June 2025

GLADMAN

PLANNING AND AFFORDABLE HOUSING STATEMENT

LAND WEST OF TATTENHALL ROAD, TATTENHALL



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1 INTRODUCTION

1.1 Scope of the Statement

1.1.1 This Planning and Affordable Housing Statement has been prepared in support of an outline planning application made by Gladman Developments Ltd (Gladman) for development of land West of Tattenhall Road. The description of development is as follows:

> ***"Outline planning application for the erection of up to 110 dwellings (including affordable housing), with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point. All matters reserved except for means of access."***

1.1.2 The application site is well located to the existing built-up area of Tattenhall and represents a suitable and sustainable location for housing.

1.1.3 The application site is located in the administrative area of Cheshire West and Chester council and comprises of a single agricultural field and largely enclosed by trees and hedgerows. The site area is approximately 6.3 hectares and sits to the north of the settlement, Keys Brook watercourse and residential properties sit to the south and Greaves Farm and agricultural fields to the west

1.1.4 The outline planning application is seeking approval in principle for the development proposals. This Planning and Affordable Housing Statement is one in a suite of documents submitted to support the application and comprehensively demonstrates the suitability and sustainability of the site for housing development.

1.1.5 The following plans and documents have also been submitted in support of the outline planning application:

- *Location Plan*
- *Development Framework Plan*
- *Design and Access Statement*
- *Landscape and Visual Impact Assessment*
- *Transport Assessment*
- *Travel Plan*
- *Preliminary Ecological Assessment*
- *Arboricultural Impact Assessment*
- *Flood Risk Assessment*
- *Noise Assessment*
- *Air Quality Assessment*
- *Heritage Statement*
- *Mineral Resource Assessment*
- *Utilities Statement*
- *Socio Economic Statement*
- *Statement of Community Involvement*
- *Health Impact Assessment*
- *Waste Management Statement*
- *Sustainability Statement*

1.1.6 The information contained within the application documents is summarised in Chapter 4 and provides the framework for future detailed reserved matters applications.

1.1.7 This Planning and Affordable Housing Statement explains why development is needed and appropriate in this location and the significant social, environmental and economic benefits that the proposal will bring to the area. It also confirms that no unacceptable adverse impacts would arise because of the development that would 'significantly and demonstrably' outweigh these

benefits. The 'tilted balance' as set out within paragraph 11 of the National Planning Policy Framework ('the Framework' or 'NPPF') applies given that Cheshire West and Chester Council cannot demonstrate a five-year supply of housing land and that the restrictive policies in footnote 8 of the NPPF are not applicable in this case.

1.1.8 The Planning and Affordable Housing Statement further explains the policy context and how the proposed development is appropriate, having regard to the statutory development plan and other material considerations including the Framework. It demonstrates how the proposed development complies with national policy set in the Framework and why it is appropriate to bring forward development on this site.

1.2 Relevant Planning History

1.2.1 The site has been subject to two refused Outline applications, both of which were subsequently dismissed at appeal.

1.2.2 The first Outline application was for up to 137 dwellings. The application was refused in October 2022 due to harm to the rural character of the village and its surrounding landscape (application reference: 12/02353/OUT). An appeal was then made against the refusal for Outline planning permission (appeal reference: APP/A0665/A/12/2185667). The inquiry took place in June 2013, due to a number of material changes in circumstances, such as the making of the Tattenhall and District Neighbourhood Plan and the adoption of the Cheshire West and Chester Local Plan (Part One) Strategic Policies, the inquiry was reopened in November 2015. The appeal was considered alongside two other appeals in the settlement. The Inspector recommended for the appeals to be allowed, however the Secretary of State disagreed and dismissed the three appeals in in April 2017. The Secretary of State found the Council were

able to demonstrate a five-year housing land supply at the time and so concluded that the development would not be in accordance with the development plan.

1.2.3 The second Outline application submitted was for 30 dwellings and was subsequently refused in February 2018 (application reference: 13/01329/OUT). The reason for refusal was due to the arm to the intrinsic character and beauty of the countryside and a suburbanising effect on the rural area. As appeal was made and eventually dismissed in December 2018, the Inspector concluded that it would be unsustainable development which would result in harm to the countryside (appeal reference: APP/A0665/W/18/3202053).

1.3 EIA Screening

1.3.1 As the application proposals are for urban development on a site of more than 5 hectares, the proposals fall under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Such projects only require an Environmental Impact Assessment (EIA) if the development is 'likely to have significant effects on the environment by virtue of factors such as its nature, size or location.' Projects which are wholly outside sensitive areas and do not exceed the screening thresholds are not Schedule 2 development do not require EIA screening.

1.3.2 The location does not present any environmental constraints and nor is it in a 'sensitive area'.

1.3.3 The Local Planning Authority will be required to screen the proposals as part of its legal requirements however the applicant does not consider than an Environmental Statement is required.

2 THE PROPOSALS

2.1 The Proposal

2.1.1 The application is submitted in outline, with all maters reserved except for access. The drawings submitted as part of this outline planning application for approval are:

- Site Location Plan (drawing number: 250114)
- Proposed Site Access Layout (drawing number: PS10797.002B)

2.1.2 The application proposal includes the following:

- Up to 110 residential dwellings (including 30% affordable housing delivered in accordance with current adopted planning policy);
- Structural landscape planting and the retention and positive management of key landscape features;
- 3.21 ha of formal and informal open space comprising a new children's play area, a surface water attenuation basin, structural planting, and landscaping;
- Vehicular access onto Tattenhall Road. Including an informal footway/cycle link and highway improvements to Tattenhall Road;
- A pedestrian link connection to Tattenhall Road which travels south into the village centre, enhancing connectivity between the site and Tattenhall; and
- The Sustainable Urban Drainage system (SuDS) will be situated at the lowest point of the site (south of the site), to manage the flow of

surface water during periods of heavy and persistent rainfall. The attenuation basin will also provide habitat creation.

2.1.3 It is proposed that the site will be accessed from Tattenhall Road, via a simple priority junction. It has been confirmed that the required visibility splays can be achieved and that the site access junction will operate comfortably within capacity in both the morning and evening peak periods with the proposed development traffic as demonstrated by the Transport Assessment prepared by Ashley Helme Associates.

2.1.4 The application site is located to the north of Tattenhall and to the west of Tattenhall Road. Tattenhall is located within the administrative boundary of Chesire West and Chester and lies approximately 10 km from the Chester City Centre and east of the A41 which travels north and south of the settlement.

2.1.5 The application site consists of one large agricultural field which is enclosed by hedgerow and trees, the site relates well to the existing settlement south. There will be additional planting in the northern and northwestern part of the site to form a new boundary for the settlement. Keys Brook travels across the southern boundary of the site and so a buffer is incorporated to ensure any potential flood risk is reduced and habitats are maintained along the wildlife corridor.

2.1.6 Residential properties are located further south of Keys Brook along with sporadic residential properties to the north. Greaves's Farm borders the northwestern corner of the site with its associated access track running along the northern boundary of the proposed site. The site is self-contained with durable boundaries that can be strengthened to the north to form a new settlement boundary.

2.1.7 A range of densities and house types are proposed to meet local need. It is proposed that 30% of the units will be affordable, in accordance with Cheshire West and Chester Council's Local Plan adopted policy SOC1 Delivering Affordable Housing. The affordable housing provision will be secured by a Section 106 Agreement.

2.1.8 An assessment against the up-to-date provisions of the Development Plan and the Framework, where relevant, demonstrates the scheme comprises sustainable development because:

- The proposals will offer a range of benefits, including making a significant contribution towards meeting the objectively assessed market and affordable housing needs within Cheshire West and Chester.
- There are no adverse impacts that would significantly and demonstrably outweigh the benefits.
- Benefits arising from development include the delivery of 110 new homes, 30% affordable homes to help meet the affordable housing needs, 3.21 ha of green infrastructure, a new children's play area, £16.6m construction spend, £2.9m of potential household expenditure, 15 FTE jobs in construction supported by spend per annum.

3 PLANNING POLICY FRAMEWORK AND MATERIAL CONSIDERATIONS

3.1 Background

3.1.1 This section sets out the planning policy framework relevant to the site and the proposed development. Consideration of the proposed development within the context of the relevant Development Plan policies is undertaken in Chapter 4 of this Statement.

3.2 The Development Plan

3.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a statutory duty on local planning authorities to determine planning applications in accordance with the development plan unless material planning considerations indicate otherwise. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development.

3.2.2 The Framework is a material planning consideration but does not change the statutory status of the Development Plan as the starting point for decision making. The planning application should be considered in this context.

3.3 Adopted Local Plan

3.3.1 Development proposals should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan applicable to this planning application comprises of,

- Cheshire West and Chester Local Plan (Part One) Strategic Policies (adopted January 2015); and

- Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies (adopted July 2019).

The development proposals have been assessed against the relevant policies contained within the adopted plan, as explored in this section.

3.4 Cheshire West and Chester Local Plan (Part One) Strategic Policies

3.4.1 The Cheshire West and Chester Local Plan (Part One) Strategic Policies was adopted in January 2015 and sets the overarching strategy for growth and development across the authority area over the plan period 2010-2030. The Plan makes provision for 22,000 (net) new dwellings to be delivered over the plan period, equating to an average of 1,100 dwellings per annum (dpa).

3.4.2 Housing growth is distributed according to the settlement hierarchy set out in Policy STRAT 2; the most sustainable settlements in the borough are directed the highest levels of housing growth. Tattenhall is designated as a second tier settlement and is one of ten 'Key Service Centres' across the authority area. In recognition of its sustainability and suitability for growth, 250 dwellings were allocated to Tattenhall between 2010 and 2030.

STRAT 1 Sustainable Development

3.4.3 Policy STRAT 1 recognises the positive approach the Council will take when considering development proposal, reflecting the presumption in favour of sustainable development contained within the Framework.

3.4.4 The conformity by the Council between the adopted plan and the Framework is critical to the determination of this planning application. The absence of a demonstrable and deliverable five-year housing land supply means that those policies which are most important for determining this application are considered to be out-of-date. Planning permission should therefore be granted by the Council because the adverse impacts of the proposed

development do not significantly and demonstrably outweigh the benefits, when assessed against the policies contained within the Framework and the Cheshire West and Chester Plan.

The proposed development therefore conforms with the key principle's set out in Policy STRAT 1.

STRAT 2 Strategic development

3.4.5 Policy STRAT 2 identifies and sets out the spatial strategy for growth across Cheshire West and Chester over the plan period 2010-2030. The Policy proposes a minimum of 22,000 dwellings which is equivalent to 1,100 dwellings per annum.

3.4.6 The Policy adopts a hierarchy approach, which directs the majority of growth to the edge of Chester and towns of Ellesmere Port, Northwich and Winsford. The Policy makes clear that a proportion of new development will be directed to rural areas which supports the objective of delivering 22,000 new homes over the plan period along with supporting rural areas local services, facilities and local economies. The Policy defines growth should be at an appropriate level to rural areas which Gladman understand will be determined by the size of the settlement, physical capacity and level of sustainability.

The proposal conforms to Policy STRAT 2 by directing new development to a recognised Tier 2 'Key Service Centre' that is suitable, sustainable and viable with an existing range of local services and opportunities for employment. It is demonstrated throughout the application's evidence that the proposed development can be successfully accommodated without causing any unacceptable impacts, either to the site or the existing spatial pattern of Tattenhall.

STRAT 8 Rural area

3.4.7 Policy STRAT 8 further gives detail on the amount of growth which is directed to the Key Service Centres in Cheshire West and Chester. The Policy directs 250 homes to be delivered in Tattenhall over the plan period of which Gladman estimates 118 homes are expected to be delivered within the plan period 2010-2030. Therefore, there is a shortfall of 82 homes, the proposal will deliver this shortfall while also providing the much-needed additional homes to meet the new requirement which now applies for Cheshire West and Chester of 1,914 dwellings per annum.

3.4.8 The proposal conforms to Policy STRAT 8 and will assist the Council in meeting the housing growth directed to the Tattenhall settlement which is set out in the adopted development plan.

STRAT 9 Green Belt and countryside

3.4.9 Policy STRAT 9 protects the 'intrinsic character and beauty of the Cheshire countryside.' The proposal sits south of Cheshire's countryside and north of the Tattenhall settlement boundary, Gladman therefore considers that many views into and out of the settlement from the countryside contain existing development.

3.4.10 The policy states that development must be of an appropriate scale and design to not harm the character of the countryside. Policy STRAT 8 recognises the need for growth within the Tattenhall settlement, while the settlement boundary sits directly next to the built form around the settlement, green field sites next to the settlement boundary will need to come forward in order to satisfy Policy STRAT 8.

3.4.11 Gladman believes the site is most suitable for development situated away from the historic conservation area south of Tattenhall. Further to this Gladman has

designed the site to incorporate a landscape buffer north of the site to offset any potential views from the countryside to the north of the proposed development site.

3.4.12 Consideration of appropriate development in the countryside, which respects the character and attractiveness of this area, is essential to meeting the Council's Policy STRAT 9. A Design and Access Statement (DAS) has been submitted in support of the application which highlights and evidences the proposal's sympathetic scale and appearance whilst ensuring that a high-quality sustainable development would be delivered on the site.

Regardless of the Policy STRAT 9 wording, the Council cannot currently demonstrate a robust five-year housing land supply against the news standard method required by national planning policy, Gladman anticipated the Council now to have a housing land supply of 2.07 years. The most important policies for determining the application, including those regarding development in the countryside set out in Policy STRAT 9, must therefore be considered out-of-date and the presumption in favour of sustainable development – the "tilted balance" – at paragraph 11(d) of the Framework engaged.

STRAT 10 Transport and accessibility

3.4.13 Policy STRAT 10 demonstrates the Councils commitment to deliver a more sustainable transport network and increase the level of accessibility across the district. The policy further guides development to be located where it reduces the need for travel. The proposal site is located north of the settlement off the main through road (Tattenhall Road), making the proposed site accessible to/ from the village centre through walking and cycling.

3.4.14 Policy STRAT 10 further states new development to be located where there is physical and environmental capacity to accommodate the type and amount of traffic generated.

3.4.15 Transport Assessments and Statements supporting proposals are required to have regard to the relevant adopted CWaC Council policies, in order to assess the highways impact of proposed development. Travel plans will also be required for proposed development to promote sustainable modes of transports for future residents.

3.4.16 Due to the location of the proposal site, the local bus network is an accessible and available sustainable mode of transport for new residents to settlements nearby including Malpas, Christleton, Chester and Whitchurch. Sustainable transport modes are set out in more detail within the submitted Transport Assessment.

3.4.17 There is a proposed pedestrian/cycle access point provided in the development proposal located on the eastern boundary (via Tattenhall Road) with a shared footway/cycleway to encourage residents to walk and cycle to local facilities and services.

The application is supported by a Travel Plan, prepared by Ashley Helme Associates, which will be agreed with Cheshire West and Chester County Council prior to the occupation of any of the dwellings on the site if planning consent were to be granted. The Travel Plan encourages the use of more sustainable modes of travel to reduce the reliance on the private car in line with local and national planning policy.

SOC 1 Delivering affordable housing

3.4.18 Policy SOC 1 directs for schemes in the rural area to provide a target of up to 30% of affordable homes. The proportion, type and size will depend on the local area and the overall effect of viability of the scheme.

3.4.19 The application proposals will deliver 30% affordable housing (39 affordable homes) on site which is compliant with the requirement set out in Policy SOC 1 of the Cheshire West and Chester. The provision of 39 affordable dwellings on this site is a significant benefit in favour of the scheme, particularly given the chronic under-supply of affordable housing in the district (as set out in more detail in Section 5 of this Statement).

The affordable housing will be pepper potted throughout the scheme and detailed at the Reserved Matters stage. Affordable properties will integrate and appear similar to market properties on-site.

SOC 3 Housing mix and type

3.4.20 Policy SOC 3 requires all developments to provide a suitable mix and range of housing in terms of size, type and tenure to reflect local housing need and demand for both market and affordable. The proposed development will provide a range of open market and affordable housing suitable to meet the local needs of Tattenhall.

The final housing mix will be finalised through a subsequent Reserved Matters application if planning permission were to be granted.

SOC 5 Health and well-being

3.4.21 Policy SOC 5 directs how the Council will meet the health and well-being needs of the residents through development proposals.

3.4.22 The proposal submitted includes a Health Impact Assessment (HIA) that measures the wider impact upon healthy living and demands that are placed upon the capacity of health services and facilities arising from the development.

The HIA concludes that, overall, the proposed development is assessed to have a positive influence on health and wellbeing of prospective residents and the existing community.

SOC 6 Open space, sport and recreation

3.4.23 Policy SOC 6 states the Council will seek to protect, manage and enhance existing open spaces. Proposals will be supported when the quality and quantity of open space is improved, solutions are provided to enhance biodiversity, and access is improved to open space for all.

3.4.24 The proposal includes 3.21 ha of open space on the site, along with the additional planting of trees and hedgerows to enhance the areas of green space.

3.4.25 As demonstrated in the DAS, the application seeks to incorporate green space throughout the development rather than a formal split between the built form. Due to the location of the development site, new residents will be able to take advantage of sports facilities within the town such as AFC Tattenhall Football and Tattenhall Sports Club.

The indicative Development Framework Plan highlights the potential layout of the proposed development, including the large areas of informal and formal open space throughout the development. A total of 0.04 ha of the developable area is proposed alongside a Play Space. As a result of this focus to providing a green infrastructure rich proposal, the proposal complies with Policy SOC 3

and creates a new use for land that can be enjoyed by both new and existing residents.

ENV 1 Flood risk and water management

3.4.26 Policy ENV 1 of the adopted Local Plan established the Council's vision to direct strategic growth towards lower flood risk areas, such as Flood Zone 1, as identified by the Environmental Agency.

3.4.27 The site is located predominantly in Flood Zone 1, the southern part of the sites sits in Flood Zone 2 and 3 along the Keys Brook watercourse. The developable area sits north of the flood zone 2 and 3 and wholly within Flood Zone 1. The site therefore site passes the Sequential Test and does not require the Exception Test to be undertaken.

3.4.28 The developable areas of the site are at low risk from all sources of flooding and will not increase the risk of flooding elsewhere as a result of the development of the site. The proposed development and proposed surface water attenuation features will remain outside of any fluvial and pluvial flood risk areas.

The SuDS strategy includes the use of an attenuation basin, located within the south-western extent of the site, to which surface water runoff from the site will be conveyed towards in surface water pipes. This strategy shows feasibility that the site can be drained; however, at detailed design inclusion of further SuDS elements could be considered.

ENV 3 Green Infrastructure

3.4.29 Gladman conforms to the above Policy ENV 3 in supporting the creation, enhancement, protection and management of a network of high quality multi-functional Green Infrastructure. The proposal includes the additional planting

of trees and hedgerows alongside the maintenance of existing green infrastructure.

ENV 4 Biodiversity and geodiversity

3.4.30 Policy ENV 4 safeguards and enhances biodiversity and geodiversity through the identification and protection of sites and/or feature of international, national and local importance. It further states that all development proposals should incorporate ecologically sensitive design and features, with the aim being to deliver net biodiversity and geodiversity gain where possible.

The proposal includes the relocation and enhancement of the pond to the southwestern boundary of the site, the proposal includes further enhancement opportunities along the Keys Brook watercourse running along the southern boundary of the site through the additional planting of tree's, and the SuDS basin and pond sitting north to enhance the corridor aspect and movement of wildlife.

ENV 5 Historic environment

3.4.31 Policy ENV 5 focuses on protecting designated heritage and non-designated heritage assets. The proposal is not located near to any designated or non-designated heritage assets and therefore will not cause any adverse impacts on the above.

3.4.32 The application is accompanied by a Heritage Statement that provides information with regards to the significance of the historic environment. The report concludes that that the proposed development would result in no harm to the significance of any heritage assets alongside there being a low potential for archaeological remains on the site.

3.4.33 It is demonstrated within this statement that the benefits discussed from the proposed development outweigh the limited harm to the significance of designated heritage assets. The proposed development complies with Policy ENV 5.

3.4.34 Cheshire West and Chester's Local Plan defines heritage assets as a building, monument, site, place, structure, area or landscape. It was mentioned previously the land to the north provides some views onto the site looking south. These views are looking into the settlement, however no listed buildings are visible in these views. The northern part of the site incorporates a landscape buffer to offset any views from the north, therefore any impacts to the landscape will be adequately mitigated.

ENV 6 High quality design and sustainable construction

3.4.35 Policy ENV 6 outlines the Council's criteria towards the design and functionality of proposed developments within the district. All developments must respect and enhance the character and local context and make positive contribution in terms of architectural style, use of materials, detailed design features and construction methods. Where appropriate, innovative design and construction solutions will be considered; relating to building height, size, scale, form, massing and proportion; landscape setting, townscape setting and skylines; and layout, orientation and density. The design of the proposed development should take appreciation of the historic environment and contribute positively towards the public realm and public spaces around the development to enhance local distinctiveness.

3.4.36 Although the application only seeks outline planning permission, the proposal is supported by several evidence documents that highlight the design-led approach taken. Many of the finer design details will be a matter for

determination at the Reserved Matters stage. That notwithstanding, an indicative Masterplan and DAS have all been submitted in support of the application, evidencing the high-quality development that would be delivered on the site. The aforementioned documents identify the existing local context and character of Tattenhall to ensure the proposal reflects and appreciates the existing built, natural and historic environment in which the site sits.

3.5 Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies

3.5.1 The Council adopted the Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies in July 2019. The document provides further detailed policies and land allocations which support the strategic objectives and policies set out in the Local Plan (Part One).

3.5.2 The site is not allocated for residential development in the Local Plan (Part One or Part Two) and lies beyond the settlement boundary for Tattenhall within the countryside

3.5.3 Tattenhall Neighbourhood Plan

3.5.4 The Tattenhall Neighbourhood Development Plan (TNP) was 'made' in June 2014 and forms part of the development plan for Cheshire West and Chester and must be given consideration when determining planning applications. Policy 1 Enables small scale managed housing growth in the Parish within or adjacent to the settlement boundary. This application would be in conflict with Policy 1 given it is of a larger scale but the application site is located adjacent to the Neighbourhood Plan settlement boundary.

3.5.5 Policy 5 Development that would give rise to unacceptable highway dangers will not be permitted. The Transport Assessment submitted as part of this

application demonstrates that that no unacceptable highway impacts will be caused by the development.

3.5.6 The Tattenhall Neighbourhood Plan is currently being reviewed. A Regulation 14 consultation was held in April 2025. Gladman responded to this consultation supporting Objective 1 which includes the '*delivery of a housing growth strategy tailored to the needs and context of Tattenhall.*' Gladman supported this objective and reiterated the growing demand for housing in Chesire West and Chester which is represented by the new requirement for 1,933 dwellings per annum in CwaC.

3.6 The Emerging Local Plan

3.6.1 In January 2024, the Council decided to prepare a new style Local Plan under the provisions of the Levelling Up and Regeneration Act 2023. However, since the new government was elected last year, the implementation of the new plan-making system has been delayed, and the deadline for submitting plans under the Planning and Compulsory Purchase Act (2004) has been extended to December 2026.

3.6.2 As a result, CWaC's Cabinet decided on 15th January 2025 to commence work on preparing a new Cheshire West and Chester Local Plan under the current plan-making system, with the option to switch to the new plan-making system should it prove necessary and expedient to do so.

3.6.3 The indicative timetable for the preparation of a new Local Plan under the current local plan-making system is provided below:

Details	Date
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

3.6.4 Once details are published and a start date is confirmed for the rollout of Local Plans under the Levelling Up and Regeneration Act, the Council may decide to switch to the new plan-making system as the quickest route to an adopted Local Plan.

3.6.5 The new Local Plan will be subject to the new minimum overall housing requirement as calculated by the Government's standard methodology. For Cheshire West and Chester this means a mandatory annualised housing requirement starting point of 1,933 dwellings per annum.

3.6.6 In January 2025, CWaC published a report on the Local Plan Part One (Strategic Policies) Review where it was highlighted that some areas 'may not fully reflect the NPPF', post adoption in December 2024.The review recognises the increase in the Council's local housing need figure from 532dpa to 1,912 dpa as a dramatic increase and that the 'Local Plan housing requirement of 1,100 dwellings is now considerably lower than LHN.' The Council acknowledges the increasing need for an updated plan to be produced in order to address the Council's housing shortfall.

3.6.7 In June 2025 CWaC are presenting to Cabinet a proposal to approve the local plan 'Issues and Options' for consultation. The key purpose of the consultation

is to seek views on how and where future development needs should be accommodated. As such three spatial options are presented:

- Option A - Retain the Green Belt
- Option B - Follow current Local Plan level and distribution of development
- Option C - Sustainable Transport Corridors

3.6.8 In each of the three scenarios Tattenhall is identified as a suitable location for future growth.

3.6.9 In the context of paragraph 49 of the Framework, no material weight can be afforded to the emerging Local Plan for the purposes of development management. The more important point for the purposes of this application is that CWaC is unlikely to have an up to date, replacement development plan in place for quite some time.

3.7 National Planning Policy Framework

3.7.1 The NPPF is an important material consideration in planning decisions. The NPPF sets out the Government's approach to sustainable development and core planning principles. A revised NPPF was published by the Government in December 2024.

Presumption in Favour of Sustainable Development

3.7.1 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

3.7.2 The NPPF sets out three overarching objectives towards achieving sustainable development under paragraph 8, which includes ensuring that sufficient land is available in the right places to support growth; making sure that a sufficient number and range of homes can be provided to meet the needs of present and future generations supported by well-designed environments and accessible services; and ensuring that land is used effectively to improve biodiversity, use resources prudently by minimising waste and pollution, mitigating and adapting to climate change and moving towards a low carbon economy.

3.7.3 At the heart of the Framework is the 'presumption in favour of sustainable development'. Paragraph 11 sets out how planning applications should be determined in this context:

> **"***11. Plans and decisions should apply a presumption in favour of sustainable development…*
>
> *For decision-taking this means:*
>
> *c) approving development proposals that accord with an up-to-date development plan without delay; or*
>
> *d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date[8], granting permission unless:*
>
> > *i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed[7]; or*
> >
> > *ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the*

policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination[9]."

3.7.4 Footnote 7 of the Framework identifies a closed list of potential restrictive policies that may in a particular case cause the presumption to be disapplied. The application site is not the subject of any of the designations cited within footnote 7 and therefore policies do not apply which indicate the presumption should be disapplied.

3.7.5 Footnote 8 provides further guidance on when policies may be considered 'out of date'. It confirms that when a local planning authority (LPA) cannot demonstrate a five-year housing land supply, the policies which are most important for determining an application involving the provision of housing should be considered to be out of date.

3.7.6 Paragraph 12 of NPPF reiterates that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making.

3.8 Written Ministerial Statements

3.8.1 A publication of the consultation draft of the revised Framework on 30th July 2024 coincided with a Written Ministerial Statement (WMS), made by Deputy Prime Minster and Secretary of State for Housing, Communities and Local Government Angela Rayner, titled Building the Homes We Need.

3.8.2 The WMS stresses the severity of the of the housing crisis facing the country which is remarked as being "the most acute housing crisis in living memory". The WMS also reinforces the Government's commitment to fixing the foundations of the housing and planning system to build 1.5 million homes

over the next five years, and to strengthening the presumption in favour of sustainable development to ensure that planning permission is granted on suitable sites in sustainable locations.

3.8.3 Following the publication of the revised Framework on 12th December 2024, a further WMS was made by Minister of State for Housing and Planning Matthew Pennycook, also titled Building the Homes we Need.

3.8.4 The WMS emphasises the need for planning permissions to be secured outside of local plan allocations in the short-term in order to see the scale of delivery needed to work towards undoing the impacts of the housing crisis. It also reiterates the Government's commitment to strengthening the presumption in favour of sustainable development, stating that:

> "Where it applies, the presumption in favour of sustainable development must have real teeth. The changes we make today ensure that the presumption carries real weight, acting as a significant adjustment to the decision-making balance in favour of approving development."

3.8.5 It is well established that WMSs represent a firm statement of Government Policy. They make clear the commitment to the biggest growth in social and affordable housebuilding in a generation. These are statements against which full weight should now be attached as a material consideration in the determination of planning applications.

3.8.6 The Government's ambition to deliver 1.5 million homes within this parliamentary term is both a social necessity in order to address the housing crisis, and a key mechanism in facilitating economic growth. Forecasting produced by the Office for Budgetary Responsibility (the OBR) demonstrate that the recent planning reforms, including the delivery of 1.5 million homes

could add £6.8 billion to GDP, and contribute £3.4 billion to UK public services[1].

3.9 The Need for Housing

3.9.1 The growing population and household formation rates alongside too few houses being built has resulted in a housing crisis in this country.

3.9.2 Whilst there is often great debate about the delivery of both market and affordable housing, in reality it is about meeting a very basic human need of local people. People wish to be able to live in suitable accommodation which they can afford and in a place that they want to live. Where sufficient housing of a suitable type is not available, this has a real, negative impact upon society.

3.9.3 The development plan contains a requirement of 22,000 homes over the plan period of which 250 dwellings have been identified to be delivered within Tattenhall.

3.9.4 This development would provide up to 77 market houses and up to 33 affordable homes, helping to address the local housing issues in Chesire West and Chester.

3.10 Five-Year Housing Land Supply

3.10.1 The supply of available and deliverable sites for housing in Cheshire West and Chester is an important material consideration in determining the weight to relevant policies for the supply of housing.

3.10.2 Paragraph 11 of the NPPF states that where there are no development plan policies or the policies most important to determining the application are out of date, the presumption in favour of sustainable development applies (unless

[1] HM Treasury, March 2025. Available at: https://www.gov.uk/government/news/obr-concludes-planning-reforms-will-bring-housebuilding-to-its-highest-level-in-40-years

any of the restrictive policies in Footnote 7 apply). Footnote 8 makes it clear that this includes when a local authority cannot demonstrate a five-year supply of deliverable housing sites.

3.10.3 The Framework (paragraph 78) requires an LPA to demonstrate a minimum of five years' worth of deliverable sites against its housing requirement, with a delivery buffer of either 5% or 20% depending on past performance. Local authorities should also make every effort to redress previous underperformance within the immediate five-year period (commonly referred to as the 'Sedgefield approach') and the delivery buffer should be applied to both the requirement and the accrued backlog.

Housing Land Supply in Cheshire West and Chester

3.10.4 The Council currently claims a housing land supply of 16.8 years in its most recently published Housing Land Supply Summary report (2023-2024).

3.10.5 Among the various changes made by Government as part of revised National Planning Policy Framework 2024, is the introduction of a new standard method for calculating housing targets with the purpose of delivering 370,000 new homes per year. The new standard method takes a 'stock-based' approach, whereby a Council's housing need will be calculated using a baseline set at a percentage of existing housing stock levels. For Cheshire West and Chester, its housing requirement increases substantially from 532dpa against to 1,933 dpa against the new standard method.

3.10.6 While the Council's plan is over five years old the Council has to meet the new mandatory requirement. Against the new standard method figure for Cheshire West and Chester, the Council's five-year housing land supply position would fall to approx. **2.07 years.**

3.10.7 Based on this position, the application should be assessed in the context that Cheshire West and Chester cannot demonstrate a 5-year housing land supply. Therefore, as stated within paragraph 11 of the Framework the presumption in favour of sustainable development applies and the application should be determined in accordance with the tilted balance as set out in paragraph 11(d)(ii) of the Framework.

3.10.8 The market and affordable homes proposed on the application site could make a significant contribution to housing supply in Chesire West and Chester during the next five years of the plan period, therefore helping to address the immediate lack of a five-year supply of deliverable housing sites.

3.11 Summary and Implications

3.11.1 As a result of CWaC's inability to demonstrate the required five-year housing land supply, the policies most important for determining this application should be considered out of date. The presumption in favour of sustainable development, as set out at paragraph 11(d) of the Framework is engaged.

3.11.2 The 12th December 2024 Written Ministerial Statement is clear that the presumption is an influential material consideration in favour of granting planning permission. It has long been established that, in such instances where an LPA cannot demonstrate the required housing land supply, reduced weight should be attributed to those policies that restrict the provision of housing. It is clarified within case law that this does not solely apply to policies directly related to housing provision, but also to non-housing policies which may have the result of restricting development[2].

[2] [2018] EWCA Civ 1808. Hallam Land Management Ltd and (1) Secretary of State for Communities and Local Government (2) Eastleigh Borough Council pp. 44-45.

3.11.3 Correspondingly, the weight attributed to the benefit of housing delivery should be increased, with the deficit in housing land supply demonstrating a real need for additional housing sites to be approved.

3.11.4 The material considerations summarised above should be deemed an important factor in the planning balance of this application.

4 PLANNING APPRASIAL

4.1 Introduction

4.1.1 This section of the Statement assesses the proposed development against the relevant policies of the Development Plan, and other material considerations. The overall planning balance is considered in Chapter 6.

4.2 Decision-Making Approach

4.2.1 The Development Plan is the starting point for the determination of planning applications.

4.2.2 The Cheshire West and Chester Local Plan (Part One) was adopted in January 2015 and is aimed to guide development in 2010 until 2030.

4.2.3 Paragraph 11 of the NPPF requires development proposals that are in accordance with an up-to-date Development Plan to be approved without delay. Where there are no relevant Development Plan policies, or the policies most important for determining the planning application are out of date, planning permission should be granted unless policies within the Framework which seek to protect assets of importance are applicable; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

4.3 Sustainability

4.3.1 The revised NPPF was published in 2024 and its key objective is to deliver sustainable development. Paragraph 8 sets out the three overarching objectives of the planning system; economic, social and environmental that are required to achieve sustainable development. At the heart of the NPPF there is a presumption in favour of sustainable development (paragraph 11).

Sustainable location

4.3.2 The application site comprises of a singular fields in agricultural use. The site is located on the edge of Tattenhall. As a settlement, Tattenhall is considered a suitable location for development and identified as a second-tier settlement within the settlement hierarchy in the adopted plan.

4.3.3 The site is located within close proximity to bus stops, good pedestrian and cycle links. The village centre hosts a wide range of services and facilities. A plan showing the services and facilities can be found in Section 3.2 of the Design and Access Statement / Figure 5.1 in the Transport Assessment.

4.3.4 The development would sit adjacent to the existing built-up area of Tattenhall and as such represents a logical extension to the settlement. The site sits just off Tattenhall Road which travels south into the village centre, making an array of services and facilities accessible by less than a ten minute walk.

4.3.5 The application site presents an opportunity for the sustainable growth of Tattenhall because:

- The land to which the development proposals relate is not of high environmental value;
- The site is suitable for residential development in terms of its sustainable location and characteristics;
- There are no designated heritage assets within or immediately adjacent to the site, and the development is not considered to affect the setting of any listed buildings;
- The site has a low ecological value, as evidenced in the report submitted with the application (Ecological Impact Appraisal prepared

by TEP), and the proposed development presents the opportunity to improve the ecological condition of the site;

- The site will achieve a biodiversity net gain from both on site and off site contributions.

- The site is well contained with development south of an access track north of the site, with further woodland planting north of the site and northwest to help create and strengthen the new settlement boundary; and

- The local highway network has capacity to accommodate the additional traffic associated with the development, without adverse impacts on the local network.

4.4 Provision of Affordable Housing

4.4.1 Policy SOC 1 of the adopted Local Plan (Part One) requires 30% of affordable housing to be delivered on developments such as the proposed application. The application proposals will deliver 30% affordable housing (33 affordable homes) on-site which is compliant with the requirement set out in the Policy SOC 1 of the Local Plan (Part One). The affordable housing statement at Chapter 5 covers the importance of affordable housing provision in more detail.

4.5 Design Strategy

4.5.1 Good quality design is a key principle of the NPPF. It states

"*…high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.*"[3]

4.5.2 This application has been submitted in outline; design and layout are to be agreed through a reserved matters planning application. However, key design principles have been used to inform the Development Framework Plan and Illustrative Masterplan to show how the development could be designed. These design principles are explained in the Design and Access Statement (DAS) supporting this application.

4.5.3 The Cheshire West and Chester Local Plan also requires a high-quality design to be achieved, this is set out within Policy ENV 6.

4.5.4 As this application has been submitted in outline, the detailed design is to be agreed through subsequent reserved matters applications. However, key design principles have been used to inform the Development Framework Plan to show how the development could be designed. These design principles are explained in the DAS supporting this application. Whilst the Development Framework Plan is indicative, it provides a clear framework for how the site could be developed to deliver green infrastructure and public open space.

4.5.5 The DAS sets out how the proposed development will meet the design requirements of the NPPF and the criteria set out with the Local Development Plan. The DAS demonstrates that the development will provide a choice of housing to meet the needs of the area, whilst respecting and enhancing the site's environmental and landscape character. It will also promotes the use of sustainable transport.

[3] Paragraph 131.

- The development has been designed taking into account the recommendations of the Landscape and Visual Assessment (LVA). The provision of 2.85 hectares of green infrastructure within the built development will sit as an integral part of the framework and is key in creating an accessible, open and engaging place within which to live. The proposal provides a strong green framework comprising:
- A broad swathe of public open space, habitat creation and planting along the northern edge of the site, new planting along the northern boundary would reinforce the site's boundaries and provide visual mitigation including from views within the wider landscape to the north;
- The retention and enhancement, wherever possible, of the site's existing vegetation in particular along the Keys Brook watercourse south of the site.
- The location of the SuDS basin at the lowest point of the site. As well as providing sustainable drainage, the basin would also be designed to provide amenity and biodiversity benefits; and
- The provision of an allotments orchard which would provide a new local facility for new and existing residents and reflecting local character.

4.5.6 Section 5.1 of the DAS illustrates the opportunities and constraints of the site. The Development Framework Plan has taken them into account and designed the scheme to ensure that these issues have been considered and mitigated against. This is shown to the south of the site's southern boundary where the Keys Brook travels along, a landscape buffer has been incorporated into the design to reduce any potential adverse impacts. The vast majority of the site's existing landscape and ecological features will be incorporated into the design of the site.

4.5.7 Whilst the application proposals are in outline, the applicant is content to accept an appropriate planning condition requiring reserved matters applications to accord with the design principles and parameters established through the DAS.

4.6 Landscape

4.6.1 Policy EN2 in the adopted plan requires development to wherever possible, enhance landscape character and local distinctiveness.

4.6.2 A LVIA prepared by TEP, submitted as part of the application, assesses the potential landscape and visual impacts of the proposed development. The development framework plan introduces and retains landscape features that reflect the landscape character of the site and its surrounding area.

4.6.3 The susceptibility of a landscape to change is dependent on the characteristics of the receiving landscape and the nature of the proposed development. The Site and surrounding landscape are of community value with medium susceptibility to change and the overall sensitivity of the site and its immediate surroundings to the proposed development is low.

4.6.4 The site is not subject to nor within proximity to any landscape quality designations. The site, nor the immediate landscape, contains any rare or unusual landscape features and so it is concluded the site does not comprise a valued landscape.

4.6.5 The proposed development will have a landscape buffer north of the site in order to block any views from the north overlooking the site. Combined with new tree's and hedgerow planting along the site boundaries and within areas of open space, it is considered that this approach would help integrate built form within its immediate landscape setting. Overall, at completion, there would be a moderate adverse landscape effect. Once planting has had the

opportunity to establish, this would reduce to a minor adverse landscape effect.

4.6.6 The proposed development would create a high-quality residential development at the existing settlement edge of Tattenhall. Areas of existing residential development are located adjacent to the southern boundary of the application site.

4.6.7 Overall, it is considered that the proposed development and associated green infrastructure are of a relatively modest scale and nature in the context of Tattenhall and could be accommodated within the site and local landscape with adequate mitigation measures without resulting in any unacceptable landscape or visual effects.

4.7 Transport and Access

4.7.1 The NPPF at paragraph 109 notes that transport issues should be considered early in development proposals. The proposals should consider any potential impacts on the transport network and how these can be addressed, opportunities from existing and proposed transport infrastructure, opportunities to promote sustainable transport, environmental impacts of transport, patterns of movement and how transport fits into the design of schemes.

4.7.2 Paragraph 118 of the NPPF requires all developments that will generate significant amounts of movement to provide a travel plan and to be supported by a transport statement or assessment so that the likely impacts of the proposal can be assessed.

4.7.3 Cheshire West and Chester's Local Plan Policy STRAT 10 states that developments should promote sustainable transport methods and be

supported by a Transport Assessment and Travel Plan. The application is supported by a Transport Assessment and a Framework Travel Plan.

4.7.4 The application proposes a single vehicular access point formed on Tattenhall Road. This is shown on drawing no. 1952/01 in the Transport Assessment. The TA confirms that the package of measures proposed offers accessibility enhancements to encourage more sustainable means of travel in the area and will mitigate any significant impacts on the highway.

4.7.5 The site additionally has good pedestrian connectivity to existing facilities such as the Tattenhall Park Primary School, shops and employment facilities within a ten minute walk of the site.

4.7.6 There is a bus stop located just south of the site along Tattenhall Road and is less than a five minute walk from the site. The no 41 bus service operates between Chester and Whitchurch with buses every 30 minutes to/from Chester and every hour to/from Whitchurch. The bus takes 39 minutes to Chester and 54 minutes to Whitchurch. The bus travels to Chester train station which has regular trains to Liverpool and Manchester every half hour which take 41 and 51 minutes.

4.7.7 A range of improvements are proposed to enhance pedestrian and cycle access, details of which are contained in the TA. The TA confirms that the package of measures proposed offers accessibility enhancements to encourage more sustainable means of travel in the area and will mitigate any significant impacts on the highway.

4.7.8 It is considered that the proposal fully accords with the NPPF on highways matters and Policy STRAT 10 of the Cheshire West and Chester Local Plan.

4.8 Green Infrastructure and Public Open Space

4.8.1 The proposed development includes 3.21 ha of green infrastructure, including informal and formal public open space, an equipped children's play space, landscape planting and an attenuation basin.

4.8.2 The green infrastructure will enhance the landscape and ecology of the site and provide community benefits through the provision of high-quality public green space.

4.8.3 Policy SOC 6 sets out the council's requirements for open space and the typologies that should be provided on site. The development site will deliver amenity green space and enhance green corridors meaning the proposals have considered this and are compliant with Policy SOC 6.

4.8.4 Policy ENV 3 states the Local Plan will support the creation, enhancement, protection and management of a network of high quality multi-functional Green Infrastructure. The development site adheres to Policy ENV 3 as it will include the maintenance and enhancement of existing green infrastructure with additional planting of trees and hedgerows.

4.9 Ecology

4.9.1 A Preliminary Ecological Assessment, prepared by TEP, has been submitted as part of the application; this assesses the potential impact on ecology of the proposed development. The application site would not impact upon any ecological designations. Further ecological surveys are to be undertaken as part of the application, including otter and water vole, bat and bird surveys.

4.9.2 The site comprises an area of modified grassland which is in use as a grazing paddock for horses. The site is bounded by hedgerows and trees with the Keys Brook directly south of the site.

4.9.3 Four internationally designated sites and two sites nationally designated for nature conservation are located over 2km of the site. Within 5 km of the site lies two SSSI's Peckforton Woods approx. 4.1km southeast of the site and Raw Head approx. 4.5km southeast of the site. Additionally, there are six non-statutory sites within 2km of the site most notably Glebe Meadow approx. 500m south of the site and the disused railway at Gateshead Lane approx. 800m west of the site. The site was noted to have provided some degree of suitable habitat for a range of protected/notable species including bats, birds, otters and water voles, brown hare's, hedgehogs, invertebrates, polecat and reptiles.

4.9.4 Mitigation measures will ensure the protection of any potential protected species on site. The creation of green infrastructure including grassland scrub and the planting of trees and shrubs will provide improvements to the habitat diversity within the site and will benefit a number of fauna species.

4.9.5 The Cheshire West and Chester Local Plan requires that where possible developments should enhance biodiversity and geodiversity in Policy ENV 4.

4.9.6 The application proposes to improve and enhance the ecology on site through additional planting, inclusion of an attenuation basin, the relocation and enhancement of the existing pond and enhancement of the open space specifically along the Keys Brook watercourse south of the site.

Biodiversity Net Gain

4.9.7 A Biodiversity Net Gain Assessment has been prepared by TEP in support of the application. Baseline habitats predominantly modified grassland, with areas of tall ruderal vegetation, mature broadleaved trees and pond.

4.9.8 Newly created habitats include modified grassland, other neutral grassland, vegetated garden, a sustainable drainage system, individual trees, species-rich native hedgerow with trees and native hedgerow.

4.9.9 Overall, the proposals have the potential to deliver a net gain of 9.83 area-based units (net gain of 49.08%) and 3.448 hedgerow units (net gain of 48.96%) All trading rules are satisfied.

4.9.10 It is considered that the proposed development meets policies ENV 4 and Policy DM22 of the adopted development plan. Overall, it is considered that the proposed development fully accords with the development plan in regard to ecology.

4.10 Historic Environment

4.10.1 An aim of the NPPF is to conserve and enhance heritage assets. Paragraph 207 requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. In the adopted Local Plan Policy ENV 5 further sets out the that the development proposals should conserve and enhance heritage assets including archaeological interest.

4.10.2 The Heritage Statement prepared by Pegasus Planning Group in support of this application concludes that prehistoric date within the site is considered to be low. The potential for significant archaeological activity of medieval date within the site is considered to be low and no designated heritage assets lie within the site.

4.10.3 Tattenhall Conservation Area lies approximately 390m south of the site and within the 1km study area of the site there are seventeen Listed Buildings, one of which is Grade II* Listed and the remainder are Grade II Listed Buildings.

4.10.4 The Conservation Area is the only designated heritage asset that has the potential to be sensitive to the development proposals.

4.10.5 The assessment determined there is no known historic association between the site and Conservation Area, with limited long-distance glimpses of the site possible from one small area of the Conservation Area. The site therefore is deemed to have no contribution to the significance of the Conservation Area through setting and further deemed as having no harm to the significance of the Tattenhall Conservation Area from change to its wider setting.

4.10.6 Overall, the proposed development has been assessed as causing no harm to the significance of any heritage assets.

4.11 Flood Risk and Drainage

4.11.1 Policy ENV 1 requires a Flood Risk Assessment to be submitted as part of a planning application. A Flood Risk Assessment (FRA) has been prepared by enzygo in support of the application, and details how the scheme incorporates SuDS that will manage the outfall of water from the site to the 1 in 100-year flood event with additional allowance for climate change. The site predominantly lies wholly in EA Flood Risk Zone 1 which is land outside the 1 in 1,000-year (<0.1% Annual Exceedance Probability [AEP]) extent of fluvial flooding and does not propose a risk from flooding from rivers and seas. The southern part of the site lies in flood zone 2 and 3 adjacent to the Keys Brook. This is land between 1 in 100-year (1% AEP) and 1 in 1,000-year (0.1% AEP) risk of fluvial flooding, at 'high' risk (Flood Zone 3).

4.11.2 The FRA demonstrates that the proposed development will not increase off-site flood risk downstream. The proposed drainage strategy comprises a SuDS basin located at the lowest point of the site and an additional conveyance swale to gather surface water run-off. These features will be designed to store

the volume of water associated with a 1 in 100-year rainfall event, plus an additional allowance to account for increased rainfall due to climate change.

4.11.3 Alternatively there is negligible risk of surface water flooding for most of the site, and as low to associated with ponding in the norther, western, and southern extents.

4.11.4 None of the developable area is located on the area of flood zone 2 or 3. The design of the site includes a SuDS basin that will reduce the risk of fluvial and surface water flooding by reducing water run off into the Keys Brook, allowing it to be stored and released slowly into the watercourse.

4.11.5 The anticipated impact of climate change has been taken into account in the assessments of the sites flood risk and the design of the proposed drainage strategy.

4.12 Noise

4.12.1 The Noise Assessment report was prepared by the Logika Group which supports this application and concludes that road traffic along Tattenhall Road is identified as the main noise sources affecting the proposed development.

4.12.2 The guidance noise levels can be met using good acoustic design in the form of standoff distance and plot orientation. The proposed development site therefore is capable of accommodating noise-sensitive development that complies with paragraphs 187 and 198 of the NPPF, paragraph 200 of the NPPF (agent of principle), and local policy and guidance for good acoustic design to overcome acoustic challenges of the site.

4.13 Air

4.13.1 The Air Quality Assessment (AQA) prepared by Wardell Armstrong concludes that at the construction phase the significance of dust and fine particulate is

considered to be not significant, subject to site-specific mitigation measures being in place.

4.13.2 The AQA predicts that the development will have a negligible impact on concentrations of NO2, PM10 and PM2.5 at all seventeen sensitive receptors considered in 2030.

4.13.3 The impact of the proposed development is predicted to be not significant. However, mitigation measures will assist in reducing any potential impact and general best practice measures in relation to air quality could be implemented.

4.14 Arboriculture

4.14.1 The Arboricultural Assessment has been prepared by TEP. The report details that there are a total of three individually recorded trees and three groups of trees within or adjacent to the site protected by Tree Preservation Order. The proposed development does not impact any TPO's.

4.14.2 All of the tree stock sits along the proposed development boundary and were recorded as Category A (High quality), Category B (Medium quality), Category C (Low quality, Category U (Unsuitable for retention), and hedgerows. The only impacted area will be for the along the access road from Tattenhall Road and so along the eastern boundary of the site. This will involve the removal of some of the hedgerow (H6) and a tree (T18) which is Category U and so categorised as being unsuitable for retention, tree removal to accommodate the proposal is therefore considered minimal.

4.14.3 The proposal mitigates the loss of H6 and T18 through the additional planting of trees and hedgerows to the south, north and northwestern areas.

4.15 Planning conditions and obligations

4.15.1 Gladman is committed to and willing to discuss any requested planning conditions with officers at Cheshire West and Chester Council, to ensure that they satisfy the six tests set out in paragraph 003 of the PPG[4] and paragraph 56 of the NPPF respectively.

4.15.2 The applicant is also committed to engaging with the Council in relation to securing planning obligations that satisfy the requirements of Regulation 122 of the Community Infrastructure Levy Regulations and paragraphs 57 and 58 of the NPPF.

4.15.3 A draft set of heads of terms for a Section 106 agreement are set out at Appendix 1 of this Statement.

4.16 Summary of the Planning Appraisal

4.16.1 In light of the above, while the application proposals are not compliant with the development plan as a whole due to their location on an unallocated site, in the context of the Council's inability to demonstrate a five-year housing land supply which renders Cheshire West and Chester's most important policies for the determination of the application out-of-date and triggers the presumption in favour of sustainable development, it is clear that these proposals can be considered sustainable and comply with the relevant guidance from the adopted Cheshire West and Chester Local Plan as well as the national guidance within the Framework.

4.16.2 Furthermore, any harm caused by the extension of development beyond Tattenhall's current settlement boundary will be significantly outweighed by the public benefit of the delivery of up to 110 market and affordable homes,

[4] ID: 21a-003-20190723

as well as the provision of a substantial amount of publicly accessible, high-quality greenspace.

5 PLANNING BALANCE AND CONCLUSIONS

5.1 Conclusions

5.1.1 This outline planning application is made in the context of the Government's requirement to significantly boost housing land supply and the presumption in favour of sustainable development. The application is compliant with the development plan and positively to the identified lack of a five-year housing land supply in the district and the identified needs for both market and affordable housing in the district.

5.1.2 The approval of this application will assist in addressing the persistent problem of inadequate housing supply across the country and will meet the very basic human need of real people in real need of market and affordable housing.

5.1.3 The development proposal would be deliverable in the short term and increase the supply and choice of housing within Cheshire West and Chester. It would also contribute towards economic growth and offer wider social and environmental benefits for the local community. The design principles outlined within the Design and Access Statement provide assurance that a high-quality scheme can be delivered.

5.1.4 The Framework policies on the delivery of sustainable housing development carry significant weight; the delivery of the proposed development would support housing and economic development objectives and meet the aims and objectives of sustainable development, securing net gains across all three strands of sustainable development (economic, social and environmental).

5.1.5 The supporting material, assessments and reports demonstrate that there are no technical or environmental constraints that would significantly or demonstrably outweigh the substantial benefits of the proposal, and no

specific policies of the Framework and Development Plan indicate that development should be restricted.

5.1.6 As with any greenfield site, the development will inevitably introduce changes to the area resulting in some urbanising effects and will involve the loss of some agricultural land. However, the LVA demonstrates that the scheme can be delivered without unacceptable landscape and visual impacts.

5.1.7 The proposed development would deliver a number of benefits. These include:

BENEFITS
Provision **of 110 market and affordable homes**. Cheshire West and Chester Council cannot currently demonstrate a five-year supply of housing and the current housing need is not being met. The Government's objective is to significantly boost the supply of homes to address specific housing requirements. The delivery of housing should be given significant weight.
The provision of **affordable housing (30% or up to 33 units**) in a district where there is an expected to be unmet need unlikely to be delivered through alternative means.
New footpaths to be incorporated into the areas of public open space, , woodland, improving public access to green spaces.
3.21 ha of public open space.
Provision of **45% green infrastructure,** much of which will be publicly accessible, and which would link the footpath network both into the village center and out to the countryside.
Net gain in **biodiversity.**
Additional landscape planting.

The **build cost of the development is expected to be around £16.6m**. Calculations suggest that this construction expenditure would support around **87 Full Time Equivalent (FTE) construction jobs** over the period of the build.[5] The development of new homes in the proposed development could help to address local unemployment in the industry and provide apprenticeship and training opportunities for young unemployed people.
Household expenditure from the 110 new homes would be circa **£2.9m per year**. This will benefit the local area.
Over the four years following the completion of the development, the Councils will benefit from **circa £911,240 via the New Homes Bonus.**
The new residents will **increase demand for and use of local services and businesses** and increased spending will help to protect, maintain and enhance the services available and accessible within the town and surrounding area.

5.1.8 Significant weight should be given to the delivery of both market and affordable housing, the delivery of housing is a significant benefit.

5.1.9 In accordance with paragraph 11 of the Framework, the development proposal clearly constitutes 'sustainable development'. Paragraph 11 states that the presumption in favour of sustainable development applies where proposals accord with an up to date development plan, or where there are no relevant policies within the development plan or the most important policies for determining the application are out of date, this includes when a council cannot demonstrate a five year housing land supply.

[5] The economic benefits of the development are set out in full in the Socio-Economic Benefits Statement submitted as part of the planning application.

5.1.10 The development of the site, as proposed, would be both suitable and sustainable, and there is justification to grant planning permission in accordance with the presumption in favour of sustainable development within the CWaC district. The significant benefits arising from the development must be taken into consideration when assessing the application.

5.1.11 Accordingly, it is clear there are significant material considerations in favour of the development, including the delivery of adopted policy, and therefore the planning application should be approved.

Appendix 1: Draft Section 106 Heads of Terms

Gladman will seek to enter into constructive dialogue with Cheshire West and Chester District Council to agree obligations which, in accordance with the CIL Regulations (2010) (as amended) are necessary, directly related to the development and fairly related in scale and kind to the development.

The following Heads of Terms are suggested:

AFFORDABLE HOUSING

i. The Agreement will provide for 30% affordable housing with a tenure split to be agreed with the Local Planning Authority.

OPEN SPACE

i. The Agreement will require the Developer to provide on-site informal open space and an equipped children's play area.

ii. Appropriate phasing requirements will be specified together with the requirement to agree with the Council an appropriate scheme for the long-term maintenance and management of these areas, including any off-site commuted sums as applicable.

iii. The Agreement will require the Developer to provide, as necessary, an offsite sports provision.

HIGHWAYS AND PUBLIC TRANSPORT

i. The Agreement will require the Developer to provide, as necessary, the improvements identified to improve the public highway, sustainable and public transport provision within the vicinity of the site.



OTHER

i. Other contributions may be identified through the planning consultation process, and subject to meeting the appropriate tests of necessity and reasonableness, consideration will be given to their inclusion.

APPENDIX 2

AFFORDABLE HOUSING STATEMENT

Context

It is widely acknowledged at all levels that there is a housing crisis in this country, which has arisen as a direct consequence of too few houses being completed to keep pace with a growing population, increasing life expectancy and household formation rates.

In May 2021, the housing charity Shelter published 'Denied the Right to a Safe Home – Exposing the Housing Emergency', which sets out in stark terms the impacts of the housing crisis. Shelter estimate that over 17 million people face the effects of high housing costs and notably concludes that "we will only end the housing emergency by building affordable, good quality social homes[6]".

One effect of the national housing crisis is a profound effect on housing affordability. The current Labour Government has adopted a new stock-based standard method that takes into account affordability ratios within the local area in order to help reduce the difficulty of getting individuals onto the housing ladder. The NPPF makes clear that affordable housing should be delivered, and it is essential that sufficient housing is delivered to ensure that "needs of groups with specific housing requirements are addressed".

According to the most recent Department for Levelling Up, Housing and communities (DLUHC) statistics, there are 1.33 million households on local authority social housing

[6] Denied the Right to a Safe Home. Shelter (2021) page 10.

waiting lists across the country, which roughly equates to 2.7 million people in need of an affordable home[7].

Additional data published by DLUHC in November 2024 also demonstrated that in 2023/24 only 62,289 gross affordable homes were built and 43,439 starts on site were recorded[8]. At this level of delivery, it will take roughly 20 years to address the current waiting list. This is before factoring in future housing need, or loss of affordable homes through demolition, or the Right to Buy programme.

At a national level the direction of travel to address housing need and supply, including affordable housing, is abundantly clear. With 44% of affordable homes in 2023/24 funded through s106 agreements[9] (i.e. entirely funded by developers with nil grant from the public sector), political promises rely quite significantly on delivery by the planning system.

Affordable Housing Delivery & Need in Cheshire West and Chester

Cheshire West and Chester under Policy SOC 1 aims to deliver 30% of housing to be affordable. With the adopted housing requirement of 22,000, this equates to 330 homes delivered per year to be affordable homes.

The latest assessment of affordable housing need in Cheshire West and Chester was undertaken in 2013. The SHMA underpins the adopted Local Plan and has therefore been tested through examination. The SHMA identified a shortfall of 714 affordable homes each year across the district for the five-year period 20132014 to 2017/2018.

[7] DLUHC Live Table 600, December 2024 update.

[8] DLUHC November 2024, Affordable Housing Supply April 2023 to March 2024, England

[9] DLUHC November 2022, Affordable Housing Supply April 2023 to March 2024, England.

The Local Plan recognises the degree of imbalance between supply and demand of affordable housing across the district.

When comparison is drawn between affordable housing delivery and the affordable housing target identified in the Local Plan, it can be seen in Table 01 shows up to now the Council is able to deliver the affordable housing provision against the requirement of 330 dwellings per annum, however as the new requirement significantly increases it is important for the Council now to deliver 30% affordable homes against the new requirement of 1,914 dwellings per annum.

Table 01: Net affordable housing delivery in Cheshire West and Chester compared with adopted target.

Year	Affordable Housing Target	Affordable Housing Completions	Shortfall / Surplus
2010-2011	330	263	-67
2011-12	330	390	+60
2012-2013	330	184	-146
2013-2014	330	161	-169
2014-2015	330	572	+242
2015-2016	330	478	+148

2016-2017	330	461	+131
2017-2018	330	630	+300
2018-2019	330	436	+106
2019-2020	330	288	-42
2020-2021	330	266	-64
2021-2022	330	291	-39
2022-2023	330	423	-93
2023-2024	330	377	+47
Totals	4,620	5,220	414

On average the Council are delivering 373 affordable dwellings each year, however the delivery of affordable homes in Cheshire West and Chester Council has fluctuated significantly since the start of the plan period. While the requirement has significantly increased for Cheshire West and Chester Council to 1,914 dwellings per annum, 30% of the new requirement is 574 dwellings per annum. This means under the new requirement the Council are not reaching the level of affordable housing set out in the adopted Local Plan.

Given the Council currently average delivery of just 373 affordable dwellings each year since 2010, the prospects of meeting the latest identified need of 574 affordable dwellings each year for the appears extremely slim.

From now, the performance of Cheshire West and Chester Council is falling short in delivering the affordable housing required to meet the needs of its residents, resulting in an accumulated shortfall of approximately 201 dwellings per annum using the average delivery rates of affordable housing against the new requirement for Cheshire West and Chester.

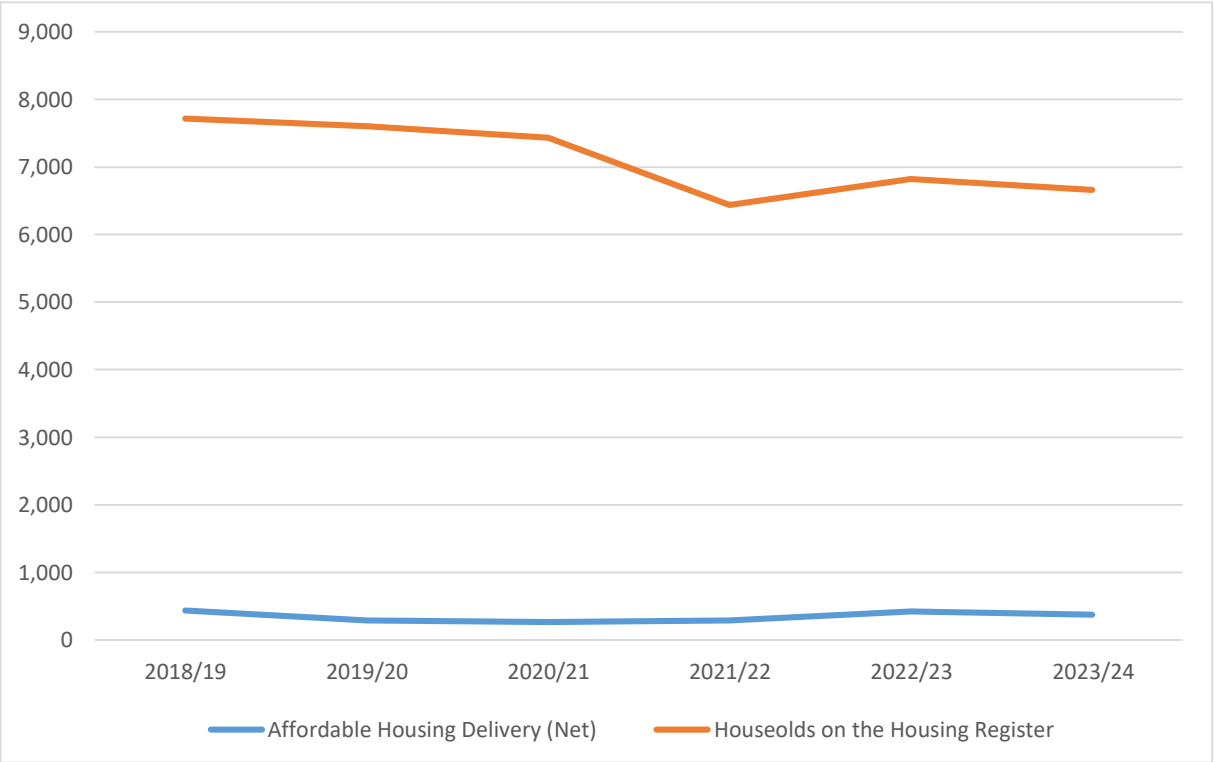
Cheshire West and Chester Affordability Indicators

The PPG recognises the importance of giving due consideration to market signals as part of understanding affordability.

The number of households listed on the Council's housing register as of December 2024 is 6,656. This represents a 2.4% decrease from the previous year's figure of 6,822 households. The decrease in supply when demand is increasing represents a significant number of individuals and families in need.

The graph below details the number of households on the Housing Register in Cheshire West and Chester, in comparison to affordable housing delivery. It clearly shows that there remains a substantial proportion of households who cannot be effectively accommodated in the Cheshire West and Chester. Moreover, it is a proportion of households that has remained unacceptably high over several years.

Figure 01: Number of Households on Cheshire West and Chester Council Housing Register compared with Net Affordable Housing Delivery



Whilst there are other mechanisms that may help to meet affordable housing needs, Figure 01 above clearly illustrates that delivery of affordable housing in Cheshire West and Chester has persistently failed to meet identified needs on the housing register. It further demonstrates that the number of households on the housing register has remained high over several years and previous delivery of affordable housing has never been enough to diminish the high numbers of households on the housing register.

The continued under delivery of affordable housing has contributed to a worsening of the affordability ratios in the Cheshire West and Chester. Table 02 below provides a clear illustration of the change in affordability ratio using the average median house

price and median workplace earnings. The price affordability ratio in Cheshire West and Chester has risen significantly since the start of the current plan period in 2010. The data is sourced from Office for National Statistics (ONS) 'house price to workplace-based earnings ratio' dataset which are updated annually.

Cheshire West and Chester District Council's Affordability Ratio's	
2010	2023
6.5	7.4

Source: ONS Ratio of house price to workplace-based,2010 to 2023, Table 5c.

As Table 02 above illustrates, in 2023 the average affordability ratio in CWaC was 7.4. In other words, average house prices are over seven times average incomes. This is critical when most high street lenders will only lend up to four times a mortgage applicants' salary. Since the start of the plan period in 2010, the median affordability ratio has increased by 14% which indicates firstly that there has been a particular under-supply relative to need in Cheshire West and Chester and secondly that there is a pressing need for additional housing within the district.

The preceding analysis clearly indicates, that by any measure of affordability, Cheshire West and Chester is in the midst of an affordable housing crisis, and urgent action must be taken to deliver more affordable homes. There is a clear trend of decreasing affordability across the authority, a deteriorating housing register which previous affordable housing delivery has failed to adequately address.

Affordable Housing as a Material Consideration

The increasing unaffordability of housing in the district and the continuous high numbers of households on the housing register in housing need clearly indicates that that by any measure of affordability, Cheshire West and Chester is in the midst of an affordable housing crisis, and urgent action must be taken to deliver more affordable homes.

At both a national and local level, it is clear there is an urgent and pressing need to deliver as much affordable housing as quickly as possible. There is clear under provision in the district / borough and need is growing.

The provision of 30% affordable housing equating to 33 homes on this site will contribute significantly towards the districts' affordable housing supply requirements and will provide people with a local connection to the area an affordable property to call their own. This will help alleviate the affordability issue and is a considerable benefit to be weighed positively in the planning balance.

APPENDIX 3: LIST OF RELEVANT POLICIES

Local Plan Policy – Cheshire West and Chester Local Plan (Part One)
Policy STRAT 1- Sustainable development
Policy STRAT 2- Strategic development
Policy STRAT 8- Rural area
Policy STRAT 9- Green Belt and countryside
Policy STRAT 10- Transport and accessibility
Policy SOC 1- Delivering affordable housing
Policy SOC 3- Housing mix and type
Policy SOC 6- Open Space, sport and recreation
Policy ENV 1- Flood risk and water management
Policy ENV 2- Landscape
Policy EN 3- Green infrastructure
Policy ENV 4- Biodiversity and geodiversity
Policy ENV 5- Historic environment
Policy ENV 6- High quality design and sustainable construction

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