accidents and even more congestion. The Local Plan from CWAC has not yet been modified to designate the increased numbers of dwellings required to satisfy the NPPF. The Parish Council has explored all possibilities to arrive at a "best-guess" figure for the TNP. Would it not be possible, however, to introduce a proviso that should this figure be larger than that required by the developed Local Plan, the required figure will be reduced? This is especially relevant as Tattenhall is smaller than the other Key Service Centres and is not situated on a main road or with railway access. I would like to commend the Parish Council for their rapid response in producing the revised TNP and will support it in the referendum. XXXXXXXXXXXX xx Greenlands
Resident response 7	Brockway West We write to comment on the Tattenhall Neighbourhood Plan – Regulation 14 Consultation 2026. There are several parts of the proposed policies and broader plan we want to comment on: • Policy 2 - Additional protection needed to protect the village boundary with A41 and safeguard the views and vistas of the Welsh Hills • Policy 5 – the plan does not adequately address the issues of access from the A41 given the road state • Policy 7 – the proposed site allocation is not appropriate, and does not have community support The rest of the letter builds on these points, particularly in the context of the Frog Lane site allocation for 400 houses.

	We object to this site allocation on the grounds that it would result in material and demonstrable harm to: • highway safety, • flood risk, • residential amenity and the character of the village, and has a • Lack of community support <u>Transport and Highway Safety</u> The location of the proposed phase 1 site sits between Rocky Lane and Frog Lane, windy and dangerous lanes. Rocky Lane is a single track road with barely enough room for vehicles to pass in many places. Access to the site would be solely via Frog Lane and these two lanes would be the main route from the A41 to the site. Cars, lorries, buses, coaches and agricultural vehicles already drive too fast and across the centre of the road on these lanes. We only moved to Tattenhall in October 2025 but already have had a few near misses with vehicles on these roads. Further, the junctions with the A41 are not well signposted (particularly Frog Lane) and appear quickly around bends (especially in the dark). These issues arise from the inherent width, alignment and visibility constraints of Rocky Lane and Frog Lane, which are fundamentally unsuitable to accommodate the additional traffic levels arising from a development of up to 400 dwellings. We are concerned that with increased traffic there will be more accidents and increased potential for people to be injured. The minutes of the Tattenhall & District Parish Council Extraordinary Meeting held on 6th August 2025 say: '<i>Rocky Lane provides the main route out of Tattenhall in a southerly direction; the narrow lane is well below the standard required of any road used by the number and type of vehicles that use it daily with vehicles overrunning verges to pass. Frog Lane does not provide a viable alternative to Rocky Lane.</i>' This was in response to an outline planning application for a site at the opposite side of the village and of almost quarter of the number of houses. In addition, we are concerned that these lanes will not be able to cope with the construction traffic and large vehicles using the lanes to access the site. This will only exacerbate the safety concerns and potential for further accidents with increased traffic. Further, there are no pavements or cycle lanes on these roads. Safe pedestrian and cyclist access out of the village to the south west is limited/non-existent. Although there is a public footpath/bridleway along Rocky Lane, we feel that it is too dangerous to use. Increased traffic would only make this more dangerous. The plan does not include anything to increase accessibility or safety for pedestrians or cyclists wanting to access the south west. Also, whilst Frog Lane is recognized as part of the Bishop Bennet Way National Trail, there is no pavement and limited verges. Walking here is hazardous now, and rising traffic from any development will worsen it. We feel that the proposed Policy 5 does not adequately address these concerns. The proposal would therefore be contrary to national planning policy, which requires development to be refused where residual cumulative highway impacts would be severe. In addition, the proposed Plan does not address the increase in traffic that would be routed through the village centre particularly in the larger phase w allocation. Particular problem points include: (1) Frog Lane/Rocky Lane junction, (2) High
--	---

	Street, and (3) the junctions with Tattenhall Road, Burwardsley Road and Chester Road. The Frog Lane/Rocky Lane junction is already a key pinch point, accommodating traffic to and from the A41, public and school buses, coaches serving the Tattenhall Education Centre, agricultural vehicles and local village traffic. It is also a pedestrian crossing point for the allotments and the village Forest School. In our view, this junction does not have the capacity to safely accommodate the additional traffic generated by up to 400 dwellings, whether approaching from the A41 via Frog Lane or travelling from the development through the village. The High Street and the junctions listed above (2 and 3) also already operate as effectively single-lane sections due to on-street parking, making them difficult to pass through at present. The local road network cannot adequately accommodate a material increase in through-traffic without worsening congestion and safety risks. Specific improvements needed include: 1. an improved entry from the A41 to the proposed development site to counter the issues on Frog Lane; 2. a separate, purpose-built walkway and cycle path connecting the village to the A41; 3. a by-pass so that car traffic does not need to pass through the village centre e.g., a new Frog Lane to Chester Road to Tattenhall Road link road as a part of the first development phase; 4. an improvement to Frog Lane/Rocky Lane and the Frog Lane–High Street junction, and a pull in place for buses and coaches. <u>Flooding</u> We are concerned about the impact that the proposed development site will have on flooding to the immediate surrounding area of the site, as well as provision to surface water flooding on the site itself. A Groundsure Flooding report purchased when purchasing our home identified our property as a moderate to high risk of surface water and groundwater flooding. Examining the report showed that this is due to the significant risk of surface water flooding and moderate-high/high risk of groundwater flooding along Frog Lane in the north east corner of the proposed site and coming up Covert Rise into Brockway West. Flooding / Surface water flood risk of the land suggests that water runs down off the land of the proposed site and onto Frog Lane. The elevated nature of the site relative to surrounding residential areas materially increases the risk of displaced surface and groundwater flows affecting neighbouring properties. Whilst the village plan states there should be surface water flood alleviation scheme to serve the development itself, it does not mention protection of the adjacent roads and housing. This is contrary to planning policy, which requires development to not increase flood risk elsewhere. Specific improvements needed include: 1. Protection of the flood risk to the areas adjacent to the development site; 2. Protection for construction-phase drainage and soil-management plan to prevent increased runoff and groundwater displacement during all construction phases. <u>Local amenities</u>
--	---

	Whilst the village plan places emphasis on a new medical centre, it does not address the capacity of other local amenities such as nursery and school provision. It is worth noting that the village's only day nursery catering for full-time (or even part-time but full day) working parents has a capacity of only 8 babies and its baby room is currently full until 2028. The nursery has very limited availability for children of other ages. This would place additional pressure on families to travel outside the village for childcare, increasing car dependency and compounding highway impacts. We are concerned that the proposed development will leave the village's nursery, pre-school and primary school over capacity and not able to provide for all of the village's children and parents. This critically also includes provision of wrap-around care at the primary school – not just primary school places. In addition, whilst the plan mentions new play areas and public space within the development itself it doesn't mention improvements to the main central village play areas. Additional localised parks within the development are welcome, but improvements are also required for the main village park which will naturally be used more as a result of this development. Facilities for older children and teenagers should also be considered. Specific improvements needed include: 1. approach to increase capacity at pre-school, nurseries and wrap around childcare; 2. assessment of current primary school and secondary school capacity ; 3. Improvements for play areas and recreational facilities in village centre and current sports grounds, as well as within the development itself. <u>Impact on the Character and Appearance of the Area and Noise Levels</u> Tattenhall is a special village with a close-knit community nestled within the Cheshire countryside. The approaches into the village through farmland and countryside with vistas to the Cheshire and Welsh Hills adding to its character and charm. The south-western edge of the village is very quiet and has unique defining views stretching out to the Welsh hills. The scale and elevated topography of the proposed development would result in substantial visual intrusion and a permanent loss of tranquillity at the village's rural edge. This proposed development would completely change the character, appearance and noise levels to this area of the village and take away a piece of Tattenhall's unique appeal. The large scale construction works, spanning over several years would also cause significant disruption to the neighbouring residents. These findings are consistent with the planning harms identified above and demonstrate that the impacts of the proposal would be experienced acutely by the existing community. Specific mitigations and improvements needed include: 1. protecting key vistas from the village towards the Welsh hills, particularly along High Street and Frog Lane. <u>Village Consent</u> Between 23 October and 05 November 2025, the Parish Council undertook an online survey designed to generate community feedback and provide assistance to the Parish Council in consideration of site allocations for the modified Tattenhall and District
--	--

	Neighbourhood Plan. The survey presented three scenarios, the last of which included the proposed site. The outputs to this survey identified similar to those we have identified above and concluded: Scenario 3 is firmly rejected by residents as unrealistic, harmful, and incompatible with the village's scenic setting. The only proposal that included the Frog Lane site was proposal 3. The council survey does show the village community was willing to give support for proposal 2, with a Western expansion of the village. It is unclear how the council have chosen to progress a site that does not have village support, where an alternative site location does. Proposed mitigations: <i>1. Resiting of the development and/or significantly reduced scale of development (noting there is another site with the same land owner that had village approval in the village plan consultation)</i> <u>Conclusion</u> We submit that the village plan does not adequately address the concerns we have set out in this letter and the proposed development site would negatively impact Tattenhall's special character as a small, close-knit community surrounded by Cheshire countryside. For these reasons, the application would result in material harm to highway safety, flood risk, residential amenity and the character of Tattenhall. These impacts are inherent to the scale and location of the proposal and cannot be adequately mitigated. We therefore respectfully request that the village plan is improved to address this issues. Yours sincerely xxxxx & xxxxx xxxxx
Resident response 8	I am responding to the consultation on the final version of the Tattenhall Neighbourhood Plan. xxxxxxxxxxxxxxxxx I am unable to give you a view of the membership of TT as we have not held an internal consultation as to the views of the wider memberships. Individuals will have responded directly. TT is currently consulting its members on a Vision for a Sustainable Village (copy attached) which will be put to a vote at our AGM on Saturday 18th April 2026 which will be beyond the closing date of the NP. I therefore am sending my personal response having studied the final version of the Plan. I am in broad support of the draft Plan and thanks to all for the work done in getting such a detailed and comprehensive document out. There are many details that we identify established progress in building a resilient community with attention to matters of biodiversity, sustainability and environmental protection as well as the expected management of future development. I appreciate that there are guidelines as to what can be included in the Plan. However, as you will know from TT's earlier representation, (copy attached) I believe that any, strategic or operational plan must explicitly identify the growing impact of the climate crisis. It must do this by setting new and rigorous objectives to tackle the likely impact of climate changes. This Plan projects forward until 2045 when environmental, economic and climatic conditions will have significantly changed. If we are not now immediately, basing our planning intentions within the context of how these changes will effect the lives and resilience of our communities, we risk further delay in taking action that will impact on future lives of others. If, for example, any housing development is allowed to happen without being fully designed and build to prepare for a sustainable future, then we are failing future generations. I do not accept that, in this community, we are not now take able to take a stand in all matters of planning and development that actively resists the continuing dominance of money and developers

	over the needs for future lives. If we do not now act to say we will fight for a better future and not accept the status quo in our the community's relationship to business, politics, and planners it will shame us. Our approach in the last 30 years has failed, so little reason now not to stand up for our community. So after the rant what do I want? I want a clear and explicit statement to sit at the top of this plan to say that we the 'neighbourhood' do not want anything but a sustainable future and a planning process that supports that objective. Nothing less and I hope that the Council will see no reason not to stand up for this principle when they submit the final plan. Our earlier letter and TT's Vision document cover our concerns and expectations in support of this request. Finally I will support this plan but it is not the plan I would like to see we are to really have an impact on the future of our village.
Resident response 9	To the Parish Council Having read the Neighbourhood plan and attended some of the consultations, I understand that the PC is in a real dilemma- protecting the local village and community and meeting Government policy. I understand that the village probably needs to provide more housing, but have always questioned how much more the village can absorb given the current roads, sewage facilities, public transport and GP surgery. Is there a real need for that many houses in and around the village, when there seem to be lots of empty houses - including Bolesworth rented properties? Many of these issues are covered by the plan, however I wonder how much the extra 4-500 cars and a 50% increase in traffic around the village and onto the A41 has been thought about. I understand that CWAC highways has dismissed the need for any upgrade with this amount of development. To me this seems a nightmare waiting to happen, given the frequent log jam through the centre of the village. The village plan does cover flooding, protecting wildlife and providing sustainable housing - but this is not clear how much it means by this. Every house having solar panels, heat source pumps, EV chargers, built with sustainable materials that are as much as possible carbon neutral- would be some way of meeting the needs of climate change. I would have liked to have seen a clearer statement of the need to look at the impact of climate change over the next 30-50 years when the village may well have doubled in size with this development. XXXXXXXXXXXX Sent from my iPa
Resident response 10	Tattenhall is currently a village of some 850 houses that has struggled to cope with recent additional housing developments due to its creaking infrastructure: * The twisting, narrow lanes into and out of Tattenhall from the A41 are unsuitable for modern vehicles, lorries and agricultural traffic, and dangerous for cyclists and pedestrians * All of these lanes have challenging junctions where they join the A41 * There is often traffic gridlock in the village centre and only limited parking * The roads and fields in and surrounding Tattenhall frequently flood, at times effectively cutting it off from the main arterial road * The option of public transport is limited to an infrequent bus service to either Whitchurch or Chester * The sewage plant is at capacity, and on an increasing number of occasions discharges untreated effluent into the nearby watercourse * Preschool and nursery provision in the village is currently oversubscribed; secondary schools in the area are almost full * The existing GP surgery and other health services are already overstretched * Even the graveyard is almost at capacity

	As part of its emerging Local Plan, CWaC has allocated Tattenhall between 500 and 600 additional new homes as part of its commitment to meet national government requirements. Development on this scale will exacerbate the community's infrastructure problems and concerns. However unpalatable, the Parish Council must find a solution that meets this enforced housing requirement yet still provide benefits to Tattenhall's residents. Faced with the scale of this challenge, and with no option to negotiate the target number, it is vital that revisions to the Tattenhall and District Neighbourhood Plan (TaDNP) are effective in doing both. The revised Plan aims to deliver it's objective by identifying two development sites to the west of the village made available by a single developer. Siting future development here reduces the distance that new residents would need to travel to a junction with the A41 to access employment, secondary schools etc and would have a lesser impact on traffic through the village centre than sites proposed by other developers. By dealing with one developer, infrastructure benefits have been promised including: improved road links; a new medical centre; additional village centre car parking; new play areas; a flood mitigation scheme; more allotments; more cycle parking and an additional burial ground. Whilst this solution may be far from the community's ideal, it is hard to see an alternative. I therefore support the revised Tattenhall and District Revised Neighbourhood Plan and commend the Parish Council for all the work done in progressing the Plan to this point.
Resident response 11	I would like to start by thanking the PC in their efforts to get the Village plan aligned with the new National Planning requirements in difficult circumstances. I cannot however support the plan in it's current form. While the requirements are fully understood, the current proposal does not align with what the people of the village, have already voted for, in both location and additional infrastructure. The current proposal refutes the advice of an independent expert (ONH - for which the land in Option 4 had been discounted) in favour of the financial benefits of the local landowner. As has been openly discussed, many of the benefits of the village being put forward by the same landowner are not dependent or guaranteed on the village plan, while also acting as asset protection in the case of flooding. While it is fully understood that flood mitigation is not a legal obligation of the landowner, even with the water coming predominantly off their land, IF they did really have the best interests of the village at heart, this would certainly be a moral obligation (Even if flood mitigation also protects their own assets). If the initial village plan that was democratically voted for (Option 2) was maintained, this would provide more substance for the local council to implement CPO's if necessary. Option 4 as currently proposed is not fit for purpose with the village's current infrastructure. I also find it disheartening that the future of the village would be decided based on incurred costs. Proceeding with planning is a financial risk at any level and as a society, we should not agree to follow something we know if not in the best interests of the majority for the pure benefit of a minority. If I purchased some active, high quality, working farm land, put forward planning for 20 dwellings, but did not intend to improve infrastructure, would the PC approve this on the basis of the significant cost I have incurred?

	Again, I would like to thank you all for your efforts with this difficult process, however I cannot personally advocate or support option 4. I would fully support a return to Option 2. Thanks, XXXXXXXXXXXX
Resident response 12	I submit this objection to the draft Tattenhall Neighbourhood Plan ("the Plan") on the basis that, in its current form, it fails to meet the statutory Basic Conditions, has not been prepared in accordance with the Neighbourhood Planning Regulations, and is vulnerable to legal challenge on established public law grounds. This objection is not to development in principle. It relates to the lawfulness, rationality, procedural fairness, internal consistency, and evidential integrity of the Plan-making process. 1. Failure to Comply with the Basic Conditions: Lack of a Proportionate Evidence Base The Planning and Compulsory Purchase Act 2004 requires that neighbourhood plans are underpinned by a proportionate and transparent evidence base. The Parish Council commissioned an independent housing and growth assessment at public expense (approximately £5,000). That assessment examined defined growth options and identified a preferred option based on sustainability and planning criteria. The draft Plan now promotes Scenario 4, which was not included in that independent assessment, was not tested against the same criteria, and was not subject to comparative sustainability appraisal. No updated or supplementary independent evidence has been published to justify this change. This constitutes a fundamental evidential gap and is contrary to paragraph 31 of the National Planning Policy Framework (NPPF). Strategic site selection cannot lawfully rely on untested options introduced outside the evidence base. 2. Irrational Departure from an Evidenced and Democratically Supported Option Scenario 2 was the outcome of the independent assessment and had been subject to community engagement and democratic support. Its abandonment has not been justified by reference to new sustainability evidence, infrastructure constraints, or materially changed circumstances. The Plan provides no intelligible reasoning explaining why an assessed and supported option has been discarded in favour of an untested alternative. In public law terms, this represents an irrational departure from an evidenced position, rendering the Plan vulnerable to challenge due to the absence of reasoned justification for a significant policy reversal. 3. Improper Reliance on Landowner Willingness and Sunk Costs It has been stated that Scenario 2 was not progressed because the relevant landowner declined to release land, citing the fact that a substantial amount of money had already been invested in land associated with Scenario 4. If this consideration influenced the Plan's direction, it represents a serious legal defect. Landowner willingness, private commercial interests, and sunk promotional costs are not legitimate planning considerations and must not dictate strategic plan-making. Allowing private investment decisions to override an assessed and consulted-upon option: • elevates commercial expediency over planning merit; • fetters proper planning discretion; • undermines the public-interest purpose of neighbourhood planning; and

	• conflicts with the Basic Conditions. This indicates reliance on irrelevant considerations and failure to give proper weight to relevant planning evidence. 4. Procedural Unfairness: Introduction of Scenario 4 Outside the Assessment and Consultation Framework Scenario 4 was introduced outside the original options appraisal and independent assessment that informed earlier consultation exercises. Residents were therefore deprived of the opportunity to engage with this option at a formative stage. A Regulation 14 consultation cannot lawfully cure defects arising from the exclusion of a material option from earlier evidence-gathering and options testing. This undermines meaningful community involvement and breaches principles of procedural fairness. 5. Misdirection of the Public and Distortion of Informed Participation At a public Parish Council meeting, residents were informed that unless Scenario 4 was pursued — involving an allocation of approximately 400–600 dwellings — the village would otherwise face "thousands" of houses being imposed. If this representation was made, it raises serious concerns regarding the lawfulness and fairness of consultation. There is no published evidence substantiating the assertion that rejection of Scenario 4 would inevitably result in development on the scale of "thousands" of dwellings. Framing consultation in this way risks overstating worst-case outcomes, suppressing reasonable alternatives, and inducing agreement through fear rather than informed judgment. Consultation must be accurate, balanced, and free from misdirection. Where residents are presented with a false binary choice, responses cannot be regarded as genuinely informed, rendering the process procedurally unfair. 6. Failure to Demonstrate Deliverability and Infrastructure Capacity The Plan fails to demonstrate that development of the scale proposed under Scenario 4 is deliverable, particularly in respect of: • known foul sewerage and wastewater capacity constraints; • secondary education capacity within the Bishop Heber High School catchment; • highway capacity and conflicts with operational agricultural land uses; • cumulative impacts with other live and foreseeable development. Reliance on future intervention by third parties, without secured, funded and programmed solutions, does not satisfy requirements for deliverability or sound plan-making. 7. Density and Scale: Direct Conflict with Previous Parish Council Objections Density and over-intensive development have historically been central to Parish Council objections to major planning applications in the village. Previous objections to schemes promoted by Taylor Wimpey, Gladman and others consistently cited excessive density, scale, massing, and harm arising from suburbanisation as primary reasons for opposition. Scenario 4 proposes development that is more intensive and extensive than those earlier schemes. The Plan provides no explanation as to why densities previously considered unacceptable are now acceptable, nor why long-standing objections based on scale and intensity no longer apply. This creates internal inconsistency and demonstrates a failure to have regard to previous material planning considerations, rendering the Plan vulnerable on grounds of irrational decision-making.
--	---

	8. Failure to Implement the Plan's Own Policy Commitment to Smaller Sites and Distributed Growth The draft Neighbourhood Plan repeatedly refers to the importance of smaller plots, smaller-scale development, and distributed growth as a means of managing change and protecting village character. Despite this, the Plan allocates 100% of housing capacity to a single landowner and a single strategic site, with no meaningful allocation or support for smaller plots or dispersed development. This represents a clear contradiction between the Plan's stated objectives and its actual spatial strategy. A plan cannot lawfully justify smaller, incremental growth while delivering a de-facto single-site allocation without explaining why alternatives have been excluded. In public law terms, this constitutes a failure to apply the Plan's own criteria consistently and further undermines compliance with the Basic Conditions. 9. Inconsistency with the Plan-Led System and Decision-Making Coherence Once made, a Neighbourhood Plan forms part of the statutory development plan. Internal inconsistency, unreasoned policy reversal, and evidential gaps materially reduce the Plan's weight and effectiveness. If adopted in its current form, the Plan risks undermining coherent decision-making, weakening the authority's position at appeal, and conflicting with section 38(6) of the Planning and Compulsory Purchase Act 2004. 10. Cumulative Legal Effect Taken cumulatively, the defects identified above demonstrate: • failure to meet the Basic Conditions; • procedural unfairness and misdirection of consultation; • irrational departure from evidence and previously stated policy positions; • reliance on irrelevant considerations; • internal contradiction between stated aims and outcomes. These are substantive legal flaws, not matters of drafting or preference. Conclusion and Request For the reasons set out above, I respectfully request that: • Scenario 4 is withdrawn; or • it is subjected to the same independent assessment, comparative testing, and meaningful consultation as earlier options; and • the Plan is revised to give genuine effect to its stated commitment to smaller sites and proportionate growth. This objection is submitted to ensure that any Neighbourhood Plan taken forward is lawful, evidence-based, procedurally fair, internally coherent, and capable of withstanding proper legal scrutiny. Yours faithfully, XXXXXXXXXXXX xx Rookery Drive,
Resident response 13	I have read the revised edition of the Neighbourhood Plan, and have been very impressed with the thorough scope, the pragmatic policy and the clarity of the arguments put forward.

	There are two suggestions that I would like to put forward : (1) In the Policy 5 section, paragraph 3.36 the NP refers to provision of green parking "...in the village centre..."; this strikes me as being potentially very difficult, and you may wish to consider re-wording the phrase to "...as near as possible to the village centre..." (2) In the Policy 6 section, there is a list of 'SITES OF OPEN SPACE VALUE'. This should recognise not only small sites within the village, but also sites which provide open space vistas from the village. Perhaps the most notable such site is from the Flacca sports field and its publicly available environs; another - not as well known, but freely accessible to the public - is the view from the North end of Shire Way over the lower-lying fields and along the Sandstone Ridge. The Council may wish to consider listing these sites as specific 'SITES OF OPEN SPACE VALUE'. There is one further matter that I wish to raise, one in which I struggle to understand the Council's rationale : (3) In the Policy 7 section, sub-section A relates to Phase 1 of residential development; I find it somewhat alarming that in paragraph iv) the Council is proposing to redesignate Rocky Lane to "quiet lane" status with very limited vehicular movements. Even with its present deficiencies - narrow, twisting, with poor visibility for traffic and a propensity for surface water flooding, Rocky Lane is THE strategic village entrance from and exit to all points South. Without it, traffic would have to use Frog Lane - which towards the A41 is also narrow, twisting, with poor visibility for traffic and a propensity for surface water flooding - but the difference is that existing houses make any improvement there impossible, while Rocky Lane (from The Righi outwards) is bordered only by farmland - and very little extra land would be needed to make very significant improvements to the width, bends and traffic visibility. With the substantial growth in the village population now being proposed, it seems to me to be rather short sighted to reduce the road capacity for access and egress : remember that with a greater population we should expect not only more car movements, but also more delivery vehicles, more plant movements, and quite possibly more buses (service and school buses). The facts of life are that, for travel outside our village in this very rural area, cycling and walking are overwhelmingly leisure pursuits while public transport is only likely ever to serve a few specific destinations - and those for people with no time pressures. The loss of Rocky Lane for vehicle traffic would condemn Tattenhall to permanent access difficulty with no real and viable solution. The very least that would be essential to mitigate the situation would be the provision of traffic lights at the A41 junctions with both Chester Road and Frog Lane; indeed, traffic lights at the Chester Road junction would be absolutely necessary in any case to cater safely for the increased volumes of traffic. I would suggest that it is Frog Lane that could more usefully be designated a "quiet lane" : it goes only to Milton Green, whereas both Rocky Lane and the Chester Road are effectively crossroads, with minor roads leading onwards, as well as leading naturally onto the A41, for traffic heading south and north respectively. It would also offer cyclists a junction with the A41 at a point where traffic speeds are lower (40 mph maximum). I hope that this contribution proves useful to the Parish Council in finalising its strategic development plans for the inevitable expansion of Tattenhall. Yours faithfully, XXXXXXXXXX Shire Way, Tattenhall
Resident response 14	Assuming that CWaC allocate a housing development target of up to 600 for Tattenhall, I support the proposed Bolesworth Phase 1 development in principle as shown in the Neighbourhood Plan. However, given the scale of Phase 1, all other multi-house development applications (including Phase 2 and other smaller developments) should be refused until such time as the full impact of Phase 1 has been assessed. This impact assessment should cover transport, flood management, village facilities and services, primary and senior schools etc, and review the take-up

	of housing in practice. On this latter point, I highlight two recent developments in Tattenhall, both with properties for sale since 2022: • Newton-by-Tattenhall where there are still a variety of unsold properties, including town houses, semi-detached, terraced and shared ownership houses • Millbrook Meadow where 40% of properties are still unoccupied, including large family homes, bungalows, shared ownership terraced houses and affordable apartments This restriction on planning applications for multi-house developments should be defined in the Neighbourhood Plan so that housing growth is managed progressively and realistically over time for the good of the village, its residents, service providers, landowners and developers. Xxxxxxxx Tilney Way
Resident response 15	Thank you for the opportunity to comment on the Pre-Submission version of the Tattenhall Neighbourhood Plan 2025-2045. I have a specific comment regarding the proposed village settlement boundary. At the public meeting on 5 March at the Barbour Institute, Mr Keeping explained that the proposed village settlement boundary is drawn to include the existing village residential area plus the Bolesworth land allocated for Phase 1 and Phase 2. The settlement boundary shown on page 29 of the Pre-Submission version of the TNP includes the field to the west of the existing Millbrook Meadow development on Chester Road. This field is neither an existing residential area nor part of the land allocated for Phase 1 or Phase 2, and should therefore be excluded from the settlement boundary as shown on the attached diagram. The approved planning application for Millbrook Meadow excludes the field. It was used as a compound during the development phase and the owner has confirmed that it is being retained as pasture land. Please can you adjust the new village settlement boundary to exclude the field between the existing Millbrook Meadow development and the proposed Phase 2 Bolesworth development. Kind regards, Xxxxxxxx Xxx Tilney Way Millbrook Meadow
Resident response 16	Comments from Tattenhall resident in regard to the neighbourhood plan. XXXXXXXXXXXX Shire Way Comment 1: Excessive Development Volume I would like to raise a concern regarding the overall volume of proposed development within the neighbourhood plan. The scale appears excessive relative to the size, infrastructure capacity, and character of Tattenhall. Such a level of development risks placing significant strain on local services, road networks, and community amenities. It is important that growth remains proportionate and sustainable, ensuring that the village retains its character and that infrastructure can adequately support any increase in population. I strongly encourage the Parish Council to reconsider the total volume of development and ensure it is aligned with the capacity of local infrastructure and the needs of the existing community. Comment 2: Traffic, Access, and Location Constraints While I recognise that certain locations may be suitable for development due to their potential access routes, it is essential that traffic impacts are carefully controlled.

	Under no circumstances should new development result in increased traffic passing through the High Street, Chester Road, Tattenhall Road, and Park Avenue triangle. This area already experiences dangerous levels of traffic, particularly during peak times, and coincides with high pedestrian activity associated with the school, park, and local shops. To mitigate risk and protect public safety, any new housing development should be required to use access routes that avoid this area entirely. Specifically, access should be limited to Frog Lane, Rocky Lane, and Newton Lane. In addition, a minimum radius of 0.2 miles around the school should be kept free from: • Construction activity • Construction traffic • Increased residential traffic resulting from new developments This is essential to safeguard children, pedestrians, and the wider community, and to prevent further intensification of already unsafe traffic conditions.
Resident response 17	I am a resident of Tattenhall .I attended the Consultation Meeting to consider amendments to the Neighbourhood Plan for Tattenhall District on 5 March 2026. I also attended the Extraordinary Parish Council Meeting on 25 March 2026. Following these meeting I concluded that, despite some misgivings, I would support the Neighbourhood Plan to protect the Village from uncontrolled developments and planned to encourage my neighbours to do the same. However I am now reconsidering this decision for the following reasons: • I have now done further research on the consultation process that led to the selection of Option 4 , the land to the South and North of the Frog Lane , being identified for future housing development. I have read the following in the Draft Environmental report from ONH dated February 2026 regarding the recommended Option 4 that contains the following statements: • Scenario 4 “contains a small area covered by Grade 2 land. It is therefore possible that this scenario could lead to the loss of the best and most versatile land.....” • “The majority of the site area in this scenario are unaffected by fluvial flood risk. The only exception to this is some parts of the northern sites which have areas of Flood Zone 2 and 3 where Mill Brook divides the northern site in two. As with other scenarios, there are pockets of surface water flood risk, concentrated densely most on the western edge of the site south of Frog Lane”. • “...this scenario includes a site to the south of Frog Lane which is immediately adjacent to the Conservation Area and in close proximity to a Grade 11 listed building. Therefore, there is potential for this scenario to have a negative impact with respect to cultural heritage”. • “It is clear that a section of the sand and gravel safeguarding area passes through the area north west of the main built-up area of Tattenhall.Therefore, there is a possibility that the development of those sites that fall within the safeguarding area could have a negative impact on the extraction of those resources, by sterilizing the land. The impact of this would be mitigated if extraction were to take place before the sites were developed.” With these comments in mind I would wish consideration to be given to smaller developments which could avoid the negative aspects outlined above. I have additional concerns that the centre of the Village will be detrimentally affected by the increased traffic once the development to the south of Frog Lane is occupied. Vehicles will be using it to access the roads to Tarporley, the local shop, the school and the playground. There are vague references to a Link Road between Chester Road and Frog Lane which could provide an alternative route but no details are given regarding a possible location or how it would be funded. There is a

	right of way through the Retirement Village from Frog Lane into the fields to the north but that would be inadequate to create a link with Chester Road and result in a totally inappropriate and unsafe mix of users. It is with regret that I have concluded that despite the merits of the rationale being put forward to the approve the revised Neighbourhood Plan , the whole process is being rushed through based an out of date Local Plan, questionable data on current traffic flows and dismissing concerns raised in the Environmental Plan undertaken by ONH on behalf of the Parish Council. Xxxxxxx Xxx Davenport Close
Resident response 18	The Parish Council is to be commended for working so quickly to produce a revised version of the TNP. It has formulated a viable option for meeting future housing targets and ensuring that future housing growth will be plan-led. However it is apparent that the Parish Council itself is not convinced of the need for housing on the scale proposed in Policy 7 Site Allocations. To approve a policy whose assumptions you do not accept is an invidious position for any public authority, and I wonder whether some way can be found of indicating in the TNP the reluctance with which its housing allocations have been arrived at. I wonder for example whether, where the plan says (eg in Policy 7) 'Development will be supported...' you might add '<i>up to the level of any housing targets for the time being set out in the CWAC Local Plan</i>'. I cling to the hope that CWAC will ultimately opt for targets which give effect to a revised settlement hierarchy, in which Tattenhall would not be treated in the same way as other current Key Service Centres, all of which have better public transport links. If a lower target were set for Tattenhall than currently anticipated, development up to that level would be supported. To the extent that an application caused the target to be exceeded, the PC would have a discretion whether or not to support it. Subject to these misgivings I believe the Plan deserves public support, and I will vote for it at the forthcoming referendum. Xxxxxxxx xx Greenlands
Resident response 19	Thank you for the opportunity for us to comment on the latest version of the TNPR. We appreciate the need to update the original NP. We have attended various presentations of the original and revised proposals. 1. Having reviewed the latest version which the Parish Council has circulated, we have to write to express concern about the radical changes to the original 3 scenarios put forward in the autumn to end up with scenario 4. Our original support was for a spread of housing over the term of the Plan right around the village. 2.Scenario 4 now puts all future housing in 2 specific areas to the west and south of the village and the scale described (400 and 200 houses) is, in our view, disproportionate to the real needs of the village. We feel that the first phase of these proposals is too big in scale (400 houses) and is driven by the demands of the landowner to relinquish a large area of prime agricultural land for commercial profit. 3.We are concerned that, with regard to the second part of scenario 4, this area, also prime agricultural land, will only be made available by the same landowner if the first area in 2 above, is included in the TNP. 4.We do think that there would be benefits to building some properties in the west and south of the village long-term, but on a much reduced scale and as part of several developments around the village, as was suggested in the originally scenarios. The sheer scale of scenario 4 is thus disproportionate to anything previously considered and is unacceptable to us.

	5 We also have major concerns about the scale of these proposals on the road infrastructure in the south and west of the village, This is already under pressure with increases in traffic volumes in recent years and as a consequence of the various recent housing developments. In the last 10 years or so, Redrow (95 houses), Tilney Way (33 houses), Gifford Lea (170 apartments rising to 195 shortly) have added to these pressures, plus the advent of home delivery services. 6. The Neighbourhood Plan proposals before us do not recognise the inevitable change to the village road network and the village centre. Accepting that Tattenhall is required to take on more houses, building schemes spread around the village 'map' will ease the pressures on the road network more evenly when exiting or arriving, than all vehicles funnelling in and out of the south and west quadrants. Accommodating more vehicles through and in the village centre on the scale anticipated is not addressed enough in the Plan. More work needs to be done on how the village centre would cope with the proposals. 7. Pressures created by this Scenario on flood management, drainage, sewerage in the south an west of the village will need serious assessment. Loading all the demands on existing systems on one side of the village seems poorly thought through. Others more expert in these areas will we are sure comment more technically than we feel able at this point. From our perspective, we see how poorly the drainage systems have coped in recent years and, with the loss of even more grassland, changing to hard surfaces, future flooding problems seem inevitable. We hope these comments will help further deliberation over what is best for our community, Xxxxxx and xxxxxx xxxxxxxx
Resident response 20	I write to add my comments to the neighbourhood plan as a recent arrival within the village. I understand the Parish Council's need to establish a plan in order that the local community's voice is heard and taken into consideration when reviewing planning applications for new homes. My personal view is that large scale development of the village such as the planned 400 and later second phase of 200 homes is going to considerably change the whole aspect of the village. I feel that a better solution for Tattenhall and the other surrounding villages struggling with the same issue would be to create a completely new town with its own infrastructure designed with 21st century needs in mind. However, considering the plan on the table, I feel that I can support it, but with the proviso that the issue of access is addressed. We have a narrow high street with a 90 degree bend at Tattenhall Hall entrance, Frog Lane with a tight bend and narrow hump-backed bridge and Rocky Lane with blind corners an narrowings along its full length. Whilst traffic forecasts seem to indicate that the roads have capacity to accommodate the growth, nothing has been done to acknowledge the saftey aspects with these rural lanes. Both Frog Lane and Rocky Lane are showing signs of width creep with verges regularly used by traffic to pass each other. I personally have had a wing mirror damaged by a speeding white delivery van whilst driving on Frog Lane. There is an assumption that the creation of walking and cycling routes to the village will ease the traffic situation within the High Street. This is wishful thinking. Many of the proposed new homes will be for working families who will be time constrained and will need to use the High Street to drop children off at school whilst on the way to work, and people won't walk if the weather's inclement. I therefore feel that the creation of a link road between Frog Lane and Chester Road, joining Chester Road at a new roundabout at the tight right-hand bend when going out of the village would offer residents of the new development a better route to the better quality (although still a rural lane!) Chester Road that would avoid going through the village centre. As the intention is to

	focus any new development to the western side of the village, this seems like the only sensible solution to providing a safer access to the A41 if the Highways Dept are adamant that there should be no new access points to the A41. The Frog Lane access point would need to be west of the line of the old railway line and well clear of the hump-backed bridge, as I understand that the route of the old railway is to be protected for future use. See attached plan. XXXXXXXXXX
Resident response 21	Thanks to the parish council for all the work that has gone into this document. It's good to see that consideration has been given to wildlife and existing hedgerows etc. 600 houses seems quite a large increase in village size and whilst I accept we will have to take our share of these building targets and provision has been made for the increase of needs at the doctors and local schools, how can the village cater to the additional people without a bigger and better retail offer and the additional traffic as a result? I would also like to see how the additional water and waste requirements will be provided without causing existing residents inconvenience? Thanks again for everyone's efforts. Xxxxxxx Sent from my iPhone
Resident response 22	The Tattenhall and District Neighbourhood Plan (TADNP) needs to have the power for sustainable growth in the future of our village. Developers seem to be allowed to build with no consideration for the environment or amenity. Narrow roads approaching the A41. The highways department don't seem to see it as a problem! Planning applications for building should be selected to keep the character of our High Street. We do not want it grid locked with cars. The modified 2025-2045 version of TADNP is in response to CWAC. Vast number of homes to be built in Cheshire Villages. 500-600 homes in Tattenhall. Careful consideration should be given to where these houses should be allocated. We are grateful the Parish Council has worked very hard, engaging with local residents. Xxxxxx & Martin xxxx xx Greenlands,
Resident response 23	I am a resident of Tattenhall and I have the following views and comments. I agree that there is no evidence that Tattenhall needs 400-600 new homes but the present version of the plan lacks clarity on which area of the settlement would receive your support. I agree that Phase one, because of location and early engagement with the landowner, should receive support, subject of course to the usual infrastructure concerns being addressed. However I believe there must be a pause on housing development thereafter to assess the impact of Phase one on the village. This pause should be enunciated, timed and be a specific policy. I suggest that NO other planning applications should be considered during the duration of Phase one and a subsequent pause. This may be difficult to express but could be embraced as a policy stating "no new housing developments within the settlement boundary of over (say) 6 homes will be supported other than the shaded Phase one and Phase two land". I consider this is essential to arrest and resist creepage of new housing within the settlement boundary in addition to the Phase one 400 homes. In recognising the physical constraints of the High Street, pedestrian traffic from Phase one to the school should be encouraged. The Millenium Mile footpath and footpaths around the church offer a route and this perhaps needs clear

	signposting to achieve use by Phase one families. There is road congestion where Tattenhall Road, Chester Road and Burwardsley Road converge with the busy High Street. The last thing residents wish to see is ugly double yellow lines or other traffic controls imposed by Highways Dept, directly attributable to housing development, or indeed a larger village car park. Turning to the proposed Phase two, I disagree to its inclusion in the plan on the following grounds: 1. It is currently unclear if CWaC require Tattenhall to find room for 600+ homes. 2. I disagree with any increase to the existing North West settlement boundary adjacent to Chester Road. 3. Any development adjacent to and using Chester Road will increase traffic on Chester Road since the proposed extended settlement area is too far from the High Street for pedestrians. This will create dangerous road traffic congestion in the High Street area, especially given the cumulative impact of Phases one and two.. 4. Chester Road junctions at Gatesheath and especially the A 41 are dangerous. Additional traffic flow from any Chester Road development will increase the dangers. 5. There is no bus route along Chester Road to relieve usage. 6. We must try to retain green countryside. We must limit the loss of agricultural land. Tattenhall has attractive approaches and green space which are beneficial to mental wellbeing. We should resist reductions to the existing green space around our village. 7. Tattenhall village has a heritage dating back centuries. This is evident in its High Street and its green spaces. A large increase in the population of the village will place pressure on the village amenities. ANY increase beyond phase one will change the village detrimentally and it is not unreasonable that heritage should be retained. 8. Although the Plan sets strong well meaning conditions under policy 7B i-x I am not convinced that these will be respected in practice. I trust you will consider these issues and incorporate them into the final version of the Plan. Kind regards xxxxxx xx Tilney Way
Resident response 24	I object strongly to the inclusion of the proposed Bolesworth Estates planning application in the new Neighbourhood Plan for the village. I do not believe that this development will benefit the local community in any way. I firmly believe that the development is excessive and completely out of scale with any demonstrable housing need in the village and surrounding area and therefore cannot be said to meet the needs of the local community. Further, there would need to be a massive upgrade in local infrastructure to meet the scale of development proposed, in terms of roads/ highways, power, sewerage and much more and I simply do not believe that this will be forthcoming, effectively making day to day life far worse for local people going forward. The inclusion of an option for land set aside for a new GP surgery is nothing but smoke and mirrors. It is not in Bolesworth's gift to deliver, as this would be the responsibility of NHS England and the local Integrated Care Board to determine. Given that Bolesworth is currently evicting longstanding tenants out of the blue and only giving the minimum 2 months notice, I simply cannot believe that they have the interests of local people at heart. One of my concerns is that, once planning permission has been obtained, Bolesworth will simply sell the site to the highest bidder and walk away from any so-called promises or commitments they have made and any developer will have no responsibility, and probably no intention, of providing any of the new infrastructure needed, putting profits before any benefit to the local community. I do appreciate that the Parish Council has been put in an untenable position by the Council and changes to the national planning framework (which is essentially a developers' charter), but I firmly believe we should be coming together as a

	community, and joining with other local, rural communities, to push back to the Council and to the government, to fight these proposals and protect our village. Even the County Councils Network has grave reservations about the government's proposals and their impact on rural communities*. Smaller schemes, based on actual local need, would of course be very welcome, but this scheme provides a foot in the door for developers and my fear is that, once a planning permission on this scale has been granted, it will simply become a free-for-all and a lot of what makes this village so special and so charming will quite simply be destroyed. Make no mistake, local businesses and attractions will also suffer, if this is allowed to happen, which would have a disastrous impact on the local economy. Given the changing planning framework, I am aware that a number of large planning applications already have been, or are likely to be, submitted for sites around the village and I strongly believe that the impact of all these applications should be considered concurrently, due to the cumulative impact they will have on our local community, environment, highways, services and infrastructure. The collective level of development proposed would, in my opinion, be very likely to change the existing rural nature of the village and its surroundings, destroying what it is that currently attracts people to want to live in, work in and visit Tattenhall in the first place. In short, I remain strongly opposed to this scheme and cannot therefore support the proposed revisions to the Tattenhall and District Neighbourhood Plan. *https://www.countycouncilsnetwork.org.uk/councils-warn-that-the-governments-new-planning-rules-override-local-voices-and-could-leave-rural-areas-vulnerable-to-speculative-development/ xxxxxxx , Tattenhall resident.
Resident response 25	I have the following comments Traffic impact and highway safety: There will be increased peak time queues There will be less safe right turns on to the A41 where there is already congestion and safety problems An increase of +/- 1000 people will impact on school, peak time village centre congestion There is no evidence of extra parking in the village There is no evidence of increased sewerage Both access points are opposite Gifford Lea which already has a considerable traffic flow Both Rocky Lane and Frog Lane are already unsuitable for heavy vehicle traffic Other matters There is no mention of extra school places or medical facilities There is no local need within Tattenhall for anything like up to 600 houses Xxxxxxx & xxxxxxxx X Clough Lane
Resident response 26	I am writing to formally complain about the planned development of 400 plus houses adjacent to the Gifford Lea retirement village in Tattenhall and list them as follows. Infrastructure /Impact: – local roads are already at capacity causing congestion as many cars and other vehicles park on the roadway outside of the relevant property as there is no parking space at the houses. This causes already moving vehicles to have to pull into the kerbside or even onto the pavements to allow vehicles coming in the opposite direction to pass freely. Tattenhall village is equally compromised as vehicles park outside of business premises causing congestion and occasionally dangerous maneuvering affecting pedestrians.

	Environmental/green Belt: - there could be a loss of biodiversity, green belt land and increased flood risk. The potential loss of high-quality agricultural land must be avoided. Character of the Area: - 400 plus homes are disproportionate to the existing community. Tattenhall is a Village and 400 new homes plus up to a possible 800 cars will turn it into a Town destroying its rural character. I suspect that Schools and Medical services are already at capacity. Gifford Lea retirement village: - All residents must be 65 years or older and many are in their 70's and 80's just wanting a peaceful and quiet retirement. The increased traffic in the area will certainly be frustrating and more hazardous for those who currently walk into the village and have to cross carriageways. The Future: - I reject the plan completely unless the proposed quantity of 400 be reduced dramatically to say 30/40 houses in various parts of the County where there is access to existing services such as gas, electricity, water and sewage. XXXXXXXXXX Sandstone Close
Resident response 27	I would like to give my support to the proposed Neighbourhood Plan. Housing growth is unstoppable so it makes sense to have some control of future developments. Kind regards XXXXXX & XXXXX XXXXXX Church Bank
Resident response 28	After attending several meetings held by yourselves over the last few months and reviewing the published documentation I wish it to be formally recorded that this is a letter of support for the Tattenhall Village Plan as proposed by yourselves. If central government and CWAC policy results in Tattenhall having a requirement to accept several hundred new homes over the next 10 plus years it is the least worst option that this is done on the land off Frog Lane provided by Bolesworth Estate according to the published outline planning suggestion and in a controlled way, rather than allowing piecemeal construction encircling the whole village. XXXXXX Xxx Rookery Drive
Resident response 29	I would like to register my support for the Parish Councils proposed Tattenhall & District Modified Neighbourhood Plan 2025-2045
Resident response 30	I know an incredible amount of work has been put into the preparation of this plan and do not want to upset anyone with the comments in the attachment. However, as I occasionally did proofreading in my career, I have gone through the document and came across, in my opinion, some grammatical errors/inconsistencies. Hopefully you find my suggestions helpful. XX Covert Rise
Resident response 31	Planning Objection – Proposed Development of 400 Dwellings, Tattenhall Given that there are very limited employment opportunities in the village and that therefore residents will have to commute, using industry standard traffic and planning factors, the impact of 400 additional dwellings implies:

	Population increase of between 850 – 1,050 people (+43%) an additional 520 – 800 (+ 25 – 35%) vehicles resulting in an additional 1,600 – 2,400 trips/day. This will have an impact on commuting patterns and traffic capacity and concentration in particular on school / peak time and village centre congestion. 1. Traffic Impact and Highway Safety the proposed development is expected to generate approximately 1,800–2,200 additional vehicle movements per day, with an estimated 120–200 additional vehicle movements during peak hours. The primary access routes from Tattenhall to the strategic road network is via Chester Road, the A41. These junctions are already reported to experience congestion, queuing, and safety concerns. Based on standard rural junction capacity assumptions, the A41/Chester Road junction is likely to operate at or near capacity at peak times. The addition of traffic from 400 dwellings would exceed this capacity, resulting in: • Sustained peak-time queues (estimated 20–40 vehicles) • Increased delays (2–5 minutes average, up to 10 minutes at peak) • Reduced gap availability for safe right turns onto the A41 • Increased risk of collisions due to driver frustration and limited visibility This represents a clear and unacceptable impact on highway safety. 2. Unsustainable Scale of Development A development of 400 dwellings would increase the population of Tattenhall by approximately 850 – 1050 (40–45%). (ONS standard planning assumption) This scale of growth is disproportionate to the size and infrastructure capacity of the village. The scale and layout of the proposed development raise concerns regarding community safety and crime prevention. A development of up to 400 dwellings would significantly increase the number of vehicles and properties, which is typically associated with higher levels of opportunistic crime such as theft from vehicles and property. In addition, large edge-of-settlement developments such as proposed create areas with reduced natural surveillance and multiple access points, increasing vulnerability to anti-social behaviour and low-level criminal activity. Given the limited policing presence typical of rural areas, it is important that the design of the development fully incorporates “Secured by Design” principles to minimise these risks. Without clear and robust design measures, the proposal risks conflicting with the objectives of the NPPF to create safe and inclusive communities. 3. Impact on Local Road Network
--	---

	Secondary roads such as Rocky Lane and Frog Lane are already substandard in width and alignment. Increased traffic is likely to result in: • Verge damage and road edge deterioration • Increased vehicle conflicts • Rat-running to avoid congestion on Chester Road These impacts would degrade both safety and rural character. 4. Cumulative Impact with School and Peak Traffic Existing congestion is already exacerbated by school-related traffic. The proposed development would introduce an estimated additional 100–150 vehicles during school peak periods, creating acute congestion spikes and safety risks near school access points. 5. Lack of Sustainable Transport Alternatives Tattenhall has limited public transport provision and a high reliance on private vehicles. As such, the development cannot be considered sustainable in transport terms, contrary to national and local planning policy objectives. Conclusion The proposed development would result in a severe impact on the local highway network, particularly at the A41/Chester Road junctions, leading to increased congestion, delays, and safety risks. Recent appeal decisions demonstrate that highway impacts alone are sufficient to justify refusal where the residual cumulative impact would be severe. For example, the 2024 Gomm Valley appeal was dismissed solely on highway grounds, with the Inspector concluding that the development would result in severe impacts on the road network and unacceptable safety risks. Similarly, large housing proposals have been refused where transport assessments were found to be insufficiently robust to demonstrate that impacts would not be severe. In this case, the A41/Chester Road junction is already operating under pressure, and the additional traffic generated by up to 400 dwellings would likely exceed its capacity, resulting in sustained queuing, delays, and increased safety risks. In line with established appeal decisions, this represents a severe cumulative impact and justifies refusal under the NPPF. In its current form, the development is unsustainable and should be refused. Personal Motive for Objection Nearly a year ago, my wife Leslie, as a result of brain surgery, faced the challenge of having lost 80% of her vision. Shortly after she began to lose her remaining sight, prompting further surgery and experimental treatments in an
--	---

	attempt, so far successfully, to keep whatever vision she has left. During this period, we decided that given the likelihood that she could lose her sight completely, we ought to move closer to our family and if possible, to find a supportive and peaceful environment where she could adjust to a new way of life, get back her self-confidence and develop 'mind maps' in a sympathetic, safe and secure environment that could help her to regain some level of independence and future well-being. We found such a place in Tattenhall and Gifford Lea, where 7 weeks ago we moved into a south-facing apartment with lots of light and a view of the Cheshire countryside that together with the village can provide the ideal, safe and secure environment we are hoping for after this life changing event. We were devastated to learn that this will be lost if this proposed, inappropriate urban style development with all its predictable and attendant problems is allowed to take place in this rural environment. The proposed development will destroy our view of the countryside, so important for someone with severe visual impairment to enjoy, and will severely disrupt this rural environment, bringing years of construction noise and dust and a significant increase in local traffic and congestion the village centre. The increase in traffic volume and concentration will compromise pedestrian safety throughout and surrounding area reducing confidence and heighten resulting in vulnerable residents becoming reluctant to join in social activities and life. The impact that this proposed development will have on our life is profound, and therefore we object to the proposed development of approximately 400 dwellings in Tattenhall on of transport impact, infrastructure capacity, and sustainability resident safety and security.  especially in the village anxiety, village quality of the grounds and
Resident response 32	My comments on the TNPR are set out below. There has been a lot of information to digest, so please excuse me if there are things I have misunderstood. Policy 1 Housing Growth We all know that some village growth is necessary, but it is hard to see how a 50-60% increase in housing can be considered proportionate (TNPR para 3.5). Although the TNPR covers the period 2025-2045, the

	current application that is in for Phase 1 states that it is aiming for full occupancy by 2034 - so a 40% increase in just 8 years. • Notwithstanding recent changes to Government housing requirements, a large housing estate is not in keeping with a village identity and character, no matter how sympathetically designed. Did the Housing Needs Report really identify the need for 600 new dwellings in Tattenhall? • In reference to the assessment of growth scenarios, The OHN Draft Environmental Report states that: <i>'The medium scenarios were considered a 'worse of both worlds option', given that they would not deliver as significant a volume of housing as the high growth scenarios and they would also not be able to deliver sufficient infrastructure to support the new housing'</i> (p33 para 4.2). However, the provision of infrastructure is a moot point unless this can be enforced at appropriate stages of the development. Promises made relating to earlier developments in the village have not been fulfilled. Policy 2 Local Character • Phase 1 elongates the village to the SW, rather than development being integrated around existing dwellings - bolted on, rather than part of the village. • The stated objectives of TNPR include <i>'a housing growth strategy tailored to the needs and context of Tattenhall...'</i> and development which <i>'protects and enriches the landscape and built setting'</i>. I do not see how the current proposal delivers these. • The OHN Draft Environmental Report identifies the land to the south of Frog Lane as <i>'.....immediately adjacent to the Conservation Area and in close proximity to a Grade II listed building. Therefore, there is a potential for this scenario to have a negative impact with respect to cultural heritage'</i> (p39). This negative effect will be doubled (or trebled) in relation to Edgecroft, which will be affected on 3 sides. Policy 5 Transport and Communication • Policy 5 states that development should <i>'Identify the realistic level of traffic it is likely to generate'</i>; must <i>'assess the potential impact of this traffic on pedestrians, cyclists, road safety, parking and congestion'</i>; and <i>'include measures to mitigate fully any impacts'</i>. A development the size of Phase 1 alone will inevitably have a huge impact, but the measures for mitigation that are suggested are, in my view, unrealistic and based on wishful thinking, not evidence. It is unrealistic to think that 'promoting active travel' means people won't use their cars to access village amenities and to get to the school. The location of Phase 1 does not comply with Policy 5 requirements to <i>'reduce dependence of the use of the private car for short journeys...'</i> (Para 3.35).
--	---

	• It's hard to see how providing additional parking behind Barbour Square is going to be a mitigating factor as <i>cars won't be able to get there without driving through the village centre.</i> • The redesignation of Rocky Lane as a 'quiet lane' would be welcome but this would come at an environmental cost if a new link road is to cut over farmland. I also understand that Highways do not think a by-pass to Rocky Lane is needed. This is already a dangerous route for pedestrians at peak times leading to otherwise unnecessary, short car journeys which is contrary to the Local Plan's transport and accessibility objectives to reduce reliance on the private car and improve safety and connectivity. • It can't be assumed that most of the additional cars 600 houses would generate will be leaving the village via the most direct route to the A41. Obviously, the whole point of being a Key Service Centre is that there are facilities and amenities in the centre of the village that people will want to use. Also, the survey put forward by Bolesworth Estate was conducted when some schools had already broken up for the summer, which greatly reduces peak time traffic • Tattenhall Road and Chester Road are already dangerous to navigate (as a driver and/or pedestrian) at school drop-off and pick-up times. Has the impact of additional traffic here been properly considered? It is unrealistic to think that people a 20-30+ minute walk away will not use their cars to take children to school and pick them up (potentially 4 trips per day) • Although matters of scale apply equally to the Option 2 scenario which the village preferred (it was not my choice), the benefit of that location over Phase 1 of Scenario 4 is access to the village from both Chester Road and Frog Lane which offers the opportunity for the number of car journeys to be spread in 2 directions. I know there are reasons why Scenario 2 could not be fully adopted, but I understand that access to both Chester Road and Frog Lane was the reason why many people voted for it. • I do not agree with the OHN Draft Environmental Report that '<i>all site allocations would contribute to similar traffic conditions (p9)</i>', particularly as Phase 1 traffic has only 1 access route to the village which will increase congestion and therefore air pollution from standing traffic. Policy 7 Site Allocations • Notwithstanding the change in Government Planning Policy, it is hard to understand why Scenario 4 is being put forward when there were strong objections to other plans for other locations in the village, which, being smaller, would have less impact • It is also hard to understand how land that was considered 'Not suitable for housing' during the CWaC Local Plan Consultation 2 years ago is now proposed as the right location for 400 houses.
--	---

	• I disagree that the location for Phase 1 <i>'.....is supported by the community as the preferred location for the long-term prosperity of the village, ensuring that development contributes positively to the long-term function and character of Tattenhall'</i> (para 3.46). The community supported Scenario 2, in the expectation that the options for traffic flow would be different. • I also disagree that Phase 1 will be <i>'avoiding development which would harm the village centre as a result in a substantial increase in additional vehicle movements'</i> (para 3.78) for reasons already mentioned. How can there <u>not</u> be a 'substantial increase in additional vehicle movements' when the development is huge, located away from the village centre, and with only one route to get there? • Policy 7 states that it (TNPR) <i>'..enables development to come forward in phases to ensure that growth is coordinated, infrastructure is delivered in a timely manner, and impacts on the village are properly managed. Phasing allows early delivery of essential infrastructure and community facilities, whilst ensuring that later phases respond to changing needs over the plan period.'</i> But Phase 1 is vast and, as already mentioned, there is no stipulation as to when the 'infrastructure and community facilities' must be provided. I'm sorry to be negative - I do appreciate that masses of hard work has gone into this and that there is an element of being backed into a corner. I realise I can be accused of Nimby-ism. I'm sure you will understand that residents of Edgecroft will be hugely impacted by this Plan. It puts us living on a massive housing estate, which is not what we chose. That said, I have tried to set my personal feelings aside and be as objective as I can (though it is because I live where I do that I know people will use their cars to get to the village). I thank you for all the work you do for the Parish. I'm sorry that I do not feel able to support this . XX Edgecroft
Resident response 33	Having had opportunity to study the modified Tattenhall and District Neighbourhood Plan and having attended the public meeting at the Barbour Institute on Thursday 5 March 2026 when the plan and modifications were explained, I wish to express my support for the proposed plan. I hope that the necessary procedures can be completed as soon as possible so that the Plan is officially adopted, XX Rookery Drive, Tattenhall
Resident response 34	Having had opportunity to study the modified Tattenhall and District Neighbourhood Plan and having attended the public meeting at the Barbour Institute on Thursday 5 March 2026 when the plan and modifications were explained I wish to express my support for the proposed plan. I hope that the necessary procedures can be completed as soon as possible so that the Plan is officially adopted,

	XX Rookery Drive Tattenhall
Resident response 35	I am in support of the updated plan.
Resident response 36	We would be in support of the new neighbourhood plan, providing everything was met (e.g new doctors surgery, public open space and flood prevention measures if the land outlined was built on). Also, on the basis that the land outlined in the plan is the only land that is built on and approved, and measures are taken to stop the planning applications 25/02070/FUL and 25/01764/OUT. Especially the land behind rookery drive, we are very much against this going ahead. We also wanted to comment that there is a late night bus in farndon on a Friday and Saturday, and it works very well. Last drop off into Chester is around 7pm and they have a bus coming back from Chester to farndon at 8pm and 10.20pm. It is well used and we feel would be a brilliant addition to Tattenhall, if we could get something like that started up, especially if 400 houses were to be built. We like the idea of allocating a piece of land most suitable to the council, rather than it becoming a free for all where they just approve all planning applications. XXX & XXX XXX (new residents of Tattenhall)
Resident response 37	The Tattenhall and District Neighbourhood Plan (TADNP) has always allowed for controlled, sustainable growth of the village. But we have seen that If allowed to do so, developers will build with little or no consideration for the amenity and concerns of existing residents or for the character of a locality. Current planning applications for development in sensitive locations are visually inappropriate and would have a devastating effect on the amenity of existing residents. Their adverse impacts would substantially outweigh any benefits. This modified 2025 - 2045 version of the TADNP is in response to central government policy which now requires large numbers of homes to be built nationally. It is expected that at least 500 - 600 homes will need to be built within the Tattenhall Parish and this version of the Plan shows where

	these dwellings could be located so as to have minimum impact on the charm and character of this well known and much valued village. The Parish Council has worked very hard engaging with the local community; and taking advice from consultants, has devised a solution that is widely supported by existing residents. I trust the TADNP will now be allowed to carry considerable weight in the planning process. XXX XXXX XX Rookery Drive Tattenhall CH3 9QS
Resident response 38	I am writing to formally object to Policy 7. The current strategy has been developed under procedural duress, creating a "plan for failure" that prioritises landowner investment over the community's safety and democratic mandate. 1. Consultation Under Duress (The 1,500-Home Threat) At the meeting on 5th March 2026, the Council presented a coercive ultimatum: accept this landowner-led 600-home plan or face an unsubstantiated figure of 1,500 new homes. Misleading Information: This 1,500-home figure appears to be a "Scenario 3" projection from the ONH Settlement Spatial Plan (p. 25-26) that was never intended as a realistic target for this plan period. Invalidation of Consultation: Using such scare tactics to suppress dissent against the removal of the Link Road mitigation invalidates the "fair and open" requirements of a Regulation 14 consultation. A mandate achieved through fear is not a mandate. 2. Infrastructure Coercion & Surgery "Ransom" The "offer" of a surgery is being used as a lever to justify a 600-home monopoly. Pre-existing Asset: Since a suitable building for a surgery already exists in Barbour Square—linked to the landowner's family—the facility could be provided today. Double-Pay Requirement: Withholding an existing facility while promising a "new" one only if 600 homes are approved is planning blackmail. Linking this "offer" to a plan that removes the mandatory Link Road mitigation originally promised in the community-voted ONH Scenario 2 is a breach of the community's trust. 3. Creation of an Illegal Housing Monopoly (NPPF Para 70) Breach of NPPF: National policy requires at least 10% of housing to be on small sites (<1ha) to support SME builders. Gifting 100% of the village's growth (600 homes) to a single landowner—based on their "prior investment"—is a de facto illegal monopoly. Front-Loading: This allocation "consumes" the village's entire remaining infrastructure capacity (schools and GPs), effectively locking

	out all other independent local developers or community schemes for the next 20 years. 4. Vulnerability to Taylor Wimpey and Gladman By admitting at the 5th March meeting that this Plan (phase 1) is driven by landowner "investment" and "offers" rather than objective evidence, the Council is handing Taylor Wimpey and Gladman Developments the exact legal grounds needed to win at appeal. They can rightly argue that the Council is not acting as an objective Qualifying Body. I have formally alerted Cheshire West and Chester Council (CWAC) to this environment of duress and the resulting risk to the Plan's Basic Conditions. XXX XXX XX Covert Rise Tattenhall Chester CH3 9HA
Resident response 39	Date: 7 March 2026 Further to my previous representation, I am writing to formally submit a second objection regarding the procedural integrity, financial probity, and technical evidence base of the Draft Neighbourhood Plan Review. It is now a matter of public record that this draft has ceased to be a "community-led" document. Instead, it has become a 20-year strategy tailored specifically to the private commercial interests and "sunk costs" of a single landowner (the Bolesworth Estate), in direct opposition to the village's democratic mandate and safety requirements. 1. Documented Admission of a Landowner-Led Strategy (21st Nov 2025) The official record confirms that the community's 50% majority mandate for Scenario 2 was discarded simply because the landowner: "...would not be prepared to relocate to this area [Scenario 2] as they had committed considerable time and resource into their current proposal [Scenario 4]." Under the NPPF and the Localism Act, a landowner's private "time and resource" (sunk costs) is not a material planning consideration. Allowing a landowner's financial investment to dictate the removal of the village's preferred infrastructure renders this plan procedurally invalid and legally "Unsound." 2. Failure of Technical Evidence: The "Verbal Word" and "Feelings" of the Landowner The January 2026 minutes suggest the Scenario 2 Link Road/Bypass was discarded because the landowner "felt" it would not be supported by CW&C Highways. The Challenge:

	I formally challenge the Council to produce the official, written consultation response from CW&C Highways—dated prior to January 2026—that explicitly rejects the Scenario 2 Link Road. The Legal Conflict: If the Council has based a 20-year infrastructure strategy on the verbal word and "feelings" of the landowner rather than a formal Highways report, the Plan fails the NPPF Paragraph 31 requirement for "proportionate and robust evidence. 3. Procedural Defect: Evidence Timeline and "Ex Post Facto" Justification I wish to formally state that any technical reports—including but not limited to Traffic and Highways, Agricultural Impact, or Sustainability Appraisals—that are commissioned or dated after the commencement of this Regulation 14 consultation cannot be used to retrospectively justify the selection of Scenario 4. National guidance is categorical: "Evidence should inform the plan-making process, not be produced to justify a position already developed." If the Council is currently procuring "evidence" to support a site-selection made in January 2026, it constitutes a fundamental procedural defect that invalidates this consultation. 4. Strategic Infrastructure Deletion: The Village Bypass Scenario 2 offered a vital new road link to Chester Road which acted as a village centre bypass. By "shrinking" Scenario 2 into a road-free "Phase 2" to suit the landowner's internal phasing, the Plan has engineered out the most significant traffic safety mitigation offered to the village in 20 years. 5. Unmitigated Safety Conflict: Dairy Farm vs. 600 Homes Scenario 4 (Frog Lane) introduces a dangerous, unmitigated conflict with an active dairy farm and its daily cattle crossings. Without a funded cattle underpass, adding an estimated 1,000+ vehicle movements per day to this narrow route—based merely on a landowner's preference—is objectively unsafe and fails the NPPF requirement to create "safe and secure" places. 6. Misuse of Public Funds and Wasteful Expenditure Taxpayer money was spent on ONH to develop three community-led scenarios. By discarding that professional work to "invent" a road-free Scenario 4—which did not exist during the public consultation—solely to accommodate a landowner's claim regarding their private "time and resource" and their "feelings" about highways, the Council has engaged in unlawful wasteful expenditure. The public has paid for a professional study that the Council has ignored to protect a private landowner's prior investment. 7. The "Open Goal" for Taylor Wimpey and Gladman
--	---

	By choosing a site based on landowner verbal preference rather than objective sustainability (like the Scenario 2 bypass), the Council is handing Taylor Wimpey and Gladman their winning argument at appeal. Their sites are objectively closer to services (100m vs 500m+) and sit inside/adjacent to the boundary, making them "more sustainable" than the landowner's "ghost" Scenario 4. I request that this second letter be included in the Consultation Statement for the Independent Examiner. XXX XXX XX Covert Rise, Tattenhall, CH3 9HA
Resident response 40	In addition to my comments at the recent meeting, please consider the following: I think it should be made clear that the PC does not like the proposal to build 400 homes in that location, but it feels pressured due to the consequences of there being no plan in place. The proposal will impact Tattenhall hugely and should be resisted if possible so that amendments can be made as it passes through planning. The roads and infrastructure need to be resolved upfront. This was discussed at length in the meeting. Those living on Rocky Lane have blind spots both for the occupants at Edgecroft and Nampara/Trenwith. Higher up the road, vehicles drive fast down the hill as they come round past The Righi. They cannot see cars coming onto the road and are not braking in anticipation. This is dangerous at present and will be worse with higher traffic volumes. Turning right out of our driveway is hazardous. There is no pavement, so it is impossible to walk safely into the village. Cycling is also riskier than it should be and not suitable for children. Please address this in your comments. There is no protection for existing homes on the red line of the proposed site. There are some owners at Edgecroft who are united and can express their views coherently and collectively. At Nampara, I am really exposed to the new development and would appreciate the support of the PC to protect my residential amenity. I have concerns about security, traffic noise, fumes and being overlooked. Nampara is a bungalow with upstairs bedrooms following our recent renovation. We still have 2 downstairs bedrooms and it is important these remain private. There is a height difference which means that there is a real risk of being overlooked from the Bolesworth site. The entire length of my plot (from driveway to bottom of garden) lies on the red line of the plan. There could be a significant number of homes which border us. A significant number of cars parked, starting up, idling and driving out. A significant number of homes overlooking my garden and affecting our privacy. A significant number of children screaming/playing in the gardens. All of which must impact my enjoyment of living in Tattenhall and my residential amenity.

	The only hope, which I hope the PC will adopt, is to push the homes further away from the boundary with a larger buffer zone and to request a lower density scheme of, say 200 homes. If the local plan has to include the 400 home scheme, then so be it but please fight for the interests of the village and raise the objections raised by the villagers as the development goes through planning. If Bolesworth had the interests of the village at heart, it would not have removed other pieces of land from scenarios/options on condition that the 400 home scheme is approved. It would have suggested a smaller number of homes and be more interested in the infrastructure and roads. Their interest is that of a landowner and profit is their driver, whatever they say in public. The arguments about the roads have been made at length but they are really not suitable for a significant increase in the size of the village. I am not sure what the benefit will be of a road linking Frog Lane and Rocky Lane. It would be more use to have a road linking Frog Lane and Chester Road. Please consider my comments above and fight for the best outcome for the village and for those unlucky enough to live on the red line. This is not nimbyism. It is about protecting those who will be impacted by the development and fairness. Thank you XXX XXX XXX Tattenhall
--	--

LNRS comments on the Tattenhall Neighbourhood plan

Landscape character	Policy 2C: Ancient and Veteran Trees are considered Irreplaceable Habitat, therefore removal of this. To take account of the LNRS, the use of Woodland, Hedgerows and Trees Priority W2 could be highlighted here, which is “2. A network of well-connected, well managed and restored ancient woodlands and plantation on ancient woodland sites (PAWS), veteran trees, orchards and exceptional trees”. The actions relating to this priority in the LNRS document includes W2.3 “Improve protection of and safeguard all veteran and exceptional mature trees”. An additional action from Priority W3 that will need to be mentioned , which is W3.6 “Prevent damage to retained trees”. Policy (2D.) Although, this does follow the Irreplaceable habitats policy in the current NPPF, such as NPPF policy 193 ©, stating “development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁷⁰ and a suitable compensation strategy exists;”, there needs to be mention of Priority W2 from the LNRS to highlight the need to safeguard and retention of ancient woodland, ancient and veteran trees but when it comes to Ponds, hedgerows and any other natural feature, development needs to be supported where they have taken this into account within the design of the development as per policy 193(D) of the current NPPF. The revised NPPF is currently out for consultation and may be revised. Policy (2E). Again, no mention of proper habitat enhancement measures that could enable the ecological network to be connected through the parish. Please check the Local Habitat Map for the appropriate habitat actions that developers could use as part of their BNG to expand the ecological network past the Local Wildlife Sites boundaries. Mapped actions and unmapped actions that are deemed appropriate to the LWS habitat should be supported and encouraged to ensure better ecological condition. However, we understand that this relates to the Local Plan policies, as mentioned in the plan, but to strengthen the argument and to support the strengthening of the biodiversity duty on Town and Parish councils, mention of the need to enhance the natural environment through LNRS priorities and actions needs to be demonstrated. Although, we do support the mention of Bat boxes, hedgehog highways and swift bricks, this does not enhance the natural environment, only partially mitigates against the removal of a habitat. As per policy 193 (D), development should be supported whereby “development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.” Please take account of the LNRS Priorities and actions for this policy.
Transport and communication	I support the mention of the need for green car parks as per 3.36, but potential Nature-based solution actions could be mentioned to support this need. Policy (5A/B)- We do support access to green and blue corridors but an appropriate action from the LNRS might need to be mentioned here to encourage responsible recreation. WA3.3 “Reduce the impact of public access on feeding and nesting birds”, Despite being related to an estuarine priority, this is important across the whole watercourse as the Shropshire Union Canal is a key wildlife corridor. There is no mention of habitat creation or enhancement along the green/ blue corridors, which could encourage more use of these areas.

Landscape and the environment	Policy 6a- Please refer to the LNRS document for appropriate priorities and actions relating to how the ecological network could become better, bigger, more and more joined up. At present, there is no support for this policy from an LNRS perspective as there is no action mentioned to support the improvement of the ecological network.
Policy 7: Site allocations	The LNRS can only be used to support better placemaking, that best serves people, the area and nature in its entirety. 7 viii) refers to delivering 'defensible boundaries between the site and the adjacent countryside'. What does this mean? Please reference the CWAC design guide for appropriate boundaries and the LNRS Appendix 7 on the Cheshire LNP website here . "Hedges not fences" would be deemed appropriate and in keeping with Landscape character area.
Policy 8: Flood management land	Policy 8A.) We support the expansion of this scheme, but there is no mention of how this supports the LNRS. Watercourse priorities and actions alongside Nature-Based solutions priorities and actions must be referred to here. Also, supporting the LLFA's comments, landowners consent must be required before putting land forward. Also, please check the Local Habitat Map here to explore other possible options for a natural flood management area through the Nature-based solutions layer.

Cheshire West and Chester Consultation Response

Draft Tattenhall & District Neighbourhood Plan Review (Regulation 14 Consultation)

Thank you for the opportunity to review and comment on the Tattenhall & District Pre-Submission Neighbourhood Plan Review.

The Council recognises the significant amount of time, effort and community consultation which has been involved in the preparation of the Plan so far.

In general, the Plan has been positively prepared and reflects the NPPF and adopted Local Plan. We do however have a number of comments from officers across the Council which are intended to improve the clarity and effectiveness of the policies. The comments are appended to this letter.

Yours sincerely

Nathan Hughes

Career Grade Planning Officer – Planning Policy

General Comments

The Local Plan (Part One) Strategic Policies (adopted in January 2015) and the Local Plan (Part Two) Land Allocations and Detailed Policies (adopted July 2019) provide the framework for preparation of the Neighbourhood Plan.

The Council have undertaken Habitats Regulations Assessment (HRA) and Marine Plan screening of your draft Neighbourhood Plan which has been subject to consultation with the relevant statutory bodies. The Strategic Environmental Assessment (SEA) has been prepared separately by Consultants O'Neill Homer.

Please see below a table of detailed comments for your consideration:

Section	Comment
General comments	The Neighbourhood Plan aligns with Local Plan (Part One) Policy STRAT 8 Rural Area, by focussing development in Tattenhall as a Key Service Centre.

	Throughout the Plan, there is a reliance on draft NPPF 2025 Consultation National Decision Making Policies (NDMPs) which are currently not in place and may be subject to change. Cheshire West and Chester Council – Transport Team comment: We would welcome reference to the Borough’s Local Transport Plan (LTP4) within the Neighbourhood Plan. Adopted in December 2025, LTP4 sets a vision and priorities for transport across the borough, including objectives for decarbonisation, fairness, economy, health and place. The Neighbourhood Plan should encourage development proposals to demonstrate alignment with the objectives and targets of LTP4 including reducing reliance on private car travel where possible, encouraging a shift to zero-emission vehicles, and improving safe, direct sustainable transport connections for local journeys. Cheshire West and Chester Council – Local Nature Recovery Strategy (LNRS) Programme Officer comment: The programme officer for the LNRS has prepared a separate document with comments on the Neighbourhood Plan from an LNRS perspective. This will be attached in the same email as this combined response.
Policy 1: Housing Growth	The policy has reliance on the draft national policy through reference to National Decision-Making Policy (NDMP) S3 and NDMP HO8. These policies are currently under consultation and have not yet been confirmed. Section A refers to the settlement boundary being defined for the purposes of applying NDMP S3 on the presumption in favour of sustainable development. Would the settlement boundary only apply for this purpose, or would it also be used for other decision making purposes? The policy currently refers to requirements for housing proposals of 10 or more dwellings, for example in relation to mix and type and affordable housing. Does this mean that on sites below 10 dwellings this would not be required? The Local Plan (Part One) Policy SOC 1 requires affordable homes on all new residential development that in the rural area have a capacity for three or more dwellings or comprise and area of 0.1 hectares or more. Cheshire West and Chester Council – Strategic Housing Team comment: Strategic Housing have one comment regarding the Tattenhall Neighbourhood Plan regarding Policy One, Bii “The affordable housing will be subject to a S106 Legal Agreement ensuring that it remains an affordable dwelling for local people in perpetuity”. The commentary in paragraph 3.9 explains that s.106 Agreements should prioritise applicants for Affordable Housing with a Local Connection to the Parish for Discounted Market Sale and Affordable Rented accommodation where the Housing Needs Survey identifies a shortfall in provision. The 2023 Housing Needs Survey identified a modest need (12 units) for affordable housing, particularly 1-bedroom homes. Given there are c.6000 applicants on the Housing Register, only very minimal prioritisation of Parish residents is considered justified. A short eligibility cascade (for example 1 week for Affordable Rent and 4 weeks for Intermediate Affordable Housing) is the only option that could be supported to explain how this prioritisation could be implemented.
Policy 2: Local Character	In policy 2 A), what is meant by ‘does not unacceptably erode the important, predominantly undeveloped gaps between the three settlements of Tattenhall, Newton-by-Tattenhall and Gatesheath’? How would this be assessed? Would a small development in the gap be acceptable? How would a development ‘respect local landscape quality’? Could it still be developed? Policy 2 A) and B) refers to the Design Code (2022), but the version of the Code included in the consultation is from 2023. This comment also applies to other relevant sections of the neighbourhood plan. Policy 2 B) states that developments of over 30 homes should comprise smaller areas with different types of housing setting, as set out in the Design Code. The Design Code describes different character areas but doesn’t set out how smaller areas within developments should differ.

	This should be explained in more detail so it is clear exactly what is expected and how it would be achieved. It isn't clear how this would work on the site allocations for a total of up to 600 dwellings, as set out in Policy 7. Policy 2 C) would be difficult to assess. How would it be determined whether an arboricultural report is from a 'reputable company'? How would it be established whether a tree had 'significant amenity value' or was an 'important tree'? Would Policy 2 C) and D) this aim to prevent any development that would result in loss of any healthy, mature trees with amenity value or any ancient, veteran and mature native trees, hedgerows, ponds and woodland? If so, this could prevent housing development and therefore may not meet the requirements in the basic conditions.
Policy 3: The Local Economy	Policy 3 A), criterion 1 refers to the conversion of existing buildings – would this apply to any existing buildings and proposals for any employment or retail development? If so, this could result in unsustainable development or retail development outside retail centres.. Employment or retail development of existing buildings would not necessarily be suitable and could cause problems in terms of neighbouring amenity. Criterion 2 also supports new commercial premises, which may not necessarily be suitable. Additional details should be added to clarify what would be supported. What is meant by small-scale? Does this relate to the size of the existing business? Small-scale expansion of a large site could be very significant.
Policy 4: Local Facilities	Would policy 4 A) apply to all proposals? For example, would this include house extensions or applications for advertisement consent? What is meant by demonstrating how impacts will be addressed? If there was an increasing need for a service for facility like a doctor's surgery, how could that be addressed by an individual development? A) also refers to new utility services being seen as a positive benefit. Would this still be a benefit if the new utilities (such as water supply) were provided as part of a housing scheme and just served that site? Criterion C refers to demonstrating that reasonable efforts have been made. What would be considered 'reasonable efforts'? Cheshire West and Chester Council – Strategic Waste Team comment: The Tattenhall Household Waste Recycling Centre (HWRC) is within the boundary and not specifically mentioned in any of the documentation. However, under Policy 4 (Facilities) principles are outlined that suggest that local facilities should be protected to serve local communities. The Tattenhall HWRC is an important service serving communities much further afield than the Tattenhall Neighbourhood and enables the Council to provide a portfolio of HWRCs across the borough that meet the Waste and Resource Action Programme (WRAP) and National Assessment of Civic Amenity Sites (NCAS) guidance for HWRC provision (Whilst recognising that the size of the HWRC is too small to provide a full HWRC offer, compared to the largest HWRC sites located in the main conurbations of Winsford and Chester). Alternative provision for rural communities would have to be provided should this site ever be developed.
Policy 5: Transport and Communication	Policy 5 A) and C) contradict each other. A) seeks to reduce or mitigate traffic or congestion, whilst C) seeks to increase parking provision which could increase traffic and congestion. Policy 5 A) states that development should include measures to mitigate fully any impacts. Most developments will have some impact on congestion – would a minor remaining impact still be unacceptable? Cheshire West and Chester Council – Transport Team comment: Policy 5A: We support the current policy wording, but would welcome further clarification of the importance of assessment of movement across all modes, not only vehicle traffic. In line with the updated NPPF, references to "realistic levels of traffic" should adopt a vision-led approach that tests a range of plausible transport futures, including mode shift scenarios, rather than relying solely on trend-based forecasting.

	The policy's reference to walking and cycling could be strengthened by explicitly referencing key statistic active-travel corridors mentioned elsewhere in the Plan. The former railway line toward Chowley and the Shropshire Union Canal towpath should be recognised her as key greenway opportunities and important wildlife corridors in their own right, in addition to later references in relation to site mitigation. More broadly, the wording should refer to upgrading and enhancing infrastructure provision and quality, rather than just "maximising opportunities".
Policy 6: Landscape and the Environment	Some of the proposed Local Green Spaces (LGS) have relatively short descriptions in Appendix B. Additional evidence should be provided to show how all the proposed LGS meet the requirements in the regulations and guidance. Would the requirements set out in Policy 6 A) on protection and enhancement of wildlife value, respecting local landscape character and supporting the creation of a network of green spaces relate to any type of development proposals? As currently worded it would include any type of development, including housing extensions etc. Cheshire West and Chester Council – Landscape Team comment: The document should make reference to good design practice, and methods to safeguard landscape and townscape character and local distinctiveness, in the form of guidance notes, i.e. inclusion of Landscape and Visual Impact Assessments/Appraisals and Townscape Appraisals for all future change proposals.
Policy 7: Site Allocations	Does Policy 7 refer to two separate site allocations, or is it one allocation which is split into two parts? Would it be acceptable if the two parts were developed separately? Generally, the policy includes several very specific requirements that do not necessarily fit with the requirements set out in the Local Plan. 7 A) v) refers to 'up to 9.8ha of publicly accessible open space' – which makes it sound as though a lower amount would also be acceptable. Should this be a minimum of 9.8ha? How has this figure been developed. 7 viii) refers to delivering 'defensible boundaries between the site and the adjacent countryside'. What does this mean? High fences may be a defensible boundary, but wouldn't fit with the character of the rural area. More information should be provided. 7 xii) refers to all mature trees and hedgerows being retained on site 'unless their removal is necessary' – which seems to conflict with the requirements in Policy 2. 7 xiv) refers to the need to ensure that adjacent watercourses and their catchments are protected. How would that be assessed and achieved? The comments above also relate to relevant sections of policy 7 B). Part of the site includes a sand and gravel mineral safeguarding area. The proposals will need to comply with policy M 2 in the Local Plan (Part Two) and the policy should explain how this will be achieved. Cheshire West and Chester Council – Transport Team comment: Policy 7A(x) should explicitly reference access to healthcare. Walking and cycling connectivity should link not only to schools and the village centre but also to existing and proposed GP provision. Policies 7A(xi) and 7B(viii) should refer to both access and enhancement of the former railway line. This recognises its function as a strategic greenway, a potential spine route for future active travel investment, and an ecological corridor requiring careful design and upgrades. The Neighbourhood Plan should consider strengthening the contribution which transport can make to achieving your aspirations for the Tattenhall's village centre's place function. This includes the role of traffic calming, reduced vehicle dominance and speed restraint, particularly important if a new street between Chester Road and Frog Lane is brought forward. The village centre should be planned as a people-focused hub that prioritises safety, walking, cycling and public realm quality, and this should be explicitly referenced as part of mitigation for development.

Policy 8: Flood Management Land	How and why has the land off Burwardsley Road been chosen for the delivery of a natural flood risk management scheme? Have the landowners been consulted? Who would be responsible for bringing the scheme forward?
Policies map	It would be helpful if the policies map on page 28 had a more detailed base map, as it is difficult to tell exactly where the parish boundary and other boundaries / sites are in relation to existing development etc. On the policies map (page 28) and inset map (page 29) is the 'Policy 1 housing growth' boundary the settlement boundary? If it is the proposed settlement boundary, why does it exclude the dwellings on Edgcroft? The boundaries Local Green Spaces are difficult to make out on the policies map / inset map and more detailed maps should be provided. The views and vistas are numbered in Appendix A and should also be numbered on the policies map / inset map.
Appendix A – Views and Vistas	Cheshire West and Chester Council – Landscape team comment: It would be beneficial to include the viewpoint images within the document. Likewise, it would be good to include images of the Local Green Spaces as per Appendix B.
Appendix B – Local Green Spaces	Detailed maps showing the boundaries of the Local Green Spaces should be provided in this appendix.
Draft SEA Report	It is still unclear why the topics of landscape and climate change, energy and air quality have been scoped out, when it is likely that the new Policy 7 and allocations will impact on those topic areas. On page 9 of the SEA report it states that all allocations would contribute to similar traffic conditions. However, the O'Neill Homer presentation from 23 October 2025 sets out key differences between the growth scenarios in terms of transport for example with scenario 1 resulting in "traffic effects distributed around the village", scenario 2 being "closer to the A41 and opportunity for Frog Lane to Chester Lane link road so less traffic through the village" and for scenario 3 "significant new highways works required to facilitate access to A41 plus new link road required from Chester Road to Frog Lane". As such, the options would have different impacts on air quality and they would also have different impacts on landscape due to the different locations of development. Chapter 4 provides an assessment of the growth scenarios, but doesn't provide maps or detailed descriptions of each growth scenario – so it is very difficult to identify whether the assessment is accurate. Details of the scenarios should be provided within the SEA report. The assessment on page 27 identifies that land affected by flood risk and mineral safeguarding designations is expected to remain undeveloped and safeguarded accordingly. However, this isn't specified in Policy 7 in the neighbourhood plan.
Design Code	We are currently working on a new borough-wide design code. We will share the design code with Neighbourhood Plan groups as soon as we can. Cheshire West and Chester Council – Strategic Waste Team comment: The only mention of waste/recycling is in the sustainability section of the design code where the point is made that waste storage should be submitted with all planning applications for new or significantly extended buildings, or where a change of use is required. I would suggest this adequately covers the services requirements for assessing domestic/household developments, but the Waste Commissioning Team would not review commercial developments – ideally all waste and recycling containers should be stored out of site, especially in sensitive areas near listed developments.

	Cheshire West and Chester Council – Transport Team: We support the approach to parking set out in your Design Code, including emphasis on locating parking out of sight. Side-and-rear-court parking helps avoid vehicle-dominated streets. The Neighbourhood Plan should also reference the emerging Boroughwide Design Code, due to be published later this year, which will give further guidance on street design, sustainable movement and support for LTP4’s vision for people-centred streets.
--	---