Cheshire West & Chester Council

Planning Policy

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Mr A Mead
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our reference NP003A your ref: 01/AM/TNP please ask for: Catherine Morgetroyd

Dear Mr Mead,

Cheshire West and Chester – Response to Johnson Mowat letter sent on behalf of Gladman Developments Limited

Tattenhall and District Modified Neighbourhood Plan Examination

The Council does not wish to enter into an ongoing debate regarding the merits, or otherwise, of the appeal sites. However, it is necessary to respond to several of the points raised in the letter dated 28 September 2026 from Johnson Mowat on behalf of Gladman Developments Limited.

As set out in the NPPF, neighbourhood plans enable communities to shape the future of their areas and, in certain circumstances, local planning authorities should provide an indicative housing requirement for designated neighbourhood areas. The NPPF is clear that such requirements should take account of matters including the latest evidence of housing need, the population of the area and the most recently adopted planning strategy. These are precisely the factors that the Council has considered in deriving its indicative housing requirements.

The strategic approach in Local Plan Part One (LP1) sought to accommodate the majority of new housing growth within the four main urban areas, whilst providing much more limited levels of growth within the ten key service centres (including Tattenhall). This reflected the objective of directing development to the most sustainable locations, whilst allowing a proportionate level of growth in rural settlements commensurate with their role and function.

For the period 2010 to 2030, Policy STRAT 8 established a requirement of 250 dwellings for Tattenhall. The Council's indicative requirement for the Neighbourhood Plan area is 526 dwellings, whilst the Tattenhall Neighbourhood Plan proposes provision for approximately 600

dwellings. Given that Tattenhall currently contains fewer than 1,100 dwellings, an increase of around 55% would generally be regarded as significant.

The indicative requirement of 526 dwellings is based on the higher of the two approaches set out in the Council's methodology, as well as using a 20-year plan period and a 20% buffer. This is likely to build in potentially higher requirements than those that might come through the local plan for key service centres. The 526 figure reflects the current LP strategy as it is based on redistribution of Local Housing Need (LHN) for all the key service centres based on the LP requirement with a buffer.

The Gladman letter states that any robust figure will be required to consider the needs of the entirety of the district and then to assess the capacity of each area to make provision for that development. The indicative figure provided for Tattenhall is based on an overall requirement for the borough (with a 20% buffer), which has then been split down into requirements for each key service centre and local service centre.

The Council accepts that future housing requirements established through the Local Plan process may ultimately be higher or lower than the current indicative figures. However, it is evident that the methodology adopted has erred on the side of caution and potential over-provision rather than under-provision.

Gladman do not offer any other approach to establishing an indicative requirement for Tattenhall, other than identifying that Tattenhall is not constrained by the Green Belt. This is at odds with a plan-led approach and NPPF (2026) that sets indicative requirements should be provided and in relation to plan-making policies states:

The objective of the policies in this chapter is to create a system that is genuinely plan-led, through plan-making authorities prioritising the preparation and updating of the plans for which they are responsible. The preparation of development plans allows people to influence development in their area, including directing growth to the most appropriate and sustainable locations, mitigating and adapting to climate change, supporting regeneration and conserving and enhancing the quality of the built and natural environment.

The Council has considered the representations made concerning the relevance of current planning applications and appeals, and the capacity of local infrastructure, particularly education provision.

Gladman places considerable reliance on the current planning applications and appeals concerning land at Greenlands Farm and Chester Road. However, the Council does not consider that the existence of those proposals should be afforded significant weight in determining whether the Neighbourhood Plan should proceed or whether further site allocations are required. Those proposals fall to be considered separately through the statutory development management and appeal processes, having regard to the development plan, national policy and all other material considerations applicable when each decision is made. Their outcomes will be determined on their individual planning merits.

The Council's position on the principle of such proposals is currently influenced to a significant degree by the prevailing national policy context, including the Council's housing land supply position and the weight that may be afforded to relevant policies in the adopted and emerging Local Plan and Neighbourhood Plan. These are principally matters for decision-taking. The National Planning Policy Framework distinguishes between the plan-making and decision-taking functions of the planning system, notwithstanding that the two are related.

In the Council's view, it would be inappropriate and counterintuitive if circumstances that currently affect the determination of individual planning applications were relied upon as a reason to prevent the progression of a Neighbourhood Plan or to require it to allocate additional sites. Temporary circumstances affecting decision-taking do not diminish the value of neighbourhood planning as a means of establishing a community's longer-term vision and shaping how future development should be accommodated.

The potential grant of planning permission for a site, whether by the Council or on appeal, would not establish that the site must be allocated through the Neighbourhood Plan. Nor would it necessarily demonstrate that the Plan fails to meet the basic conditions. The examination should remain focused on whether the Plan, considered as a whole, meets those conditions, is supported by proportionate evidence and provides an appropriate planning framework for the neighbourhood area.

Gladman also places reliance on an Education Service consultation response provided in connection with application 25/01764/OUT. The Council considers that this response must be understood in its proper context. It was prepared to assess a particular planning application, having regard to the scale and nature of that proposal and the information available at that time. It was not intended to constitute a comprehensive strategic assessment of the ability of education infrastructure to accommodate all additional development in Tattenhall throughout the Neighbourhood Plan period.

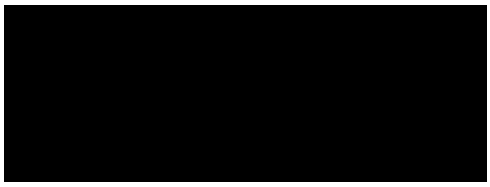
The fact that the effects of an individual development may be capable of mitigation through a financial contribution, or that some capacity may be available at a particular point in time, does not establish that education provision places no constraint on the overall scale or timing of growth in the settlement. The preparation of a plan requires consideration not only of the effects of individual developments but also of their cumulative implications and the practical ability to deliver the infrastructure needed to support the community over the plan period.

Education provision is particularly important in this regard. School capacity is not a static consideration and can be affected by demographic change, pupil yield from committed and future development, the geographical distribution of available places, and the feasibility and timing of any necessary expansion. The ability to secure a contribution from one development does not necessarily establish that additional school places can be delivered in the location and within the timescale required. It would therefore be unsafe to treat a consultation response on one planning application as demonstrating that materially greater levels of housing growth can be accommodated without wider infrastructure consequences.

Overall, the Council considers that the live planning applications and appeals should not become a proxy for the examination of the Neighbourhood Plan. Their existence does not demonstrate that the Plan must allocate the promoted sites, that its housing strategy is unreasonable, or that it fails to provide an appropriate framework for the neighbourhood area. The appropriate focus remains whether the Plan meets the statutory basic conditions, taking account of the evidence proportionate to a Neighbourhood Plan and the distinction between long-term plan-making and the determination of individual development proposals.

The Council hopes the examiner has all the material necessary to progress the examination and it is considered that resolving the status of the Tattenhall Neighbourhood Plan will provide all parties with clarity moving forward.

Yours sincerely



Catherine Morgetroyd

Planning Policy Team Manager (Planning Policy)