

INTRODUCTION

In 2021 Christleton Hall itself was sold to Blueoak Estates (Christleton) Limited and the remainder of the land (excluding the walled garden and the former playing fields) was sold to Castle Green Homes Limited. Bridgemere still owns the walled garden and the former playing fields.

Christleton Hall, the Castle Green Homes land and the walled garden benefit from planning permission for “*redevelopment of the former University of Law Chester campus for residential use (Use Class C3) including demolition of late 20th century buildings; conversion of Christleton Hall to 18 apartments; erection of 24 new residential dwellings and an office building (Use Class E); and associated landscaping, parking and other works.*” (21/03458/FUL granted on 12 September 2022) (the **Planning Permission**).

The plan below shows the approved scheme.



The former playing fields have not been used as sports pitches for a long time and they were not part of the Planning Permission.

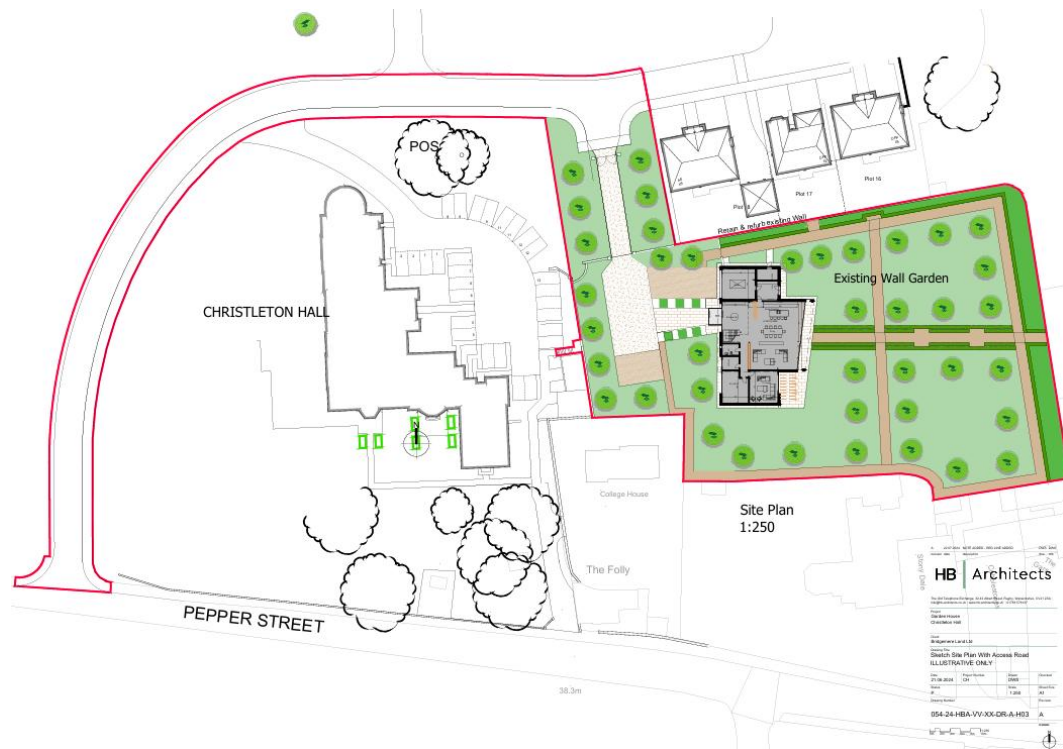
The residential development permitted by the Planning Permission has been carried out and completed:

1. The 24 residential dwellings were built by Castle Green Homes.
2. Christleton Hall has been converted into apartments by Blueoak Estates (Christleton).

The Planning Permission permitted development of the walled garden as an office building. The office building (see below) has not yet been built but can be lawfully constructed under the Planning Permission, which has been implemented by virtue of the development referred to at points 1 and 2 above.



The walled garden also benefits from Permission in Principle (**PIP**) for a large dwelling in similar form and size as the approved office building (see below). The PIP was issued on 11th October 2024 (24/02349/PIP). The technical approval details have been submitted to Cheshire West and Chester (**CWac**) for approval.



Christleton Parish Council objected to the planning application that resulted in the Planning Permission and also to prior planning applications for development of the land.

In summary, the former Law College site has been lawfully developed for a mixture of residential uses. The walled garden benefits from extant planning permission for an office and from a PIP for a residential dwelling. The former playing fields were previously sport pitches serving the Law College. There are no plans, intentions or policy requirements to seek any necessary planning permissions or approvals to reinstate the sport pitch use. The former playing fields did not form part of the Planning Permission.

Policy GG2

Policy GG2 covers the former playing fields at the Law College.

The draft policy provides an unnecessary duplication of Green Belt policy in the NPPF and should be deleted. Adequate protection is provided through Green Belt policy. Furthermore, the PPG (ID: 37-015) is clear that *“blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name”*.

There is no evidence robustly supporting the justification for these blanket designations to be included in the Neighbourhood Plan.

The policy fails to allow for consideration of the future potential of the former playing fields as grey belt in circumstances where there is a demonstrable unmet need for their development (paragraph 155 of the NPPF).

Policy LGS1 - Law College playing field and orchard

First, the NPPF is clear at paragraph 107, that Local Green Space designations should only be used where the green space is:

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land.*

A number of the proposed LGS designations viewed in isolation and collectively, are considered to be extensive tracts of land (particularly due to a number of designations lying adjacent to one another) and therefore they are inconsistent with the NPPF. The issue of scale of LGS has been explored by a number of Examiners, including through the following Neighbourhood Plan examinations:

- The Examiner's Report to the Oakley and Deane Neighbourhood Plan recommended the deletion of LGS measuring approximately 5ha and also found it to be not local in character.
- The Examiner's Report to the Alrewas Neighbourhood Plan identified that both sites proposed for LGS designation 'in relation to the overall size of Alrewas village' comprised extensive tracts of land measuring approximately 2.4ha and 3.7ha.
- The Examiner's Report to the Brixworth Neighbourhood Plan recommended the deletion of three proposed LGS due to the lack of evidence supporting their designation. In doing so, the Examiner recommended the deletion of 1 LGS measuring approximately 2.7ha.
- The Freshford and Limpley Stoke Neighbourhood Examiner's Report identified four sites that collectively comprised an extensive tract of land that was not local in character, and therefore did not meet the criteria for Local Green Space designation. In addition, the Neighbourhood Plan stated, '*the Local Green Space is needed to prevent agglomeration between the settlement areas*' to which the Examiner concluded that this is not a purpose of Local Green Space designation.

Cumulatively, LGS2 and LGS3 measure approximately 3.8ha, LGS1 measures approximately 2ha across two parcels and the adjacent LGS measures 2.5ha. In addition to the other LGS designations, these are considered cumulatively to comprise extensive tracts of land, particularly in relation to the size of the settlement.

Secondly, the LGS overlap with many Green Gap policies and (notwithstanding the above comments) the duplication of policy is unnecessary and confusing. Beyond supporting text within the Neighbourhood Plan document itself, there is no evidence specifically supporting or seeking to justify the local green space designations. Therefore, it is considered that the designations are contrary to the guidance in the PPG which identifies that Neighbourhood Plans should be supported by proportionate, robust evidence that supports the choices made and the approach taken.

Specifically in respect of LGS1, the draft policy states:

*Green field designated a playing field only 100m from the Village Green.
Separates the new Law College housing development from the unacceptable noisy A55.*

Large tree planting around the edges of the field which link to the canal and nature connectivity.

The walled orchard is part of the grade ii listing and a crucial setting for Christleton Hall.

The housing developer agreed to retain the rare apple trees in the Orchard and provide the residents of the new houses with access to the playing field and the orchard.

The housing development builder felled all the trees 'by mistake' - this green space must be reinstated as an orchard. Access to the playing field and the orchard must be provided to the residents of the new houses.

The tenor and tone of the policy are argumentative and use subjective language without any evidential basis. The language is not appropriate for a development plan policy.

The PPG deals specifically with circumstances where land has planning permission for development. It states:

What if land has planning permission for development?

Local Green Space designation will rarely be appropriate where the land has planning permission for development. Exceptions could be where the development would be compatible with the reasons for designation or where planning permission is no longer capable of being implemented.

Paragraph: 008 Reference ID: 37-008-20140306

Revision date: 06 03 2014

Accordingly, it is not appropriate designate the walled garden as LGS.

The draft policy contains a number of inaccuracies:

1. *'the unacceptable noisy A55'*: The approved housing has been built in accordance with necessary planning permissions. The noise regime from the A55 was considered when granting permission. The development was found acceptable from an acoustic perspective. However, it is unclear whether the comments relate to the existing homes or potential new development. If the latter, any future proposals would need to consider noise and other environmental impacts.
2. *'The walled orchard is part of the grade ii listing and a crucial setting for Christleton Hall'*: The walled garden is not crucial to the setting of Christleton Hall. This can be seen from the CWaC Built Environment Officer (Conservation and Design) response dated 24 February 2025 in respect of the PIP technical approval application.

We have assessed this TDC application for the proposed new build adjacent to the walled garden at Christleton Hall and have concluded that the proposal will result in no harm to the character or setting of the listed hall. The setting of the hall has been massively compromised over time by the addition of various educational buildings and a car park. These have been removed and replaced by a residential housing development, but the historic setting of the hall can in no way be said to be extant, except perhaps when viewed from within the grounds to the northwest. The interrelation between the hall and walled garden has been less impacted, but has been interrupted by buildings and a car park in recent years, such that we can say there is no long-surviving historic interrelation between the two that will be compromised by this proposal.

The proposed materials for the new building, which has already been accepted in principle twice, are appropriate for the setting of the hall. We would recommend the addition of a condition to any grant of permission for this proposal to require that details of all external finishes and materials be submitted for approval prior to installation.

3. *‘The housing development builder felled all the trees ‘by mistake’ - this green space must be reinstated as an orchard’:* These are ill informed, inaccurate and unfortunate assertions that are totally without merit and inappropriate for a development plan policy. The trees were removed in accordance with the Planning Permission and at the time of the application for the Planning Permission, they were either dead or in poor condition, as confirmed by survey data.
4. *‘Access to the playing field and the orchard must be provided to the residents of the new houses’:* This has no planning purpose. There is no requirement under the existing permission to provide access to these areas of land. The former playing fields and walled garden are privately owned by Bridgemere and they have never been generally accessible for use or enjoyment by the community. Castle Green Homes has never had any ability to offer them for use by the residents and has not done so. The walled garden is enclosed, and the playing fields are fenced in accordance with public liability insurance requirements to prevent public access. There are no plans to reinstate the sports pitches and there is no intention or obligation to make the former playing fields or the walled garden available for use by the community.

Critically, there is no public access to the proposed LGS1 designation, and it cannot be considered to be demonstrably special to a local community. This conclusion is supported by the findings of the Examiners of both the Middleton St George and Hadley Wood Neighbourhood Plans.

The Examiner of the Middleton St George NP stated:

“LGS11 – The area consists of a grass field crossed by footpaths. There is no recreational use of the field as a whole other than the use of the footpaths and it does not have any particular landscape value. It does not form part of the rural gap between the settlements. A representation has been made objecting to the designation. It is considered that the site does not merit designation as a LGS.”

Whilst the Hadley Wood NP Examiner concluded the following in respect of proposed LGS8 designation:

“...although it is in close proximity to the community it serves, is not publicly accessible and is operated as pasture/grazing land. From my site visit, I realised that current views of the Duchy site from public vantage points are limited by mature vegetation, topography and hedgerows. Occupiers of properties along Camlet Way, Crescent West and Bartram’s Lane may enjoy attractive private views across the land from their rear gardens and upper windows, especially in winter when vegetation may die back. However, the lack of public accessibility, combined with limited public viewpoints from within the Hadley Wood Neighbourhood Plan area, go against the requirement for being demonstrably special to the local community, in my opinion. The site is not used by the community for walking and recreational purposes as are the other proposed LGSs on the edge of the built-up area of Hadley Wood...

...Overall, I conclude that the case for LGS designation of LGS8 is not sufficiently strong. I recommend that Policy HW-6 and Figure 20 are modified to remove it as a LGS, for consistency with national planning policy.”

Overall, the policy is drafted in terms that the Parish Council and authors of the Neighbourhood Plan appear to want to have a ‘second bite of the cherry’ to seek to frustrate lawful development, on land the development of which, it has frequently objected to over many years and other planning applications.

A Neighbourhood Plan policy is not the place to re-run those objections which have been heard and dismissed. The development permitted by the Planning Permission has been lawfully implemented, and no enforcement action has ever been taken by CWaC. The proposed designation of LGS1 does not meet the criteria identified in NPPF paragraph 107. Furthermore, the NPPF is clear that ‘*designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.*’ It is considered that the policy choices in the Neighbourhood Plan are therefore contrary to the NPPF.

Policy LGS1 is not capable of being amended and should be deleted in its entirety.

OTHER GENERAL COMMENTS

A number of policies use the word ‘**must**’ (emboldened to add unnecessary emphasis) as a way to prohibit development or place extra tests and requirements on development proposals.

The word ‘must’ is used 156 times in the draft Neighbourhood Plan, many times to place absolute requirements on development – whereas ‘must’ only appears nine times in the NPPF and never in the context of an absolute requirement that a development proposal must, or must not, do something.

By contrast, the word 'should' is used 442 times in the NPPF and 62 times in the draft Neighbourhood Plan.

The Examiner is requested to review the use of the word 'must' in the draft Neighbourhood Plan.

Introduction

The **Introduction** to the draft Neighbourhood Plan sets an unfortunate tone. It refers to a series of 'unchecked' developments which the authors believe threaten the rural character of the village by:

- *being too high*
- *being too densely packed*
- *eliminating open views*
- *invading privacy of adjacent housing*
- *being of a low quality and unsympathetic to the character and heritage of the village*

These are subjective terms (and in some cases emotive) that are without evidence and they fail to recognise that all developments would have been approved by CWaC, so cannot be characterised as unchecked as they would have undergone full scrutiny.

In terms of quality of development approved in Christleton, the Examiner is respectfully requested to view the Castle Green Homes development off Pepper Street to appreciate the quality of development which has been built in Christleton.

In a similar vein, the draft Neighbourhood Plan talks about the persistent adverse impact of development on the village. The wording is disappointing and without evidence should be removed.

Christleton and Littleton Today

There are several unevidenced references to problems with congestion, adverse air quality conditions and accident/injury records. While understanding the authors' concerns, such references must be fully evidenced (by experts or suitably qualified professionals) to justify their inclusion in a development plan document. For example, the Air Quality Report in the 'link' appears to have been undertaken by volunteer members of the Neighbourhood Plan Working Group and the results do not appear to support the concerns expressed.

It is unclear what the evidential basis is for the reference to a 60-foot plume of PM2.5s, not least as PM2.5s are invisible.

This section of the draft Neighbourhood Plan should be deleted or substantially rewritten using appropriate evidence.

Policy NH3 – Brownfield and Greenfield Development

The policy uses the term 'co-located', which is not defined. Nevertheless, there is nothing to suggest that development being located close to existing development or connecting with shared access provision is unsustainable. The first sentence of the policy should be deleted.

Design Code

The majority of the Neighbourhood Plan is taken up with policies intended to serve as design code. It is recommended that these policies are removed from the draft Neighbourhood Plan and are included in a separate document which could be appended to the Neighbourhood Plan. The policies are detailed and would substantially benefit from consultation and discussion with design professionals at CWaC (to ensure that the design code is consistent with CWaC's own design code), local architects and other professionals.

Policy INF1

This policy is concerned with sewage and drainage, particularly wastewater. The policy is unnecessary as there is a legal requirement for wastewater companies to provide connection for developments¹. The policy should be deleted as the matter is dealt with by legislation.

Notwithstanding the above, it is assumed that there is a typographical error in the 4th line of the draft policy. The word 'insufficient' should be 'sufficient'.

The justification for the draft policy prays in aid a consultation response from a planning application for 200 homes on the A41. Unfortunately, the quote is selective, and the full quote goes on to say:

Accordingly, it will be necessary for the developer to undertake a development enabling assessment to identify a solution for mitigating the impact of the proposed development. This may include the removal of surface water flows from the immediate public sewerage system to offset the new foul flows from the development. Where this is not possible, the identification of an alternative reinforcement solution to the network via further hydraulic modelling analysis will be required to identify suitable off-site reinforcement works to the public sewerage system.

This illustrates that solutions to wastewater can be found.

Policy INF1 and the supporting text should be deleted in their entirety.

7.0 Parish Council Actions

This section is misinformed and the general tenor has an anti-development tone.

For example, when addressing the use of Grampian conditions as a means of restricting development until work is undertaken, the Neighbourhood Plan takes a gratuitous swipe at the development industry by saying a “....*developer will try to get around the condition.*”

There is no recognition that development can and does contribute to upgrading infrastructure to accommodate development.

¹ Section 106 of the Water Industry Act 1991

Air Quality

The document implies the increase in PM2.5 is due to tyres and disc brakes and that electric vehicles generate even more PM2.5s. The evidence for this assertion is unclear, and it does not recognise that one of the largest generators of PM2.5s is agriculture, or that some studies show that the highest level of PM2.5s can be found in residential properties.

Flooding

The paragraph refers to four locations where there is flooding and requires development to resolve three problem areas. The paragraph is confusing, and moreover there is no policy requirement for a development to resolve issues which it does not impact. Unrelated betterment is not a requirement of development.

Highways and Traffic

There is no evidence that the roundabout on the A41 is overloaded or that queues can be ½ mile long.

SUMMARY

Bridgemere consider that the Christleton & Littleton Neighbourhood Plan does not meet basic conditions as amended by the Levelling Up and Regeneration Act 2023, specifically basic conditions a), d) - and also seeks to frustrate the delivery of permitted development, including the delivery of housing.

It is considered that the Neighbourhood Plan should not proceed to referendum on this basis.

Should the Examiner consider that a hearing is necessary, Bridgemere request the opportunity to contribute to the examination process and provide oral representations.

Bridgemere UK Limited

25th May 2026