

Cheshire West & Chester Council

Local Plan

(Part Two) Land Allocations
and Detailed Policies



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Cheshire West
and Chester

Local Plan (Part Two) Land Allocations and Detailed Policies

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1 Introduction

1.1 The Local Plan (Part Two) Land Allocations and Detailed Policies document was adopted on 18 July 2019. It provides further detailed policies and land allocations which support the strategic objectives and policies set out in the Local Plan (Part One), as part of the Council's aim to produce a comprehensive planning framework to achieve sustainable development in the borough.

The Local Plan (Part Two) forms part of the statutory development plan for the Cheshire West and Chester area, along with the Local Plan (Part One) and, where applicable, Neighbourhood Plans.

When determining planning applications, decisions must be taken in accordance with the development plan, unless material considerations indicate otherwise.

It will be for the decision-maker to determine which policies are relevant but it is important to remember that the plan must be read as whole.

Certain policies of the Local Plan (Part Two) cross-reference to other policies but it should not be assumed that these are the only relevant policies. Where a policy offers support in principle, for example, for residential or employment development, the proposal would also be expected to meet other policy requirements.

Local Plan (Part One) Strategic Policies

1.2 The Local Plan (Part One), which was adopted by the Council on 29 January 2015, provides the overall vision, strategic objectives, spatial strategy and strategic policies for the borough to 2030. This includes setting out the level and location of new housing and employment land, as well as the identification of a number of strategic sites.

Local Plan (Part Two) Land Allocations and Detailed Policies

1.3 The purpose of the Local Plan (Part Two) is to provide the detailed policies and land allocations required to deliver the overall strategy for Cheshire West and Chester for the period to 2030. The amount of housing and employment land needed is clearly identified in Local Plan (Part One) and it is not the role of the Local Plan (Part Two) to include any policies which alter or amend these requirements. The extent of the Green Belt is a strategic matter and is defined in Local Plan (Part One).

1.4 The Local Plan (Part One) sets out that settlement boundaries will be identified through the Local Plan (Part Two) for the four urban areas, key service centres and local service centres. Where there is a need to accommodate development on the edge of an identified settlement then the boundary has been drawn to reflect this, otherwise settlement boundaries reflect existing built development, the Green Belt boundary, Neighbourhood Plans where appropriate and, where relevant, extant planning commitments.

1.5 Some of Cheshire West and Chester’s development requirements have already been met through development that has taken place, or is committed through planning permissions granted since 2010. The Local Plan (Part Two) identifies the additional development sites necessary to meet the remainder of the Local Plan (Part One) requirements.

1.6 The Local Plan (Part Two) is structured around area-specific policies CH 1 to M 8, which include the land allocations and policies for the development of land within the settlement areas identified in the Local Plan (Part One). Then development management policies DM 1 to DM 55, which contain criteria against which planning applications for new development across the borough will be assessed, followed by the monitoring framework.

1.7 When adopted, the Local Plan (Part Two), in combination with the Local Plan (Part One) will replace all of the retained policies from the former district local plans: Chester District Local Plan, Ellesmere Port and Neston Borough Local Plan, Vale Royal Borough Local Plan, Cheshire Replacement Minerals Local Plan and Cheshire Replacement Waste Local Plan (see Appendix B for a list of the previously retained policies). Appendix C contains a glossary of explanatory terms.

Neighbourhood planning

1.8 The Localism Act 2011 gives local communities the power to help decide where development should go and the type and design of that development, by preparing neighbourhood plans for their areas. The Act places a duty on the local authority to support this work.

1.9 Town and parish councils and ‘neighbourhood forums’ in Cheshire West and Chester may set out their own planning policies and site allocations in neighbourhood plans. However, their neighbourhood plans will need to be in general conformity with the strategic policies of the Local Plan. A list of neighbourhood plans within Cheshire West and Chester is available here: http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/np/

1.10 Once approved by the local community at referendum, neighbourhood plans become part of the statutory development plan for the area.

Duty to Co-operate

1.11 Cross-boundary working has been embedded in the development of the Local Plan (Part Two) from the outset. In that respect, the Council has engaged positively with a wide range of public bodies and neighbouring authorities in the preparation of this plan, to resolve any remaining strategic cross-boundary issues. A Duty to Co-operate Statement forms part of the evidence base to the plan.

1.12 As noted above, the housing and employment requirements for Cheshire West and Chester are set within the Local Plan (Part One). The allocations proposed in the Local Plan (Part Two) enable these to be met within the plan area and it has therefore not been necessary to seek the assistance of adjoining authorities to achieve them. Co-operation with neighbouring local planning authorities has been mainly focused on addressing cross-boundary issues, such as in relation to transport or development proposals in or immediately adjoining these authorities.

Context

1.13 The policies and proposals in this document have been prepared having regard to the National Planning Policy Framework (NPPF), supplemented by the National Planning Practice Guidance (NPPG), the Marine Policy Statement (and forthcoming North West Marine Plan), High Speed Two Phase 2b Safeguarding Directions and individual policies on specific topics such as sustainable drainage, and starter homes. The Local Plan takes account of these Government policies and legislation, but does not repeat them and instead seeks to build on them.

North West Marine Plan

1.14 In coastal areas, the NPPF requires local planning authorities to take account of the UK Marine Policy Statement and marine plans and apply integrated Coastal Zone Management to ensure the integration of terrestrial and planning regimes. Marine planning, including the preparation of Marine Plans, will be carried out by the Marine Management Organisation (MMO). Marine Plans must be consistent with the Marine Policy Statement and will guide developers about where they are likely to be able to carry out activities or where restrictions may be placed on what they do.

1.15 Both the Dee Estuary and the Mersey Estuary fall within a proposed Marine Planning Zone but the Marine Management Organisation has only just started work on the North West Marine Plan for this area. Until the implications of this work are fully understood, it would be premature for the Council to pre-empt the outcome of the marine planning process by including a specific policy in the Local Plan. In the interim, the MMO is being consulted under the Duty to Co-operate.

1.16 The MMO should be referred to for guidance on any planning activity that includes a section of coast or tidal river. All planning decisions that relate to the UK marine area must be made in accordance with the UK Marine Policy Statement. The MMO is also responsible for issuing marine licences under the Marine and Coastal Access Act 2009. A marine licence may be needed for activities involving a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river extent of the tidal influence. Any works may also require consideration under The Marine Works (Environmental Impact Assessment) Regulations (as amended). Therefore, early consultation with the MMO is advised.

High Speed Two Phase 2b

1.17 On 15 November 2016, Safeguarding Directions for development affecting the route and associated works for the High Speed Two rail project – Phase 2b: the Western Leg (Crewe to Manchester) and Eastern Leg (West Midlands to Leeds), with connections onto the existing network, were made by the Secretary of State. As required by the Safeguarding Directions, the Council will consult High Speed Two (HS2) Limited (Company No. 06791686), before determining any application for planning permission falling within paragraph 2 of the Safeguarding Directions.

1.18 The area safeguarded by the Safeguarding Directions has been taken into account in the preparation of the policies and land allocations contained within the Local Plan (Part Two). However, as the route is still to be considered in Parliament under the hybrid Bill procedures, and HS2 is likely

to come forward well beyond the end of the plan period (2030), it is not considered necessary to include a specific policy on HS2 in the Local Plan at this stage. Further information, including maps of the land subject to the Safeguarding Direction, is available from:

<https://www.gov.uk/government/publications/hs2-phase-two-safeguarding-maps-cheshire-east-cheshire-west-and-chester>

Preparation stages

1.19 Preparation of the Local Plan (Part Two) commenced in 2014, with public consultation and evidence gathering under Regulation 18, carried out between May and June 2014. During 2015, the Council assessed the response to the consultation and commissioned additional evidence as necessary and considered the changes made to the Local Plan (Part One) through the examination process, which had implications for the scope of the policies to be included within the Local Plan (Part Two).

1.20 Further consultation on the Council's preferred approach for the Local Plan (Part Two), which included draft policies and allocations, alternative options, a draft policies map and a range of supporting evidence base documents, was carried out in between August and September 2016 for six weeks.

Evidence base

1.21 The Local Plan (Part Two) is supported by an up-to-date, relevant and proportionate evidence base in accordance with the requirements of the NPPF and the Town and Country Planning (Local Planning) (England) Regulations 2012. The key studies in the evidence base include the Housing and Economic Land Availability Assessment, Land Allocations Background Paper, Sustainability Appraisal, and Habitats Regulations Assessment. All of the studies and reports that comprise the evidence base are available on the Council's website.

Sustainability Appraisal and Habitats Regulations Assessment

1.22 An integrated Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) has been carried out at key stages in the preparation of the Local Plan (Part Two). Full details can be found in the accompanying SA report. The appraisal of the Local Plan has been an iterative process and it has played an important role in developing and refining the contents of the plan. Feedback from the appraisal process has helped shape the policies and site allocations included in this document.

1.23 A Habitats Regulations Assessment (HRA) has also been undertaken to ensure that there are no significant adverse effects of the Local Plan (Part Two) on Natura 2000 (European Designated sites). The HRA has discounted all impacts except for a risk to air quality, and recreational disturbance from new residential and employment development. As a consequence, the HRA made a number of recommendations for project-level assessment and mitigation provision, which have been incorporated into the relevant policies in this plan.

1.24 An Equalities Impact Assessment, a Health Impact Assessment and a Rural Proofing assessment have also been carried out alongside the integrated SA and SEA. These assessments have formed an important part in the development of the Local Plan (Part Two) and enabled the Council to meet its obligations under the Public Sector Equality Duty. Full details are included in the SA report.

Community Infrastructure Levy (CIL)

1.25 The Council's Community Infrastructure Levy (CIL) including the Charging Schedule and associated documents were approved by full Council on 20 July 2017. The commencement date for CIL was 1 September 2017. The Charging Schedule, zonal maps and all associated documents are available to view and download from the Council's website at:

<http://consult.cheshirewestandchester.gov.uk/portal/other/cil>

2 Chester

2.1 The level of development proposed for the Chester spatial area through Local Plan (Part One) policy [STRAT 3](#) reflects the environmental and historic constraints within and surrounding the city, and the potential for economic growth through the redevelopment of key sites. The policies in this section set out the employment land allocations within Chester and provide policy criteria for development proposals.

2.2 Chester is a key economic driver for the borough acting as a sub regional centre for employment, shopping, leisure, culture and tourism facilities. Local Plan (Part One) policy [STRAT 3](#) sets out the main proposals for Chester to deliver new housing and drive economic growth.

2.3 The delivery of new housing in Chester, to meet the Local Plan (Part One) policy [STRAT 3](#) requirement of at least 5,200 dwellings, will be achieved through the development of the strategic site at Wrexham Road, in addition to the delivery of a range of residential planning permissions across the settlement area.

2.4 The North Cheshire Green Belt, as set out in the Local Plan (Part One), defines the Chester settlement boundary. Within this boundary a suite of policies support the appropriate development and regeneration of land within the city; protect and enhance the historic walled city and its assets; and provide opportunities to deliver environmental improvements to open spaces, green networks and corridors.

2.5 Chester was a Roman Fortress, Saxon burh and medieval city of strategic importance and it still retains much of its defences and historic street pattern. Its historic environment makes a significant contribution to the economy, employment and tourism of the city. Its unique historic character is of national and international significance and it has notably important historic assets, including:

- Chester Cathedral – Grade I listed, which, developed over the last 1,000 years.
- Walls – an excellent example of Roman fortress defences and medieval town wall.
- Castle – The Castle, including the Agricola Tower is a significant asset in the city.
- Amphitheatre – Well researched and one of a relatively small number in England.
- The Rows – Two storied timber shopping galleries are unique to the town and have origins in the medieval period.
- Racecourse – The site of the oldest racecourse in Britain.
- St John’s Church – Chester’s first cathedral in the eleventh century.
- Shropshire Union Canal – one of the first ‘modern’ canals to be built in England.

2.6 Through implementation of the policies set out in the Local Plan, the Council seeks to manage change and safeguard the valuable environment of the city. The Council will continue to work with regeneration partners to identify key sites within the city centre, preparing development briefs where necessary, to promote and facilitate their redevelopment and regeneration with buildings of the highest quality.

CH 1 - Chester settlement area

CH 1

Within the defined settlement boundary of Chester as identified on the policies map, development proposals will be supported which are in line with the relevant development plan policies and are consistent with the following principles, where relevant, aimed at delivering the Local Plan (Part One) policy [STRAT 3](#):

1. protecting the historic core of Chester (and its setting) for all development proposals;
2. protecting historic routes and grain in the city centre, and reinstatement achieved where possible;
3. recognising archaeology as critical environmental capital;
4. protecting the nature, quality and scale of the strategic open space corridors, as identified on the policies map;
5. creating strong and active frontages, appropriate in scale and height to the wider townscape, along the inner ring road and canal corridors;
6. enhancing the character and appearance of principal gateways and routeways into the city;
7. supporting the Chester Cycling Strategy;
8. supporting mixed-use regeneration proposals set out in Local Plan (Part Two) policy **CH 2**;
9. development must not give rise to significant adverse impacts on air quality

Development within or adjacent to areas of strategic open space should be appropriate in scale and type with sensitive boundary treatment so not to harm the nature, quality or scale of these spaces, or impede public enjoyment of them. The special qualities and characteristics of the following strategic open spaces which contribute to the setting and character of Chester, should be protected:

- A. The Meadows Corridor to the south of Chester and the River Dee Corridor;
- B. The Dukes Drive woodland to the south of Chester;
- C. The Canal Corridor to the north of Chester
- D. Dee Flood Plain to the west of Chester

Explanation

2.7 The Chester settlement boundary reflects the development requirements for the city as set out in Local Plan (Part One) policy [STRAT 3](#) acknowledging the importance of the city as a key economic driver for the borough, within the environmental limitations and constraints of the Green Belt, and the city's historic setting.

2.8 All development proposals should protect the historic city core (defined as the area within the City Walls) and its setting. The appearance of development along the radial and inner ring roads, railway corridors, the River Dee and the Shropshire Union Canal is important to the character of the

city. The inner ring road, canal corridor, and gateway sites have great potential for redevelopment to improve poor quality environments and to enhance existing key sites to improve the image of the city. Development must enhance these routes and gateways through providing high quality, strong and active frontages, that preserve and enhance the local character and environment.

2.9 Informed by the study ‘Chester: The Future of an Historic City’ and supported by the Chester City Centre and Approaches Characterisation Study (2012), areas of strategic open space are considered to be fundamental to the fabric, character and / or setting of Chester. They include large areas of open land with rural character which penetrate into the urban area, providing physical and visual links between the built environment and the countryside.

2.10 The strategic open spaces identified in Local Plan (Part Two) policy **CH 1** above, contribute towards the setting and character of the city in the following ways:

- The "Meadows Corridor" to the south of Chester and the "River Dee Corridor" extending through the urban area, including Grosvenor Park and the Roodee – provides an important setting and edge to the city, with prominent views of the historic Chester skyline. The large open space makes an important contribution to Chester’s local distinctiveness and its unique balance between countryside and townscape.
- The Dukes Drive Woodland to the south of Chester – protects and frames the setting of the surrounding historic and mature woodland corridor which forms a locally distinctive landscape feature within the wider urban fabric. It has significance as a historic gateway into the city and provides an important buffer between nearby settlements.
- The Canal Corridor to the north of Chester – long corridor of open grassland and woodland which takes the countryside into the city centre, providing views of the Chester skyline and an important recreational green network.
- The open, flat landscape of the Dee Flood Plain to the west of Chester – brings the countryside from the Lache Eyes and the Welsh Border into the heart of the city.

2.11 There are a number of areas in the settlement area that are affected by air quality issues. Chester has a designated city-wide air quality management area (AQMA) that covers the city centre and areas leading out of the city along Boughton and Liverpool Road. The air quality issues are a result of traffic / congestion along these routes.

CH 2 - Chester regeneration areas

CH 2

Development proposals within the key regeneration areas, as identified on the policies map, where relevant must:

1. promote safe walking and cycling routes into and within these areas, and minimise the impact of traffic;
2. create high quality active and vibrant street frontages, incorporating active uses at ground floor level and/or high quality landscaping of the public realm;
3. promote opportunities for mixed use development on previously developed land within the city centre boundary as defined by Local Plan (Part Two) policy **DM 14**;
4. not harm the vitality and viability of the city centre and the district and local retail centres.

Development proposals within the areas set out below will be supported where they are in line with the relevant principles set out in **CH 2.A** to **CH 2.D**.

Explanation

2.12 Local Plan (Part One) policy [STRAT 3](#) identifies a number of key sites and broad locations to deliver the overarching development strategy for Chester. The criteria set out in this policy ensure that high quality development which protects and enhances the city's historic assets is achieved across the city. In these specific areas there is an emphasis on promoting and facilitating high quality, mixed use development, building upon and wherever possible, improving upon existing local physical, social, economic and environmental assets. Respecting the character, the needs and local distinctiveness of existing communities is a key aim of each regeneration area.

2.13 In addition, Local Plan (Part One) policies [STRAT 1](#) and [STRAT 2](#) promote strong, prosperous and sustainable communities and encourage the use and redevelopment of previously developed land and buildings. All redevelopment proposals must have consideration for the permeability and accessibility of each area as well as integration between areas of the city.

2.14 The One City Plan, the Chester City Centre and Approaches Characterisation Study (2012), the Chester Heritage and Visual Arts Strategy, and the Waterways Strategy for Chester provide guidance and direction for development proposals and should be referred to where appropriate.

CH 2.A

Chester Northern Gateway

Development proposals should be in line with the relevant site specific development plan policies, in particular land allocations as set out in Local Plan (Part Two) policy **CH 3**. Development must be of a high quality and, where possible, improve the road and pedestrian accessibility into and out of the city from Hoole Road. Proposals that incorporate the following will be supported:

1. improvements to the level and quality of station car parking;
2. high grade office development;
3. a mix of high quality affordable and market housing on suitable sites;
4. higher density development where compatible with conservation / design policies.

Explanation

2.15 The Chester Northern Gateway is a key entrance into the city from the suburb of Hoole. Hoole Road links the outer ring road (A41) with the inner ring road at the Hoole Way roundabout (A5268) and Hoole Bridge is a prominent feature of this route. The policy approach to this key corridor is set out in Local Plan (Part Two) policy **T 2**. Local Plan (Part One) policy [STRAT 3](#) identifies Chester Business Quarter as a broad location for mixed use development. Sites within this area are identified in Local Plan (Part Two) policy **CH 3**.

CH 2.B

Commonhall Street

Development should have regard for the Commonhall Street Development Brief; maintaining green space, and protecting and enhancing the historic fabric and townscape where possible. Support will be given to leisure and tourism related development; and affordable and market housing.

Explanation

2.16 A development brief for the Commonhall Street area has been prepared by Chester Growth Partnership which aims to protect and enhance the character of this area through suggested public realm improvements. It also identifies key sites or areas within the brief boundary that could be considered for redevelopment in order to improve the connectivity of the area and support residential and commercial uses.

CH 2.C

Chester Castle and Riverside area

Uses within the castle complex should be sympathetic to the existing buildings, and respect the historical / cultural environment. Development of the buildings and spaces within the castle complex for visitor attractions, tourist accommodation and visual arts/entertainment space will be supported. Public access to Chester Castle should be protected and enhanced where appropriate.

Improvements along the riverside, including The Groves must have regard for the relevant waterways and conservation strategies and studies.

Development proposals for hydro electric power generation at the weir which enables renewable electricity generation that fully respects the significance of the built heritage; archaeology; setting within the wider townscape; and river ecology will be supported.

Explanation

2.17 The Chester Castle and surrounding area is a key heritage asset that incorporates key buildings such as the Military Museum, County Court, Napier and Colvin House, the Gunsheds, and the parade ground. There are a range of users and owners within the complex and it is important that a comprehensive approach towards the future uses / development of this area is identified at an early stage. The preparation of a development brief for the area is recommended to ensure this approach is taken.

2.18 The riverside area between Chester Castle and River Lane is a key asset for both leisure and tourism, providing a range of facilities including the Amphitheatre and Grosvenor Park, on and alongside the river.

2.19 The former pumping house at Chester weir has been identified as a potential location for the generation of hydro electric power, making use of a building which was originally built for this use but which has since fallen into disrepair. Such a proposal would be supported in accordance with Local Plan (Part One) policy [ENV 7](#) and could provide tourism benefits, provided that the impacts of development are fully addressed. The weir, pumphouse and Old Dee Bridge are listed structures and the location is highly sensitive within the wider townscape. The River Dee is internationally important for ecology (SSSI and SAC). Proposals for development may need to be the subject of an Environmental Impact Assessment; Habitats Regulation Assessment; Landscape and Visual Impact Assessment; and an assessment of construction and operational noise and vibration. Scheduled Monument Consent would also be required.

CH 2.D

Northgate

The redevelopment of the Northgate area must be in line with Local Plan (Part One) policies [STRAT 3](#) and [ECON 2](#). Proposals that include the provision of the following will be supported:

1. leisure and retail uses that incorporate active frontages along key pedestrian and cycle routes;
2. residential development including market, affordable and housing for vulnerable and/or older people where possible.

Explanation

2.20 The Northgate redevelopment is a key retail and leisure proposal in the city centre identified in Local Plan (Part One) policy [STRAT 3](#). Residential accommodation within the development is encouraged in order to create an active and mixed community and to support the leisure and retail uses within the city. The wider area includes the adjacent Storyhouse theatre development that has recently been completed, and which together with the Northgate redevelopment will enhance the cultural offer of the city whilst providing wider retail and leisure choices.

CH 3 - Employment land provision in Chester

CH 3

The following sites in Chester, as identified on the policies map, are allocated to meet the strategic requirement for new employment development:

- A. remaining parts of Chester Business Park (3 hectares, use class B1)
- B. Northern Gateway - Chester Business Quarter (2.3 hectares, use class B1a)
- C. Northern Gateway - Hoole Enterprise Centre (0.7 hectares, use class B1)
- D. Northern Gateway - Hoole Lane, Boughton (0.4 hectares, use class B1)
- E. Northern Gateway - Garden Lane (0.3 hectares, use class B1)
- F. remaining parts of Chester West Employment Park (0.7 hectares, use classes B1, B2, B8)
- G. land off New Crane Street, Chester (0.4 hectares, use class B1)

Development proposals on the above sites must also satisfy the following criteria;

1. development proposals at Chester Business Park should be in line with Local Plan (Part Two) policy [GBC 1](#);
2. development proposals within the Northern Gateway area should be in line with Local Plan (Part Two) policy **CH 2**;

3. proposals should meet specified design guidance for the area and have regard to the principles established in relevant masterplans and development briefs where appropriate;
4. development proposals on land at New Crane Street must provide adequate pollution control measures to protect water quality in line with policy DM 43 and DM 44.

Sites must be developed in accordance with the specified use class and criteria for each site. To ensure the borough-wide strategic development requirement can be met, these sites will be protected from alternative forms of development.

Explanation

2.21 Local Plan (Part One) policy [STRAT 2](#) sets out that over the plan period at least 365 hectares of land for employment development, to meet a range of types and sizes of site, will be delivered, and Local Plan (Part One) policy [ECON 1](#) states that the supply will be met through existing planning commitments and new sites allocated for employment use.

2.22 This policy allocates a range of sites within Chester to cater for the continuing economic growth of the borough, and in line with Local Plan (Part One) policy [STRAT 3](#) which seeks to protect a range and sizes and types of business needs, employment land and premises from alternative forms of development. Chester Business Quarter (CH 3.B) is a key location for employment led regeneration in Chester. The first phase of development, 'One City Place', has been completed, and further phases of office development will take place within the plan period.

2.23 It does not identify which uses should go to a particular site but sets out a number of criteria which proposals for development on those sites will be judged, and which must be read in conjunction with other relevant development plan policies. The site areas identified within the policy relate to the boundary of the proposed allocation. The net developable area and resultant employment floorspace will vary according to site specific characteristics and the mix/type of employment uses proposed.

2.24 There is a city wide air quality management area in Chester. Development proposals within Chester should not give rise to significant adverse impacts on air quality in line with Local Plan (Part Two) policy **DM 31**.

2.25 Development on land at New Crane Street (CH 3.G) should demonstrate that proposals will not cause unacceptable deterioration to water quality or cause unacceptable harm to biodiversity. Project level HRA screening should be undertaken to determine the potential for any likely significant effect on the River Dee SAC and a project level HRA may be required depending on the nature and potential effects of the proposed scheme.

CH 4 - University of Chester

CH 4

Proposals for the development of education related facilities at the University of Chester campus sites in Chester, as defined on the policies map, will be supported where there are no significant detrimental impacts on neighbouring uses, residential communities, green infrastructure and local heritage.

Proposals relating to the Parkgate Road campus should be brought forward in a comprehensive manner in the context of a strategy for the campus as a whole.

Explanation

2.26 The University of Chester is a key educational establishment in Chester with dispersed facilities across the city centre and adjacent suburbs, and at campuses in Warrington and Shrewsbury. The university population is important to the creation and sustainability of safe communities across the city.

2.27 The University's Parkgate campus will continue to be a focus for development which may include additional student, teaching, research and enterprise accommodation, infrastructure and services, and sports and leisure facilities in suitable locations. The loss of green spaces within the site should be minimised and any loss must be considered against the benefits of development to the wider community.

2.28 The Kingsway campus will continue to be a focus for arts and media teaching, and activity set within the local community. New development should be focused in and around the existing built footprint of the campus and should not result in the loss of open spaces. Development proposals could include additional teaching, community, research and enterprise space, infrastructure and services, and sports and leisure facilities. Improvements to access and parking should be considered as part of any redevelopment proposals.

2.29 The Riverside campus will continue to be a focus for nursing courses. Any development proposals must have consideration for of Local Plan (Part Two) policy **CH 2** and the identified regeneration areas. Education and business related courses are the focus of the Queens Park, Handbridge campus.

2.30 For reference to the University's campus and activities at Thornton Science Park please refer to Local Plan (Part Two) policy **EP 5**. For proposals relating to the creation of purpose built student accommodation please refer to Local Plan (Part Two) policy **DM 27** and the Houses in Multiple Occupation and Student Accommodation Supplementary Planning Document.

2.31 Development at any of the university campuses must have consideration for both natural and built environments, acknowledging the importance of the local green infrastructure and any built assets.

CH 5 - Chester conservation areas

CH 5

In line with Local Plan (Part One) policies [STRAT 3](#) and [ENV 5](#), development within Chester's conservation areas, as identified on the policies map, must meet the requirements of policy DM 46.

Development proposals will be supported where:

1. it can be demonstrated that they have been sensitively designed, to have regard to their location and considering the location of ventilation equipment and plant; fire escapes and service areas;
2. it can be demonstrated that Chester's key views, landmarks, gateways and historic skyline will not be adversely affected in line with Local Plan (Part Two) policy **CH 6**;
3. they show careful attention to spaces between buildings, scale, height, mass and architectural detail, respecting the building lines, building hierarchy and urban grain;
4. they use high quality and durable materials appropriate to the building and its setting;
5. the proposal, adopts visually appropriate and discreet security fixtures and fittings to minimise their visual impact;
6. they will not result in the loss of any historic routes. Where possible, historic routes should maintain their existing widths and alignments unless historic evidence suggests otherwise. Proposals which would result in the reinstatement of any historic routes will be supported.

Proposals for roof extensions to existing buildings (which may include the installation of conservatories, roof terraces, telecommunications equipment or solar collectors) should be carefully designed so that they do not:

7. adversely affect either the architectural character or unity of a building or group of buildings;
8. be visually intrusive or unsightly when seen in longer public or private views from ground or upper levels;
9. result in the loss of unusual or historically significant or distinctive roof forms, coverings, constructions or features.

Within the city centre, proposals for illuminated signage will only be supported where they relate to night time uses where the level of street lighting and lighting from the shop window is inadequate for trading purposes and the proposal would preserve or enhance the character or appearance of the building and the area.

The Rows

Development proposals on the Rows will be supported which meet the requirements of policy DM 46 and where they:

- include new uses for buildings on The Rows which encourage pedestrian footfall, retain the predominant public access to The Rows, improve natural surveillance, and promote commercial viability in accordance with Local Plan (Part Two) policy DM 14;
- are for two-storey units which have a street level and a Row level presence which sensitively retain or reintroduce access into the retail unit at both street level and Row level;
- ensure that new facades or alterations to existing facades of shops or commercial premises within The Rows preserve or enhance those elements which contribute to the significance of the building or its setting.
- ensure that the design, location and materials used for business signage applied or attached to Row beams or posts are sympathetic to the character and appearance of The Rows.

Proposals for projecting box signs or signs projecting from a shop fascia will not normally be supported. Hanging signs on street frontage elevations will only be supported where they advertise the businesses at the premises; are of appropriate size, design and materials; and are sympathetic to the character and appearance of the building and The Rows. One hanging sign at balustrade level and fixed to the piers (which support the upper floors) will usually be supported for street level shops or businesses. One hanging sign at Row opening level or up to Row fascia level will usually be supported for Row level shops or businesses which have no street level frontage.

Waterways

Proposals within the Chester river or canal conservation areas will be required to demonstrate that the development will make a positive contribution to the visual appearance and character of the area and preserve or enhance the setting of the waterway corridor and associated infrastructure in accordance with the Chester Waterways Strategy, the Chester City Centre and Approaches Characterisation Study (2012) and any relevant conservation area appraisals. Development should create a positive connection to the waterside, promoting 'active' frontages and enhancing weak frontages.

This policy should be read in conjunction with policy Local Plan (Part Two) policy **DM17** and **DM 50**.

Explanation

2.32 Local Plan (Part One) policies [STRAT 3](#) and [ENV 5](#) recognise the national and international importance of Chester as a historic walled city and the need to conserve and enhance the character of the city centre and the setting of the city with its impressive and diverse architectural inheritance. Best practice in conservation allows the city's conservation areas to develop in a managed way, allowing for appropriately designed and contextual new development to enhance the quality of the

townscape, historic buildings and spaces, whilst preserving the city's character. The evolution of the historic cityscape is achieved through striking a careful balance between historic conservation and contemporary design.

2.33 A knowledge and understanding of the local context is necessary in order to achieve high quality new development. This requires a thorough understanding of the city's physical form; its key approaches; its topography, morphological and historical development; its key unique elements and urban form that gives Chester its character and strong sense of place; its uses; its overall character, architectural quality, materials and detailing and building heights; its buildings of townscape merit and shopfront quality; the nature and quality of its landscape character and public realm. This analysis is found in the Chester City Centre and Approaches Characterisation Study (2012).

2.34 The choice of building materials is very important. Aesthetic quality, colour, profile, texture, detailing, durability, and weathering are key considerations to ensure that development does not deteriorate in appearance.

2.35 The city's inner and outer conservation areas are shown on the policies map and in the Chester City Centre and Approaches Characterisation Study (2012). Geographically, the area focuses on the central part of the city and its key approaches. Almost all of the characterisation study area falls within existing conservation areas, either the city centre conservation areas or one of several surrounding suburban conservation areas.

2.36 The Chester City Centre and Approaches Characterisation Study (2012) is a key evidence base document which defines the specific character and critical heritage assets of individual areas of Chester and assesses their importance in the context of the city.

2.37 In respect of The Rows, the Council will accept the following where proposals are in line with other relevant development plan policies, and the Draft Chester Rows Conservation Management Plan:

- CCTV cameras within The Rows to improve security and safety, and prosecutions for heritage crime;
- the improvement of lighting on The Rows;
- the improvement of accessibility to The Rows;
- the promotion of best practice in the provision of fire safety measures in liaison with the Cheshire Fire Service.

2.38 Alterations to improve disabled accessibility to properties may be allowed where they are located and designed to minimise impacts on features of historic or architectural interest.

2.39 The Council recognises the strategic importance of the river and canal corridors in Chester and will seek to ensure their protection and enhancement. The conservation areas which protect such areas and the Chester Waterways Strategy provide a basis to manage the future of these resources.

2.40 The Chester Canal Conservation Area was designated in January 2018. This designation seeks to protect features of interest identified in the accompanying conservation area appraisal and management plan as well as encouraging enhancement and protection of the canal and its setting.

CH 6 - Chester key views, landmarks and gateways and historic skyline

CH 6

In line with Local Plan (Part One) policies [STRAT 3](#) and [ENV 5](#), development proposals within Chester, which are higher than the general prevailing height of the surrounding townscape will only be supported where they:

1. are of an appropriate design which will have a positive and contextual relationship with the city's key gateways;
2. would make a positive contribution and would not intrude upon strategic views; landmark buildings and their contextual roofscapes, historic townscapes and skyline;
3. would not intrude upon the setting of the Walls, the Town Hall, The Rows, the Cathedral, Amphitheatre, Castle Complex or Riverside;
4. have regard to the surrounding townscape context in terms of scale, streetscape and built form;
5. enhance the skyline, and views from and to locally important views and prospects;
6. where relevant meet the requirements of policies **DM 46** and **DM 47**;
7. are of the highest architectural quality with an appropriate scale, form and silhouette;.
8. create, where relevant, appropriate stop views and termination of vistas of the highest quality of design;
9. enhance the key approaches into Chester by their profile, aspect ratio and choice of facing and glazing materials.

Existing tall buildings in Chester do not set a policy precedent for similar development on adjacent sites, unless they are contextually appropriate in that locality or townscape setting and sit comfortably within the topography of the area.

Appendix A and the supporting evidence base identifies the landmark buildings and features and key views as listed below.

Explanation

2.41 Local Plan (Part One) policies [STRAT 3](#) and [ENV 5](#) recognise that any development within or on the periphery of the city centre or within or on the edge of the urban area should be compatible with the conservation or enhancement of the city centre and the character and setting of the city.

2.42 Landmark buildings and features provide orientation within Chester from long reaching and local viewpoints. They are relatively limited in number and tend to occupy strategic locations such as corners, road junctions, termination of vistas and summits.

Landmark buildings, structures and notable landscape features as identified in Appendix A

- | | |
|----------------------------------|---------------------------------------|
| A. The Castle | M. Railway Viaduct over the River Dee |
| B. The Cathedral | N. St John's "The Baptist" Church |
| C. The City Walls and Gates | O. St Mary's Centre |
| D. The Eastgate Clock | P. St Mary's Church, Handbridge |
| E. Grosvenor Bridge | Q. St Paul's Church, Boughton |
| F. The Guildhall | R. The Steam Mill |
| G. The Heritage Centre | S. The Town Hall |
| H. Lead Shot Tower | T. Water Tower, Boughton |
| I. The Rows | U. Water Tower, Handbridge |
| J. Northgate Church | V. The Canal |
| K. The Old Dee Bridge | W. The River Dee |
| L. Queens Park Suspension Bridge | |

2.43 These landmarks are important features of Chester, providing an orientation point on the skyline, and enriching the townscape in terms of character, appearance and visual cohesiveness. Existing landmarks should be protected and enhanced. New development should contribute positively to views and not obscure, or provide an inappropriate setting for key buildings or landscape features. Nor should they compete with existing landmarks in terms of height, bulk or level of detail.

Key views as identified in Appendix A

1. View from The Cross
2. City Walls to Tower Wharf and Canal Basin
3. City Walls to Golf Course and Welsh Hills beyond
4. Northgate Bridge along canal corridor
5. Cow Lane Bridge along canal corridor
6. Frodsham Street / Victoria Place, to Kaleyards
7. City Walls to Roodee and Curzon Park Villas, and railway viaduct
8. Grosvenor Park to the Meadows and Dee Banks / Sandy Lane
9. The Meadows to the city centre, Boughton and Dee Banks
10. City Walls to Handbridge
11. Sealand Road to city skyline
12. Cathedral and city from Victoria Road
13. Cathedral and city from Hoole Way
14. Cathedral and city from Boughton
15. Handbridge, city skyline, Meadows and Riverbank Terraces from recreation area
16. Views up Lower Bridge Street
17. Old Dee Bridge and city from Handbridge approach
18. Panoramic city skyline from Grosvenor Bridge

19. Roodee, City Walls and skyline from footbridge and railway viaduct
20. Eastgate Clock
21. Mollington Parkgate Road - from A540, near canal bridge
22. Upton Weston Grove - from Gatesheath Drive junction with Weston Grove
23. Saughall Road, Blacon
24. Canal, Blacon
25. Liverpool Road
26. Bouverie Street
27. A51 from Christleton
28. Ferry Lane, Dee footbridge
29. Bretton (Broughton), A55 bridge
30. Balderton A55 bridge

2.44 The roofscape is an important factor in defining the skyline of the historic city due to the topography of the settlement. The roofscape reflects the historic fabric and provides a wealth of interest and should be a key element in the design of any new development.

2.45 Taller buildings should be contextually appropriate in that locality or townscape setting, and sit comfortably within the topography of the area.

2.46 The natural landscape is exceptionally important to the setting of the city. The river provides one of the key natural physical attributes. This, combined with The Meadows creates a very rural setting to the urban form and brings the countryside closer to the city.

2.47 The Shropshire Union Canal is equally important as a key watercourse and key views within this corridor are extremely important.

2.48 Consideration will be given to the removal of tall buildings that do not make a positive contribution and to their replacement by buildings that are lower in scale, height and higher quality design. This is especially the case where buildings adversely impact on key views into the city or key gateways, or on the setting of conservation areas or listed buildings.

2.49 Reference should also be made to the Chester City Centre and Approaches Characterisation Study: Volumes 1 and 2 (2012) and the Historic England guidance note on Tall Buildings.

3 Ellesmere Port

3.1 The level of development proposed for the Ellesmere Port spatial area through Local Plan (Part One) policy [STRAT 4](#) reflects the potential to deliver substantial economic growth through the availability of significant sites for industrial, manufacturing and distribution purposes. The policies in this section set out the employment land allocations within Ellesmere Port and provide policy criteria for key employment locations including Stanlow, Hooton Park, Ince Park (Protos) and Thornton Science Park. Collectively these sites will make a significant contribution to economic growth in the area over the plan period.

3.2 Many of the employment sites within Ellesmere Port form part of the wider Cheshire Science Corridor Enterprise Zone. The sites are well connected to the surrounding sub-region by a range of forms of transport (road, rail, water, air). There are opportunities for the collaboration of businesses and research establishments in connection with science and innovation. Further skills development is supported by the University of Chester working with businesses at Thornton Science Park and other research establishments. Ellesmere Port has also been granted Assisted Area status under the European Commission's Regional Aid Guidelines for 2014-2020, which will provide funding to support businesses and offers the potential to attract new investment to the area.

3.3 Delivery of new housing in Ellesmere Port to meet the Local Plan (Part One) policy [STRAT 4](#) requirement of at least 4,800 dwellings, will be achieved through the development of the strategic site at Ledsham Road, alongside a range of residential planning permissions across the settlement area. Large areas of previously developed land at Cambridge Road and Rossfield Road benefit from planning permission and are undergoing significant transformational change.

3.4 The policies in this section also support local regeneration initiatives in the Ellesmere Port Vision and Strategic Regeneration Framework (2011) and Ellesmere Port town centre improvements; supporting strong connections and linkages with the town centre, physical and landscape improvements along key routes such as the M53 and canal corridors, and the regeneration of previously developed sites and a central hub with public realm enhancements.

3.5 The waterfront in Ellesmere Port has been identified as an under utilised asset in the overall regeneration of the town. The waterfront area already contains some important and attractive heritage assets – historic docks and dock buildings, a nationally important collection of historic boats and historic archives – all in a unique setting overlooking the Mersey and the Manchester Ship Canal. The Council, working in partnership with the National Waterways Museum and Peel Group, have developed a Waterfront Vision (2011). This aims to enhance the waterfront as a visitor destination, improving footfall and pedestrian routes to the town centre.

EP 1 - Ellesmere Port settlement area

EP 1

Within the defined settlement boundary of Ellesmere Port as identified on the policies map, development proposals will be supported which are in line with the relevant development plan policies and are consistent with the following principles, where relevant, aimed at delivering the Local Plan (Part One) policy [STRAT 4](#):

1. providing improved links between the town centre, the Waterfront, Rossfield Park and the Stanlow areas;
2. proposals in the Rossmore area are required to contribute towards the provision of new and improved pedestrian and cycle links, including a new railway bridge crossing, as identified on the policies map, to improve connectivity with the town centre;
3. supporting physical and landscape improvements to the gateways, corridors and green spaces within Ellesmere Port including along the M53/Shropshire Union Canal Corridor;
4. supporting improvements to rail services and accessibility to the railway stations;
5. regeneration of previously developed land for a range of uses, particularly to support new housing development;
6. supporting regeneration proposals in and around the town centre including mixed use development and a public services hub;
7. do not give rise to significant adverse impact on air quality in line with Local Plan (Part Two) policy **DM 31**.

Explanation

3.6 The settlement boundary for Ellesmere Port has been drawn to meet the town's development needs, support urban regeneration, economic development and job creation, protect the Green Belt and to achieve sustainable development.

3.7 Local Plan (Part One) policy [STRAT 4](#) states that the Council will look to facilitate the development of land for employment uses in the area and Local Plan (Part Two) policy **EP 2** identifies a number of employment allocations. Local Plan (Part One) policy [ECON 1](#) seeks to promote competitive town centre environments and bring forward sites to meet a range of town centre uses including commercial, retail, leisure, culture and office uses. Furthermore, the refurbishment and enhancement of existing sites and premises for continued employment use will be supported. Local Plan (Part One) policy [ECON 2](#) encourages improvements to Ellesmere Port when opportunities arise in the town centre.

3.8 The Council Plan 2016-2020 and the Ellesmere Port Vision: Strategic Regeneration Framework identify the potential for the development of a public services hub which would bring together a number of public agencies in one location, unlocking wider regeneration opportunities and leading to major

public realm enhancements. The proposed hub would be developed on a site centred around Civic Way, incorporating the redevelopment of surplus vacated sites clustered at Coronation Road. An indicative boundary for this area is shown on the policies map.

3.9 The Ellesmere Port Strategic Regeneration Framework identifies the need for a stronger network of pedestrian and cycle routes to achieve maximum regeneration benefits and link different parts of the town and new development areas. The framework supports improved access between the emerging communities of Rosfield Park and the wider Rossmore area, with the rest of the town/town centre, in particular links over the railway line. Development will be expected to make provision/contribution towards relevant infrastructure in line with Local Plan (Part One) policy [STRAT 11](#).

3.10 Ellesmere Port has the potential to deliver substantial economic growth over the plan period and Local Plan (Part One) policy [STRAT 4](#) states that the Council will make provision for transport infrastructure improvements required to unlock the development potential of some sites and identified the New Bridge/A5117 link road on the policies map, as a key scheme to achieve this. Opportunities for freight transport on the rail network or via the Manchester Ship Canal should be maximised and new links to these networks will be encouraged where appropriate.

3.11 Work on the Ellesmere Port Transport Strategy is due to commence in 2018 which will identify if any further transport interventions are required to meet the plan objectives. However, some schemes affecting the strategic road network, that will be delivered in partnership with Highways England will be supported, including the M53 Junctions 5 to 11 upgrading to smart motorway including hard shoulder running (due to start by 2021), and improvements to the A550 Welsh Road.

EP 2 - Employment land provision in Ellesmere Port

EP 2

The following sites in Ellesmere Port, as identified on the policies map, are allocated to meet the strategic requirement for new employment development:

- A. land at Encirc Glass Ltd (34 hectares, use classes B1, B2, B8)
- B. New Bridge Road, Stanlow - (28 hectares, use classes B1, B2, B8)
- C. former Booston Oil Depot (4.5 hectares, use classes B1, B2, B8)
- D. Hooton Park (27 hectares, use classes B1, B2, B8)
- E. remaining land at Cheshire Oaks Business Park (1.7 hectares, use class B1)
- F. remaining land at Rossmore Road East (7 hectares, use classes B1, B2, B8)
- G. land at Station Road Ince (5.5 hectares, use class B1)
- H. land off Stanney Mill Lane (north) (0.5 hectares, use classes B1, B2, B8)

Sites must be developed in accordance with the specified use class and criteria set out in **EP 2.A** to **EP 2.H**. To ensure the borough-wide strategic development requirement can be met, these sites will be protected from alternative forms of development.

Where appropriate, development proposals should be accompanied by Ecological Assessment, including bird surveys, to determine the potential for any likely significant effects on the designated features of the Mersey Estuary SPA/Ramsar.

Explanation

3.12 Local Plan (Part One) policy [STRAT 2](#) sets out that over the plan period at least 365 hectares of land for employment development to meet a range of types and sizes of site, will be delivered, and policy Local Plan (Part One) policy [ECON 1](#) states that the supply will be met through existing planning commitments and new sites allocated for employment use.

3.13 This policy allocates a range of sites within Ellesmere Port, to cater for the continuing economic growth of the borough and in line with Local Plan (Part One) policy [STRAT 4](#) which seeks to maintain a portfolio of employment land and premises within Ellesmere Port and the surrounding area, to meet a range of sizes and types of business needs. The policy is not prescriptive in terms of specifying which business uses should go to a particular site but sets out a number of criteria which proposals for development on those sites will be judged.

EP 2.A

Land at Encirc Glass

Development on land adjacent to Encirc Glass, as identified on the policies map (use classes B1, B2 and B8), will be supported subject to the following criteria being met;

1. it incorporates sufficient flood risk mitigation measures, including adequate surface water discharge methods;
2. it is compatible with surrounding land uses, in particular the amenity of nearby residents;
3. it is compatible with the use of the railway line, and encourages rail based freight movements in accordance with Local Plan (Part One) policies [STRAT 4](#) and [STRAT 10](#);
4. minimises and mitigates harm to the landscape and visual impacts arising from the proposed development;
5. it minimises and mitigates impacts on the surrounding ecological network and designated sites of ecological importance in the vicinity. An Ecological Appraisal, including bird surveys will be required to determine the potential for significant environmental effects on ecological designations and to provide appropriate mitigation measures; and
6. the use and the design of the buildings proposed should be consistent with their location in a hazard consultation zone, in line with Local Plan (Part Two) policies **DM 33** and **DM 34**.

Explanation

3.14 Historically the site was part of the former Ince A and B power station, which has since been partly redeveloped and occupied by the Encirc Glass Manufacturing facility. The employment allocation

is the remaining vacant land to the east of the manufacturing facility and to the north and east of the villages of Elton and Ince. Development schemes must have regard to the proximity of nearby residential areas, particularly with regard to traffic movements.

3.15 The site is at risk of flooding as identified by the Environment Agency and the Council's Strategic Flood Risk Assessment. As such new development should incorporate appropriate flood mitigation in line with Local Plan (Part Two) policies **DM 40** to **DM 43**.

3.16 The site benefits from rail freight facilities and further schemes are encouraged to utilise the railway line to minimise the movement of goods by road and reduce the potential impact on local communities.

3.17 The HSE will be consulted on development proposals in the area, to ensure the levels of risk are compatible with surrounding uses.

3.18 The Habitats Regulations Assessment (HRA) of the Local Plan (Part Two) has identified that some employment land allocations could lead to disturbance for bird species for which the Mersey Estuary SPA/Ramsar are designated, where these sites are within one kilometre of the SPA/Ramsar. In these locations, a project-level HRA screening would need to be undertaken to inform development proposals and meet the requirements of Local Plan (Part Two) policy [DM 44](#).

EP 2.B

New Bridge Road, Stanlow

Land at New Bridge Road, Stanlow is identified on the policies map for employment use (use classes B1, B2 and B8). Development proposals in this area will be supported where they are in line with Local Plan (Part One) policy [STRAT 4](#) and Local Plan (Part Two) policy **EP 3**.

Development proposals must make a positive contribution to the visual appearance of the M53 and Shropshire Union Canal corridor and take account of Local Plan (Part One) policy [ENV 2](#), incorporating sufficient landscaping features and appropriate boundary treatment into the design.

Development proposals must accord with the historic environment policies of the plan (**DM 46-50**), where relevant. Schemes that provide a positive environmental improvement with high standards of building design, materials, external appearance will be encouraged.

Explanation

3.19 The land at New Bridge Road falls within the wider Stanlow designation under Local Plan (Part Two) policy **EP 3**. The Local Plan (Part One) policy [STRAT 4](#) recognises this is a regeneration priority area with the potential for new employment development. The Ellesmere Port Vision and Regeneration Framework states the New Bridge Road area represents a significant opportunity for new employment development given the number of cleared and vacant sites ready for redevelopment. The sites along New Bridge Road benefit from significant public sector investment over recent years; the Regional

Growth Fund has led to infrastructure improvements to support new investment and development. Sites along New Bridge Road have been reviewed through the Stanlow Special Policy Area Review (2016) to inform the land allocations in the Local Plan (Part Two) and the allocation comprises land off Cloister Way, the former Cabot Carbon site, Newport Business Park, Dutton Green and the Rushtons site.

3.20 The New Bridge Road area is a prominent location adjacent to the M53 and Shropshire Union Canal corridor. The industrial history of this particular area has led to a concentration of vacant sites, and an overall negative visual impression within an area extremely prominent from the M53, the Shropshire Union Canal and the Ellesmere Port-Chester railway line. The New Bridge Road Area Development Framework (2011) proposes a buffer zone of new high quality employment development between the M53 and heavy industrial area of Stanlow to the east. The environmental upgrading of the corridor will help to provide more attractive landscapes and recreation amenities for local residents, create a better image and attract new investment.

3.21 There are designated heritage assets along the Shropshire Union Canal (Weaver's Bridge and Bewley's Bridge, both grade II listed buildings). It is important that any landscaping proposals respect the historic assets and industrial history of the area, particularly where associated with the Shropshire Union canal.

3.22 Part of the land in this area, around Newport Business Park and Cloister Way, are identified as sites within the Cheshire Science Corridor Enterprise Zone.

EP 2.C

Former Booston Oil Depot

The former Booston Oil Depot, as identified on the policies map is allocated for employment use (use classes B1, B2 and B8). Development proposals should be accompanied by a transport assessment and be developed in line with Local Plan (Part One) policies [STRAT 4](#) and [STRAT 10](#), to maximise the opportunities to transport goods by non-road modes of transport.

Explanation

3.23 The site is located adjacent to the Manchester Ship Canal, a disused freight railway line and north of the Hooton Park employment area. The draft Mersey Ports Masterplan identifies the site forms part of the Port Wirral area (M2) which could provide a multi-modal transport opportunity, with good access to Junction 6 and Junction 7 of the M53, including the potential re-instatement of the rail freight line. As such the policy encourages development proposals to use non-road modes of transport. Development proposals should also consider the impacts of vehicular transport, in particular HGV movements, alongside other development proposals at Hooton Park.

3.24 Given the location of the site close to the Mersey Estuary SPA/Ramsar, there may be a need for a project level HRA screening to accompany specific development proposals. There should be no adverse effects on the integrity of the SPA/Ramsar through forms of disturbance (visual/noise).

EP 2.D**Land at Hooton Park**

Land at Hooton Park, as identified on the policies map, is allocated for employment development (use classes B1, B2 and B8) and must be developed in line with Local Plan (Part Two) policy **EP 4**.

Explanation

3.25 The policy identifies the vacant undeveloped land at Hooton Park, that is suitable for office, industrial or warehousing use falling within use classes B1, B2 and B8. The site is a key employment location identified through the Local Plan (Part One) policies [STRAT 4](#) and [ECON 1](#), where there is potential for new employment development to serve the wider sub-region. The land is adjacent to Vauxhall Motors and provides further land for expansion in connection with the automotive industry. There are two development plots to the north west part of the site that are identified for new inward investment within the Cheshire Science Corridor Enterprise Zone. These sites make a significant contribution towards the employment land supply in Ellesmere Port and the site provides for significant space users. The employment land allocations should be read in the context of Local Plan (Part Two) policy **EP 4**, which covers the Hooton Park area as a whole, providing additional criteria to minimise the potential impacts of new development taking account of the Local Development Order in place for the wider site.

EP 2.E**Remaining land at Cheshire Oaks Business Park**

Land at Cheshire Oaks Business Park, as identified on the policies map, is allocated for employment development (use class B1). Development proposals must incorporate high standards of design and landscaping that complements the adjacent business park.

Explanation

3.26 The remaining land at Cheshire Oaks lies adjacent to The Oaks Office Park and The Groves Business Park to the east and a residential area to the west. Employment land allocations within the Ellesmere Port area are predominantly for large scale industrial or warehousing use, including land within the the Stanlow area for heavy oil and chemical related uses and Hooton Park for vehicle manufacturing. The identification of this site provides an opportunity to expand and diversify the local economy to ensure its long term health, and provides further expansion land for new office development. The site is in a flagship location close to Cheshire Oaks and is highly accessible to the surrounding highway network. The allocation of the site must complement the existing office parks and incorporate high standards of design and landscaping to maintain the setting of the existing office based business park.

3.27 The transport and parking impacts of any new development should be considered in line with Local Plan (Part One) policy [STRAT 10](#) and Local Plan (Part Two) policy **T 5**.

EP 2.F

Remaining land at Rossmore Road East

The land at Rossmore Road East, as identified on the policies map, is allocated for employment development (use classes B1, B2 and B8). Development proposals must minimise the visual impact of development on the M53 corridor and take account of Local Plan (Part One) policy [ENV 2](#).

Explanation

3.28 The remaining land at Rossmore Road East lies adjacent to Junction 8 of the M53 and is highly accessible to the surrounding highway network. The site was historically used partly by the former Gulf Oil Refinery and partly the former gas board and is a vacant brownfield site available for new development. The site is predominantly within an industrial area with some redevelopment for residential uses taking place to the south. The allocation is adjacent to the existing employment areas of Poole Hall Industrial Estate and Pioneer Business Park. Given the prominent location alongside the M53 development proposals should mitigate any visual impacts and incorporate important landscape features into the design.

EP 2.G

Land at Station Road, Ince

Land at Station Road Ince, as identified on the policies map, is allocated for employment development (use class B1). Development proposals will be supported where they meet all of the following criteria;

1. minimise the impact on residential amenity through careful design;
2. incorporate extensive landscaping and appropriate boundary treatment to preserve or enhance the character or appearance of the approach to Ince village and the setting and significance of designated heritage assets;
3. minimise and mitigate impacts on the surrounding ecological network;
4. traffic and transport requirements should be satisfactorily accommodated on the surrounding road network and utilise non-road and public transport facilities wherever possible. Appropriate access to the site should be provided to minimise impacts on residents of Elton and Ince;
5. the use and the design of the buildings proposed should be consistent with their location in a hazard consultation zone, in line with Local Plan (Part Two) policies **DM 33** and **DM 34**.

Explanation

3.29 This site is in a sensitive location between Ince, Elton and the Green Belt. Any development, therefore, must be of a high standard of design and incorporate appropriate landscaping and mitigation to minimise impacts on nearby residential communities. The Ince Conservation Area is to the north west of the site and there is an opportunity to enhance the approach to Ince village by good roadside landscaping, such as trees and vegetation and other appropriate boundary treatment. The site is adjacent to a local wildlife site therefore development proposals should also be considered in line with Local Plan (Part Two) policy **DM 44**.

3.30 The HSE will be consulted on development proposals in the area, to ensure the levels of risk are compatible with surrounding uses.

EP 2.H

Land off Stanney Mill Lane (north)

Land off Stanney Mill Lane (north), as identified on the policies map, is allocated for employment development (use classes B1, B2 and B8). Development proposals must make a positive contribution to the visual appearance of the M53 and Shropshire Union Canal corridor.

Explanation

3.31 The land off Stanney Mill Lane (north) is one of the sites identified within the Cheshire Science Corridor enterprise zone. The site is located in the eastern employment zone in the Ellesmere Port Vision and Strategic Regeneration Framework. It is in close proximity to Junction 10 of the M53 and is accessible to the surrounding highways network and within an existing employment area, directly adjacent to the Stanlow special policy area and Shropshire Union Canal.

EP 3 - Stanlow special policy area

EP 3

The Stanlow special policy area is identified on the policies map. The Stanlow oil refinery is of national importance and safeguarded for continued use for petrochemical and related industries. Any new development must not prejudice the continuing operation of the refinery. The redevelopment of any vacant, under-used or derelict land for employment use (use classes B1, B2 and B8) that is surplus to the primary operational use of the site will be encouraged, subject to any security restrictions and the criteria below. Proposals for a complementary/synergistic use alongside existing operations should be considered.

New employment development (use classes B1, B2, B8 and suitable sui generis uses) will be supported where all of the relevant criteria are met;

1. there should be no material harm to sensitive locations in the locality, or to residential amenity, arising from the appearance of the development, or its potential for pollution, or noise generation, or visual impact. Sensitive locations include the Mersey Estuary SPA/Ramsar, residential areas, commercial centres, areas attracting large numbers of visitors, SSSI, Green Belt, conservation areas and historic assets;
2. proposals for 'potentially polluting development' must be in line with other relevant development plan policies relating to hazardous installations and the potential pollution / amenity impacts;
3. the proposed development must not conflict with the continuing operation of existing businesses in the special policy area or other relevant development plan policies and allocations;
4. the use and the design of the buildings proposed must be consistent with their location in a hazard consultation zone, in line with other relevant development plan policies. Development should be in line with Local Plan (Part Two) policies **DM 33** and **DM 34**;
5. the use, design and location of any plant and buildings should have regard to the areas of flood risk identified by the Environment Agency;
6. the traffic and transport requirements generated by the use, including freight and access by employees and visitors, must be satisfactorily accommodated both on the site and by the surrounding transport network. Non-road and public transport facilities should be used whenever possible;
7. it minimises and mitigates impacts on biodiversity in line with Local Plan (Part Two) policy **DM 44**;
8. proposals should contribute towards enhancing green infrastructure in line with Local Plan (Part One) policy [ENV 3](#) and Local Plan (Part Two) policy **DM 45**.

The New Bridge Road employment allocation is within the defined Stanlow boundary. Development proposals in this area must take account of the above criteria and also the additional criteria in Local Plan (Part Two) policy **EP 2** and **EP 2.B**.

Thornton Science Park is within the defined Stanlow boundary. Development proposals in this area must take account of the above criteria and also the additional criteria in Local Plan (Part Two) policy **EP 5**.

The use and redevelopment of land within Stanlow will be prioritised for employment development in the Ellesmere Port area, in preference to the release of additional greenfield sites.

Residential development within the Stanlow boundary will not be permitted.

Explanation

3.32 Local Plan (Part One) policy [ECON 1](#) identifies the Stanlow area as a key employment location that is identified and safeguarded as essential to meeting future economic growth in the borough. The majority of the land within the Stanlow special policy area is owned by Essar Oil UK (formerly Shell) and occupied by the UK's second largest oil refinery and other privately-owned petro-chemical

industries. Stanlow is a significant area of land that extends approximately 850 hectares. The area has good access to the surrounding railway, canal and motorway network. The villages of Elton and Ince are to the east of the area, separated by Green Belt land. Further eastwards lies the proposed Ince Park/Protos scheme and Encirc Glass Manufacturing facility.

3.33 The Local Plan (Part One) recognises that the Stanlow area in Ellesmere Port is an important location for continued economic growth. There remains demand for general industrial and specialised sectors, due to proximity to the motorway network. A Stanlow special policy area review has been undertaken to provide evidence to inform future policies and proposals in this area. Given the nature of existing land uses in this location, the identification of any available land/ sites would be for economic use. The policy applies to any vacant or under-used land within this area, that is suitable for redevelopment.

3.34 The Stanlow Special Policy Area Review (2016) reviews the extent of land availability and suitability within this area for future employment development. It takes account of development constraints, access restrictions and the operation of existing businesses (excluding Essar's operational land). It has regard to COMAH Regulations, relevant HSE advice and any other regulations applicable to pipe lines. It takes account of consultation with key partners, businesses and landowners operating in the area to understand current and future development needs. The study has been undertaken alongside the Council's Housing and Economic Land Availability Assessment (2017), to inform the employment land policies within the Local Plan (Part Two).

3.35 The Strategic Flood Risk Assessment (2016) (SFRA) identifies areas of Stanlow at risk of flooding (Flood Zones 2 and 3a) and takes account of the Environment Agency information on flood risk. Flooding would occur regularly if there was not a flood alleviation scheme present. The standard of protection should be maintained into the future therefore the SFRA recommends that the area should be considered acceptable for less vulnerable development types.

3.36 The extent and distribution of the land available within the Stanlow special policy area means that in general this is the most suitable location within the plan area to accommodate hazardous and potentially polluting industry, however not all available land will be suitable for these particular industrial uses. The potential environmental impact will be the most significant consideration in deciding the suitability of any particular site within the Stanlow special policy area for the use proposed. Particular care will also be needed to protect the visual amenity of the surrounding settlements of Ince, Elton and Thornton-le-Moors with, for example, tree planting. The overall impact of any development on land, air or water pollution will be considered regardless of its location. In some cases, undeveloped land must be retained to create a visual or environmental buffer around existing installations or may be necessary to provide ecological mitigation for specific developments.

3.37 The plan allows for some small scale waste management facilities within the Stanlow area (sui generis uses). These facilities will be supported in line with other policies in the plan where proposals could lead to the co-location or integration of waste facilities. Other sui generis uses that are complementary to existing operations of the oil refinery will also be supported. Parts of Stanlow

are identified in Local Plan (Part Two) policy **EP 2**, and **EP 2.B** (New Bridge Road) and Local Plan (Part Two) policy **EP 5** (Thornton Science Park), and in these locations additional restrictions will apply.

3.38 Development proposals are encouraged to integrate and enhance the framework of green infrastructure in and around Stanlow. The Ellesmere Port Strategic Regeneration Framework sets out the 'green ring' concept for Ellesmere Port that connects significant green spaces through the town centre and surrounding industrial areas. The New Bridge Road area is identified as being of paramount importance to the network of green and blue infrastructure in the area, within the M53/canal corridor.

3.39 If the use, size, nature and proposed location of the development is judged by the local planning authority to be likely to generate significant environmental effects and it falls within the defined categories under the Town and Country Planning (Assessment of Environmental Effects) Regulations 2011 then an Environmental Assessment will be required. The regulations identify two categories of projects - those which must have an environmental assessment and those which can be required to have an environmental assessment if the local planning authority considers that the proposal is likely to generate significant effects on the environment. Oil refineries and the disposal of toxic waste fall into the first category, chemical, food, textile and rubber industries and non-toxic waste disposal fall into the second category.

3.40 Parts of the Stanlow area may be suitable for supporting bird species for which the Mersey Estuary SPA and Ramsar sites are designated and may require a project level HRA. Development proposals may be required to undertake bird surveys to determine the potential for any likely significant effects on the designated features of the SPA/Ramsar. Developers should work with the local authority and relevant stakeholders in order to avoid or mitigate any identified effects in line with Local Plan (Part Two) policy **DM 44**.

EP 4 - Hooton Park

EP 4

Hooton Park is identified on the policies map for employment use (use classes B1, B2 and B8). Development proposals in this area will be supported where they are in line with Local Plan (Part One) policy [STRAT 4](#) and [STRAT 10](#) and meet the following criteria:

1. traffic and transport generated by the proposed use can be satisfactorily accommodated on surrounding networks;
2. the use of freight and non-road facilities is encouraged where possible;
3. proposals must meet the requirements of policies DM 47 and DM 48 where development has the potential to impact on the listed aircraft hangars and ancillary buildings;

4. development proposals should minimise the visual impact of development on the M53 corridor and take account of Local Plan (Part One) policy [ENV 2](#);
5. development proposals within hazardous consultation zones should meet the requirements of Local Plan (Part Two) policies **DM 33** and **DM 34**.

Explanation

3.41 The Local Plan (Part One) policy [STRAT 4](#) identifies Hooton Park as an important sub-regional employment location safeguarded for continued ancillary office, light industrial, industrial and warehousing use. The site is the location of the GM Vauxhall works and as such the Local Plan (Part One) supports the continued prosperity and economic competitiveness of the motor plant. Uses in connection with the automotive or related industries are supported. In addition Local Plan (Part One) policy [ECON 1](#) recognises the need to safeguard this area as essential to meeting future economic growth.

3.42 Hooton Park falls within the Cheshire Science Corridor Enterprise Zone and is identified as being suitable for logistics, advanced manufacturing and environmental technologies. The majority of land within the area is in operational use for GM Vauxhall and suppliers. There is some land within the boundary capable of redevelopment for complementary employment uses, falling within the B use classes. It is located alongside the M53, with potential for rail and freight access to the north. The development of any surplus land will contribute towards the employment land provision for the borough.

3.43 There is a Local Development Order (LDO) covering part of the site, made under section 61A(2) of the Town and Country Planning Act 1990 (as amended). The LDO grants planning permission, subject to compliance with specific criteria, for new developments, extensions and alterations to existing buildings in the North Road Industrial Area. This is in addition to changes of use and minor operations as set out in the Order.

3.44 The LDO is in place for a period of ten years. The Council may exercise its powers to amend or withdraw the LDO at any time. This policy will apply to any development that does not fall within the development categories set out in the LDO which requires planning permission and/or in the event of the LDO being reviewed/revoked. The policy is necessary to define the extent of the Hooton Park site on the policies map. The site area defined on the map includes three listed hangers associated with the former use of the site as an airfield. These hangers and the adjacent wooded area are of particular local importance and should be retained.

3.45 The industrial history of this area has led to a concentration of derelict and neglected land, run-down sites, the proliferation of unsightly uses, and an overall negative visual impression within an area extremely prominent from the M53. The environmental upgrading of the corridor will help to provide more attractive landscapes and create a better image and thereby attract investment into the town including new employment opportunities. Landscaping should be in line with Local Plan (Part One) policy [ENV 2](#).

3.46 The boundary excludes the Port Cheshire site as this has planning permission for a port related development and is covered by other development plan policies.

EP 5 - Thornton Science Park

EP 5

Thornton Science Park is identified on the policies map for research and enterprise development. Employment development (use classes B1 and B2) will be supported where;

1. the use, design and location of any building is consistent with the location in a hazard consultation zone. Development proposals should meet the requirements of Local Plan (Part Two) policies **DM 33** and **DM 34**. Appropriate measures must be taken to mitigate potential risks, including building design and appropriate security restrictions to/from the site;
2. the traffic and transport requirements generated by the use must be satisfactorily accommodated both on the site and by the surrounding road network. Non-road and public transport facilities should be used whenever possible. Improvements to transport infrastructure will be supported where compatible with hazardous risks or existing commercial operations in the area;
3. they accord with the historic environment policies of the plan (DM 46-50), where relevant. The central landscape area is important for the character and quality of the science park and should be retained and enhanced with any development proposals;
4. the proposal is compatible with existing employment uses in the Stanlow area and meets the requirements of Local Plan (Part Two) policy **EP 3**.

Explanation

3.47 Local Plan (Part One) policy [ECON 1](#) identifies the Stanlow area as a key employment location that is identified and safeguarded as essential to meeting future economic growth in the borough. Local Plan (Part One) policy [ECON 1](#) also supports initiatives and accessibility to further/higher education facilities improving links between main employers and a skilled workforce.

3.48 The Thornton Science Park site is located within the Stanlow boundary. It is a 25 hectare site for the University of Chester's Faculty of Science and Engineering (formerly the Shell Technology Centre). It provides space for new business start ups for the expansion of businesses operating in the following sectors; energy, environment, engineering, advanced manufacturing, chemicals and automotive. The site is recognised as being important within the sub-region and part of the site is within the Cheshire Science Corridor Enterprise Zone (designated 2015). The Cheshire Science Corridor Enterprise Zone is being led by the Cheshire and Warrington Local Enterprise Partnership (LEP) and is one of the key strategic development priorities identified in their 2014 Strategic Economic Plan (SEP).

3.49 There is a close relationship between Thornton Science Park and surrounding employment areas (Stanlow and Protos). The site provides a significant opportunity to cluster industry and innovation with skills and learning, with partners working collaboratively to play a positive role in the wider economy and future growth opportunities.

3.50 The Stanlow Special Policy Area Review (2016) has considered the suitability and availability of land within Stanlow for future development in consultation with existing businesses in the area and the University of Chester, and recognises the development potential at Thornton Science Park. However, future development should also be compatible with current neighbouring uses and the potential level of risk from existing industrial/commercial operations.

3.51 The HSE advise on the compatibility of new development within hazard consultation zones. Whilst the hazard zones do not preclude development, they influence the nature and extent of development that can take place. In some cases, the hazardous zones relate to historic industries that are decommissioned and no longer located there, potentially inhibiting successive land uses. The design and use of buildings in this area will remain subject to security restrictions for staff and visitors where appropriate.

3.52 The Stanlow Study (2016) recommends an ongoing programme of review of the hazard zones, as operational requirements may change over time and identifies the potential for improvements to be made to transport infrastructure within the Thornton/Stanlow area. This includes potential improvements to Stanlow and Thornton railway station, improved cycle access, improved bus services and accessibility via Poole Lane Road Bridge/Bridges Road bridge.

3.53 Within the Thornton Science Park, Building 50 (former Thornton Aero Engine Research Laboratory) is a grade II listed building. There are also two adjacent buildings that have a local listing. The Heritage Impact Assessment (2017) identifies the buildings have group value and relate to the intrinsic setting of the adjacent heritage assets, one of which is nationally important. High quality architectural and landscape design would enhance the settings of these buildings, bringing an improvement to the site frontage. There should be recognition of the important historic context in the consideration of development proposals. There is also a central landscaped area within the Science Park. The protection areas of open space to the front of each building, together with a high quality landscaping scheme in association with the prestige associated with Thornton Science Park would enhance the setting of the historic assets.

EP 6 - Ince Park

EP 6

Land at Ince Park (Protos) is safeguarded for a multi-modal resource recovery park and energy from waste facility for use in connection with the recycling, recovery and reprocessing of waste materials. Development will be supported where;

1. it is considered in combination with other planned/consented development at Ince Park and nearby areas;
2. it would not compromise the planned/operational capacity of the site to provide waste management facilities for specific waste streams, where this contributes to meeting an identified need in the borough;
3. it meets general development requirements for waste management facilities
4. where practicable, it maximises opportunities for freight movements on the Manchester Ship Canal or rail network, particularly to minimise the impact of increased traffic generation on the local road network;
5. it safeguards the provision and delivery of port and rail infrastructure;
6. it minimises and mitigates any adverse impacts on the local environment, health and local residential amenity, particularly on residents of Ince and Elton (including noise, air, land or water pollution and visual impact);
7. it minimises and mitigates adverse impacts on nature conservation within and adjoining the site in line with **DM 44**;
8. the ecological mitigation areas that form part of the consented resource recovery park are retained, or there is no net loss in the area and type of ecological mitigation provided within the borough;
9. the landscape mitigation areas that form part of the consented resource recovery park are retained either in the consented form or through alternative equivalent provision and there is appropriate landscaping that respects the landscape character of the site and its surroundings;
10. it makes provision for public access on the site (including public transport), where this would not be prejudicial to the industrial operations, rail or other commercial movements on the site and/or to public safety, or would not result in recreational pressure or disturbance on sites of ecological importance;
11. it minimises any flood risk arising from the development both on and off-site;
12. it does not provide unacceptable risks to health and safety in line with Local Plan (Part Two) policy **DM 33** and **DM 34**.

Explanation

3.54 The Ince Park site is safeguarded for waste related uses under Local Plan (Part One) policies [ENV 8](#), [STRAT 4](#), and [ECON 1](#). The site has outline planning permission, with some matters reserved, and deemed consent for an energy from waste facility and resource recovery park (RRP). The policy should be read alongside Local Plan (Part Two) policy **DM 54**.

3.55 The overall Ince Park site extends to 104 hectares, with extensive ecological mitigation and sustainable drainage areas incorporated into the overall scheme. The developable area of the site is approximately 50 hectares and comprises various development plots, including;

- Phase one of the scheme comprising: soil treatment facility; WEEE facility/timber recycling plant; bio-ethanol production/biomass facility, resource recovery business centre, commercial and industrial waste transfer station, resource recovery village, soil treatment facility, ecological mitigation areas.
- Phase two works and those covered by the deemed consent comprising: canal storage, rail head and rail line, integrated waste management facility, plastics village, water treatment plant, RDF plant/EfW facility, and block making facility.

3.56 Associated development will be delivered including a dry cargo facility, vehicular access roads and landscape mitigation. It is anticipated that the Ince Park (Protos) site will be developed in accordance with the existing permissions and consents and the overall masterplan for the site (see the Council's planning applications search for full details, refs: 10/01488/FUL and 14/02277/S73). This includes the port and rail infrastructure, which should be considered alongside Local Plan (Part Two) policy **M 8** and other relevant development plan policies. Since the outline consent a number of variations and new permissions have been approved. The first phase infrastructure works (including some ecological mitigation) are being developed.

3.57 The policy ensures that future phases of development, or any revised schemes, continue to meet the overall policy objectives for the site established through Local Plan (Part One) policies [ENV 8](#) and [ECON 1](#) and the safeguarded consent for waste related uses including associated infrastructure, ecological mitigation areas, flood risk mitigation and landscaping. The site is located close to the villages of Ince and Elton and the policy criteria are necessary to ensure the potential effects of new development (health, noise, land, air, water) are managed in line with other development plan policies.

3.58 The Protos site is adjacent to the Mersey Estuary, a wetland area designated as Ramsar and SPA of international importance and SSSI. The site itself is a Local Wildlife site. As part of the determination of planning applications on the site, the potential ecological impacts were thoroughly assessed. It was concluded that, with appropriate mitigation measures in place, development would be acceptable in terms of the ecological impact. The extant planning permissions for the site provide for ecological benefits through extensive ecological mitigation areas (approximately 50 hectares across five areas). It is important to ensure that the impacts of development proposals on the Mersey Estuary SPA/Ramsar site are considered in combination with other nearby developments. It will be important that effects of noise, visual impact and pollution on the Mersey Estuary SPA/Ramsar sites are avoided or adequately mitigated. Where public access is provided within the site, this extends to

mitigation for potential effects from recreational pressure and disturbance. The policy should be read alongside Local Plan (Part One) policy [ENV 4](#) and Local Plan (Part Two) policy **DM 44** which seek to protect statutory and non-statutory designated sites.

EP 7 - Ellesmere Port historic canal port

EP 7

In line with Local Plan (Part One) policies [STRAT 4](#) and [ECON 3](#), the historic canal port and adjacent sites, as identified on the policies map, will be promoted as a major tourist facility where tourism development will generally be supported. Development proposals will be supported where they:

1. are in keeping with the existing uses on site and the adjoining conservation area;
2. use design and materials appropriate to the historic canal port, within and adjacent to the conservation area;
3. improve links to and from Ellesmere Port, particularly for pedestrians, cyclists and by public transport;
4. retain and re-use historic buildings, having regard to the desirability of preserving the building or its setting in the historic canal port or any features of special architectural or historic interest;
5. preserve the urban spaces between buildings and around the large areas of water in the basins and docks; and
6. minimise and mitigate any potential impacts on the Mersey Estuary and the borough's ecological network in line with Local Plan (Part One) policy [ENV 4](#) and Local Plan (Part Two) policy **DM 44**. Where appropriate, development proposals should be accompanied by an Ecological Assessment, including bird surveys, to determine the potential for any likely significant effects on the designated features of the SPA/Ramsar.

Explanation

3.59 Local Plan (Part One) policies [STRAT 4](#) and [ECON 3](#) support proposals to enhance the historic canal port as a major tourism facility and the expansion of existing tourism assets where this would benefit the local economy and be of a suitable scale and type for its location. The National Waterways Museum is located at the historic canal port. New development in this area has the potential to bring regeneration benefits and support the vitality of the area, through improved linkages with the town centre. It also has the potential to improve access to the borough's waterways particularly the canal network.

3.60 Realising the potential of the town's heritage assets in particular Island Warehouse and Lighthouse will be supported providing the development complements existing uses on site and the adjoining conservation area. Development proposals in this area should be supported by a Heritage Impact Assessment.

3.61 The Ellesmere Port historic canal port is located alongside the Mersey Estuary which is an internationally important designated SPA/Ramsar site. It is important that any effects from potential tourism/recreational development, particularly noise, visual impact or pollution, are avoided or adequately mitigated. Development proposals should therefore be considered in the context of the wider ecological network for the area, recognising the hierarchy of designations, in line with Local Plan (Part One) policy [ENV 4](#) and other relevant development plan policies.

4 Northwich

4.1 The town of Northwich and adjoining settlements combine to form the third largest urban area in the borough. As such it is a strategic focus for new development and for regeneration utilising the significant potential to re-use previously developed land. Development in Northwich must ensure that the design of new buildings and public spaces are of a high quality and integrate the rivers, a major environmental asset of the townscape. These are also objectives which are supported through the policies of the Northwich Neighbourhood Plan.

4.2 The delivery of new housing in Northwich, to meet the Local Plan (Part One) policy [STRAT 5](#) requirement of at least 4,300 dwellings, will be achieved through the development of the urban village at Winnington, alongside a number of existing planning permissions, and land allocations set out in this section of the Local Plan (Part Two).

4.3 The Green Belt around Northwich will be maintained and the character and individuality of the settlements that form the wider built up area of Northwich safeguarded. Policies and designations to protect the individual character of the settlements around Northwich are provided within the relevant neighbourhood plans which currently include Hartford and Davenham.

4.4 The policies in this section seek to realise the high potential for regeneration and reuse of previously developed land in Northwich whilst safeguarding the character and individuality of the settlements that form the wider built up area surrounding Northwich. Sites are identified to meet the strategic development requirements for residential and employment development. The policies also seek to ensure that the development proposals in Northwich address the significant transport infrastructure implications on the local road network.

N 1 - Northwich settlement area

N 1

Within the defined settlement boundary of Northwich as identified on the policies map, development proposals will be supported which are in line with the relevant development plan policies and are consistent with the following principles, where relevant, aimed at delivering the Local Plan (Part One) policy [STRAT 5](#):

1. safeguarding the character and individuality of the settlements that form the wider built up area of Northwich;
2. realising the high potential for regeneration and reuse of previously developed land;
3. preventing the loss of countryside and urban sprawl to the south of Northwich;
4. providing additional land for business and industrial development including logistics/warehousing and distribution; and supporting regeneration proposals set out in Local Plan (Part Two) policy **N 2**;
5. supporting the town's growth as a tourist destination;

6. utilising the town's waterways for recreation and tourism purposes, recognising their importance for ecology and biodiversity and encouraging effective re-use of previously developed land associated with the waterways;
7. improving Northwich's transport infrastructure as recommended in the Northwich Transport Strategy;
8. respecting local design policies in neighbourhood plans.

Explanation

4.5 Northwich settlement area is defined as the town of Northwich and adjacent settlements of Anderton, Barnton, Davenham, Hartford, Lostock Gralam, Lower Marston, Lower Wincham, Rudheath and Weaverham.

4.6 The Green Belt around Northwich will be maintained and the character and individuality of the settlements that form the wider built up area of Northwich safeguarded. There are a number of neighbourhood plans for the settlements which make up the Northwich settlement area, including Northwich, Davenham and Hartford which include a series of objectives and policies relating to the local area including the identification of Local Green Space.

4.7 The level of development proposed for Northwich through Local Plan (Part One) policy [STRAT 5](#) reflects the potential of previously developed land to meet future housing requirements and supports the significant potential for the regeneration in the town. The key proposals for regenerating Northwich include the schemes at Winnington Urban Village, the Northwich Riverside regeneration projects in the town centre (including Barons Quay) and the regeneration schemes identified in Local Plan (Part Two) policy **N 2**. The further development of Gadbrook Park for continued employment purposes has been assessed and is the subject of Local Plan (Part Two) policy **N 5**.

4.8 A transport strategy for Northwich is currently being developed, which will identify if any future transport infrastructure interventions could be required as well as taking into account all of the proposed and potential development that could take place within Northwich. Development proposals coming forward in advance of this piece of work being completed, will be required to demonstrate that not only can any additional traffic be accommodated within the existing or proposed highway network, but that satisfactory arrangements can be made to accommodate the additional traffic before the development is brought into use.

N 2 - Northwich regeneration areas

N 2

In line with Local Plan (Part One) policy [STRAT 5](#), development proposals within the key regeneration areas and town centre, as identified on the policies map, where relevant must:

1. promote safe walking and cycling routes into and within these areas, and minimise the impact of traffic;
2. improve linkages with the waterways, countryside and other regeneration initiatives;
3. incorporate high quality design and public realm which reinforces the distinctiveness of Northwich and reflects the heritage and urban design principles identified in other development plan policies and the Northwich Neighbourhood Plan;
4. promote opportunities for mixed use development on previously developed land within the town centre boundary, as defined by Local Plan (Part Two) policy **DM 14**;
5. not detract from the vitality and viability of the town centre and services at identified local centres.

Development proposals within the areas identified below will be supported where they are in line with the relevant principles set out in **N 2.A** to **N 2.C**.

Explanation

4.9 Local Plan (Part One) policy [STRAT 5](#) identifies a number of key sites and broad locations to deliver the overarching development strategy for Northwich. These include the two urban villages and the delivery of the Northwich Riverside. Local Plan (Part One) policies [STRAT 5](#) and [ECON 2](#) recognise Barons Quay as the key to delivering the regeneration of the town centre and this scheme is under construction. In addition to Barons Quay there are other emerging regeneration opportunities identified around the town centre and at Winnington.

N 2.A

Weaver Square

Proposals for the Weaver Square regeneration area will be supported where they achieve:

1. a mixed use development which positively contributes to the vitality and viability of the town centre and Barons Quay including the potential to relocate and / or improve the market;
2. high quality design of prominent town centre sites, especially those on the approach along Chester Way;
3. development adjacent to the River Dane which are orientated to face the river and provide activity along the waterfront, incorporating pedestrian and cycle access, whilst safeguarding

the ecology and biodiversity of the watercourse in line with Local Plan (Part Two) policy **DM 38**.

Explanation

4.10 Development within the Weaver Square development area will be supported for mixed use development including retail, public services and residential provision. The redevelopment and/or relocation of the markets should be addressed as part of any redevelopment scheme. Consideration should also be given to the operation of the existing bus station and current road access arrangement for the servicing of the new development from Watling Street and Weaver Way. Provision of appropriate levels of car parking should be included as part of any redevelopment proposals, having regard to the Council's borough-wide Parking Strategy, and Parking Standards Supplementary Planning Document (SPD).

4.11 Urban design principles should be supported including active frontages to Chester Way/Watling Street. Pedestrian access between Watling Street and Witton Street/Leicester Street junction should be retained. The former County Offices site borders the River Dane and any building on the site should consider allowing for elevations with principal frontages along both Watling Street and Chester Way. Additionally the development should maximise the opportunity of the river frontage including aspect and views to and from the River, this could include active frontages as set out in Local Plan (Part Two) policy **DM 38**.

N 2.B

Winnington Works (TATA)

Proposals for the Winnington Works area, as identified on the policies map, should be comprehensively planned and brought forward in line with an agreed development brief. Proposals will be supported where they:

1. are for a mixed use redevelopment including residential, employment and community infrastructure including health facilities;
2. have special regard to the desirability of preserving any heritage assets or their setting or any features of special architectural or historic interest, supported by a Heritage Impact Assessment;
3. do not have adverse landscape and visual impacts within the site or surrounding area as demonstrated through a Landscape and Visual Impact Assessment;
4. deliver suitable highways/access infrastructure improvements which ensures that the development can be satisfactorily accommodated both on the site and on the surrounding road network;
5. include the use of sustainable modes of transport;

6. are designed to have regard to flood risk in accordance with a site specific flood risk assessment and policy **DM 40**;
7. improve public accessibility alongside the waterways.

Explanation

4.12 Redevelopment of the Winnington Works (TATA) site for a comprehensive mixed use residential, neighbourhood retail and employment development, with commensurate community facilities will be supported subject to meeting the necessary infrastructure requirements. The Northwich Transport Strategy identifies that there are existing issues with road congestion at the key pinch point at the Winnington/Barton Swing Bridge. Development of the site could have significant transport infrastructure implications for the north of Northwich, therefore a transport assessment will be required to ensure that transport infrastructure requirements can be satisfactorily addressed on the surrounding road network.

4.13 A development brief for the Winnington Works site should address the following:

- transport links for vehicles, cycles and pedestrians connecting Winnington to Northwich town centre, and to the wider area;
- opportunities to create a neighbourhood centre, which may include convenience retail and community facilities, such as a public house and medical facilities;
- adequate education provision;
- allowing public access to the River Weaver for cyclists and pedestrians, via the creation of landscaped routes along the southern bank;
- the provision of play areas and equipment which are accessible from the wider Winnington area will be encouraged.

N 2.C

Wincham

Proposals within the Wincham regeneration area for residential development located off New Warrington Road; and/or for employment development located off Chapel Street/Wincham Lane, will be supported where:

1. the design is sensitive to the different land uses in the area;
2. impacts on neighbouring residents, business occupiers or recreational users are minimised and mitigated where relevant;
3. the use and the design of the buildings proposed is consistent with their location in a hazard consultation zone;
4. the design, layout and use of buildings is compatible with the level of flood risk;
5. development alongside the Trent and Mersey Canal is in accordance with Local Plan (Part Two) policy **DM 38** and **DM 37**, subject to necessary operational or safety restrictions;

6. protected open space is managed and enhanced in accordance with Local Plan (Part One) policy [SOC 6](#);
7. links to public rights of way are incorporated in the design of a scheme;
8. proposals are accompanied by a transport assessment ensuring that transport generated is safely and satisfactorily accommodated on the highway network, and the movement of heavy goods vehicles is managed, where applicable.

Explanation

4.14 Wincham Urban Village is identified in Local Plan (Part One) policy [STRAT 5](#) as a key proposal with significant potential for the regeneration and reuse of previously developed land. The level of development as set out in paragraph 5.52 of the Local Plan (Part One) allows for a mixed use scheme including up to 950 dwellings. The land ownership has significantly changed across this area and the site has the potential to provide residential development along New Warrington Road, and employment uses on land off Chapel Street.

N 3 - Meeting the outstanding housing requirement in Northwich

N 3

The following sites in Northwich, as identified on the policies map, are allocated to meet the outstanding requirement for housing land in Northwich:

- A. Briar Lane garage court (at least 10 dwellings)
- B. Land at Winnington Avenue (at least 100 dwellings)
- C. Land at Hargreaves Road (at least 235 dwellings)
- D. Former Castleleigh Centre, David Street (at least 20 dwellings)

Development proposals for the above sites must be in line with the relevant development plan policies having specific regard to each of the following:

1. provision of affordable housing in line with relevant policy;
2. ecological surveys, including mitigation measures;
3. site specific flood risk assessments, including appropriate mitigation measures;
4. high quality design and layout in-keeping with the local character and surroundings;
5. traffic impact assessments and relevant mitigation measures;
6. sensitive design within the context of sites location, having regard to neighbouring uses;
7. include safe and accessible walking and cycling routes linking with existing networks;
8. noise and contamination assessments, including mitigation measures where required.

In addition, development proposals for sites (B) and (C) will be supported where they are in line with the relevant principles set out in **N 3.B** and **N 3.C**.

Explanation

4.15 Local Plan (Part One) policy [STRAT 5](#) sets the housing requirement for Northwich of at least 4,300 new dwellings between 2010 and 2030. Local Plan (Part One) policy [STRAT 5](#) identifies two major housing-led mixed use development schemes at Winnington and Wincham that, at the time of adoption of the Local Plan (Part One), were expected to deliver in the region of 2,100 dwellings. The capacity of the Wincham Urban Village has been significantly reduced and the residual housing land requirement will be met through the land allocations identified above.

N 3.B

Land at Winnington Avenue

In addition to the criteria set out above in policy **N 3**, proposals for the development of site (B) Land at Winnington Avenue, must also have specific regard to, and be in line with Local Plan (Part Two) policies **N 4**, **DM 33** and **DM 34**, and other relevant development plan policies.

Explanation

4.16 The site at Winnington Avenue is allocated to deliver both housing and employment developments as set out in policy **N 3.B** and **N 4**. Winnington Avenue is in close proximity to the Winnington Urban Village and to the Winnington Works (TATA) site which are both integral to regeneration of this part of Northwich. Proposals for housing and employment development should be designed to integrate with the existing developments and future regeneration schemes in the area.

N 3.C

Land at Hargreaves Road

In addition to the criteria set out above, proposals for the development of site (C) Land at Hargreaves Road, must also:

1. provide a high quality and sensitive integration with Griffiths Park and include opportunities to improve and enhance the access, and facilities of the park where possible;
2. have regard to on site and adjacent Local Wildlife Sites, open space, sport and recreation allocations;
3. provide appropriate mitigation against noise along the northern boundary of the site with the railway line;
4. have specific regard to Local Plan (Part Two) policies **DM 33** and **DM 34**;
5. include appropriate contributions towards community facilities where appropriate; and
6. be supported by a Green Travel Plan.

Explanation

4.17 The land allocations are primarily located on brownfield land reflecting the availability of land for redevelopment. Land at Hargreaves Road is a mixed site, incorporating two adjacent sites that are a mix of greenfield and brownfield land. The location of the site alongside Griffiths Park provides opportunities to deliver a highly sustainable development, making best use of the greenfield land within the site boundary, and significantly improving access and use of the formal recreational land.

N 4 - Employment land provision in Northwich

N 4

The following sites in Northwich, as identified on the policies map, are allocated to meet the strategic requirement for new employment development:

- A. land at Chapel Street, Wincham (16 hectares, use classes B1, B2, B8) in line with Local Plan (Part Two) policies **N 2** and **N 2.C**
- B. Winnington Avenue, Northwich (6 hectares, use classes B1, B2, B8) in line with Local Plan (Part Two) policy **N 3**
- C. land at Lostock Works House (1.7 hectares, use classes B2, B8)
- D. land on Denton Drive Industrial Estate (0.6 hectares, use classes B1, B2, B8)
- E. Gadbrook Park (3 hectares, use classes B1, B2, B8) in line with Local Plan (Part Two) policy **N 5**
- F. land to the south A556/south-west Gadbrook Park (19 hectares, use classes B1, B2, B8) in line with Local Plan (Part Two) policy **N 5**

Sites must be developed in accordance with the specified use class and criteria for each site. To ensure the borough-wide strategic development requirement can be met, these sites will be protected from alternative forms of development.

Development in the vicinity of a hazard consultation zone must meet the requirements of Local Plan (Part Two) policies **DM 33** and **DM 34**.

Explanation

4.18 Local Plan (Part One) policy [STRAT 2](#) sets out that over the plan period at least 365 hectares of land for employment development to meet a range of types and sizes of site, will be delivered, and Local Plan (Part One) policy [ECON 1](#) states that the supply will be met through existing planning commitments and new sites allocated for employment use.

4.19 This policy allocates a range of sites within Northwich, to cater for the continuing economic growth of the borough and in line with Local Plan (Part One) policy [STRAT 5](#) which seeks to provide for at least 30 hectares of additional land for business and industrial development.

4.20 It does not identify which uses should go to a particular site but sets out a number of criteria which proposals for development on those sites will be judged, and which must be read in conjunction with other Local Plan policies. Whilst proposals will need to accord with all relevant development plan policies, Local Plan (Part Two) policy **N 5** is necessary to address site specific issues that have been identified. On large sites it is essential that new development is comprehensively planned in an agreed way.

4.21 The site areas identified within the policy relate to the boundary of the proposed allocation. The net developable area and resultant employment floorspace will vary according to site specific characteristics and the mix/type of employment uses proposed.

N 5 - Gadbrook Park

N 5

Within the Gadbrook Park area, as identified on the policies map, development proposals must be compatible with established employment uses, the character of the surrounding area and contribute towards achieving a more sustainable pattern of development for users of the business park. Within the established business park, proposals for environmental improvements that encourage continued investment by current and future occupiers will be supported where;

1. there would be no adverse impact on the amenity of nearby residents
2. it is compatible with the operational needs of site users
3. there is no significant loss of employment potential
4. provision is made for adequate car parking, or to encourage sustainable modes of travel

Employment development on land to the south-west of Gadbrook Park, as identified in Local Plan (Part Two) **N 4**, should be comprehensively planned and brought forward in line with an agreed development brief that addresses criteria 5-11 below. Development within the area identified on the policies map should:

5. provide suitable highways and access infrastructure improvements to ensure the traffic generated can be satisfactorily accommodated on the site and the surrounding road network;
6. include measures to improve access by walking, cycling and public transport and provide connections to the surrounding area and established business park;
7. support improvements and enhancements to the rail network and safeguard sufficient land for a railway station;
8. provide car parking having regard to the Council's parking standards and takes account of parking needs in the surrounding area;
9. minimise the landscape and visual impact of new development, be of a high quality design, of a suitable scale, density, form, massing, height and materials that respects the surrounding landscape character and topography and preserves or enhances the historic environment in accordance with the historic environment policies of the plan (DM 46-50), where relevant;

10. integrate and enhance surrounding ecological networks and green infrastructure;
11. minimise and mitigate flood risk within the site and surrounding area in line with Local Plan (Part Two) policy **DM 40**.

Explanation

4.22 Local Plan (Part One) policy [STRAT 5](#) identifies Gadbrook Park to be retained and protected for continued employment use. Despite the attractive location of Gadbrook Park for employment development, the reliance on the car as the main mode of transport combined with the continued expansion of businesses has led to some parking problems within the business park and impacts on surrounding neighbouring residential areas. The Council is considering a range of potential solutions to support and enhance the continued success of businesses at Gadbrook Park, to minimise disruption to residents and to support environmental enhancements. Overspill car parking for current users of Gadbrook Park will be encouraged within or adjacent to the existing business park.

4.23 Land is allocated to provide a south westerly expansion of the business park, under Local Plan (Part Two) policy **N 4**. The allocation is specifically on land to the west of the railway line as it is anticipated that this will be the first phase of employment development within the Local Plan period. The land to the east of the railway line is identified within the policy boundary, to ensure that any development is considered in a holistic manner and integrates fully with the established business park, improves connectivity for future occupiers/users and addresses any potential transport or environmental impacts of new development. The land to the east of the railway line may have longer term development potential. It is therefore essential that scale, phasing of development, the proposed design layout and mix and type of uses within the site should be agreed through a comprehensive masterplan for the area defined on the policies map. It is essential that any development is a high standard of design, layout, materials that takes account of local landscape character and potential effect on the setting of historic assets. Proposals should be accompanied by a Landscape and Visual Impact Assessment and mitigation strategy. The scheme should be designed to minimise and mitigate ecological harm, minimise flood risk and to safeguard and enhance biodiversity networks in line with other relevant development plan policies.

4.24 The assessment of sites within and around Gadbrook Park has considered potential transport impacts and mitigation measures on the highway network. The allocation of additional employment land in this area is only possible with improvements to transport infrastructure along the A556, particularly on junctions with the A530 and at Gadbrook Road, combined with a wider package of transport measures (including pedestrian/cycle links) and mitigation. Further transport assessments will be required to ensure that transport infrastructure requirements can be satisfactorily addressed on the surrounding road network.

4.25 The Council supports improved access to Gadbrook Park by public transport or other means of transport to the car. The Local Plan (Part One) policy [STRAT 10](#) requires development proposals to be accompanied by transport assessments and to maximise the use of sustainable modes of transport. The re-opening of the Sandbach to Northwich line to passenger traffic is identified as a potential scheme to improve connectivity between Cheshire West and the surrounding area. The

reinstatement of this service and the potential for a station at Gadbrook Park is recognised through the policy. There is the potential to safeguard land for a fully accessible new railway station within the area defined on the policies map, subject to further detailed assessment. The layout and design of development proposals should allow for provision for public transport services throughout the site.

N 6 - Northwich conservation area

N 6

In line with Local Plan (Part One) policy [ENV 5](#), development proposals within the Northwich conservation area as identified on the policies map, must meet the requirements of policy DM 46.

Development proposals will be supported which seek to re-establish the historic grain, with narrow frontages, traditional roofscapes and contribute to a diversity of form and detail in the conservation area.

The demolition of any historic timber-framed buildings, traditionally designed to reduce the effects of subsidence, will only be permitted where it can be demonstrated that:

1. the building does not have any features of architectural or historic interest; and
2. it makes no positive contribution to the conservation area's significance, character or appearance.

Proposals which seek to improve existing poor quality shop frontages will be also be positively encouraged in accordance with Local Plan (Part Two) policy **DM 16**.

The Weaver Navigation and River Dane are significant environmental assets in the town. Development proposals alongside or in close proximity to the watercourses must demonstrate that they preserve or enhance the area's setting. Where possible, development should be orientated to positively address the watercourse to improve the relationship between the watercourse and the town centre and to provide animation and activity along the waterfront.

The Council will continue to support the interpretation and regeneration of the former historic industrial site at Lion Salt Works, as identified on the policies map, to promote the understanding and significance of the development of the Northwich area.

Explanation

4.26 The Northwich conservation area covers a significant part of the town and its immediate outskirts, stretching from Barons Quay on the northern edge of the town centre, Leftwich to the south, Castle Hill to the west and St. Helen's Church to the east.

4.27 The character of the town centre is dominated by the black and white buildings - predominantly timber framed - constructed as a response to, and result of subsidence due to salt mining and brine pumping. The design of the town centre's historic shopping streets is very specific to Northwich and involves materials and approaches that are not commonly found elsewhere. This includes moveable buildings constructed of timber framing, brick panelling and supporting metal beams and ties.

4.28 Outside the town centre conservation area, the river is a dominant element within the area together with associated buildings and structures including locks and weirs, Hayhurst Bridge and the Edwardian pumping station.

4.29 The new supermarket and marina provide an enhanced area of public space adjacent to the river and bring activity and vibrancy to this part of the conservation area.

4.30 There are several documents that provide detailed design guidance for the buildings and public spaces within Northwich conservation area, focused largely on the town centre. These include:

- Northwich Shop Front Design Guide, November 2014
- Northwich Management and Maintenance Guide for Historic Buildings, November 2014
- Northwich Urban Design Guide and Public Realm Strategy, November 2010
- Northwich Conservation Area Appraisal, August 2018
- Northwich Conservation Area Management Plan, August 2018

4.31 Development proposals in conservation areas outside Northwich town centre will be required to be in line with Local Plan (Part Two) policy **DM 46** and where applicable, a local conservation area appraisal/management plan or a relevant neighbourhood plan.

5 Winsford

5.1 Winsford is one of the borough's four main towns, located in the eastern part of the district. The Local Plan (Part One) policy [STRAT 6](#) sets out a requirement for at least 3,500 new dwellings and 35 hectares of additional land for business and employment development in the town. The Winsford Neighbourhood Plan provides a framework for the future development of the town and allocates specific sites for residential and employment development, and the settlement boundary has been drawn to reflect these allocations.

5.2 Regeneration of the town centre and improvements to open space are key priorities of Local Plan (Part One) policy [STRAT 6](#) and the Winsford Neighbourhood Plan. The Winsford Development Framework has been prepared as part of the implementation of the neighbourhood plan and sets out development and design principles for the town centre and surrounding area. The Winsford Transport Strategy has been developed alongside the development framework and establishes a package of transport improvements which would support delivery of the proposals set out in the neighbourhood plan and improve linkages with the wider area.

5.3 The Local Plan (Part One) and the neighbourhood plan both allocate land at the Station Quarter for development of around 1,000 dwellings. The Station Quarter Development Brief was endorsed by the Council in March 2016 and establishes principles for the development of this area. The aim is to ensure that a comprehensive approach to development of this area is achieved, maximising the community benefits identified in the neighbourhood plan.

5.4 As part of the work on the transport strategy, a modelling exercise was carried out to assess the impact on the highway network of the proposed growth in Winsford and Middlewich. The strategy provides information on which junctions would exceed capacity and require mitigation or upgrade to support the growth. Through consultation, 23 transport schemes were identified which were allocated into 11 packages, ranging from small scale operational changes and improvements to more strategic, longer term schemes. The Council will support transport infrastructure proposals coming forward in relation to the schemes identified in the transport strategy.

5.5 The policies in this section set the employment land allocations and the requirements for development within the Winsford settlement area, reflecting the aims of those plans and strategies referred to above.

W 1 - Winsford settlement area

W 1

Within the defined settlement boundary of Winsford as identified on the policies map, development proposals will be supported which are in line with the relevant development plan policies and are consistent with the following principles, where relevant, aimed at delivering the Local Plan (Part One) policy [STRAT 6](#):

1. developing sites allocated in the neighbourhood plan in accordance with the principles set out in that plan;
2. developing sites in the Station Quarter in accordance with the principles set out in the neighbourhood plan and the Station Quarter Development Brief (2016);
3. improving accessibility to the railway station, including additional parking spaces for vehicles and cycles at the station, or dedicated taxi rank facilities;
4. enhancing the old High Street area through improvements to public realm, environmental enhancement and improved links to the town centre and waterfront area for pedestrians and cyclists;
5. maximising opportunities to improve open space, especially at Town Park, create new habitats and to protect and enhance water quality, biodiversity, and heritage assets in accordance with the historic environment policies of the plan (DM 46-DM 50), where relevant;
6. improving the existing network of cycling and walking infrastructure in the town as recommended in the Winsford Transport Strategy, including the provision of leisure routes around Bottom Flash;
7. regenerating and enhancing the town centre, having regard to the principles in the Winsford Development Framework and the Winsford Transport Strategy.

Explanation

5.6 Local Plan (Part Two) policy **W 1** supports the delivery of the Local Plan (Part One) policy [STRAT 6](#) and the Winsford Neighbourhood Plan. It provides further detail to reflect recent work on the Winsford Development Framework and Winsford Transport Strategy that seek to deliver the Winsford Neighbourhood Plan. Key issues and proposals include:

- i. supporting the redevelopment of part of the Winsford Cross Shopping Centre to provide high quality mixed use development including contemporary retail, leisure, residential and community facilities;
- ii. retaining key community facilities;
- iii. creating an attractive public realm incorporating public space, with high quality materials, lighting, street furniture and landscaping;
- iv. improving gateways into the centre from all directions;
- v. improving the market through refurbishment, replacement or relocation to a more prominent site location;
- vi. providing good quality parking facilities for vehicles and cyclists that allow for ease of access to the centre and allow for linkages with the wider cycle network;
- vii. providing improved public transport infrastructure, including a new bus station/interchange in close proximity to the shopping centre with covered waiting areas, layover facilities and new taxi stands;
- viii. providing improved linkages to the old High Street and Town Park areas for pedestrians and cyclists.

5.7 In addition to taking into account the Winsford Development Framework and Transport Strategy, proposals for development of sites within the Station Quarter should have full regard to the Station Quarter Development Brief (2016). These documents should be read alongside the above policy.

W 2 - Employment land provision in Winsford

W 2

The following sites in Winsford, as identified on the policies map, are allocated to meet the strategic requirement for new employment development:

- A. land West of Road One (9 hectares, use classes B1, B2, B8)
- B. remaining land at Woodford Park Industrial Estate (1.5 hectares, use classes B1, B2, B8)

Employment land provision will be met from the following sites allocated in the Winsford Neighbourhood Plan:

Site O5 - Land to the west of Oakmere Road and north of the existing employment land (11 hectares, use classes B1, B2, B8)

Site W6 - South of Bostock Road (3 hectares, use classes B1, B2, B8)

Site W7 - Extension to Winsford 1 - 5 Industrial Estate, east of Road One (27 hectares, use classes B1, B2, B8)

Sites must be developed in accordance with the specified use class and criteria for each site. To ensure the borough-wide strategic development requirement can be met, these sites will be protected from alternative forms of development.

Explanation

5.8 Local Plan (Part One) policy [STRAT 2](#) sets out that over the plan period at least 365 hectares of land for employment development to meet a range of types and sizes of site, will be delivered, and Local Plan (Part One) policy [ECON 1](#) states that the supply will be met through existing planning commitments and new sites allocated for employment use.

5.9 The Winsford Neighbourhood Plan has been prepared to reflect the strategic policies of the Local Plan (Part One) and identifies employment land allocations to meet the requirement set out in Local Plan (Part One) policy [STRAT 6](#) for at least 35 hectares of additional employment land. It also safeguards employment land within the current Winsford Industrial Estate and Woodford Business Park to support local employment opportunities.

5.10 The Local Plan (Part Two) policy **W 2** confirms the range of sites necessary to meet the employment land requirements for Winsford, both within the existing employment areas and taking

account of the additional land identified through the neighbourhood plan process. The neighbourhood plan also encourages mixed use development to assist the regeneration of town centre development sites, which will contribute towards a flexible mix of types and sizes of employment site for Winsford.

5.11 The policy does not identify which uses should go to a particular site but sets out a number of criteria which proposals for development on those sites will be judged, and which must be read in conjunction with other relevant development plan policies. The site areas identified within the policy relate to the boundary of the proposed allocation. The net developable area and resultant employment floorspace will vary according to site specific characteristics and the mix/type of employment uses proposed. Any development proposals should take account of the design requirements of the relevant neighbourhood plan policies where appropriate.

6 Rural area

6.1 The approach to development in the rural area reflects the overall strategy of the Local Plan (Part One) policies to guide the majority of development to the most sustainable areas of the borough. In the rural area, Local Plan (Part One) policies [STRAT 8](#) and [STRAT 9](#) aim to strike a balance between allowing for the managed growth of identified sustainable rural settlements whilst taking account of the overall strategy to concentrate most new development in urban areas. The policies in this section set out the housing and employment land allocations within the rural area and provide policy criteria for development proposals.

6.2 The rural area is defined in the Local Plan as the area beyond the boundaries of the main urban settlements of Chester, Ellesmere Port, Northwich and Winsford. Local Plan (Part One) policy [STRAT 8](#) sets out the strategy for development in the rural area, with a focus for growth on the most sustainable settlements referred to as key service centres. The Local Plan (Part Two) identifies a second group of settlements in the rural area that are referred to as local service centres that offer the opportunity for small scale development reflective of the scale of the settlement. It should also be noted that significant parts of the rural area are also designated as Green Belt.

6.3 Beyond the key and local service centres, the rural area is referred to as the countryside, and the strategy for development is set out in Local Plan (Part One) policy [STRAT 9](#). This policy aims to protect the character and beauty of the Cheshire countryside by restricting development in these locations. However, the development plan also supports farming and forestry operations and rural diversification, encouraging and supporting the rural economy where it is sensitive to its location.

R 1 - Development in the rural area

R 1

In line with Local Plan (Part One) policy [STRAT 8](#), development proposals in the rural area will be supported in key service centres and local service centres (identified settlements) where they meet the relevant policy criteria.

Neighbourhood plans or Neighbourhood Development Orders can promote more development than that set out in the Local Plan (Part One) to meet local housing, economic and social needs where appropriate. Policies dealing with design of development will be a key consideration in determining the acceptability of proposals.

Key and Local Service Centres

Within a key or local service centre settlement boundary, as identified on the policies map, development proposals that are in line with the development plan for the settlement, and are consistent with Local Plan (Part One) policy [STRAT 8](#) will be supported.

The following settlements are defined as local service centres:

Antrobus*	Delamere*	Great Budworth*	No Mans Heath
Ashton Hayes*	Dodleston*	Guilden Sutton*	Norley*
Aldford	Duddon	Higher Wincham	Saughall*
Childer Thornton*	Eaton	Kingsley*	Tilston
Christleton*	Eccleston*	Little Budworth	Utkinton
Comberbach*	Elton*	Mickle Trafford*	Waverton*
Crowton*	Great Barrow*	Moulton	Willaston

* additional restrictions apply in line with Local Plan (Part One) policy [STRAT 9](#) and the National Planning Policy Framework.

New housing development outside but adjacent to a key or local service centre boundary will only be supported where the proposal is in line with Local Plan (Part Two) policy **DM 24**; is for a community land trust development supported by the Parish Council; the site has been allocated through a neighbourhood plan; or is brought forward through a Neighbourhood Development Order or Community Right to Build Order.

The countryside

For development proposals in the countryside, as identified on the policies map, which includes villages and hamlets that are not identified as key or local service centres (identified settlements), please see Local Plan (Part One) policy [STRAT 9](#) and relevant development plan policies.

Explanation

6.4 The Local Plan promotes the regeneration of previously developed/brownfield land in sustainable locations; minimising the loss of greenfield land and protecting the countryside as a key asset by restricting development to that which requires a countryside location.

6.5 For the purpose of the Local Plan, an identified settlement refers to the most sustainable locations within the rural area and are categorised as key service centres and local service centres. Other villages and hamlets in the rural area that have not been identified as a key or local service centre are categorised as countryside, and proposals should be assessed in line with the the relevant development plan policies.

6.6 Within the rural area, Local Plan (Part One) policy [STRAT 8](#) identifies ten key service centres (see Table 6.1), where an appropriate level of new development will be brought forward to support new homes, economic and social development:

Table 6.1 Local Plan (Part One) policy

Cuddington and Sandiway	Kelsall	Tattenhall
Farndon	Malpas	Tarporley
Frodsham	Neston (including Parkgate)	
Helsby	Tarvin	

6.7 Local Plan (Part One) policy [STRAT 8](#) sets out the housing requirement for each of the key service centres up to 2030. Amendments were made to the supporting policy text during the examination process, summarising the land supply position and stating that "there will be little if any need for additional allocations to be made in the rural area".

6.8 There are no individual housing requirements set for the local service centres as it is recognised that they have a limited level of sustainability and are not the most appropriate for significant new development. Development may take place that is very limited in scale, meets a rural or other local housing need, or is identified in a neighbourhood plan. It is considered that the local community is best placed to understand the local needs in terms of supporting services or meeting a specific housing need, and local communities are encouraged, through preparing a neighbourhood plan, to take a holistic approach to meeting the future needs, providing the flexibility to shape their communities in a planned way. Neighbourhood plans can enable sites to be identified and allocated for housing and other uses, that will support or enhance local services and provide community infrastructure. Plans should also take account of local infrastructure constraints.

6.9 In line with the NPPF, neighbourhood plans may promote a higher level of development than is set out in the Local Plan, however they cannot promote less development. The level of development should not undermine the strategy of the Local Plan but a greenfield countryside site adjacent to an identified settlement boundary may be allocated to meet specific local housing needs and/ or seek community benefit through the provision of community infrastructure and facilities.

6.10 Those settlements that border the Green Belt are more restricted as the overall extent of the Green Belt in the borough is protected through strategic policies. However, opportunities do exist to plan for some more limited forms of development such as rural affordable housing and through Community Right to Build Orders. Neighbourhood plans that promote land allocations should be in line with Local Plan (Part One) policy [STRAT 9](#) and the NPPF in relation to development appropriate in the Green Belt.

6.11 Infill development is only supported in the identified settlements that are set out in Local Plan (Part One) policy [STRAT 8](#). Beyond the boundaries of the identified settlements, development, including infill proposals in villages and hamlets located in the countryside is not in accordance with the overarching sustainable strategy as set out in the Local Plan (Part One).

6.12 Within local service centres that are washed over by Green Belt development will be more restricted in line with Local Plan (Part One) policy [STRAT 9](#) and the NPPF.

R 2 - Meeting the outstanding housing requirement in Tattenhall

R 2

The following site in Tattenhall, as identified on the policies map, is allocated for residential development:

- A. land west of Ravensholme (up to 30 dwellings)

The following site, as identified on the policies map, is safeguarded for residential development after 2025:

- B. land to the rear of 68-84 Castlefields.

Development of land west of Ravensholme and land rear of 68-84 Castlefields (if required) must accord with the relevant development plan policies, and where applicable must have specific regard to the following:

1. 30 per cent affordable housing must be provided on site;
2. ecological surveys will be required as part of any planning application with appropriate mitigation measures identified;
3. site specific flood risk assessments will be required with appropriate mitigation measures identified;
4. the design and layout must be of a high quality and sensitive to the local character and surroundings, having regard to neighbouring uses;
5. proposals should incorporate high quality landscaping throughout;
6. proposals must include safe and accessible walking and cycling routes linking with existing networks.

In addition, development proposals for sites will be supported where they are in line with the relevant principles set out in **R 2.A** and **R 2.B**.

Explanation

6.13 Local Plan (Part One) policy [STRAT 8](#) sets the housing requirement for Tattenhall of at least 250 new dwellings between 2010 and 2030.

R 2.A

Land west of Ravensholme

In addition to the principles set out above, residential development proposals relating to land west of Ravensholme must have specific regard to the following:

1. this key gateway into Tattenhall must be developed sensitively, retaining the ‘country lane’ feel to Chester Road, with low density development along this frontage which positively addresses the road;
2. a high quality, well landscaped boundary must be provided along the western edge of the site; and
3. the wildlife corridor along Mill Brook should be retained and enhanced and should allow for a continuation of the existing footpath which passes through Glebe Meadow and Barn Field.

Explanation

6.14 To contribute to meeting the outstanding housing requirement, land at west of Ravensholme is allocated for development of up to 30 dwellings, in line with **policy 1** of the Tattenhall Neighbourhood Plan. High quality development of this site has the potential to enhance a key gateway into Tattenhall, provided that it is sensitively done. Development presents an opportunity to extend the existing footpath along the Mill Brook which is designated as a wildlife corridor in **policy 6** of the Tattenhall Neighbourhood Plan.

6.15 Potential developers should note that the site is crossed by a sewer and protection measures in the form of easement widths or a diversion of the pipe would be required, which may impact upon the layout and density achievable on site.

6.16 A programme of archaeological work is likely to be required as part of any application for development of this site. This could involve an initial non-intrusive survey followed by further targeted work, if areas of interest were located.

R 2.B

Land to the rear of 68 to 84 Castlefields

In addition to the principles set out above, residential development proposals on the site, if required after 2025, relating to land to the rear of 68 to 84 Castlefields must have specific regard to the following:

1. proposals for development of the site will not be supported before 2025. It then must be demonstrated that the site is necessary to meet any outstanding housing requirement in Tattenhall;

2. the site layout and the design of buildings must be distinct in character from the adjoining housing developments;
3. development (including gardens and road infrastructure) must take place entirely within Flood Zone 1;
4. a drainage strategy must be submitted as part of the required site specific flood risk assessment; and
5. the Keys Brook corridor to be retained and enhanced as open space and a wildlife corridor.

Explanation

6.17 Development of land west of Ravensholme for 30 units would leave a small residual requirement of 13 units, as at 1 April 2017. This may be met through small sites within the village which may come forward during the plan period, for example two former garage sites which are being brought forward through a community land trust. However, to provide certainty that the requirement can be met in full, the plan makes provision for a second site to be brought forward later in the plan period if necessary. Planning permission will only be granted for development of land to the rear of 68-84 Castlefields after 2025 if the Council's most up to date Housing Land Monitoring Report identifies that there is still an outstanding requirement which would not be met through:

- net completions;
- deliverable commitments;
- small windfall sites;
- sites on the Council's Brownfield Land Register;
- the development of site A; and
- sites allocated in any review of the neighbourhood plan.

6.18 The neighbourhood plan seeks to accommodate housing growth in a sensitive way, based on modest scale developments within and on the edge of Tattenhall. The neighbourhood plan aims to avoid large scale, suburban style developments along village boundaries. To ensure that any development to the rear of Castlefields complies with the spirit of the neighbourhood plan, the site must be designed so that it forms a visually distinct development with a different character from surrounding residential areas. The site is crossed by a sewer and protection measures in the form of easement widths or a diversion of the pipe would be required, which may impact upon the layout and density achievable on site. Development must be entirely within Flood Zone 1 and in accordance with a drainage strategy to mitigate runoff to greenfield rates.

R 3 - Employment land provision in the rural area

R 3

The following sites in the rural area, as identified on the policies map, are allocated to meet the strategic requirement for new employment development:

- A. extension to Monument Place Employment Park, Farndon (1.9 hectares, use classes B1, B2) in line with **R 3.A**
- B. land adjacent Mere's Edge, Helsby (3.5 hectares, use classes B1, B2, B8) in line with **R 3.B**
- C. land to the west of Chowley Oak (2.2 hectares, use class B1) in line with **R 3.C**
- D. Oaklands Office Park, phase 3 (1 hectare, use class B1) in line with **R 3.D**

Sites must be developed in accordance with the specified use class and criteria for each site.

Employment land provision in Neston will be met from sites allocated in the Neston Neighbourhood Plan at Clayhill Business Park (3.8 hectares, use classes B1, B2 B8).

To ensure the borough-wide strategic development requirement can be met, these sites will be protected from alternative forms of development.

Explanation

6.19 Local Plan (Part One) policy [STRAT 2](#) sets out that over the plan period at least 365 hectares of land for employment development to meet a range of types and sizes of site, will be delivered, and Local Plan (Part One) policy [ECON 1](#) states that the supply will be met through existing planning commitments and new sites allocated for employment use.

6.20 This policy allocates a range of sites within the rural area, to cater for the continuing economic growth of the borough and in line with Local Plan (Part One) policy [STRAT 8](#) which seeks to provide for at least 10 hectares of land for business and industrial development to enable small scale expansion of existing employment sites and new sites within or on the edge of key services centres outside of Green Belt locations.

6.21 The rural area covers a large geographical area and Local Plan (Part One) policy [STRAT 8](#) enables the Council to exceed the 10 hectare requirement where suitable and appropriate, to provide a positive and flexible supply of employment land in the rural area. There are a number of extant planning permissions for employment development in the rural area, for example at Urenco, Capenhurst, where any new development must be in line with Local Plan (Part Two) policy **GBC 1**, which combined with other windfall applications will contribute towards the employment land provision in the rural area. In addition, local communities can support economic development in the rural area through relevant policies in neighbourhood plans.

6.22 Neighbourhood plans are prepared to reflect the strategic policies of the Local Plan (Part One). Neston Neighbourhood Plan identifies a number of vacant sites within the Clayhill Business Park that could be developed for employment uses and includes a specific policy for the site.

6.23 This policy does not identify which uses should go to a particular site but sets out a number of criteria against which proposals for development on those sites will be judged, and which must be read in conjunction with relevant development plan policies. The site areas set out in the policy relate to the boundary of the proposed allocation. The net developable area and resultant employment floorspace will vary according to site specific characteristics and the mix/type of employment uses proposed.

R 3.A

Monument Place, Farndon

Land at Monument Place employment park Farndon, as identified on the policies map, is allocated for employment use (use classes B1, B2). Development proposals will be supported that are comprehensively planned and designed to:

1. be an appropriate scale, type, density and layout and create a logical extension of the existing business park;
2. protect and retain existing landscape features. Proposals should provide an additional landscaping scheme for the site to make positive enhancements to the setting. Additional screening should be provided to the northern boundary with Brewery Lane;
3. minimise and mitigate harm to nature conservation interests within and adjacent to the site;
4. meet the requirements of policy **DM 47**;
5. ensure that there is satisfactory and safe access onto the highway network. A transport assessment will be required;
6. sensitively locate service areas associated with employment development to minimise the visual impact on the area;
7. use high quality building materials to be in-keeping with the rural area.

Explanation

6.24 The policy relates to Monument Place employment park and provides for the small scale expansion to the north of the industrial estate, located close to the key service centre of Farndon.

6.25 A Heritage Impact Assessment has identified heritage assets within the vicinity of the site, including Holly Cottage (grade II listed building) and Barnston's Monument (grade II* listed building). The management of the scale, type and form of development is essential to ensure that schemes respect the rural setting, historic assets and surrounding landscape. The site is located on a key route into Farndon and development proposals should be accompanied by a full landscape and visual assessment and mitigation strategy. It is not proposed to develop to the south of the existing industrial area but there is an opportunity to strengthen screening to the south of the site, to minimise impacts

on the setting of the Barnston Monument. The building materials and design should be appropriate and in-keeping with the agricultural character and setting of the surrounding area and there is an opportunity to provide landscape enhancements to the northern boundary of the site. Development proposals should also take account of the policies within the Farndon Neighbourhood Plan where appropriate.

R 3.B

Land adjacent to Mere's Edge, Helsby

Land adjacent to Mere's Edge, Helsby, as identified on the policies map, is allocated for employment use (use classes B1, B2, B8). Development proposals will be supported where:

1. the transport/traffic requirements can be satisfactorily accommodated on the surrounding road network and appropriate access to the site should be provided;
2. the development proposal is compatible with the amenity of residents or business occupiers in the vicinity;
3. the scheme is designed to assess and mitigate potential environmental risks to future occupiers (air, noise) from adjacent uses;
4. it provides suitable flood minimisation and mitigation measures;
5. the form and appearance of the development, including height, massing and building materials, takes account of the surrounding landscape character;
6. it protects and enhances landscape features, with sufficient boundary treatment, that respects the landscape character of the area;
7. it minimises and mitigates harm to ecological designations.

Explanation

6.26 The land adjacent to Mere's Edge is located alongside an existing employment area to the north (Honeywell Distribution Centre) within the key service centre of Helsby. Redevelopment has taken place in the wider area for a range of uses, with new residential development taking place to the east of the site. To the west of the site is the railway line and a water treatment works. This policy aims to ensure that new development is compatible with surrounding uses, residents and business occupiers with regard to potential risks (air, noise, water) and transport impacts.

6.27 The employment allocation is located in close proximity to the A5117 and Junction 14 of the M56. In view of surrounding development proposals, further assessment of access onto the A5117 or A56 will be required as part of any development proposal.

6.28 The site is a greenfield location on the edge of Helsby that would extend the built form of the settlement, therefore good design, landscape, flood risk and ecological mitigation measures will be essential as part of any development scheme.

6.29 Development proposals should also have regard to the policies within the Helsby Neighbourhood Plan, which supports new business development of a scale appropriate to its surroundings.

R 3.C

Chowley Oak

Land at Chowley Oak, as identified on the policies map, is allocated for employment use (use class B1). Development proposals will be supported that are comprehensively planned and designed to:

1. be an appropriate scale, type, density and layout and create a logical extension of the existing business park;
2. utilise the access through the existing business park;
3. provide safe and satisfactory access to the highway network and encourage sustainable modes of travel. Proposals should improve connectivity to public transport along the A41. A transport assessment should be provided;
4. protect the route of the disused railway line and where necessary provide an alternative link in line with Local Plan (Part Two) policy **T 4**;
5. retain and enhance existing landscape features, particularly to the site boundaries to minimise the visual impact of new development. The use of locally native species is encouraged. A landscape management plan for the site should be provided;
6. include an appropriate flood risk and sustainable drainage strategy for the site;
7. minimise and mitigate harm to nature conservation interest within or adjoining the site. A scheme for reasonable avoidance measures in relation to the management of protected species should be provided.

Explanation

6.30 This policy relates to Chowley Oak business park and provides for the small scale westerly expansion of the business park. The site is located close to the key service centre of Tattenhall and is accessed off the A41. It is primarily accessed by road and development proposals are encouraged to incorporate footways/cycleways to link Tattenhall along the route of the disused railway. There is also the potential to improve connectivity with public transport on the A41 through the provision of improved transport infrastructure and contributions towards public transport services. The nature of the rural lanes accessing the site mean that the site is unsuitable for industrial or warehousing use and HGV use, therefore the employment uses on site are restricted to those falling within the B1 use class. To ensure road safety, additional passing places may be required on surrounding lanes linking to the A41 (Chowley Oak Lane, Dog Lane and Green Lane).

6.31 The site is in a greenfield location and the scale, layout and design of new development should be carefully considered and in keeping with the landscape character and rural setting of the surrounding area. There is an opportunity to provide screening enhancements to the boundary of Dog Lane and a landscape assessment and mitigation strategy should be provided alongside any application. Access

to the site must be through the existing business park to minimise potential landscape impacts. Ecological appraisals should be undertaken to minimise the impacts on nature conservation in line with Local Plan (Part Two) policy **DM 44**.

R 3.D

Oaklands Office Park

Land at Oaklands Office Park, as identified on the policies map, is allocated for employment use (use class B1). Development proposals will be supported where:

1. the landscape and visual impact of the development is minimised and mitigated;
2. the scale, density, layout, design and materials employed are in keeping with the established business park;
3. it minimises and mitigates flood risk in line with Local Plan (Part Two) policy **DM 40**;
4. it minimises and mitigates harm to nature conservation interest within or adjoining the site, in line with Local Plan (Part Two) policy **DM 44**.

Explanation

6.32 This policy allows for small scale development for the phase three expansion of Oaklands Office Park. Oaklands Office Park provides for office development in an attractive parkland setting sustainably located close to Hooton Railway Station and Ellesmere Port. The site is accessible from the B5133 and is close to Junction 5 of the M53. This is a brownfield local employment area in the Green Belt. Development proposals should be designed to minimise impacts on landscape, flood risk and nature conservation in line with relevant development plan policies.

7 Green Belt and countryside

7.1 One of the Local Plan (Part One) strategic objectives is to protect the environmental quality and character of the borough through maintaining the general extent and character of the North Cheshire Green Belt and Cheshire countryside. Policy [STRAT 9](#) of the Local Plan (Part One) acknowledges that the rural area of the borough and the high quality of its landscape is a key asset and is highly valued by residents. The diversity of landscapes, including a range of hard and soft landscape characteristics such as open fields and pastures, woodland or farmed land as well as built form and features, contribute to the intrinsic character and distinctiveness of the borough's countryside. The policies in this section provide criteria for development proposals relating to existing commercial sites located within the Green Belt and the approach to be taken in protecting the landscape and key settlement gaps.

7.2 The strategy of the Local Plan (Part One) is to focus the majority of new development in the main urban areas of the borough and minimise the loss of greenfield land. The Local Plan (Part Two) does not alter the Green Belt boundaries established through the Local Plan (Part One) and the settlement boundaries for the urban areas of Chester and Ellesmere Port are defined by the Green Belt boundary as shown on the policies map. In areas outside of the Green Belt key settlement gaps have been identified where necessary to safeguard the character and individuality of the settlements.

7.3 Forty-two percent of the borough is identified as Green Belt within which the construction of new buildings is considered inappropriate development as set out in the National Planning Policy Framework (NPPF). However, national policy does allow for a number of exceptions, including the limited infilling or the partial or complete redevelopment of previously developed sites providing there would not be a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

7.4 There are a range of major employers that are located in the Green Belt including;

- Chester Zoo
- Countess of Chester Health Park
- Dale Barracks
- Chester Business Park
- Urenco, Capenhurst

7.5 These sites make a significant contribution to the local economy. Given the size, scale and location of these sites within the Green Belt and their development potential over the plan period, further detailed policies are required to guide future development proposals to maintain appropriate safeguards for the Green Belt. Local Plan (Part Two) policy **GBC 1** sets out the acceptable uses within these sites for a continuation of current activities and additional guidance is provided where there is evidence to suggest land is (i) likely to be redeveloped for operational improvements or (ii) likely to become surplus for current needs over the plan period, the policy provides a framework for assessing future proposals for the partial or complete redevelopment of these sites in line with national planning

policy and Local Plan (Part One) policy [STRAT 9](#). Local Plan (Part Two) policy **GBC 1** relates to infill and redevelopment (partial and complete) only and all other development will be assessed in line with Local Plan (Part One) policy [STRAT 9](#), and other relevant development plan policies.

GBC 1 - Commercial sites in the Green Belt

GBC 1

Large scale existing commercial and employment sites located within the Green Belt are identified on the policies map, where the principle of development for the following uses will be supported:

- A. Chester Zoo - zoological purposes
- B. Countess of Chester Health Park - medical and associated purposes
- C. Dale Barracks, Chester - military use
- D. Chester Business Park - use class B1a offices
- E. Urenco, Capenhurst - uranium enrichment and other related activities, scientific and engineering research covered by use classes B1, B2 or B8

Development proposals within the areas defined on the policies map, that are either in the form of limited infilling or the partial or complete redevelopment of previously developed sites, will be supported in line with Local Plan (Part One) Policy [STRAT 9](#) where:

1. there is no greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development; and
2. no open storage will be permitted unless such storage is screened by buildings or landscaping so that it is not visible from outside the site.

Proposals must include landscaping with particular attention paid to the boundaries of the site as defined on the policies map, any road and railway frontages and the boundaries of the individual plots within the site.

Any proposals for development should also be in line with **GBC 1.A** to **GBC 1.E**.

7.6 Local Plan (Part Two) policy **GBC 1** and details set out in **GBC 1.A** to **GBC 1.E**, on commercial sites in the Green Belt apply whether the land is redundant or in continuing use, however this does not include temporary buildings within the site.

GBC 1.A

Chester Zoo

Development proposals in connection with the use of the site for zoological purposes will be supported where they are in line with Local Plan (Part Two) policy **GBC 1**, and provide for operational improvements or the enhancement of visitor attractions and ancillary facilities in line with Local Plan (Part One) policy [ECON 3](#).

In addition, partial or complete redevelopment proposals should be comprehensively planned in line with a development strategy for the wider site which meets all of the following where relevant:

1. sets out the appropriate scale, layout, heights, type of uses and phasing of development within the site and its surroundings including the buildings for retention or redevelopment;
2. considers the potential transport impacts in combination with surrounding developments and makes provision for suitable highways/access arrangements;
3. provides car parking having regard to the Council's parking standards;
4. incorporates appropriate security and safety measures and boundary treatments;
5. minimises impacts on residential amenity for adjacent properties;
6. provides a high quality design which enhances or better reveals the significance of designated heritage assets and their setting and preserves their special architectural or historic interest;
7. provides a Landscape and Visual Assessment and mitigation strategy, that retains and enhances landscaping where possible within the site taking account of site topography and landscape character;
8. maintains and enhances links to the surrounding ecological network and green infrastructure;
9. makes appropriate infrastructure provision, including water supply and capacity and drainage;
10. has regard to relevant development plan policies for Chester and town centre development;
11. has regard to public rights of way and is in line with Local Plan (Part Two) policy **DM 37**.

Explanation

7.7 Local Plan (Part One) policy [ECON 3](#) identifies Chester Zoo as a major tourism asset, which supports a range of jobs and economic benefits for the area, where the development of enhanced visitor opportunities will be supported. The zoo is a conservation and educational charity, whilst it is a major employer with around 1,000 employees and visitor attraction for the borough, it is not a commercial operation in the typical sense. It makes a significant contribution to tourism and conservation at a local, regional and national level. The site contains significant open areas and is distinct from the main urban area of Chester. Planning permission was granted in 2010 to expand the zoo as part of the Natural Vision project which provides a masterplan for the redevelopment and expansion of the zoo to 2024.

7.8 The boundary of the site recognises the current development taking place in line with planning permissions for future expansion and operational improvements to the site. Any changes to the

operational area as a result of new development taking place will be a material consideration for future development proposals. The zoo will be preparing a revised development framework for the site, which will be a non-statutory plan which will also inform residents and local groups of the zoo's long term aspirations and will be a material consideration in determining planning applications. The Council will continue to support the quality and range of facilities offered by the zoo, subject to the impact which such extensions could have on the open character and permanence of the Green Belt. Development for 'zoological purposes' within the defined boundary may include new animal exhibits, animal enclosures (including non-exhibit animal care), front line staff facilities, car parking and access arrangements and guest/visitor services that are ancillary and related to the zoo's operational activities.

GBC 1.B

Countess of Chester Health Park

Development proposals in connection with the use of the site for medical or associated purposes will be supported in line with Local Plan (Part One) policy [SOC 5](#), Local Plan (Part Two) policy **GBC 1**, and where they provide for operational improvements to the primary use of the site

In addition, proposals for the partial or complete redevelopment of land within the health park, should be comprehensively planned in line with an agreed development brief that meets all of the following:

1. it is in line with Local Plan (Part Two) policy **DM 39** regarding the loss or replacement of community facilities;
2. sets out the appropriate scale, layout, heights, type of uses and phasing of development within the site and its surroundings including the buildings for retention or redevelopment;
3. it considers the potential transport impacts in combination with surrounding developments and makes provision for suitable highways/access arrangements;
4. encourages the use of sustainable transport modes including bus, walking and cycling;
5. provides car parking with regard to the Council's parking standards, within the context of the health park;
6. minimises impacts on residential amenity for nearby properties;
7. provides a high quality design that respects the surrounding character and mitigates any potential impacts on heritage assets and their setting;
8. provides a Landscape and Visual Assessment and mitigation strategy, and retains and where possible enhances landscaping within the site taking account of site topography and landscape character;
9. maintains and enhances links to the surrounding ecological network and green infrastructure;
10. makes appropriate infrastructure provision, including water supply and capacity and drainage;
11. has regard to relevant development plan policies for Chester and town centre development.

Residential development must be directly related to uses on the health park. Other forms of residential development will only be supported where;

13. it is in accordance with the above criteria;
14. it is demonstrated that the land is surplus to medical requirements; and
15. it would support improvements to operational services, as part of a comprehensive approach to new development within the health park.

Explanation

7.9 Local Plan (Part One) policy [STRAT 9](#) recognises that the Countess of Chester Health Park was previously identified as a major developed site in the Green Belt. The Council will continue to work with the NHS Trust to understand future development needs on the site for medical purposes. This is to ensure that the site remains capable of meeting modern health care needs, whilst respecting the Green Belt location. The Countess of Chester has identified a key challenge for the future will be to modernise the existing hospital estate to offer both acute and preventative care and meet the increased demographic demands placed on particular departments, such as the Accident and Emergency service and responding to the needs of an ageing population.

7.10 Where necessary and justified, a development brief will be prepared for the site to ensure that a comprehensive approach is taken towards new development within the health park. Any surplus land should be retained for medical or related purposes to ensure that new development would not undermine the long term role of the health park. The NHS have identified the need for residential training opportunities, together with specific types of residential development such as step-down beds, directly related to the health care facilities and to support future service provision. The policy gives priority to residential uses that are directly related to and necessary to support uses on the health park. Other forms of residential development may be considered as part of a comprehensive redevelopment plan for the site, where it is clearly demonstrated the land is surplus to future health care needs and the development could support operational improvements in the quality or range of services provided.

GBC 1.C

Dale Barracks

Development proposals in connection with the operational use of the site as a military base will be supported where they are in line with Local Plan (Part Two) policy **GBC 1**. In addition, in the event of any part of the land becoming surplus to military activities, partial or complete redevelopment proposals should be comprehensively planned in line with an agreed development brief which meets all of the following:

1. is compatible with any retained military uses within or adjacent the site;

2. sets out the appropriate scale, layout, type of uses and phasing of development within the site including the buildings for retention or redevelopment;
3. retains existing residential properties and is compatible with residential amenity;
4. any new residential development includes a mix of housing types, tenure and sizes, including affordable housing;
5. retains existing community facilities and uses within the site where appropriate;
6. retains and where necessary enhances open space, sport and recreation facilities in line with Local Plan (Part Two) policies **DM 35** and **DM 36**;
7. retains and where possible enhances landscaping within the site taking account of site topography and landscape character of the site and its surroundings;
8. is in line with policy **DM 48**;
9. maintains and enhances links to surrounding ecological networks and green infrastructure;
10. considers potential transport impacts in combination with surrounding developments and makes provision for suitable highways/access arrangements;
11. makes appropriate infrastructure provision, including water supply and capacity and drainage.

Explanation

7.11 The Dale Barracks is an operational military base to the north of Chester. The Ministry of Defence is reviewing its national land and property portfolio to enhance the quality and performance of the defence estate. It is aimed at utilising the estate as efficiently as possible and improving military capability. A Better Defence Estate (2016) sets out the long term strategic approach towards the future of the estate to 2040. It identifies (a) sites that will be subject to further investment to optimise their military use and (b) sites that are surplus to military requirements and likely to be disposed. The Dale Barracks site, Chester was included within the announcement as a potential site for future disposal. This policy is therefore necessary to (i) support continuing existing military operations on the site and (ii) to provide a framework for the potential long term use of the site, in the context of national and local planning policy. It enables a planned approach to retain important existing uses/facilities and ensure infrastructure provision is appropriate to the types of future development on the site. A development brief/masterplan for the site will be prepared in partnership with the Council and other key stakeholders.

7.12 There are a wide range of buildings and facilities within and around the site, used in connection with the military use. This includes medical and dental facilities, sports facilities, community centre and welfare areas, local shops, service family accommodation and some market housing. The operational site is situated in the grounds of Moston Hall (built 1789) and some of the associated parkland/gardens remains. There is also extensive landscaping and open space within the site. Where appropriate, community uses, landscaping and open space should be retained and where possible enhanced, particularly where they contribute towards the openness of the greenbelt.

7.13 Outside of the operational boundary there are residential properties some of which are privately owned. The policy seeks to protect residential amenity for these properties, together with neighbouring and future occupiers. This part of the site should be considered in the context of the wider masterplan.

The Open Space Study and Playing Pitch Strategy (2016) identify a sports pitch to the east of the site that is currently used by local community groups. The future use of this part of the site should be considered in line with Local Plan (Part One) policy [SOC 5](#) and Local Plan (Part Two) policy **DM 36**.

7.14 The transport impacts from any long term potential redevelopment should be considered alongside other developments in the surrounding area e.g. The Countess of Chester Health Park and Chester Zoo.

7.15 The Fox Barracks (Chester Army Reserve Centre) does not form part of the announcement made in November 2016. The policy therefore does not apply to this part of the site as it not surplus to requirements and some military/related use is expected to continue.

GBC 1.D

Chester Business Park

Land to the east of Wrexham Road, Chester is identified as an established business park within the Green Belt. Development proposals for office development (use class B1a) within the area defined on the policies map will be supported where they are in line with Local Plan (Part Two) policy **GBC 1** and:

1. they provide for a high quality development in a parkland setting; and
2. the traffic/transport requirements generated by the development can be safely and satisfactorily accommodated on the highways network.

Explanation

7.16 Chester Business Park is a landscaped, high quality employment park within the Green Belt to the south of Chester. Local Plan (Part One) policies [STRAT 3](#) and [ECON 1](#) identify Chester Business Park as being protected for new high quality office development and as a key employment location, essential to meeting the future economic growth of the area. It is important the parkland setting is retained and this is an important consideration in the assessment of proposals for extensions to existing buildings or the development of new buildings.

7.17 Although the business park is now substantially developed, due to the limited employment land supply in the Chester area it remains a key location for employment/office provision. The Council's Annual Monitoring Report (AMR) identifies there are some remaining undeveloped plots within the site that will continue to contribute towards the employment land provision in Chester and are allocated in Local Plan (Part Two) policy **CH 3**.

7.18 Transport Impact Assessments of the continued development of the Chester Business Park should consider whether the development has a material impact on the trunk road and motorway network, and consult with Highways England on the scale and nature of these impacts.

GBC 1.E

Urenco, Capenhurst

Development proposals in connection with the use of the site for uranium enrichment and related activities, the decommissioning of redundant facilities, scientific and engineering research covered by use classes B1, B2 or B8, will be supported where they are in line with Local Plan (Part Two) policy **GBC 1**, and all the following are met where relevant:

1. it allows for operational improvements in connection with the primary use of the site;
2. it takes account of the cumulative impact of other planned development within the site;
3. it considers and mitigates the type and degree of hazardous risks in line with Local Plan (Part Two) policies **DM 33** and **DM 34**;
4. compliance with national and international standards and best practice for the environment, safety and security;
5. the Transport / Highways impacts can be satisfactorily accommodated on the surrounding road network;
6. car parking can be satisfactorily accommodated within the site, having regard to the Council's parking standards;
7. the visual and amenity impacts of the proposed development (lighting, noise) are minimised.

Explanation

7.19 Local Plan (Part One) policy [STRAT 9](#) recognises that the Urenco complex at Capenhurst was previously identified as a major developed site in the Green Belt. It is separated and clearly distinct from the main urban area of Ellesmere Port.

7.20 The Capenhurst site is major hazardous installation and nuclear registered site with a unique infrastructure associated with its historic and operating uranium enrichment plants and associated facilities. The Local Plan (Part One) policy [ENV 8](#) recognises that the Capenhurst site in Cheshire West and Chester is a small producer of intermediate level radioactive waste and the detailed Integrated Waste Strategy for the Capenhurst facility provides for all waste arisings, currently on site and to be produced by future operations. These wastes are managed in compliance with environmental permits, the Nuclear Site Licence and other regulatory requirements outside of the planning process.

7.21 Historically, development has been allowed on the site and there is no evidence that its current Green Belt designation has had a significant effect on its viable operation. The site is identified in the Employment Land Study Update (2013) as a large scale employer in the rural area with sector specific expansion needs. Planning permission has been granted for the development of a Tails Management Facility and Legacy Cylinder Facility and on site which has a life span beyond the Local Plan period.

7.22 Urenco/Capenhurst Nuclear Services are responsible for the management of nuclear materials at the Capenhurst site, as well as undertaking the decommissioning and remediation process, acting on behalf of the Nuclear Decommissioning Authority (NDA). The Nuclear Decommissioning Authority

Strategy (2016) sets out the national approach to the UK's legacy sites in line with the Energy Act (2004). Parts of the Capenhurst site are subject to the decommissioning of redundant NDA facilities as well as the processing and storage of nuclear materials. Decommissioning is a long process that will extend beyond the plan period. Certain proposals for new development (associated with decommissioning and the management of nuclear materials) may be required at Capenhurst.

7.23 The policy is necessary to ensure that the development plan reflects current and future activities proposed within the site to 2030 and to provide a framework for the long-term processes taking place. The site is within the Green Belt and there are opportunities for infilling or partial redevelopment of brownfield parts of the site. Proposals requiring planning permission would be subject to consideration alongside relevant development plan policies supported by any necessary technical assessments.

GBC 2 - Protection of landscape

GBC 2

The borough's countryside will be protected in line with Local Plan (Part One) policy [STRAT 9](#). Where development requires a countryside location, it must satisfy Local Plan (Part One) policy [ENV 2](#) and:

1. protect and, wherever possible, enhance landscape character and distinctiveness;
2. integrate into the landscape character of the area; and
3. be designed to take account of guidance in the Landscape Strategy.

The above will be achieved through appropriate siting, scale, layout, density, design and landscape treatment.

The following Areas of Special County Value (ASCV), as identified on the policies map, are designated for their special landscape character and scenic value:

- A. Beeston/Peckforton/Bolesworth
- B. Dee Coastal Area
- C. Delamere/Utkinton
- D. Grosvenor Estate/Dee Valley
- E. Helsby and Frodsham Hills
- F. Weaver Valley
- G. Willington
- H. Wych Brook Valley

In addition to meeting the criteria above, development in or affecting the setting of an Area of Special County Value must:

4. preserve their special landscape character and scenic value;

5. enhance landscape quality, character and appearance wherever possible; and
6. make suitable provision for improving public access to, and enjoyment of the landscape, where appropriate.

Explanation

7.24 The borough's countryside will be protected in line with Local Plan (Part One) policy [STRAT 9](#) which recognises and seeks to protect the intrinsic character and beauty of the Cheshire countryside. Local Plan (Part One) policy [ENV 2](#) states that the Local Plan will protect, and wherever possible, enhance landscape character and local distinctiveness. This policy provides further guidance on how development should consider landscape in order to protect the countryside's intrinsic character and distinctiveness.

7.25 The most up-to-date landscape guidance, A Landscape Strategy for Cheshire West and Chester Borough 2016 (the Landscape Strategy), identifies key landscape characteristics, including sensitivities, qualities and values, and provides built development and landscape management guidelines for each landscape character area across the borough. Regard should be given to this guidance to inform appropriate design, siting and mitigation measures according with landscape context and character.

7.26 All of the borough's landscapes, including non-designated landscapes, are important for their contribution to local character and distinctiveness. On the basis of the evidence set out in the Local Landscape Designation Review⁽ⁱ⁾, ASCVs are identified which have demonstrably special landscape character and scenic value. The special qualities of ASCV are defined through the following criteria: distinctiveness, perceptual character, landscape and scenic quality, natural character, cultural character and function. The special landscape qualities underpinning each ASCV designation are identified in the evidence document, Local Landscape Designations: Areas of Special County Value in Cheshire West and Chester (2017), which should be used to inform the assessment of development impacts on an ASCV.

7.27 Improvements to public access and enjoyment of the landscape should take into account proximity to European sites. Increased public access may not be appropriate in all areas, and proposals that would likely increase recreational pressure or disturbance on European Sites will not be considered appropriate.

7.28 Development proposals should identify the potential for adverse landscape and visual impacts and fully address those impacts in line with landscape character, context, key characteristics and significance. Where adverse landscape impacts are likely then a landscape appraisal or Landscape and Visual Impact Assessment will be required.

i Local Landscape Designation Review Advisory Position Paper Part 1: Moving Towards a Rationalised Local Landscape Designations Policy Hierarchy in Cheshire West and Chester (January 2016)

GBC 3 - Key settlement gaps

GBC 3

Areas between the following settlements, as identified on the policies map, are designated as key settlement gaps:

- A. Lostock Gralam and Northwich
- B. Leftwich and Rudheath (Dane Valley)
- C. Davenham and Leftwich
- D. Davenham Village and Leftwich Grange (Kingsmead)
- E. Davenham and Moulton

Within a key settlement gap, development will only be supported where it does not harm the settlement separation and identity functions of the gap and meets the requirements of Local Plan (Part One) policies [STRAT 5](#) and [ENV 2](#). Development within key settlement gaps will be supported where:

1. it would not lead to coalescence of the settlements;
2. it would not result in a significant increase in intervisibility between settlement edges, either by the extension of development or the loss of screening features such as woodland;
3. it would not harm the undeveloped character or perception of openness of the key settlement gap, including through individual or cumulative impacts of isolated small developments; and
4. it would not serve to materially alter historic form of the settlements such as its relationship to topographical features, open spaces, roads or important buildings.

Explanation

7.29 Local Plan (Part One) policy [ENV 2](#) states that the Local Plan (Part Two) will identify key gaps between settlements, outside of the Green Belt, that serve to protect and maintain their character. In line with Local Plan (Part One) policy [STRAT 5](#), key settlement gaps have been identified between areas where it is necessary to safeguard the character and individuality of the settlements that form the wider built up area of Northwich.

7.30 Key settlement gaps are important for maintaining the distinct and/or remaining separation between settlements, and in doing so, help to define settlement identity, character, sense of place or historic settlement form. Five key settlement gaps have been identified where the threat of coalescence or erosion of settlement identity is likely due to pressure from development. The network of key settlement gaps contributes towards protecting landscape character and distinctiveness. The policy seeks to ensure that development within key settlement gaps is only appropriate where the settlement separation and identity functions of the gap are fully considered and conserved. The term identity function relates to those features that are important in defining separate settlement identity, character,

sense of place and historic settlement form. Assessment of harm to the separation and identity functions of a key settlement gap should be informed by the details and justification for each designation set out in the Local Landscape Designation Review ⁽ⁱⁱ⁾.

ii Local Landscape Designation Review Advisory Position Paper Part 2: Identification of Key Settlement Gaps Outside the Green Belt in Cheshire West and Chester (2016)

8 Transport and accessibility

8.1 Local Plan (Part One) policy [STRAT 10](#) sets out the key priorities and opportunities in relation to transport and highlights the importance of balancing the transport system in favour of sustainable modes and supports the overall strategy of the Local Plan of reducing the need to travel by locating development in the most sustainable locations. Promoting walking, cycling and public transport gives people a real choice about how they travel, and can also generate health, social-inclusion and air-quality benefits. However, it is recognised that the private car will remain the dominant form of transport for the foreseeable future, and as such, improvements to the highway network and parking provision will be needed.

8.2 The following transport and accessibility policies expand on the priorities identified in Local Plan (Part One) policy [STRAT 10](#) and set out the Council's approach to local road network improvement schemes, the A56 Hoole Road corridor, railways stations and rail corridors, and detailed requirements for parking and access within new developments.

8.3 Cheshire West and Chester is part of the Cheshire and Warrington Local Enterprise Partnership (LEP), Constellation Partnership and the Mersey Dee Alliance, and is in the process of working with these partners and neighbouring authorities to develop the transport infrastructure necessary to deliver economic growth aspirations. The Council seeks to encourage the use of the rail network for both passenger and freight movements and works extensively in collaboration with key rail industry stakeholders, for improvement to rail services and rail infrastructure within the borough and surrounding regions. Examples include the work of the North Wales and Mersey Dee Rail Taskforce of Growthtrack 360 and of the Constellation Partnership.

8.4 Major transport scheme prioritisation and funding through Local Growth Fund deals in Cheshire and Warrington is now determined by the Cheshire and Warrington LEP. Immediate local priorities have been identified and tested by the Council through recent Transport Strategies for Chester and Winsford, more detailed design and WebTAG compliant business case development will follow, along with new transport strategies for Northwich and for Ellesmere Port in the next two to three years.

8.5 Exceptionally large transformative local schemes would also be eligible to bid directly to the Department for Transport (DfT) for funding including large local major transport schemes. The Council will take opportunities to secure and make use of developer funding such as Section 106 legal agreements or through the Community Infrastructure Levy (CIL).

T 1 - Local road network improvement schemes

T 1

Improvements to the local road network will be supported in accordance with Local Plan (Part One) policy [STRAT 10](#), subject to further investigations and the availability of funding. Priority local road network schemes include:

1. construction of a Chester Western Relief Road (CWRR);
2. improvements to the link between Winsford/Middlewich and the M6 Junction 18;
3. interventions to the north of Northwich including the Winnington Swing Bridge.

To facilitate the delivery of the priority local road network schemes, the following land is safeguarded from development, for road and junction improvements:

- A. A54 Winsford Railway Station to Stanthorne

Proposals for local road network improvement schemes will be expected to deliver significant benefits to traffic management and:

4. include noise mitigation measures where necessary;
5. provide walking/cycling/shared-use paths as part of the scheme;
6. incorporate a structural landscaping scheme which effectively mitigates any adverse visual impacts on the surrounding area;
7. minimise impact on biodiversity and geodiversity.

Financial contributions to deliver local road network improvements will be secured through Section 106 legal agreements and/or the Community Infrastructure Levy, subject to the provisions of Local Plan (Part One) policy [STRAT 11](#).

Explanation

8.6 Local Plan (Part One) policy [STRAT 10](#) seeks the provision of reliable and efficient transport networks that support sustainable economic growth in the borough and the surrounding area. This policy intends to ensure that the local road network priorities which will be critical in delivering planned levels of growth are clearly articulated. Priorities will be included and reviewed through development of the Council's transport strategies and revisions to the Local Transport Plan.

8.7 This policy also includes criteria which seek to ensure that local road improvement schemes can be delivered to ensure that any harmful impacts are effectively mitigated or avoided, in line with relevant development plan policies. Consideration of nature conservation interest will take place in line with Local Plan (Part Two) policy **DM 44** and where there is unavoidable loss or damage, mitigation and compensation may be required.

Chester

8.8 Proposals for a new road scheme to the west of Chester, which would link the Sealand Road area with the A55 (a Chester Western Relief Road (CWRR)) has for some time been recognised as a potential measure to mitigate congestion issues in and around Chester city centre and forms an essential element of the Council's transport strategy for Chester. A CWRR would remove significant volumes of traffic from the city centre, benefiting the environment in terms of both traffic and air quality and maintaining the overall economic viability of the city in competition with out of town, and other shopping centres, in line with Local Plan (Part One) policy [STRAT 10](#).

8.9 A safeguarded alignment was included in the former Chester District Local Plan which followed a route from the junction of Sealand Road/Bumpers Lane to join the A483 immediately north of its junction with the A55. Changes in travel patterns and increased traffic growth mean that an access onto the A483 close to the A55/A483 junction is unlikely to be a feasible option. The Council is committed to ensuring the highway network in and around Chester operates effectively and efficiently, and is working with Flintshire County Council, Highways England and the Welsh Assembly Government to explore solutions for traffic management in the wider Deeside and Chester area including identifying an alternative route for a CWRR.

Winsford

8.10 Local Plan (Part One) policy [STRAT 6](#) sets out the requirements for the development of Winsford to support the continued regeneration in the town. On 19 November 2014 the Winsford Neighbourhood Plan was made, which included an objective to improve road links to adjacent towns and investigate ways of reducing through traffic in Winsford. Winsford Neighbourhood Plan policy T4 states that the Council will work with neighbouring authorities to seek improved access to the M6 motorway, which is reiterated in Local Plan (Part One) policy [STRAT 7](#).

8.11 A transport strategy for Winsford has been developed to support the delivery of the neighbourhood plan, which included a modelling exercise to assess the impact of the proposed development growth in Winsford and Middlewich upon the highway network, and which identified 11 improvement packages ranging from small scale operational changes to more strategic, longer term schemes. Package three is focused on improving connectivity for Winsford and proposes exploring options to build a new bypass of Middlewich to improve links between Winsford and the M6 at Junction 18. The bypass could be located to the north east of Winsford and bypass the northern extent of Middlewich, providing a quicker connection to the M6; however other options should also be explored in more detail.

8.12 The former Vale Royal Local Plan safeguarded land from any other development along a road line running parallel to the A54, between Winsford Railway Station and Stanthorne, to achieve the long-term aims of the LTP and remove dangerous bends from the existing road network. The majority of this land is owned by the Council. While a detailed proposal for a bypass has yet to be designed, it is clear that this previously safeguarded land could form an important part of a scheme to improve connectivity between Winsford and the M6 at Junction 18, or the HS2 Crewe Hub. Therefore, this policy continues to safeguard the alignment for road and junction improvements, as shown on the policies map.

Northwich

8.13 A Northwich transport strategy is currently being prepared which will identify the transport, infrastructure and management measures necessary to support the the growth ambitions of the Local Plan and emerging neighbourhood plans in Northwich and the surrounding area. Early work undertaken for this study has focused on understanding the current and future transport issues across the town which will need to be addressed as proposed growth comes forward. A series of initial stakeholder events and interrogation of the Northwich traffic model have taken place.

8.14 The development of the transport strategy takes into account all of the proposed and potential development that could take place in and around Northwich. The potential redevelopment of the TATA site to the north of Northwich could have significant transport infrastructure implications for the north of Northwich, coupled with the capacity issues of the Winnington Swing Bridge. While it is considered the whole site is unlikely to come forward within the plan period, and that a full list of transport infrastructure interventions has yet to be finalised, this policy acknowledges that local road network improvement schemes are likely to be required in this area before 2030.

T 2 - A56 Hoole Road Corridor

T 2

The following land required for the construction of a new park and ride site located at the M53/A56 junction to serve the A56 Hoole Road corridor, is identified on the policies map:

A. Hoole Road Park and Ride

Construction of the park and ride site will be expected to deliver significant benefits to traffic management and sustainable travel and:

1. provide for at least 500 parking spaces;
2. include measures for cycling/ walking/ shared use connections;
3. provide overnight coach parking/layover facilities;
4. make provision for electric vehicle charging points;
5. incorporate a structural landscaping scheme;
6. include an appropriate flood risk and sustainable drainage strategy for the site;
7. minimise impact on biodiversity and geodiversity.

Development proposals that will improve the operation of the A56 Hoole Road corridor and gateway into Chester, as shown on the policies map, will be supported. Priorities include:

8. improved cycle and pedestrian links
9. enhanced bus services
10. the provision of improved car parking at Chester Station

Explanation

8.15 Local Plan (Part One) policy [STRAT 10](#), supports improvements to the transport network and the provision of parking to support the viability of town centres, including measures identified in the Chester Transport Strategy which refer to the potential for a fifth park and ride site serving the A56 Hoole Road corridor.

8.16 This policy allocates 3.9 hectares of land, with a capacity to provide at least 500 car parking spaces, 10 coach/lorry bays and associated structures i.e. waiting facility, ticketing equipments, automatic number plate recognition system for entry and exit lengths, electric vehicle charging infrastructure and space for potential bus layover. Access to the site should be via the section of the A56 between the M53/A55 junction and the junction with the A41 Ring Road, subject to detailed scheme modelling and design. Satisfactory access to the Chester Millennium Greenway for pedestrians and cyclists must be provided.

8.17 The Council will work collaboratively with Highways England and other public and private partners, landowners and developers to develop the Strategic Outline Business Case and to review alternative road layout designs for egress and exit points for the site, in conjunction with wider network improvements to ensure that future development will not compromise the safety or operation of the strategic road network.

8.18 Landscape mitigation is key to the delivery of the site and the scheme will be designed to mitigate the impact on long range views, incorporating structural landscaping to lessen any adverse visual impact on the surrounding area. Surface water runoff from the site must be managed through an agreed drainage scheme to ensure that there no increased surface water flood risk and no ecological impacts within receiving watercourses, in line with Local Plan (Part Two) policy **DM 41**. Consideration of nature conservation interest will take place in line with Local Plan (Part Two) policy **DM 44** and where there is unavoidable loss or damage, mitigation and compensation may be required.

8.19 Development of a park and ride scheme will be expected to meet the requirements of Local Plan (Part Two) policy **T 5** and make provision for electric vehicle charging points to accommodate new vehicle technologies and support the use of low emission and electric buses, to avoid introducing additional air quality issues along the Hoole Road corridor.

8.20 The Chester Coach Strategy (2016) identified the lack of secure overnight parking space for coaches as an issue and proposed the use of park and ride sites for layover and overnight parking for coaches as a medium term high priority scheme. Coach and driver facilities are likely to include: rest-rooms, coach washing, cleaning facilities and security/barrier systems and should form part of any new park and ride site.

8.21 The A56 Hoole Road corridor represents the key link from the M53 motorway and is heavily used but constrained, leading to congestion should any blockage or other delay occur. Hoole Road Bridge is particularly difficult for cyclists due to its heavy traffic and its narrow width. As such, development proposals that would improve the operation of this corridor will be supported. Interventions that could play a part in addressing the priorities as set out in the policy include:

- improvements to pedestrian and cycle links along the A56 Hoole Road corridor and specifically at Hoole Bridge, with the opportunity for a dedicated pedestrian/ cycle bridge sited to provide safer access to the city centre and railway station/Chester Business Quarter);
- provision of bus enhancements and bus priority measures to improve journey time reliability and promote modal shift towards sustainable modes;
- the creation of improved car parking for Chester Station on the site of the former Chester Enterprise Centre in conjunction with other complementary uses and connected to the city centre.

T 3 - Railway stations

T 3

Proposals for the enhancement of railway stations will be supported in line with Local Plan (Part One) policy [STRAT 10](#), including:

1. improvements to the capacity of Chester Station;
2. provision of car parking to serve: Hartford, Northwich, Winsford, Helsby, Frodsham and Cuddington stations

Land is safeguarded, as identified on the policies map, for the expansion and/or improvement of facilities, at the following railway stations:

- | | |
|--------------|-------------------|
| A. Winsford | F. Helsby |
| B. Hartford | G. Lostock Gralam |
| C. Northwich | H. Delamere |
| D. Greenbank | I. Acton Bridge |
| E. Frodsham | J. Cuddington |

Development proposals involving the construction of new rail stations; the re-opening of former rail stations; the improvement of rail freight facilities; or the development of transport interchange facilities will be supported.

Explanation

8.22 Local Plan (Part One) policy [STRAT 10](#) states that opportunities to improve public transport facilities will be taken wherever possible, through improved services, interchange facilities and parking at railway stations. The policy also commits the Council to safeguarding rail infrastructure including stations, from development which would preclude their future transport use.

8.23 This policy supports capacity improvements at Chester Station, which will also be subject to Local Plan (Part Two) policy **CH 2**. There are several stations with car park capacity problems, which are likely to be exacerbated by general background passenger growth as well as specific service improvements such as electrification, and reinstatement of a regular service using the Halton curve.

The Council's borough-wide parking strategy identified Hartford, Northwich, Winsford, Helsby, Frodsham and Cuddington stations, as priorities to investigate the feasibility of schemes to improve and increase station parking capacity.

8.24 The former Vale Royal Local Plan safeguarded land for development for the expansion and/or improvement of station facilities at: Winsford, Hartford, Northwich, Greenbank, Frodsham, Helsby, Lostock Gralam, Delamere, Acton Bridge, and Cuddington. This policy continues to safeguard land to provide for improved station facilities, which could include: car parking; accessibility improvements; signage, secure cycle parking; cycle hire; bus interchange facilities; internet availability; and taxi facilities/infrastructure.

8.25 Cheshire West and Chester has a number of former stations and lines located within its boundaries which could be re-opened for passenger and/or freight services. Proposals for the construction of new (or re-opening) of railway stations; or the development/improvement of rail freight and interchange facilities will be supported to improve accessibility to rail services, whilst also helping to enhance those local economies and community facilities, providing they are in line with relevant development plan policies. Consideration of nature conservation will be made in line with Local Plan (Part Two) policy **DM 44**.

T 4 - Rail corridors

T 4

Disused rail corridors and railway lines are safeguarded from development to protect them for possible future transport use, including the following rail corridors/lines identified on the policies map:

- A. Mickle Trafford-Shotton
- B. Helsby/Mouldsworth
- C. Railway link adjacent to New Warrington Road
- D. Tattenhall-Whitchurch

Development proposals will only be supported, if it would not prejudice:

1. the future reopening of the line for rail services;
2. the use of the route of the line as a cycleway, footpath and/or bridleway;
3. the use of the route as a linear park;
4. the line's role as a wildlife corridor

Explanation

8.26 Local Plan (Part One) policy [STRAT 10](#) states that current and disused transport corridors, including railway lines, will be safeguarded from development which would preclude their future

transport use. In the interim, recreational and other uses may be allowed in line with Local Plan (Part One) policies such as: [ECON 3](#), [ENV 3](#), [ENV 5](#), [SOC 5](#) and [SOC 6](#); all of which seek to provide opportunities to protect and enhance the borough's network of green corridors and recreational routes.

8.27 This policy reinforces and supports the approach, as set out under a number of Local Plan (Part One) policies, and specifically identifies the corridors and routes that are safeguarded on the policies map.

8.28 Disused railways provide potential for future transport purposes only if they can be protected as a continuous corridor. It is essential that the opportunity value of such corridors is preserved for the future. Other operational and non-operational railway land needs to be safeguarded for access and other necessary facilities.

T 5 - Parking and access

T 5

In order to ensure that appropriate provision is made for access and parking, development proposals will be supported which meet the requirements of Local Plan (Part One) policy [STRAT 10](#) and which:

1. make safe provision for access to and from the site for all users of the development, including the provision of access to adopted highways, visibility splays and accompanying signage where necessary;
2. allow for safe movement within the site, having regard to the requirements of the emergency services and service providers, including sufficient manoeuvring and standing space for the appropriate number and size of vehicles likely to serve the development at any one time;
3. will not create any unacceptable impacts on amenity or road safety that cannot be satisfactorily mitigated by routeing controls or other highways improvements;
4. are designed to incorporate measures to assist access to and around the site by pedestrians, cyclists and to meet the needs of people with disabilities;
5. provide sufficient parking facilities to serve the needs of the development and have regard to the Council's latest adopted parking standards for cars and other vehicles as necessary, including cycles;
6. provide appropriate charging infrastructure for electric vehicles in new developments.

The Council will encourage improved parking facilities for residents and their visitors in older housing areas and to serve railway stations, where a clear need for such facilities can be demonstrated.

Redevelopment of existing public car parks will be only be supported where adequate alternative provision is available or capable of being provided.

Proposals for developments that provide coach parking/facilities, in line with the Council's latest adopted strategy will be supported.

Explanation

8.29 Local Plan (Part One) policy [STRAT 10](#) states that new developments will be expected to be able to be accessed safely and efficiently, by a range of means and provide adequate levels of car and cycle parking in accordance with the Council's parking standards.

8.30 New developments should incorporate measures to encourage alternative means of transport to the private car and provide for safe and attractive routes to and within the site for all road users. These could include: footways, pedestrian crossings, cycleways, secure cycle parking, cycle crossings, and convenient routes for buses, bus stops, bus shelters and traffic calming measures, with additional priority will be given to the introduction of traffic calming schemes near to schools and on pedestrian and cycle routes.

8.31 To ensure that service vehicles do not become a safety hazard, an obstruction to vehicle or pedestrian movement or a visual nuisance; operational space should be included for the access, turning and standing of emergency and service vehicles. Developers will be required to ensure that operational space is not used for general parking.

8.32 Commercial vehicles can cause disturbance and nuisance in residential areas and commercial firms will be required to make provision for storage/parking of their own goods vehicles, as well as considering the potential adverse impact that additional traffic could have on local amenity. It may be necessary to require highway improvements, if roads in the vicinity of the proposal are unsuitable, for example, if they are too narrow, below standard, or if nearby junctions are inadequate. Heavy goods vehicles may be required to use a specific route to minimise the impact, which could be achieved by imposing weight restrictions on roads that are considered unsuitable, or by entering into a legal agreement/ planning obligation with the site operator to define an acceptable lorry route.

8.33 The Council's latest adopted parking standards are set out in the Parking Standards Supplementary Planning Document (SPD) and apply across the whole of the borough on a zonal basis. More rigorous parking standards are defined for Chester city centre, with a less strict standard applied in Ellesmere Port, Northwich and Winsford town centres where there is a concentration of services and increased number of travel options. A final zone covers the remainder of the borough. These zones apply to both residential and non-residential parking standards and are identified on the policies map.

8.34 Where a zone boundary is defined by a road, this indicates that the standard covers all developments taking access from that road, whether or not the site itself is included within the defined area. Where it is proposed that the standard is not met, the Council will need to be satisfied that any shortfall can be readily accommodated in nearby off-street parking without leading to a reduction of residential amenity in the surrounding area, or through access by other more sustainable modes. If it is evident that such accessibility is not sufficient to accommodate such under provision, then the

onus will be on the developer to ensure that, through appropriate arrangements with the Council, this shortfall is addressed. The Parking Standards SPD provides more detailed guidance on the application of the Council's parking standards.

8.35 Measures to encourage cycling as a healthy and environmentally friendly alternative to the private car will be unsuccessful if cyclists do not have secure and convenient parking available at their destination. The Council expects secure cycle parking provided to be in accordance with the standards set out in the the Council's adopted Parking Standards SPD. Cycle parking within new developments should provide sufficient space for the secure parking of bicycles and the Council will also encourage the provision of showers and changing rooms in all new employment developments, as an integral part of staff travel plans.

8.36 Local Plan (Part One) policy [STRAT 10](#) states that proposals should seek to incorporate charging points for electric vehicles where appropriate. It is expected that developments where any new parking provision (including garages and driveways) forms part of proposals for new-build or changes of use, will have regard to the recommended guidelines for the provision of electric vehicle charging infrastructure as set out in the Council's Parking Standards SPD.

8.37 Other modern and efficient parking solutions, such as parking platforms and racking systems will also be encouraged. Some older residential areas in the borough do not have adequate off-street car parking provision, or station car parking is at capacity, leading to such problems as vehicles blocking highways or parking on grassed areas. In such cases, improved off-street car parking facilities will help improve environmental conditions in the residential area concerned. Any such provision, however, must be balanced against the strong protection of amenity and open space in residential areas.

8.38 The Chester Coach Strategy (2016) identified the lack of coach parking facilities and secure overnight parking space for coaches at Little Roodee coach park as an issue and proposed additional rest-room, coach washing and cleaning facilities as a medium term priority.

9 Minerals supply and safeguarding

9.1 Cheshire West and Chester contains a variety of minerals that are important to the regional and national economy, including salt and sand and gravel. There are several existing sand and gravel quarries in the borough and large areas of the borough are covered by sand and gravel deposits. Salt is a nationally significant resource which occurs in its solid form as rock salt or in solution form as brine, both are present in extensive areas underlying the borough.

9.2 The National Planning Policy Framework (NPPF) requires all Mineral Planning Authorities to identify and include policies for extraction of mineral resources of local and national importance in their area and set environmental criteria against which planning applications will be assessed. They must also define Minerals Safeguarding Areas and adopt appropriate policies to ensure that known locations of specific mineral resources are not needlessly sterilised by non-mineral development and to ensure that minerals infrastructure is safeguarded. The NPPF requires local planning authorities to ensure that worked land is reclaimed at the earliest opportunity and that high quality restoration and aftercare takes place.

9.3 The NPPF identifies that silica sand is of local and national importance and is necessary to meet society's needs. It also requires the provision of a steady and adequate supply of industrial minerals – for at least 10 years for individual silica sand sites and at least 15 years for silica sand sites where significant new capital is required.

9.4 Local Plan (Part One) policy [ENV 9](#) identifies that Cheshire West and Chester will make provision for the adequate, steady and sustainable supply of sand, gravel, salt and brine, by maintaining a minimum seven year landbank for aggregate land-won sand and gravel and identifying Minerals Safeguarding Areas.

9.5 This chapter provides a series of policies relating to minerals supply and safeguarding. This includes identification of sites and areas to meet requirements for sand and gravel, industrial sand, salt and brine. It also includes policies relating to hydrocarbons and restoration of restoration of minerals and oil and gas sites.

9.6 The UK Government's energy policies seek to encourage the use of natural resources from within the UK in order to improve self-sufficiency in energy production and increased security of energy and gas supplies. This is part of wider energy policy aims to secure a transition to a lower carbon future, while recognising that there needs to be a mix of energy sources, including unconventional oil and gas.

M 1 - Future sand and gravel working

M 1

In line with Local Plan (Part One) policy [ENV 9](#), the Council will maintain a steady and adequate supply of aggregate land-won sand and gravel throughout the plan period and a minimum seven year landbank. Provision will be made for the extraction of at least 16 million tonnes over the plan period (0.8 million tonnes per annum). The requirement to provide a minimum seven year supply beyond the plan period would result in an additional requirement of at least 5.6 million tonnes. This is a total requirement of at least 21.6 million tonnes.

This will be achieved by:

- A. the continued provision of sand and gravel from the permitted reserves at the following existing sites – Cheshire Sands, Oakmere; Forest Hill, Sandiway; Cobden Farm, Oakmere; and Town Farm, Kingsley.
- B. the allocation of a site for sand and gravel north of the railway to extend Forest Hill, Sandiway.
- C. the identification of a Preferred Area at Moss Farm and north of the railway forming an extension to Forest Hill, Sandiway.
- D. the identification of an Area of Search.

The four existing sites and the allocated site, as identified on the policies map, will be safeguarded against non-mineral development that prejudices their ability to supply sand and gravel.

Proposals to develop the allocated extension site or Preferred Area for sand and gravel uses will be supported where it has been demonstrated that they accord with relevant development plan policies, including Local Plan (Part Two) policy **M 3**. Any proposals on the allocated site or Preferred Area forming extensions to Forest Hill, Sandiway would need to consider potential impacts on the nearby Local Wildlife Site, SSSI, Ramsar Site and SAC, for example in terms of groundwater and provide mitigation measures if necessary, to avoid any significant detrimental impacts on biodiversity.

Planning permission to extend a site will normally be conditioned so that the extension area can only be worked once mineral working within the existing site has largely been completed, unless it has been demonstrated that there are operational reasons why this is not practicable.

Proposals for new sites within the Area of Search, as identified on the policies map, will only be supported where it has been demonstrated that permitted reserves, allocated site and/or Preferred Area cannot meet the required level of provision set out in this policy (16 million tonnes). Any proposals to develop new sites within the Area of Search will only be supported where it has been demonstrated that they accord with relevant development plan policies.

Proposals for any other sand and gravel sites outside the existing sites, allocated site, Preferred Area and Area of Search will only be supported where it has been demonstrated that the required

level of provision set out in this policy (16 million tonnes) cannot be met from within these areas and the proposal would secure significant material planning benefits that outweigh any material planning objections.

Explanation

9.7 The Local Plan (Part One) policy [ENV 9](#) minerals supply and safeguarding states that Cheshire West and Chester will make provision for the adequate, steady and sustainable supply of sand and gravel. This will be achieved by maintaining a minimum seven year landbank for aggregate land-won sand and gravel, making provision for a steady and adequate supply over the Local Plan period in line with national policy and Local Aggregate Assessments. It also states that specific sites and Preferred Areas will be identified within the Local Plan (Part Two) for the future extraction of aggregate land-won sand and gravel as either extensions to existing sites or new sites.

9.8 The NPPF requires all Mineral Planning Authorities to plan for and maintain a minimum seven year landbank for aggregate land-won sand and gravel. Sub-national guidelines, apportioned by the North West Aggregate Working Party require Cheshire West and Chester to contribute 0.8mt of aggregate land-won sand and gravel per annum to meet demand between 2005-2020. As set out in the explanation to Local Plan (Part One) policy [ENV 9](#), this apportionment has been rolled forward to the end of the Local Plan period to calculate a minimum requirement of 16 million tonnes for the period 2010-2030. This requirement will be reviewed annually in light of the results of the Local Aggregate Assessment and any revised sub-national apportionment figures being established, having regard to the environmental acceptability of any changes.

9.9 The Council will be using the sub-regional apportionment figure of 0.8 million tonnes per annum. The 10 year average sales are similar, but are currently slightly lower due to the recession. The sales figures have increased over the last couple of years and are likely to continue to increase in the future and as such, the sub-regional apportionment figures provide a sensible basis for provision.

9.10 For the 20 year Local Plan period from 2010 to 2030, based on the sub-regional apportionment figure, the total requirement is at least 16 million tonnes. The additional requirement to provide a minimum seven year supply beyond the plan period would result in an additional requirement of at least 5.6 million tonnes. The total requirement is at least 21.6 million tonnes.

9.11 The permitted reserves at the start of the plan period were 4.4 million tonnes. This takes account of the reduction in reserves due to reassessment at one site, where recoverable resources were found to be far lower than previously thought. At the start of the Local Plan period there was a shortfall of 17.2 million tonnes over the plan period.

9.12 Between 31 December 2009 and 31 April 2017 there have been the following changes in the permitted reserves:

- planning application approved at Cheshire Sands, resulting in an additional 4.674 million tonnes of reserves.

- planning application approved at Town Farm on appeal, resulting in an additional 0.093 million tonnes of reserves.
- planning application approved at Forest Hill, resulting in additional 0.635 million tonnes of reserves.

9.13 The total additional permitted reserves for the period between December 2009 and April 2017 were 5.402 million tonnes. Taking account of these additional permitted reserves, the total remaining requirement is for at least 11.798 million tonnes of sand and gravel. In September 2017 a planning application at Cobden Farm was approved involving around 25,000 tonnes of additional sand and gravel and extending the lifetime of the quarry by five years until 2021. The remaining requirement is therefore 11.773 million tonnes of sand and gravel.

9.14 The results of the annual aggregate monitoring and responses from operators within the borough in 2016 indicate that there are sufficient reserves within existing sites with planning permission to provide at least a seven year landbank for aggregate land-won sand and gravel from the current position. This is the case based on the annual apportionment figure of 0.80 million tonnes and also based on ten year average sales. However, based on the apportionment figures and the total requirement over the plan period, with provision of a minimum seven year landbank beyond the plan period, there is a requirement for at least an additional 11.773 million tonnes of aggregate sand and gravel.

9.15 A survey of secondary and recycled aggregates was undertaken from February to April 2017 and provided information for the period from 1 January to 31 December 2016. This survey obtained information on sales of recycled and secondary materials and industrial by-products and mineral waste. The study was sent out to 19 operators within the borough, eight of which responded. Out of the eight responses, four confirmed that they do not deal with secondary or recycled aggregates. The other four operators had sales of recycled and secondary materials or industrial by-products and mineral waste. This accounted for a total of 15,800 tonnes of recycled and secondary materials, which is approximately two per cent of total sales. This is lower than the national assumption of 28 per cent of aggregates being from recycled sources.

9.16 Please note that the figures in the previous two paragraphs are based on the 2017 Local Aggregate Assessment, which includes data from 2016.

9.17 The low recorded figure for secondary and recycled aggregates in the borough is likely to be because the majority of transfer stations are small in scale and operate as bulking stations and whilst some waste streams are segregated, they are not a ready source of recycled aggregates. Even when waste of a suitable composition is delivered to the transfer stations, it is unlikely to be of sufficient volumes to justify fixed plant to separate and screen into individual sizes. The material is more likely to be moved to another site outside of the Cheshire West and Chester area where economies of scale allow crushing and screening plant to be installed.

9.18 There is some evidence that where large demolition contracts are being undertaken then the waste is more likely to be crushed on site and either used on site or moved off site for further processing out of the Cheshire West and Chester area.

9.19 Sales data for recycled aggregates has only been obtained for one year. As such, due to the current lack of evidence, we are unable to take account of a specific level of contribution of substitute or secondary and recycled materials and mineral waste would make to the supply of materials. However, support for the use of secondary and recycled mineral resources is set out in Local Plan (Part One) policy [ENV 9](#).

9.20 It is proposed that the requirement throughout the plan period will predominantly be met by the continued provision of sand and gravel from the permitted reserves at the existing sand and gravel sites. In addition to this it is proposed that requirements will be met through the allocated site and Preferred Area.

9.21 The extension to Forest Hill quarry was identified through the Mineral Call for sites process. Through this process, several sites were put forward, but only the site at Forest Hill was considered to meet the criteria necessary to be taken forward. An additional targeted consultation was undertaken in April 2017, but no further sites were put forward.

9.22 The proposed site at Forest Hill was made up of two parts, one within the operator's ownership and one under different ownership. The whole site was identified as suitable and with no unacceptable impacts that cannot be mitigated. The part within the operator's ownership has been allocated for sand and gravel, with the other part, and some additional adjacent areas identified as a Preferred Area. Initial assessments undertaken by the operator indicate that approximately 230,000 - 560,000 tonnes of sand could be extracted from the allocated site, depending on whether this is extracted by dry or wet working methods. Approximately 560,000 tonnes could be extracted from the Preferred Area adjacent to Moss Farm, plus additional sand from the area north of the railway, for which the anticipated level of sand and gravel extraction has not yet been assessed.

9.23 Within the allocated site, Preferred Area and Area of Search for sand and gravel planning permission would still be required for minerals extraction on this site. Any proposal would need to comply with relevant planning policies, including Local Plan (Part Two) policy **M 3**. Due to the characteristics of the site and surroundings the proposal would need to prevent or provide sufficient mitigation measures to avoid any potential significant negative impacts, such as impacts on protected biodiversity sites and the historic environment.

9.24 Areas of Search are areas where knowledge of mineral resources are less certain, within which planning permission may be granted, especially if there is a potential shortfall in supply. The Area of Search is made up of areas where deposits of sand and gravel are located, according to British Geological Survey maps and excluding built up areas. Proposals for new sites within the Area of Search will only be supported where it can be demonstrated that the permitted reserves, allocated site and/or Preferred Area cannot meet the required level of provision.

9.25 There is no requirement for crushed rock provision within Cheshire West and Chester.

M 2 - Minerals safeguarding areas - prior extraction of minerals

M 2

In line with Local Plan (Part One) policy [ENV 9](#), minerals safeguarding areas (MSAs) will safeguard Cheshire West and Chester's extent of finite natural resources from incompatible development. Within a minerals safeguarding area, as identified on the policies map, non-mineral development or hydrocarbon development will only be supported if the applicant can demonstrate that:

1. mineral sterilisation will not occur; or
2. due to the quantity or quality of the mineral it is no longer of any existing or potential value; or
3. the mineral can be extracted satisfactorily prior to the incompatible development taking place; or
4. the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed and does not permanently sterilise the mineral; or
5. there is an overriding need for the incompatible development and the material planning benefits of the non-mineral or hydrocarbon development would outweigh the material planning benefits of the underlying or adjacent material; or
6. the development comprises one of the exempt types of development listed in the explanation.

Explanation

9.26 The Local Plan (Part One) policy [ENV 9](#) states that the Council will safeguard the extent of finite natural resources by delineating MSAs for sand and gravel, salt and shallow coal, as shown on the policies map. The main purpose of MSAs is to protect a mineral resource for the long term for future generations. They should ensure that mineral resources of local or national importance are not needlessly sterilised by non-mineral development. A MSA is not a proposed area of extraction and does not mean that mineral extraction proposals will be permitted within the area.

9.27 There is normally no need to create minerals safeguarding areas specifically for the extraction of hydrocarbons given the depth of the resource, the ability to utilise directional drilling and the small surface area requirement of well pads.

9.28 Assessment of the existing and potential value of the mineral resource should take account of the current and anticipated future cost of extracting the mineral and processing if required, and whether this results in a commercially viable operation.

9.29 No MSAs are required in respect of:

- hard rock – no hard rock resources within Cheshire West and Chester.
- building stone – no MSA can currently be delineated due to lack of evidence of building stone.

- silica sand - this was not included in the original MSA as according to the British Geological Survey (BGS) data, there are no deposits of silica sand within Cheshire West and Chester. Since then, data has been provided by an operator to indicate that there are deposits of silica sand in the Cranage area, which extend into Cheshire West and Chester. This area cannot be added to the MSA at this stage as this needs to be undertaken through the Local Plan (Part One). However, the relevant area is allocated for silica sand in Local Plan (Part Two) policy **M 7**, which will help to protect this site for silica sand use. A planning application for the site has also been submitted.
- deep coal, coal bed methane and shale gas – no MSA required but Petroleum Exploration Development Licences (PEDL) are shown on the policies map (see Local Plan (Part Two) policy **M 4** for more information).
- brick clay – no MSA required as clay deposits in the area are small and very localised. No representations were received requesting a MSA for brick clay during the targeted consultation on safeguarding of minerals undertaken by the Council in 2011.
- peat – no MSA required as there are no current workings of peat in Cheshire West and Chester and national policy severely restricts any further working of peat, so additional safeguarding is not required.

9.30 The boundaries of the MSAs are those indicated on the BGS Mineral Resource Maps, with no additional buffer zones. An informal, targeted consultation on safeguarding of minerals and minerals infrastructure was undertaken in 2011 and the results of the consultation have informed the MSAs.

9.31 The consultation responses to the targeted consultation showed a mix of views on the need for additional buffer zones, but the majority who suggested they were necessary were doing so on grounds other than minerals safeguarding. These included health and safety, and protection of access and haulage routes. As such, buffer zones were not considered to be required to safeguard the resource from the impact of proximal development. Whilst it is accepted that some minerals due to their geological configuration (angle of dipping strata) need additional buffer zones beyond the outcrop, this situation does not present itself in Cheshire West and Chester and therefore no buffer zones are proposed.

9.32 Types of development exempt from safeguarding:

- applications for householder development;
- applications for alterations and extensions to existing buildings and for change of use of existing development, unless intensifying activity on site;
- applications for advertisement, listed building or conservation area consent;
- applications for reserved matters including subsequent applications after outline consent has been granted;
- prior notifications (telecoms, forestry, agriculture, demolition);
- Certificates of Lawfulness of Existing Use or Development (CLEUD) and Certificates of Lawfulness of Proposed Use or Development (CLOPUD); or
- applications for works to trees.

M 3 - Proposals for minerals working

M 3

Proposals for minerals development will be supported where:

1. they are designed to minimise impact on the landscape and do not have a significant long-term detrimental impact on the landscape. This should take account of the operational requirements of the mineral extraction process, as well as landscape character assessment and proposed restoration.
2. it is appropriately screened from public view, if required, and would not have an unacceptable impact on visual amenity. Natural landforms and landscape features should be used to help screen developments as far as practicable. Additional landscape screening in the form of tree or hedgerow planting and/or suitable screen mound formation may be required to reduce visual impacts of the proposal.
3. adverse impacts on designated biodiversity sites must be avoided, in line with Local Plan (Part Two) policy **DM 44**, and project-level Habitats Regulations Assessment (HRA) may be required on a case-by-case basis.
4. it can be ensured that any odour, dust or particle emissions are controlled, mitigated or removed at source and will not have a significant detrimental impact on residential amenity or human health, in line with Local Plan (Part One) policy [SOC 5](#).
5. it can be ensured that any unavoidable noise and/or vibration is controlled, mitigated or removed at source so that proposed noise and/or vibration levels are acceptable and will not have a significant detrimental impact on residential amenity or human health, in line with Local Plan (Part One) policy [SOC 5](#). Where there is potential for a proposal to result in noise or vibration impacts which affect residential properties, or other sensitive receptors, the applicant must undertake a noise / vibration impact assessment. Some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction. Proposals must, however, seek to minimise noise levels and apply best practice in noise reduction.
6. illumination levels and siting and design of lighting are acceptable and do not cause a detrimental impact on residential amenity, wildlife or highway safety, whilst allowing safe operation of activities on site, in line with Local Plan (Part One) policy [SOC 5](#).
7. environmentally preferable alternatives to road travel are considered and used, where appropriate, to transport materials to and from the site, in line with Local Plan (Part One) policy [STRAT 10](#).
8. it will not result in an unacceptable adverse impact on tip- or quarry-slope stability.
9. it will not result in damage or interruption to statutory utilities or pipelines.
10. the cumulative impact on local communities and the environment with existing or proposed development of a similar kind in the same or adjoining areas is considered acceptable.
11. any plant or building:

- i. is designed and located within the site to minimise visual intrusion and impact on landscape;
- ii. is appropriately finished and coloured to assimilate into their surroundings;
- iii. will be removed from the site as soon as practicable and within twelve months of the cessation of mineral extraction unless there are overriding advantages in retention in connection with a related extraction proposal and the primary use is directly associated with the mineral extraction at the site.

Explanation

9.33 Local Plan (Part One) policy [SOC 5](#) states that development that gives rise to significant adverse impacts on health and quality of life, including residential amenity, will not be allowed. The criteria above provide additional details relevant to proposals for minerals working. Local Plan (Part Two) policy **T 5** relates to prevention of unacceptable impacts on amenity or road safety.

9.34 Noise / vibration impact assessments must be carried out in accordance with current guidance and in agreement with the Council's Environmental Protection team. Where the need to mitigate noise is identified, the applicant shall carry out detailed investigations and submit appropriate levels of mitigation, including details of the noise output, and the provision of purpose designed attenuation for all noise generative plant and equipment.

9.35 The view of the Cheshire Brine Subsidence Compensation Board and HSE will be taken into account when assessing the potential risk of subsidence and the associated impact on gas storage facilities.

9.36 Regular site liaison committees should be held, where there is interest from local residents. Operators should liaise with local communities when preparing new proposals and throughout the period of working and restoration of minerals sites.

9.37 This policy does not cover proposals for exploration, appraisal or production of hydrocarbons, which are covered by Local Plan (Part Two) policy **M 4**.

M 4 - Proposals for exploration, appraisal or production of hydrocarbons

M 4

In line with Local Plan (Part One) policy [ENV 7](#), proposals for all stages of oil and gas development (exploration, appraisal and production) will be supported where:

1. it can be ensured that any odour, dust or particle emissions are controlled, mitigated or removed at source and will not have a significant detrimental impact on residential amenity or human health, in line with Local Plan (Part One) policy [SOC 5](#);
2. gas emissions from exploration, appraisal or production operations and from associated transport methods are controlled and minimised using the best available technology. Gas emissions must not have a significant detrimental impact on air quality, residential amenity or the environment, in line with Local Plan (Part One) policy [SOC 5](#);
3. it can be ensured that any noise and/or vibration is controlled, mitigated or removed at source so that proposed noise and/or vibration levels are acceptable and will not have a significant detrimental impact on residential amenity or human health, in line with Local Plan (Part One) policy [SOC 5](#). Where there is potential for a proposal to result in noise or vibration impacts which affect residential properties, or other sensitive receptors, the applicant must undertake a noise / vibration impact assessment. Some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction. Proposals must, however, seek to minimise noise levels and apply best practice in noise reduction;
4. illumination levels and siting and design of lighting are acceptable and do not cause a detrimental impact on residential amenity, wildlife or highway safety, whilst allowing safe operation of activities on site, in line with Local Plan (Part One) policy [SOC 5](#);
5. above ground structures and facilities are minimised as much as practicable, by using pipelines and/or existing facilities where feasible and economically viable;
6. environmentally preferable alternatives to road travel (including pipelines) are considered and used, where appropriate, to transport materials to and from the site, in line with Local Plan (Part One) policy [STRAT 10](#);
7. anticipated levels of traffic resulting from the proposal will not result in a significant detrimental impact on residential amenity;
8. the cumulative impact on local communities and the environment with existing or proposed development of a similar kind in the same or adjoining areas is considered acceptable;
9. well pads and associated plant, buildings and other structures are removed from the site within six months of the cessation of oil or gas extraction, unless required for ongoing safety or monitoring purposes.

Exploration

Proposals for exploration of hydrocarbons will be supported where exploration is for an agreed length of time, and:

10. above ground activity has been directed to the least sensitive location within the site and above ground structures and facilities are grouped where possible. This is in order to reduce impacts on local residents and the environment, whilst still enabling exploration of the resource.
11. well pads and associated plant, buildings and other structures are designed and located within the site to minimise visual intrusion, and impact on landscape where possible. They are screened from sensitive locations if required and are appropriately finished and coloured to assimilate into their surroundings if required, taking account of the short-term nature of the operations.

Appraisal

Proposals for appraisal of hydrocarbons will be supported where:

12. above ground activity has been directed to the least sensitive location within the site and above ground structures are grouped where possible. This is in order to reduce impacts on local residents and the environment, whilst still enabling appraisal of the resource;
13. it is appropriately screened from public view if required and would not have an unacceptable impact on the landscape or visual amenity;
14. well pads and associated plant, buildings and other structures are designed and located within the site to minimise visual intrusion and impact on landscape. They are appropriately finished and coloured to assimilate into their surroundings if required, taking into account the potentially short-term nature of the operations.

Production

Proposals for the production of hydrocarbons will be supported where:

15. it has been demonstrated that the further works and the surface facilities required to manage the output from the well(s), including facilities for the utilisation or storage of hydrocarbons, where relevant, accord with the relevant development plan policies;
16. above ground activity has been directed to the least sensitive location within the site and above ground structures are grouped where possible. This is in order to reduce impacts on local residents and the environment, whilst still allowing production of the resource;
17. it is appropriately screened from public view if required and would not have an unacceptable impact on the landscape or visual amenity;
18. Well pads and associated plant, buildings and other structures are designed and located within the site to minimise visual intrusion and impact on landscape. They are appropriately finished and coloured to assimilate into their surroundings.

Explanation

9.38 Local Plan (Part One) policy [ENV 7](#) states that proposals to exploit the borough's alternative hydrocarbon resources will be supported in accordance with a set out criteria contained within that policy and all other relevant development plan policies.

9.39 The oil and gas policy includes both conventional and unconventional sources. Unconventional oil and gas comes from impermeable rocks, such as shale, which act as the reservoir. Coal bed methane and underground coal gasification are also considered to be unconventional sources.

9.40 Fracking is shale gas extraction using hydraulic fracturing. This involves drilling into the ground both vertically and horizontally to reach the shale rock area. A mixture of water, sand and chemicals is pumped into the well to fracture the shale rock to enable the gas to be released. Coal bed methane extraction involves removing methane directly from the coal seam. The water contained in the coal seam is removed to reduce the pressure on the coal, enabling the gas to be collected. The removal of water may involve hydraulic fracturing, depending on local geological conditions. Underground coal gasification involves drilling injection wells which are used to supply air and oxygen to ignite and fuel the underground combustion process. The product gasses are then brought to the surface.

9.41 The Onshore Hydraulic Fracturing (Protected Area) Regulations 2016 define the protected areas in which hydraulic fracturing will be prohibited. The regulations ensure that the process of hydraulic fracturing can only take place below 1200 metres in specified groundwater areas (Source Protection Zones 1), National Parks, Areas of Outstanding Natural Beauty and World Heritage Sites. Cheshire West and Chester includes specified groundwater areas, but does not include any of the other protected areas. Local Plan (Part Two) policy **DM 43** refers to Source Protection Zones and provides a link to the Environment Agency's map of these zones.

9.42 Extraction of unconventional oil and gas involves three main stages: exploration, appraisal and production. The exploration stage involves seismic surveys to understand the geological structure in the area, although they do not prove the existence of the mineral resources. Exploratory drilling is then used to determine whether hydrocarbons are present. The exploration phase usually takes around two to six months.

9.43 The appraisal (pre-production) stage may involve further seismic work or drilling to establish whether the deposit can be economically exploited. It is usually a relatively short-term activity, typically between six months and two years.

9.44 The production stage involves the long term production of oil or gas commercially. In most cases the initial seismic survey work can be completed under permitted development rights, but apart from this, planning permission is required for each phase of hydrocarbon extraction.

9.45 The extraction of coal bed methane and shale gas will be incremental and is likely to involve more than one exploration and production site. Due to advanced drilling techniques, these sites can be up to one kilometre apart.

9.46 The Oil and Gas Authority (an executive agency of the Department for Business, Energy and Industrial Strategy) issue Petroleum Exploration and Development Licences (PEDL). PEDL grant exclusive rights to search, bore for, and get, petroleum in specific ordnance survey blocks once other permissions and approvals are in place. PEDL's cover the various stages of the full development cycle of oil and gas exploration, appraisal; production and decommissioning of the wells. A PEDL licence grants no automatic permission for drilling or facilities siting and construction.

9.47 Several PEDLs have been granted or offered within Cheshire West and Chester and are shown on the policies map. As at March 2017 there were 16 PEDL areas covering the majority of Cheshire West and Chester and all of these areas had been awarded a licence.

9.48 Where land is allocated or safeguarded for a particular use, but the land is also covered by a PEDL licence, use for oil or gas extraction may still be acceptable as long as the allocation or safeguarding is not affected and the proposal complies with the criteria above, and relevant development plan policies.

9.49 A Supplementary Planning Document: Oil and Gas Exploration, Production and Distribution (SPD) was adopted on 5 May 2017. This document provides additional detail and guidance relating to oil and gas developments, in accordance with the existing Local Plan (Part One) policy and proposed Local Plan (Part Two) policy.

9.50 On-shore hydrocarbon extraction is comprehensively regulated and the four main statutory bodies involved in this process are the Local Planning Authority, the Oil and Gas Authority, The Environment Agency and the HSE. The Oil and Gas Authority are responsible for issuing PEDL licences and regulating the efficient use of the resource. The Environment Agency are responsible for protecting groundwater, controlling emissions to air, managing any naturally occurring radioactive materials and ensuring appropriate treatment and disposal of mining waste. The HSE regulate the design, construction and operation of wells in order to protect health and safety. The statutory bodies will assist with the collection and provision of baseline information and monitoring any changes to this baseline data.

9.51 The Oil and Gas Exploration, Production and Distribution SPD provides more detail about the role of the statutory bodies. As the other statutory bodies are responsible for assessment, control and monitoring of issues such as fugitive emissions, water quality and safety, these issues have not been covered by detailed criteria within the oil and gas policy. The view of these three statutory bodies will be taken into account when determining planning applications. The Oil and Gas Exploration, Production and Distribution SPD includes additional detail relating to the criteria within the policy, for example in terms of landscape protection, flaring, and traffic and transport.

9.52 Noise / vibration impact assessments must be carried out in accordance with current guidance and in agreement with the Council's Environmental Protection team. Where the need to mitigate noise is identified, the applicant shall carry out detailed investigations and submit appropriate levels of mitigation, including details of the noise output, and the provision of purpose designed attenuation for all noise generative plant and equipment.

9.53 Some issues are not considered specifically within this policy as they are already covered by policies within the Local Plan (Part One) or within other Local Plan (Part Two) policies, and the development plan will be read as a whole when determining planning applications. This includes issues such as climate change, protection of wildlife and biodiversity, protection of the historic environment, landscape character, agricultural land, flood risk, water resources, subsidence and land instability and public rights of way and restoration. Restoration of minerals sites (including oil and gas sites) is covered by Local Plan (Part Two) policy **M 5**. Local Plan (Part Two) policy **T 5** relates to prevention of unacceptable impacts on amenity or road safety.

9.54 The view of the Cheshire Brine Subsidence Compensation Board and HSE will be taken into account when assessing the potential risk of subsidence and the associated impact on gas storage facilities. The potential for carbon capture and storage should be assessed and implemented where feasible and economically viable.

9.55 Regular site liaison committees should be held, where there is interest from local residents. Operators should liaise with local communities when preparing new proposals and throughout the period of working and restoration of oil and gas sites. Additional information relating to community liaison is provided within the Oil and Gas Exploration, Production and Distribution SPD.

9.56 Government guidance states that existing hydrocarbon extraction sites should be identified in local plans, where appropriate. The following sites currently have planning permission for coalbed methane exploration, appraisal and production:

- land at the end of Portside North, Ellesmere Port.
- Plot 11, Ince Park, Ince.

M 5 - Restoration of minerals and oil and gas sites

M 5

In line with Local Plan (Part One) policy [ENV 9](#), proposals for minerals development and oil and gas development will be supported where it can be demonstrated that the scheme includes an appropriate phased sequence of extraction, restoration and after use and aftercare which will enable long-term enhancement of the environment.

Proposals for restoration and aftercare of minerals and oil and gas sites, including proposals for review of restoration strategies and plans, will be supported where:

1. proposals for restoration and aftercare are sufficiently comprehensive, detailed, practicable and achievable within the proposed timescales;
2. the land affected at any one time by the minerals or oil or gas operation would be minimised by including phased working and by restoration at the earliest possible opportunity;
3. the amount of imported backfill would be the minimum necessary to achieve the satisfactory restoration of the site;
4. differential settlement of quarry backfill is avoided;
5. the restoration is appropriate to the location and is sympathetic to and informed by landscape character and the historic environment;
6. opportunities for restoration to improve or enhance habitats, biodiversity, landscape, agricultural land quality, historic environment or community use would be maximised; and
7. the aftercare provision would be sufficient to secure high quality and sustainable restoration of the site.

Restoration proposals will be subject to a minimum five year period of aftercare. Where proposals or elements of proposals, such as features of biodiversity interest, require a longer period of management the proposal will only be permitted if it includes details of the period of extended aftercare and how this will be achieved.

Explanation

9.57 National policy requires local planning authorities to ensure that worked land is reclaimed at the earliest opportunity and that high quality restoration and aftercare takes place. Local Plan (Part One) policy [ENV 9](#) requires all proposals for minerals development to include high quality restoration and aftercare proposals in keeping with surrounding land uses.

9.58 Proposals for minerals or oil and gas development should be accompanied by a restoration scheme that provides comprehensive details of the order and timing of phases of operation, restoration and of the final main after uses. Where it is impracticable to submit full restoration details at the planning stage, proposals should include: an overall concept plan with sufficient details to demonstrate that the scheme is feasible in both technical and economic terms; and illustrative details of contouring, landscaping and any other relevant information as appropriate. It is essential that the detailed restoration proposals for minerals and oil and gas developments are properly considered at the application stage to minimise impacts and ensure long term benefits are secured.

9.59 The long term benefits may include:

- planting of trees or hedgerows;
- sculpting of the land to complement the surrounding landform;
- additional habitats or nature conservation value;
- additional amenity uses or links to the local public rights of way network; and / or
- contribution to local ecological networks.

9.60 Community safety should be considered and dealt with in proposals involving new amenity uses or links to the public rights of way network.

9.61 It is important that management responsibilities are identified and agreed between the developer and those taking on the aftercare of the site to ensure that the proposed after-use can and will be delivered. Developers will be encouraged to enter into planning agreements to ensure that the appropriate aftercare provisions remaining in effect for the required aftercare period.

M 6 - Salt and brine working

M 6

In line with Local Plan (Part One) policy [ENV 9](#), provision will be made for a steady and sustainable supply of salt and brine. To do this, salt and brine will continue to be provided from:

- A. the existing operations at Winsford Rock Salt Mine (South Bostock) – which currently has a reserve of approximately 30 million tonnes, to be extracted at a rate of around one million tonnes per year. The site is safeguarded for salt extraction as identified on the policies map.
- B. controlled brine pumping at the Holford Brinefields (existing permitted site). The site is safeguarded for brine extraction as identified on the policies map.

Any proven additional requirements for salt extraction during the plan period will, subject to planning permission, be met from within the Preferred Area for rock salt extraction at Winsford Rock Salt Mine, as identified on the policies map.

Any proven additional requirements for salt extraction in the form of brine, during the plan period will, subject to planning permission, be met from within the Preferred Areas for controlled brine extraction at Holford Brinefield A, B, C and D, as shown on the policies map.

Any proposals involving production or use of brine and salt must ensure sustainable use of this resource.

Salt or brine proposals within the Preferred Areas will be supported where it has been demonstrated that they accord with relevant development plan policies, including Local Plan (Part Two) policy **M 3**.

Any proposals outside the permitted sites or preferred areas will only be supported where it has been demonstrated that the required level of provision cannot be met from within these areas and the proposal would secure significant material planning benefits that outweigh any material planning objections.

Explanation

9.62 Local Plan (Part One) policy [ENV 9](#) identifies that Cheshire West and Chester will make provision for the adequate, steady and sustainable supply of salt and brine. Any new proposals for salt or brine extraction within the safeguarded areas would still require planning permission and would need to comply with relevant development plan policies, including Local Plan (Part Two) policy **M 3**.

9.63 Part of Holford Brinefield B has planning permission for a combined natural gas storage and brine production project, the Keuper Gas Storage Project. This permission was granted by the Planning Inspectorate as a Nationally Significant Infrastructure Project.

9.64 The Preferred Areas at Winsford Rock Salt Mine and Holford Brinefields were put forward and assessed through the Minerals Call for Sites. Within the Preferred Areas a planning application would still be required.

9.65 Within the rock salt Preferred Area, the potential for impacts on Delamere sand aquifer and groundwater and on Wimboldsley Wood Site of Special Scientific Interest and other nearby protected sites would need to be taken into account and avoided or mitigated sufficiently.

M 7 - Industrial sand proposals

M 7

A steady and adequate supply of silica sand will be maintained throughout the plan period. This will be achieved by:

- A. the allocation of a site at Rudheath Lodge, New Platt Lane, Cranage, for silica sand extraction.

The allocated site, as identified on the policies map, will be safeguarded against non-mineral development that prejudices its ability to supply industrial sand.

Proposals for silica sand extraction within the allocated site and outside this site will be supported provided that:

1. there is a demonstrable need for silica sand of a specific quality and quantity that will be met by the proposal; and
2. the proposal will contribute to maintaining a stock of permitted reserves of at least 10 years for individual sites and 15 years for sites where significant new capital is required, to support the level of actual and proposed investment required for new or existing plant and equipment; and
3. the proposal accords with relevant development plan policies, including Local Plan (Part Two) policy **M 3**.

Any proposals for sand extraction at Rudheath Lodge would need to consider the potential impacts on Newplatt Mere Local Wildlife Site and provide mitigation measures if necessary, to avoid any significant detrimental impacts on biodiversity.

Explanation

9.66 The British Geological Survey minerals data does not show any provision of industrial silica sand within Cheshire West and Chester, which is why the Local Plan (Part One) does not set out a requirement to allocate industrial silica sand sites. However, as part of the Minerals Call for Sites, a site at Rudheath Lodge, Cranage was put forward. This site is partly within Cheshire West and Chester and partly within Cheshire East. Initial information submitted as part of the Minerals Call for Sites did not provide sufficient evidence of silica sand at this location and as such, the site was not identified as a potential allocation within the previous version of the Local Plan (Part Two). Since then, a planning application has been submitted relating to the site and additional information has been received providing borehole evidence of silica sand provision at the Rudheath Lodge site, in both the Cheshire West and Chester and Cheshire East part of the site.

9.67 The NPPF suggests that the required stock of permitted reserves for each silica sand site should be based on the average of the previous 10 years sales. There have not been any silica sand sites or sales within Cheshire West and Chester over the past 10 years so it is not possible to set a

requirement figure at this time. The second part of the policy ensures that any future applications would contribute to maintaining a stock of permitted reserves of at least 10 years for individual sites and 15 years for silica sand sites where significant new capital is required.

M 8 - Minerals infrastructure

M 8

In line with Local Plan (Part One) policy [ENV 9](#), significant infrastructure that supports the supply of minerals in Cheshire West and Chester will be safeguarded from incompatible development.

Non-mineral development (excluding the development types identified in the policy explanation) with the potential to impact on a mineral infrastructure safeguarded site used for mineral processing, handling, and transportation will not be supported unless it can be demonstrated that:

1. the non-mineral development would not unduly restrict the use of the mineral infrastructure site;
2. the material planning benefits of the non-mineral development would outweigh the material planning benefits of the mineral infrastructure site;
3. the mineral infrastructure can be relocated; or
4. alternative capacity can be provided elsewhere.

Explanation

9.68 Local Plan (Part One) policy [ENV 9](#) states that existing and potential sites for minerals infrastructure will be safeguarded, but does not identify sites. An informal, targeted consultation on safeguarding of minerals and minerals infrastructure was undertaken in 2011 and the results of the consultation have informed the identification of mineral infrastructure.

9.69 Mineral infrastructure safeguarded sites are identified in Table 9.1. It should be noted that some of the infrastructure types have permitted development rights and can undertake specific types of development without needing planning permission. It is not possible to prevent these changes using the planning policy as the policy only relates to relevant development that requires planning permission.

Table 9.1 Mineral infrastructure safeguarded sites

Facility type	Site	Planning status	Operator
Rail sidings	Freight terminal, Ellesmere Port	Operational	Quality Freight Ltd
	Resource Recovery Park, Ince	Planned/ non-operational	
	Lostock works rail sidings	Non-operational former mineral sidings	
Wharves	Resource Recovery Park, Ince	Planned/ non-operational	

Facility type	Site	Planning status	Operator
	Manisty wharf (Port Bridgewater), Ellesmere Port	Operational	Quality Freight Ltd
Asphalt plant	Stanlow	Operational	Cemex
	Wincham Lane, Northwich	Operational	Express Asphalt
	The Quarry, Hobb Hill, Malpas	Operational	Quarry Plant Surfacing
Concrete batching plant	Deakin's Road, Winsford	Operational	Hanson
	Sealand Trading Estate, Chester	Operational	Hanson
	Bridges Road, Ellesmere Port	Operational	Hanson
	Liverpool Road, Chester	Operational	Bardon Concrete
	Wharton Industrial Estate, Nat Lane, Winsford	Operational	Cemex
	Tattenhall Road Tattenhall	Operational	T G Group
Substitute, recycled and secondary aggregate operators	Middlewich Road, Rudheath, Northwich	Operational	AAA Skip Hire
	Liverpool Road, Chester	Operational	Cheshire Waste Skip Hire
	Indigo Road, Ellesmere Port	Operational	Dig and Shift Ltd

9.70 Types of development exempt from safeguarding:

- applications for householder development;
- applications for alterations and extensions to existing buildings and for change of use of existing development, unless intensifying activity on site;
- applications for advertisement, listed building or conservation area consent;
- applications for reserved matters including subsequent applications after outline consent has been granted;
- prior notifications (telecoms, forestry, agriculture, demolition);
- Certificates of Lawfulness of Existing Use or Development (CLEUD) and Certificates of Lawfulness of Proposed Use or Development (CLOPUD); or
- applications for works to trees.

10 Development Management

10.1 The following development management policies are intended to be relevant to any type of proposal whether large or small scale. New development and redevelopment should be appropriate to the site; achieve a high quality of design and efficient use of land and buildings; and should respond creatively and positively to the character and distinctiveness of the surrounding area. All new development, including residential and commercial proposals, should also reflect the area's distinctive development form and patterns of building, spaces, and means of enclosure, townscape and landscape, and incorporate in the design those features which are important to the history and form of the area.

10.2 The Council's Housing and Employment Land Availability Assessment (2017) (HELAA) shows that there is a healthy supply of previously developed land in the borough which can support a significant level of development for housing, employment and mixed use. In line with Local Plan (Part One) policy [STRAT 1](#), the Council supports a mix of uses on appropriate sites, that can provide housing, employment and other community and open space facilities that will contribute towards sustainable communities.

10.3 The National Planning Policy Framework (NPPF) requires authorities to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes based on the defining characteristics of the area. The borough has a diverse range of high quality built and natural environments in the urban and rural area that should be protected from potential adverse impacts resulting from development. All development should achieve a high level of design and build quality that respects these environments and improves an area where possible.

10.4 Good design has a role in achieving sustainable development and adapting to, or mitigating, climate change. It will support sustainable development because it will reuse and adapt existing buildings to new uses, as well as designing new buildings and housing that can meet the changing needs of the occupants over their lifetime. This will reduce the amount of resources required for development.

DM 1 - Development of previously developed land

DM 1

Identified settlements

The development of previously developed land will be supported in line with Local Plan (Part One) policy [STRAT 1](#) where it does not conflict with other relevant development plan policies. Development proposals must be of an appropriate mix of uses and density whilst fully respecting the existing character and layout of the surrounding area to maximise the use of land.

Countryside

Proposals for residential development in the countryside, outside of identified settlements, will be determined in line with the criteria set out in Local Plan (Part Two) policy **DM 19**. Proposals for all other development on previously developed land in the countryside, outside of identified settlements, will only be supported where they are in line with Local Plan (Part One) policies [STRAT 1](#) and [STRAT 9](#), and where relevant:

1. they do not result in the loss of buildings that contribute to the rural character of an area;
2. replacement buildings are for the same use (unless the alternative use is policy compliant);
3. the design and layout of the development fully reflects the rural character of the area and does not 'urbanise' the countryside.

Green Belt

In addition, in line with Local Plan (Part One) policy [STRAT 9](#), proposals for the development of land in the Green Belt must accord with Green Belt policy as set out in the National Planning Policy Framework (NPPF).

Explanation

10.5 The Local Plan (Part One) policy [STRAT 2](#) sets out the levels of development in the borough and whilst these levels are not maxima, the development plan does not support the unnecessary loss of greenfield land and countryside. The overall housing target of 22,000 new dwellings by 2030 can be achieved through the delivery of planning commitments, strategic sites and housing land allocations. It should not be necessary to develop additional housing on greenfield or countryside sites outside of identified settlements, unless it can be demonstrated that the development would meet a rural affordable housing need in line with Local Plan (Part One) policy [SOC 2](#) and Local Plan (Part Two) policy **DM 24**.

10.6 The Council will promote the re-use of suitable previously developed land for residential development through a Brownfield Land Register (Part 1). The register will identify suitable sites that have been assessed against criteria to ensure that sites are sustainably located in line with the strategy of the Local Plan. Where appropriate, sites will be identified on a Brownfield Land Register (Part 2) with permission in principle for residential development.

10.7 The Brownfield Land Register sets out the level of development appropriate on each site which ensures the best use of land is achieved through densities of development that reflect the existing character and scale of its location as well as accessibility to transport hubs. The Brownfield Land Register should be used as a guide to achieving suitable development densities on previously developed land that may come forward through the development management process.

10.8 Paragraph 89 of the NPPF sets out the exceptional circumstances within which development may be permitted on land in the Green Belt. Replacement buildings, extensions and alterations to buildings in the Green Belt are restricted in size and scale. Proposals for limited infilling or the partial or complete redevelopment of land in the Green Belt may be permitted where there would be no greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

DM 2 - Impact on residential amenity

DM 2

In line with Local Plan (Part One) policy [SOC 5](#), all proposals for new development will be expected to safeguard the quality of life for residents within the development and those living nearby. Development will only be supported where it does not result in a significant adverse impact upon the residential amenity of the occupiers of existing properties or future occupiers of the proposed development, including:

- outlook
- privacy
- light
- noise
- odour

In respect of light, regard will be had to loss of sunlight and daylight, and to the impact of artificial light.

Residential development must include an appropriate quantity and quality of outdoor private amenity space, having regard to the type and size of the proposed development.

Explanation

10.9 All development within the borough must safeguard the quality of life of its residents by ensuring that an acceptable level of residential amenity is provided for future occupiers of proposed development and retained for the occupiers of any existing neighbouring properties. When considering the impact of development proposals on the residential amenity of properties within and adjacent to the application site, regard must be had to any significant loss of light, overshadowing, reduction in outlook, overlooking, significant harm from excessive noise, light or odour in relation to habitable rooms or

main outdoor private amenity spaces, the quantity and quality of outdoor private amenity space included to serve the needs of the development, and any other relevant factors which may result in reduced quality of life of residents in relation to residential amenity.

10.10 New development should be designed to have particular regard to the residential amenities achieved within habitable rooms and outdoor private amenity spaces of both the proposed development and existing neighbouring properties. Normally, there should be a minimum distance of 21 metres between facing windows of main habitable rooms and 13 metres between windows of main habitable rooms and blank walls, although, other considerations including separation distances in the immediate surroundings, and the orientation and heights of land and buildings will be taken into account.

10.11 Noise, odour or light pollution from development can have a negative impact on residential amenity. The careful location of windows and lighting can, however, make a positive contribution towards creating safe environments and reducing the fear of crime.

10.12 In granting a planning permission, the Council may impose conditions to control the impacts of development to protect residential amenities. Further guidance on the design solutions that can be used to comply with this policy may be included within relevant Supplementary Planning Documents for different types of development and locations.

DM 3 - Design, character and visual amenity

DM 3

In line with Local Plan (Part One) policy [ENV 6](#), development will be expected to achieve a high standard of design that respects the character and protects the visual amenity of the local area. Design solutions will be supported that, where relevant:

1. are designed to respect the scale, character and appearance of any existing building within the site and contribute positively to the character of the area;
2. respect and where appropriate enhance the prevailing layout, urban grain, landscape, density and mix of uses, scale and height, massing, appearance and materials;
3. contribute to the legibility of the area, through form, layout and detailing;
4. are sympathetic to the characteristics of the development site, its relationship with its surroundings and where appropriate views into, over and out of the site;
5. respect and where possible enhance local distinctiveness through the use of building layout, design, materials, architectural detailing, public realm and boundary treatment;
6. provide adequate external storage and amenity space;
7. create safe environments and reduce the fear of crime in the area;
8. do not prejudice the long term planning of the area.

Development in the countryside will only be permitted where it would respect the key features of the landscape in line with Local Plan (Part Two) policy **GBC 2**, and is not detrimental to its character.

New development within the curtilage of a dwellinghouse will be assessed in line with the development plan, including Local Plan (Part Two) policy **DM 21**.

Explanation

10.13 The objectives of this policy can be achieved through careful design that considers the siting, scale, layout, density, design and landscape treatment of new development. Design solutions, where appropriate, should take opportunities to:

- maintain and enhance the architectural detailing and elevational treatment of main frontages and prominent elevations and align entrances to buildings with active frontages in the public realm;
- protect and provide unifying features of design such as gate piers, landscaping, walls, boundary fences and the nature, quality and type of materials;
- ensure that extensions to existing property will match or complement the design and materials of the existing buildings and avoid a terracing effect between separate buildings;
- reflect the traditional/historic physical and landscape characteristics of the area;
- take full account of any formally adopted area-specific design or density controls, master plans, character appraisals or area-specific management plans.

10.14 In meeting its duties under the Crime And Disorder Act, and as set out in the NPPF, the Council will aim to create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion, through the consideration of such matters as siting, layout and design, and any relevant national guidance.

10.15 New development should ensure that there is adequate external storage space for bins and recycling, as well as vehicles and cycles. Sufficient space should be included for the sorting and storage of recyclable waste materials in a convenient location, the composting of household waste (where practicable), and the collection of these and other waste materials and, in larger development schemes, for recycling on site (for more information see the Council's pre-planning guidance notes on waste and recycling storage and collection in new developments).

10.16 Access to convenient and secure cycle and other vehicle storage should be provided in line with Local Plan (Part Two) policy **T 5**. The size and shape of outside amenity space must be carefully considered, and it is recommended that rear gardens are at least equal to the ground floor footprint of a dwelling. Triangular shaped gardens rarely offer a practical, usable space, and residents should be able to access their garden without having to walk through their home.

10.17 This policy will principally be delivered through the development management process, in association with Local Plan (Part Two) policy **DM 4** and other relevant development plan policies. Further guidance on the measures that can be taken to comply with this policy are included within relevant Supplementary Planning Documents for different types of development and locations.

DM 4 - Sustainable construction

DM 4

In line with Local Plan (Part One) policy [ENV 6](#), all development proposals (including changes of use) will be expected to achieve the highest levels of energy and water efficiency that is practical and viable, and to maximise opportunities to incorporate sustainable design features where feasible.

New dwellings will be required to meet the optional higher National Housing Standard for water consumption of 110 litres per person per day.

Non-domestic buildings will be expected to achieve a BREEAM rating of 'Excellent', unless it can be demonstrated that this is not technically or financially viable.

Innovative sustainable design solutions for energy efficiency and low carbon energy generation and use over and above Building Regulations and/or National Housing Standards will be supported. In all cases proposals for on-site renewable energy and low carbon generation will also need to meet the requirements of Local Plan (Part One) policy [ENV 7](#).

Where appropriate, major development proposals should be designed and incorporate measures to enable connections to a district heat network to be made now or in the future.

The Council will encourage the use of sustainable construction techniques that promote the reuse and recycling of building materials, maximise opportunities for the recycling and composting of waste on all new development proposals (residential and non-residential) and reduce CO₂ emissions.

Where the Council considers it likely that the proposal will result in significant adverse environmental effects during the construction phase a Construction Environmental Management Plan (CEMP) will be required.

Explanation

10.18 Local Plan (Part One) policies [STRAT 1](#) and [ENV 6](#) require developments to mitigate and adapt to the effects of climate change; incorporate energy efficiency measures; provide for renewable energy generation; and meet applicable nationally described standards for design and construction. This policy aims to ensure that these sustainability principles are taken into account at all stages of development, including demolition of existing buildings, construction and long-term management, and are considered at the earliest possible stage in the design process.

10.19 This policy does not include specific requirements relating to energy performance in new buildings but seeks to secure sustainable design features to maximise resilience and adaptation to climate change. Sustainable design features include:

- sustainable sourcing of materials and their efficient and appropriate use, including their durability;
- taking account of the sun when designing site layouts and individual buildings, including natural ventilation;
- minimising waste and maximising recycling;
- incorporating Sustainable Drainage Systems (SuDS) wherever feasible;
- minimising water consumption;
- inclusion of features such as green roofs and walls;
- use of innovative approaches to low carbon construction processes (e.g. modular construction);
- minimising energy consumption and improving energy performance;
- minimising net greenhouse gas emissions of the proposed development;
- maximising on-site low or zero carbon energy generation.

10.20 The Government's National Housing Standards allow councils to apply either the basic Building Regulation water efficiency standard of 125 litres per person per day or a single optional higher national standard of 110 litres per person per day. The optional higher standard, although slightly less stringent, is close to the 105 litres per person per day recommended in the Council's Water Cycle Strategy (2010). This level of consumption can be achieved without the need for rainwater harvesting or greywater recycling systems and is not regarded as excessive or unachievable. This standard will be applied by planning condition as required by the National Housing Standards and will apply to all new dwellings.

10.21 The Council will encourage the provision of small-scale renewable energy developments utilising technology such as solar panels, biomass and wood-fuel heating, small-scale wind turbines and photovoltaic cells where these would not have any significant adverse impact. The development of small scale renewable energy schemes and micro-generation that provide power for specific development proposals rather than for commercial generation of electricity can also make a contribution and will be supported wherever appropriate.

10.22 Waste prevention lies at the top of the waste hierarchy with the principal objective being to minimise the amount of waste produced. Consideration should be given, through a waste audit, to the type and volume of waste that the development will generate; the steps to be taken to ensure that the maximum amount of waste arising from the site development process is incorporated within the new development; and the steps to be taken to reuse and recycle the waste that cannot be incorporated within the new development.

10.23 The Council has identified the potential for heat networks to be developed within the borough through the Low Carbon and Renewable Energy Study (2012) and subsequent energy masterplanning and feasibility studies. Major development proposals should be designed to either connect to an existing heat network, or to incorporate space to safeguard the future provision of pipework, energy hubs or other associated heat infrastructure to ensure that the subsequent connection to a future district heating network can be undertaken without causing disturbance to buildings or infrastructure. Currently areas within Ellesmere Port and Stanlow, where there are existing heat generators and energy users, have been identified for the potential to establish district heat network, but opportunities may arise in other parts of the borough in the future.

10.24 A CEMP will be required where it is considered that development will result in significant adverse environmental effects, as identified in an Environmental Statement. This will provide the framework for which commitments made in the Environmental Statement or any requirements of planning conditions or Section 106 legal agreements can be realised. The CEMP outlines the contractors approach to environmental management throughout the construction phases with the primary aim of reducing any adverse impacts from construction on local sensitive receivers, including noise and air quality. The CEMP should also take into account other considerations including registration with the Considerate Constructor Scheme and the Code of Practice for the Sustainable Use of Soils on Construction Sites.

10.25 Legislation, policy, guidance and technology is continually changing in this area. Therefore, to assist in the application of this policy, the Council may prepare technical guidance notes, checklists for planning applications or supplementary planning documents, relating to technological changes and advances in improving the performance of buildings and accommodating Central Government guidance notes and changes in legislation as they emerge.

11 Economic growth, enterprise and town centres

11.1 This chapter of the Local Plan (Part Two) provides policies to support economic growth, enterprise and town centres in the borough. They provide a positive framework against which to assess planning applications, in the context of national planning policy and the overarching economic policies in the Local Plan (Part One); specifically [ECON 1](#), [ECON 2](#) and [ECON 3](#).

11.2 The Local Plan provides a flexible supply of employment land allocations to meet a range of sizes and types of site across the borough including in the rural area. These sites are identified through the strategic policies of Local Plan (Part One) and specific employment land allocations for each of the spatial areas in the borough, within the Local Plan (Part Two). It is important to retain sufficient quantity and quality of employment sites and premises to cater for the varying needs of businesses. Policies also guide development in the rural area in relation to the development of new agricultural buildings, schemes for rural diversification and equestrian development.

11.3 The policies support the continued vitality and viability of the borough's city, town and local retail centres. It is recognised that economic vitality can be influenced by the quality of the shopping environment, including the design of advertisements, shopfronts, blinds and security shutters. The provision of visitor accommodation (new build, conversion or expansion) will be in line with the settlement hierarchy of Local Plan (Part One) policies [STRAT 2](#) to [STRAT 9](#) and ensure that the type and scale of accommodation is appropriate to its location.

11.4 The Council will work with other stakeholders to ensure new development does not adversely impact on the efficient operation of areas around aerodromes, the Jodrell Bank telescope, Oulton Park race track and to ensure provision of new information communication networks (ICT).

11.5 The Council will support initiatives and accessibility to further/higher education facilities in the borough including the University of Chester, West Cheshire College and Mid Cheshire College improving skills and links to main employers. Development proposals are encouraged to include a local procurement and employment scheme that supports the use of local labour including apprenticeships and training opportunities where appropriate.

DM 5 - Protection and refurbishment of employment land and premises

DM 5

Development proposals that would result in the loss of employment land or premises (use classes B1, B2, B8 or other similar employment uses) will only be supported where they meet the requirements of Local Plan (Part One) policy [ECON 1](#) and the following criteria:

1. the proposal would not limit the range, quality and quantity of employment land allocated to meet the strategic development requirements to 2030 set out in Local Plan (Part Two) policies **CH 3, EP 2, N 4, W 2 and R 3**;
2. reasonable attempts must have been made (and evidenced) to continuously let or sell the premises for employment use for at least 12 months at a reasonable rate and there is no reasonable prospect of the site being re-used for employment uses;
3. the proposed use is compatible with the location, neighbouring land uses, the character of the surrounding area and would contribute towards achieving a more sustainable pattern of development in line with Local Plan (Part One) policy [STRAT 1](#);
4. the development is necessary to secure additional employment development that would not otherwise be viable; and
5. the development would meet relevant requirements of neighbourhood plan policies on the protection of employment land and local priorities.

Explanation

11.6 Local Plan (Part One) policy [ECON 1](#) only allows the redevelopment of existing employment sites and premises for non-employment uses where the proposal is compatible with the remaining employment uses in the locality and where it would not limit the range, choice and quality of employment sites available to meet future employment needs.

11.7 This policy adds further detail to Local Plan (Part One) policy [ECON 1](#), particularly in relation to the level and type of evidence that is required to justify any loss of employment land where reasonable attempts must have been made to let or sell or premises for employment use at a reasonable rate (a minimum of 12 consecutive months of current marketing evidence will be required). Priority will be given to protecting employment land allocations that are made to meet the strategic development requirements of Local Plan (Part One), with regard to the Council's most recent Employment Land Study, Housing and Economic Land Availability Assessment or monitoring data.

11.8 The policy should be read alongside other relevant development plan policies, in particular where the development could give rise to specific impacts, such as biodiversity, noise, highways, hazardous risks.

11.9 In some instances, temporary permitted development rights will apply in respect of some changes of use, for example a B8 storage and distribution use under 500m² to C3 residential use.

This is subject to a number of criteria being met and subject to Prior Approval being sought from the Council. For a property to benefit from C3 use in this instance, the use must begin by 15 April 2018. Further temporary permitted changes of use apply to B1 offices to specific retail uses. Light industrial uses (B1c) to dwellinghouses are again subject to limitations and conditions including the prior approval of the Council in respect of certain matters, from 1 October 2017 to 1 October 2020.

DM 6 - New agricultural and forestry buildings

DM 6

Proposals for the erection of agricultural and forestry buildings will be supported where they meet the requirements of Local Plan (Part One) policy [STRAT 9](#) and the all of the following criteria:

1. it is demonstrated that there is an operational need for the development in connection with the agricultural or forestry enterprise;
2. the proposal is satisfactorily sited in relation to any existing buildings in order to minimise its impact on the landscape;
3. it is appropriate in scale, design, materials and landscaping so not to harm the character of the countryside or the amenity of nearby residents, having regard to the needs of the business;
4. adequate provision is made for the disposal of foul and surface water drainage and animal wastes without risk to watercourses;
5. adequate provision is made for access and movement of machinery and livestock to avert the intensification or creation of a traffic safety hazard;
6. it minimises and mitigates impact on biodiversity and geodiversity.

Explanation

11.10 Local Plan (Part One) policy [STRAT 9](#) allows development that has an operational need for a countryside location, such as for agricultural or forestry operations, providing it is of an appropriate scale and design to not harm the character of the countryside. The erection of new farm buildings can have a major impact in the countryside but that impact will be particularly pronounced in prominent locations. Where there is need for new farm buildings and these require planning permission or prior notification, the Council will seek to ensure that their impact on the environment and highways is minimised, whilst having regard to modern business needs.

11.11 To ensure that agriculture can continue its essential role as an important and developing industry but with appropriate environmental safeguards to protect the appearance of the countryside and prevent significant harmful impact upon residents' living conditions by reason of noise, loss of light or any other relevant factor which results in a significant reduction in the residents' quality of life. Further detail relating to consideration of other impacts, such as amenity impacts, biodiversity, noise, highways etc are covered by other policies in the development plan. Consideration of nature conservation interest will take place in line with Local Plan (Part Two) policy **DM 44** and where there

is unavoidable loss or damage, mitigation and compensation may be required. There should be no adverse effect statutorily designated sites of nature conservation value, a project-level Habitats Regulation Assessment (HRA) may be required on a case by case basis.

11.12 The General Permitted Development Order (GPDO) allows for certain types of agricultural or forestry development to take place without the need for planning permission, subject to prior approval being sought from the Council. Where planning permission is required for new agricultural buildings, the Council will consider the need to withdraw permitted development rights to address a specific issue such as the conversion of of the building to another use.

DM 7 - Rural diversification of land based businesses

DM 7

Proposals for the diversification of agricultural and other land based rural businesses will be supported where they meet the requirements of Local Plan (Part One) policy [STRAT 9](#) and all of the following relevant criteria:

1. development proposals must be ancillary and related to the primary rural business;
2. the development must be necessary to support the continued viability of the land based business;
3. proposals utilise existing buildings where possible. Where it is demonstrated that no suitable buildings are available, any proposals for new buildings shall be subject to Local Plan (Part One) policy [STRAT 9](#);
4. development proposals must minimise and mitigate any impacts on the character, amenity, visual appearance and landscape quality of the area, or on any wildlife habitats, the significance of historic assets, and where possible lead to environmental improvements in line with other relevant development plan policies;
5. the transport generated can be satisfactorily accommodated on the highways network and the development provides suitable vehicular access and parking arrangements. A transport assessment will be required in sensitive locations;
6. the cumulative effects of individual development proposals are considered.

In addition to the above, any proposals for retail sales must be limited in scale and be in line with Local Plan (Part One) policy [ECON 2](#). New or extensions to existing farm shops will be permitted where:

7. the range of goods to be sold is restricted to those in connection with the land-based business such as foodstuffs, plants and rural craft products; and
8. the proposal would not undermine the vitality and viability of local shops or retail centres.

Where appropriate, conditions will be attached to planning permissions to control the future expansion or nature of the enterprise.

Explanation

11.13 Local Plan (Part One) policy [ECON 3](#) supports rural diversification that is of an appropriate scale and type in rural areas, and would support the continued viability of rural businesses. Diversification schemes for land based rural businesses (agricultural, forestry and horticulture with an emphasis on food production) will be permitted, subject to meeting the requirements of Local Plan (Part One) policy [STRAT 9](#). To demonstrate financial viability farm, estate, woodland or business plans will be necessary to outline the business profile, present and proposed activities, and its environmental and amenity effects, proportionate to the scale of the proposal.

11.14 The General Permitted Development Order (GPDO), as amended, allows for some changes of use of agricultural buildings subject to certain limitations and a prior approval process. The Council would require clear evidence that changes of use proposed in agricultural buildings less than four years old and erected under permitted development rights, were genuinely used for agricultural purposes.

11.15 Agricultural diversification offers the potential for the re-use of rural buildings for an economic purpose, in line with Local Plan (Part One) policy [STRAT 9](#) and encourages the reuse of existing resources where possible. The Council wishes to encourage well conceived schemes for diversification, where this can support a rural enterprise and is in line with other relevant development plan policies. Proposals that involve retailing should take account of Local Plan (Part One) policy [ECON 2](#). The Council will also have regard to whether the proposal would be likely to generate a requirement for further associated development and to the impact upon nearby local services and the nature of employment opportunities created.

11.16 Farm shops can serve an important role within a rural area and help meet demand for fresh produce and support local jobs and services. Where necessary, the Council will consider the use of conditions to limit the type/nature of goods sold to those that require a countryside location, or are linked to the primary business, to control future expansion, or where the cumulative impacts could give rise to harmful effects.

11.17 Proposals for residential or visitor accommodation in connection with development for the diversification of an agricultural or other land based rural business development will be considered in accordance with other relevant development plan policies, including Local Plan (Part Two) policies **DM 9** and **DM 25**.

DM 8 - Equestrian development

DM 8

Proposals for equestrian development will be supported where they meet the requirements of Local Plan (Part One) policy [STRAT 9](#) and other relevant development plan policies, and where all of the following criteria can be met:

1. the proposal is not, either by itself or cumulatively, detrimental to the character of the rural landscape. Consideration must be given to existing landscape patterns; the scale, design and siting of the proposal, including: construction materials, boundary treatment, siting of areas of hard standing, new or extended access routes, and other infrastructure related to the equestrian development;
2. outdoor lighting /floodlighting is designed to avoid a detrimental impact on visual or residential amenity, wildlife or highway safety and allows safe operation of activities on site;
3. the proposal is not significantly detrimental to the amenity of, nor causes nuisance (such as odours) to neighbouring uses;
4. the proposal avoids, as far as possible, any detrimental impact on the surrounding biodiversity and wildlife habitats, including hedgerows and trees;
5. the proposal avoids, as far as possible, flood risk areas and mitigates against flooding where appropriate. Adequate provision is made for the disposal of foul and surface water drainage and animal wastes without risk to watercourses;
6. the proposal is accompanied by a waste management scheme;
7. the proposal should, wherever possible, utilise existing rural buildings and infrastructure. Any additional buildings should be essential to the operational need of the facility, and wherever possible, be sited close to existing buildings and should be of appropriate design and materials to minimise visual impact;
8. the proposal does not create an unacceptable impact on the highway network, including adverse impacts on existing bridleways and rights of way; and there should be a satisfactory means of vehicular access and parking arrangements (including the provision of areas for loading/unloading of horses).

Proposals for the development of new visitor accommodation or new housing in connection with equestrian facilities will be considered in accordance with policies **DM 9**, **DM 10**, and **DM 19**, and other relevant development plan policies.

Explanation

11.18 The Council recognises the role that the countryside can play in providing opportunities for riding and keeping horses. However, controls are required to prevent harm to the character of the rural area through subdivision of fields and the proliferation of isolated buildings and ancillary features. Local Plan (Part One) policy [STRAT 9](#) allows development that has an operational need for a countryside location, providing it is of an appropriate scale and design so as not to harm the character

of the countryside. Within the Green Belt, development for outdoor sport and recreation will be allowed, provided the openness and the purposes for including land in the Green Belt is preserved. Local Plan (Part One) policy [ENV 2](#) states that in terms of the borough's landscape, development should take full account of the characteristics of the development site, its relationship with surroundings and where appropriate, views into, over and out of the site.

11.19 Grazing vs keeping - Under UK legislation, a horse is an agricultural animal if it is used to farm agricultural land or farmed for meat or hides. The term 'agricultural use' includes the breeding and keeping of livestock and the use of land for grazing. If horses are kept on the land for the primary purpose of grazing and, for example are not fed any supplementary feeds, or are kept for the sole purpose of breeding, this will fall under the ambit of 'agricultural use'. However, if horses are kept in a field but the primary purpose is not for grazing, because for example they are fed supplementary feeds as they are for recreational use, this constitutes a material change in the use of the land, which requires planning permission.

11.20 Applications should indicate the location of all elements associated with the proposed equine development, e.g. grazing land, gallops and manège. In the case of larger scale equine developments, an assessment of the effects of the proposal on erosion, on the vegetation on land to be used and on rights of way, may be required to be submitted with the application. Consideration of nature conservation interest will take place in line with Local Plan (Part Two) policy **DM 44** and where there is unavoidable loss or damage, mitigation and compensation may be required.

11.21 In order to protect the openness of the Green Belt and the character of the countryside, the use of existing buildings is preferred to the erection of new structures for equestrian purposes. Where this is not possible, the scale, siting and finish should be chosen to minimise visual impact, avoid prominent and isolated development and not be detrimental to the rural character of the countryside. When assessing a proposal, the Council will take account of the density of existing similar developments in the vicinity and the cumulative impact of existing and proposed development on the landscape character of the countryside and the visual amenity and openness of the Green Belt.

11.22 Waste management schemes should include, but not be limited to, horse manure and solid waste (contaminated bedding, empty pesticide and other chemical containers, clinical waste, etc.).

11.23 In addition to the requirements for the accommodation of horses, it is also necessary to consider the welfare, comfort and safety of the horses and the effect that they may have on surrounding land if they overgraze it. Any development for equestrian purposes will need to comply with the British Horse Society guidelines for the keeping of horses: stable size, pasture acreage and fencing. Any fencing should have consideration for the rural character and not be detrimental to its rural setting.

11.24 The development of residential or visitor accommodation in connection with equestrian development will be considered in accordance with other relevant development plan policies, including Local Plan (Part Two) policies **DM 9** and **DM 25**.

DM 9 - Visitor accommodation

DM 9

Proposals for the development of visitor accommodation will be supported where they meet the requirements of Local Plan (Part One) policy [ECON 3](#) and the following relevant principles:

1. within the settlement areas of Chester, Ellesmere Port, Northwich and Winsford, new hotels, guest houses, holiday lets and bed and breakfast visitor accommodation will be supported and preference will be given to city and town centre locations;
2. in key service centres and local service centres proposals for hotels, guest houses, holiday lets, bed and breakfast or other appropriate forms of visitor accommodation should be of an appropriate scale, siting, design and materials appropriate to the size of the settlement;
3. in the countryside, proposals for all types of visitor accommodation should meet the requirements of Local Plan (Part One) policy [STRAT 9](#) and utilise existing buildings. Proposals for agricultural diversification will be supported, in line with Local Plan (Part One) policy [ECON 3](#) and Local Plan (Part Two) policy **DM 7**.

Proposals for new build hotels and guest houses outside the boundaries of defined settlements of Chester, Ellesmere Port, Northwich, Winsford, the key service centres or local service centres will not be permitted.

Green Belt

In addition, in line with Local Plan (Part One) policy STRAT 9, proposals for the development of land in the Green Belt must accord with Green Belt policy as set out in the National Planning Policy Framework (NPPF).

Explanation

11.25 The Local Plan (Part One) policy [ECON 3](#) supports existing and new tourism facilities including visitor accommodation, subject to certain criteria. This policy provides further detail, particularly where visitor accommodation will be appropriate. The policy aims to ensure that visitor accommodation is located in the most sustainable locations that have access to services and facilities and are accessible by a range of transport modes. The scale and type of proposal should be compatible with its location, in line with the overall the strategy of the plan.

11.26 The policy applies to all development proposals for visitor accommodation including new build, extension, conversion or the material change of use of land. Visitor accommodation includes, but is not restricted to; hotels, guest houses, bed and breakfast accommodation, touring and camping sites, static caravans, chalets (including other forms of static accommodation such as Pods, Yurts and Tepees).

11.27 Culture and tourism developments, including hotels and conference facilities, are a main town centre use and the Council will apply a town centre first approach to these uses in line with Local Plan (Part One) policy [ECON 2](#) and the town centre hierarchy and Local Plan (Part Two) policy **DM 14**. This policy should be read alongside the area-specific policies of Local Plan (Part Two).

11.28 The borough's historic towns and rural settlements attract a wide range of visitors and Local Plan (Part One) policy [ECON 3](#) allows for smaller scale tourism developments in key service centres, local service centres or the countryside where they are a suitable scale, type and protect the character of the countryside. The policy considers the type of visitor accommodation that may be suitable in these smaller settlements, to ensure new development is compatible with the size and character of the settlement and other development plan policies. Development proposals for heritage related tourism would also need to protect and enhance the historic character of the areas and are compatible with their existing cultural activities. Additional guidance relating to consideration of other impacts, such as on heritage, biodiversity, noise, highways etc are covered by other policies in the development plan.

11.29 The policy allows for visitor accommodation in the countryside where it is suitably located and compatible with Local Plan (Part One) policies [ECON 3](#) and [STRAT 9](#). Where there is an unmet need for caravan and camping sites in line with Local Plan (Part One) policy [ECON 3](#), proposals that are suitably located should additionally meet the relevant requirements in Local Plan (Part Two) policy **DM 10**.

11.30 Local Plan (Part One) policy [ECON 3](#) notes that additional controls will apply in the Green Belt in line with Local Plan (Part One) policy [STRAT 9](#) and paragraph 6.28 which states that camping and caravan sites are considered as tourism development not outdoor recreation.

DM 10 - Caravan and camping sites

DM 10

Proposals for caravan and camping sites for tourism use will only be supported where they are in line with Local Plan (Part One) policies [ECON 3](#) and [STRAT 9](#) and Local Plan (Part Two) policy **DM 9**, and meet all of the following relevant criteria;

1. there is good accessibility via major roads and public transport;
2. it is not visually intrusive or unacceptably harm the landscape;
3. the layout is designed to incorporate existing landscape features and provide open areas, screening and landscape buffers;
4. any permanent ancillary buildings are of a small scale and should blend into the surrounding landscape in terms of their siting, design and the materials used;
5. the site should not detract from the amenities of the surrounding area or any nearby residential property;
6. the site is capable of being connected to existing utility services; and
7. the site is capable of providing appropriate facilities for users of the site.

Green Belt

In addition, in line with Local Plan (Part One) policy STRAT 9, proposals for the development of land in the Green Belt must accord with Green Belt policy as set out in the National Planning Policy Framework (NPPF).

Explanation

11.31 Local Plan (Part One) policy [ECON 3](#) states that proposals for touring recreational caravan and camping sites in the countryside should be small in scale to limit impact on landscape and utilise or be well related to existing rural buildings, subject to Local Plan (Part One) policy [STRAT 9](#), Local Plan (Part Two) policy **DM 9** on visitor accommodation and other relevant development plan policies. The policy includes, but is not restricted to, touring caravan and camping sites, static caravans, chalets (or other forms of static accommodation such as pods, yurts and tepees) for tourism use. This is to ensure that new visitor accommodation is provided in the most sustainable locations where they are accessible by sustainable modes of transport and have access to services and facilities. Camping and caravan sites are considered as tourism development not outdoor recreation in line with Local Plan (Part One) policy ECON 3. Therefore proposals in the Green Belt will have to meet the requirements of Local Plan (Part One) policy STRAT 9.

11.32 Static caravans and chalet developments have the potential for significant harm to the landscape as they are permanent structures, unlike camping (tents) and touring caravans. A considerable number of static recreational caravan sites already exist within the borough; it is not considered necessary to develop further sites or to extend the period of occupation of current sites. Proposals for new static caravan or chalet developments, the extension of existing sites or the increase in density of sites will not be supported unless there is evidence of unmet need in line with Local Plan (Part One) [ECON 3](#).

11.33 This policy provides criteria to ensure that sites are suitably located in the borough with regard to main transport routes to limit the number of cars with caravans that travel on the minor rural roads, in the interests of highway safety and to minimise the need to travel whilst the site is in use.

11.34 Local Plan (Part One) policy [ENV 2](#) requires that development proposals should protect and where possible enhance landscape character and local distinctiveness. Where development proposals are suitably located, additional criteria is provided in this policy to ensure that the landscape characteristics are recognised and incorporated into the design of new developments. Appropriate facilities can be defined as a utility block (toilets, showers and drinking water supply). These facilities and ancillary buildings should be of a scale appropriate to the level of camping and caravanning provided on the site.

11.35 In addition to obtaining planning permission new caravan sites must be licensed under Part 1 of the Caravan Sites and Development Act 1960. Additional restrictions or conditions may be placed on the caravan site under the licence and periods of occupancy may be restricted.

DM 11 - Safeguarded areas around aerodromes

DM 11

Within the safeguarded areas, as identified on the policies map, new development which does not adversely affect the operational integrity or safety of an airport or aircraft operations, radar and navigation systems will be supported. In considering proposals for development within a safeguarded area the Council will have particular regard to:

1. the height and design of the development; and
2. the likelihood of it creating a birdstrike risk; and
3. the likely impact on navigational aids, radio waves, radar and telecommunications systems for the purposes of air traffic control and aircraft movements.

Explanation

11.36 The Civil Aviation Authority has identified officially safeguarded areas around Liverpool John Lennon and Manchester Airports which cover the north and east of the borough and Hawarden Airport, which affects the western part of the development plan area. The Council is therefore bound in statute (in accordance with guidance set out in Dft/ ODPM Circular 1/2003) to consult the relevant Aerodrome Safeguarding Authority on planning applications within the safeguarded areas that could potentially affect the safety of the aircraft operation or prejudice the airport's future development. The borough also has a number of civil en-route technical sites and NATS En-Route (NERL) will be consulted on relevant applications.

11.37 The types of development that will be subject to consultation are:

- all development that exceeds certain height limits in different areas of the borough (that are indicated on the safeguarding map of each airport);
- any proposal within 13 km of the aerodrome that is likely to attract birds. Such proposals will include waste disposal and management facilities; the creation or modification of water bodies such as ponds, lakes, reservoirs, wetlands and marshes; nature reserves; solar farms and bird sanctuaries; significant areas of landscaping; sewage disposal and treatment works; mineral extraction and quarrying (specifically the associated restoration schemes);
- any proposal for other aviation uses with 13 km of the aerodrome;
- all wind turbine developments within 30 km of the aerodrome.

11.38 The boundaries of the aerodromes' safeguarded areas are identified on the policies map, however, applicants should consult the Council about the current extent of the safeguarded areas because they are reviewed and amended from time to time by the individual Aerodrome Safeguarding Authority.

DM 12 - Jodrell Bank

DM 12

Within the Jodrell Bank Radio Telescope Consultation Zone, as identified on the policies map, development that would not impair the efficiency of the Jodrell Bank Radio Telescope will be supported, subject to relevant development plan policies.

Explanation

11.39 The radio telescopes at Jodrell Bank are of international importance for radio astronomy. Their value depends upon being able to receive radio emissions from space with a minimum of interference from electrical equipment. Despite technological advances, protection from local sources of interference is still of utmost importance.

11.40 The Town and Country (Jodrell Bank Radio Telescope) Direction 1973 requires the Council to consult with the University of Manchester before granting planning permission on any application for development (subject to the exceptions specified in the schedule).

DM 13 - Oulton Park

DM 13

Oulton Park racing venue is identified on the policies map and proposals for motor sport related development will be supported subject to meeting all of the following relevant criteria:

1. new development is ancillary to the use of the site for motor sport purposes;
2. where development could lead to an increase in the level or duration of noise, conditions will be attached to a planning permission, limiting hours of use;
3. development must not lead to unacceptable increases in traffic congestion and promote sustainable forms of transport to and from the site;
4. where appropriate, impacts on air quality must be assessed and adequately mitigated;
5. proposals must retain existing trees on the site, respect landscape character and include a landscaping strategy;
6. proposals must protect and enhance biodiversity;
7. new built development must be sited either near to existing buildings on the site or in locations where its impact on biodiversity and residential amenity would be reduced.

Explanation

11.41 Oulton Park motor racing circuit is an important national leisure and tourist attraction which has existed for over 50 years. It is unique to the area, and is the only Motor Sports Association (MSA) licensed motor racing facility in the borough. It is important that the site is reserved for motor racing related uses, and that any new built development in the countryside is necessary to the efficient operation of the racetrack.

11.42 Local Plan (Part One) policy [ECON 3](#) recognises that there are major sporting and leisure events in the borough that attract a wide range of visitors, including Oulton Park. The site makes an important contribution to the rural economy and the policy supports motor sport development at this site. However, the site is in a countryside location and as such, development should not harm the surrounding area and comply with Local Plan (Part One) [STRAT 9](#).

11.43 The policy protects the environmental character of the area and the amenities of nearby residents, in particular the village of Little Budworth. Due to the use of the site, there will be a relatively high production of vehicle emissions and opportunities to reduce overall emissions from the site will be encouraged, this could include promotion of sustainable forms of transport to and from the site. There are a number of local wildlife sites that are in close proximity to the site and impacts of the development on the ecological network should be considered in line with Local Plan (Part Two) policy **DM 44**.

DM 14 - City and town centres

DM 14

In line with Local Plan (Part One) policy [ECON 2](#), main town centre uses will be supported within the city and town centre boundaries, as identified on the policies map. A1 retail uses will be supported within the primary shopping area, the allocated Northgate site area or Weaver Square Development Area, as identified on the policies map.

The loss of an A1 retail use within the identified primary shopping frontages in Chester and Northwich will normally be resisted, unless the unit has been vacant, adequately marketed and meets criteria one to four below.

Within secondary shopping frontages in Chester and Northwich or the primary shopping area in the other town centres, the loss of A1 retail uses to A2, A3, A4, A5 or D2 uses will only be supported where the overall vitality and viability is not undermined, they complement the existing retail offer and all of the following criteria are satisfied:

1. a shop window and active frontage is retained;
2. the centre's pedestrian footfall, vitality and viability is maintained and enhanced;

3. the proposal positively contributes to the centre's historic cultural identity and accords with Local Plan (Part One) policies [ENV 5](#) and [ENV 6](#);
4. ground floor residential use is not included as part of the development

Proposals for alfresco dining / outdoor seating will be supported where this would be located directly in front of a café, restaurant or drinking establishment, not harm the safety of users of a highway, including pedestrians, the vitality and viability of the centre and the character of the centre. Promotion of the evening economy, especially cultural, civic and family activities in the city or town centre will be supported.

Residential development in the city or town centres will be supported, including specialised accommodation, where this meets balanced and mixed communities, subject to criteria one to four above, other relevant development plan policies, and would not prejudice the current or future functions of the town centre.

Chester

Within the historic Rows, as identified on the policies map, new development must encourage footfall and provide interest through active frontages, with the retention of historic frontages as a priority. The provision of A1, A3 and A4 uses will be supported and the loss of these uses resisted. Other uses that contribute to the visitor economy will be supported.

Residential, office and other main town centre use development on upper floors of the Rows will be supported, providing there is no harm to the character of the historic buildings. Where a proposed use occupies both ground floor and Row level, access and an active frontage must be included at both ground floor and Row level to promote footfall on each level.

Boughton is defined as a district centre in Local Plan (Part Two) policy **DM 15**, and proposals for development of town centre uses in this centre must not undermine the vitality and viability of the city centre.

Northwich

The Weaver Square Development Area is allocated as a redevelopment area and proposed new uses and other development proposals must be in line with the Local Plan (Part Two) policy **N 2**.

Explanation

11.44 The Local Plan (Part One) policy [ECON 2](#) establishes the retail hierarchy for the borough. Chester and Northwich are defined as a sub-regional centre and strategic centre retrospectively and as such, both of these centres have primary and secondary shopping frontages identified on the policies map. Town centres are identified as Ellesmere Port, Winsford, Frodsham and Neston. All centres have a primary shopping area and city/town centre boundary identified on the policies map. Retail development outside of the primary shopping area, and main town centre uses outside the city/town centre boundary, will need to satisfy the sequential and impact test set out in Local Plan (Part One) policy [ECON 2](#).

11.45 The primary shopping frontage is considered the retail core and the loss of shops in this location should be avoided. It is accepted that where a unit has been vacant long term, this can harm the health of the centre and impact its vitality and viability. On primary shopping frontages the Council will require evidence of reasonable continuous marketing for a period of at least 12 consecutive months immediately in advance of a planning application under current market conditions, after which other appropriate uses could be considered. This includes complementary uses that would aid footfall in the retail core, such as A3 or A4 uses. Secondary shopping frontages have an overall shopping function; however, contain a diverse range of uses that complement the retail core.

11.46 Primary shopping areas are a concentration of retail development within the town centre. The policy maintains these areas by supporting a range of uses whilst protecting the overall retail function. It is recognised that nationally the retail environment is changing, with an increase of shopping taking place on line, an increase of leisure activities and a rationalisation of high street shops by national retailers. However, it is important to retain the overall retail function of the town centres and allow more flexibility within the wider town centre boundary, by allowing a diverse range of main town centre uses to enhance the overall attractiveness of the centre.

11.47 Winsford and Neston both have a made neighbourhood plan. Northwich Neighbourhood Plan has completed its Regulation 14 stage and Frodsham Neighbourhood Plan has an area designated. Winsford and Neston Neighbourhood Plans have identified sites within their town centres that are suitable for town centre development, these have also been identified in the Cheshire Retail Study (2016).

11.48 The Cheshire Retail Study (2016) identifies that there is no quantitative need for additional food retail in Chester and that non-food requirements will be met through the Northgate allocation as identified in Local Plan (Part One) policy [ECON 2](#). The proposals in the city centre, through new retail and leisure provision, should help ensure the city remains competitive as a sub-regional destination and the provision of a new theatre and cinema will improve the city's cultural offer. The city's market will be incorporated into the Northgate scheme and this important local facility will be safeguarded and enhanced. It is important that the delivery of the Northgate scheme is not undermined by out of centre developments. The Cheshire Retail Study (2016) identifies that out of centre competition has undermined the vitality and viability of the city centre through diminishing the centre's market share. The Local Plan (Part One) policy [STRAT 3](#) recognises the importance of Chester, both nationally and internationally and requires development within or edge of the city centre to be compatible with the character and setting of the city.

11.49 The Northgate development has been granted planning permission in September 2016 (see the Council's planning applications search for full details, ref: 16/02282/OUT). Once complete, the development will be considered part of the primary shopping area. It is acknowledged that as the scheme is established, the retail core is likely to focus on the Northgate development. Primary frontages on the periphery, such as Foregate Street, Frodsham Street and Grosvenor Shopping Centre, could change roles; therefore greater flexibility can be given to these areas when the implications of Northgate start to take effect. Watergate Street, has a mixed nature with leisure uses starting to outnumber retail

uses. However, Northgate will be located north of this location. With an effective connection to Watergate Street this will anchor retail uses at this location. Watergate Street is an important street in the central retail core and is therefore protected as a primary shopping frontage.

11.50 Development in the city and town centres should contribute to creating a sense of place that is locally distinctive and meet the criteria in the Local Plan (Part One) policies [ENV 5](#) and [ENV 6](#). Alfresco dining and outdoor seating can improve the vitality and viability of centres and support the evening economy. The historic environment, highways, design and quality and residential amenity are all considerations for alfresco dining in line with other relevant development plan policies. The Council will support proposals that satisfy the criteria and will look to review the Chester city supplementary planning document relating to alfresco dining.

11.51 A strong evening economy can ensure that the centre is busier for longer periods of day, creating a safe and attractive environment that supports the local economy. To complement traditional evening uses, such as bars, pubs and restaurants, other uses such as cultural, civic and family activities can allow an evening economy that accommodates all ages that does not focus on food and drink.

11.52 The Rows are a unique and distinctive element to Chester's retail and tourism experience. It is vitally important they retain continuous active frontages that provide both residents and visitors with a reason to visit the Rows, which will help protect their character, as recommended in the Draft Rows Conservation Management Plan. Residential development can contribute to the vitality and viability of the town centre as well as providing additional homes in a sustainable location. Promotion of a diverse range of town centre uses will make the borough's towns more attractive and residential development should not prejudice the overall function of the town centre now or in the future. Residential development on the upper Rows will be encouraged, in line with Local Plan (Part One) policy [ENV 5](#) that increases footfall and interest to The Rows.

DM 15 - District and local retail centres

DM 15

Within district and local retail centres, as identified on the policies map, proposals for A1, A2, A3, A4, A5 and D2 uses will be supported where the relevant criteria are met:

1. it would not lead to a loss of A1 retail use which would harm the vitality and viability of the centre;
2. there would not be an excessive concentration of non-A1 retail uses in any shop frontage undermining the retail function of the centre;
3. development is consistent with the scale and function of the retail centre and is not of a type or scale that should be located in a town centre identified in Local Plan (Part One) policy [ECON 2](#).

The loss of A1, A2, A3, A4, A5 and D2 to other uses will only be supported where the above criteria are met, it does not harm the vitality and viability of the centre and has been adequately marketed or where the proposal is for a community facility.

Parades of shops that have not been identified as retail centres will be protected in line with Local Plan (Part Two) policy **DM 39**.

Explanation

11.53 The defined local retail centres have been identified through the Local Retail Study (2015) and the boundaries are shown on the policies map. There is one district centre, Boughton in Chester. The local retail centres in the borough are set out in Table 11.1.

Table 11.1 Local retail centres

Spatial area	Local retail centres
Chester	Bache, Brook Street, Christleton Road, Faulkner Street, Garden Lane, Green Lane, Handbridge, Kingsway, Long Lane, Saltney (Chester Street), The Parade, Westminster Park and Weston Grove
Northwich	Castle Street, Davenham, Hartford, Kingsmead and Weaverham
Ellesmere Port	Hope Farm, Gleneagles Road, Great Sutton, Little Sutton, Overpool, Thelwall Road, Westminster, Whitby and Wolverham
Winsford	Delamere Street and High Street
Rural	Cuddington, Farndon, Helsby, Kelsall, Malpas, Sandiway, Tarporley, Tarvin, Tattenhall and Town Lane

11.54 The Local Plan (Part One) policy [ECON 2](#) sets out the approach to local centres, ensuring local shops should be retained where viable and new uses that support the day to day needs of the community will be permitted. The Local Plan (Part One) supports a vibrant, competitive and diverse local economy and creates a stronger, safer and healthier communities by enabling access to leisure, recreational and community facilities. Development in district and local retail centres must comply with Local Plan (Part One) policies [ENV 5](#) and [ENV 6](#).

11.55 The centres have been identified due to their role and function within the community and borough. They offer convenience and are important for the day to day needs of the local catchment they serve, reducing the need to travel. Retention of town centre uses including retail will be encouraged to ensure the centres continue to be diverse and successful.

11.56 Proposals that include the loss of a town centre use will need to demonstrate that there will be no impact on the vitality and viability of the existing centre. Where there is an application for loss of retail, an active frontage should be retained to minimise the impact of the loss of a retail unit in a cluster.

11.57 District and local retail centres have a unique identity and offer a range of shops and services in various sizes across the borough. Applications for new retail should reflect the individual character of the centre including size and massing and should not detract from the existing centre.

11.58 Excessive concentration of non A1 retail uses will change the overall retail function of the centre, reducing the ability to meet the everyday needs of the communities they serve. This can vary between centres, depending on the size and role. It would be expected to retain the overall retail function of a centre, over half the units should be retail in nature and there is not a concentrated area that is non A1 retail uses, which will reduce the size and role of the retail centre. In local retail centres the Council will require evidence of reasonable continuous marketing for a period of at least 12 consecutive months immediately in advance of a planning application under current market conditions, after which other appropriate uses could be considered.

11.59 Outdoor seating can enhance a centres vitality and viability as well as contributing to a evening economy. However, local and district centres are more likely to be within residential areas and the impacts on residential amenity need to be considered. Not all locations will be appropriate for outdoor seating, considerations will also need to be given to highway impacts. The Council will support proposals that satisfy the criteria and will look to review the Chester city supplementary planning document relating to alfresco dining.

11.60 In addition to the above designated centres, neighbourhood plans may also designate their own centres that are important for their community. Neighbourhood plans can promote more development than that set out in the Local Plan. Local retail policies maybe updated and amended in future neighbourhood plans.

DM 16 - Shopfronts

DM 16

Proposals for new shopfronts or alterations to existing façades of shops or commercial premises, including proposals for blinds, canopies or awnings, will be supported subject to meeting the requirements of other relevant development plan policies and where relevant:

1. the design, materials, proportions and colour would not be detrimental to the character of the building as an entity and the character of the locality;
2. proposals that reflect the traditional character of shopfronts or commercial frontages, must include historically accurate detailing;
3. any existing features of historic or architectural interest will be retained;
4. accord with the historic environment policies of the plan (DM 46-50), where relevant.

Proposals for shutters and other security measures will only be supported where a need can be demonstrated and the design does not introduce obtrusive features, fixtures or fittings or harm the character or appearance of the building or the character of the area. Externally located grilles or security shutters will not normally be acceptable on traditional and historic shopfronts, or in conservation areas.

Explanation

11.61 Local Plan (Part One) policies [ENV 5](#) and [ENV 6](#) seek to protect the borough's unique and significant heritage assets and promote high quality design that respects local character, provide a high quality public realm and ensure safe and secure environments and means of access.

11.62 The design of shopfronts, blinds, canopies, awnings and security shutters can have a great impact on the character or appearance of an individual building or surrounding area and can detract from it if not carefully considered. This policy therefore provides a careful balance between the requirements of businesses and the protection of local amenity.

11.63 In considering proposals for the alteration to shopfronts, the Council will take into account whether the building involved is in a conservation area, whether it is a listed building, and whether it has a traditional facade, where a 'shop window' would be inappropriate. Development must ensure that shopfront design and materials are of a high standard and respect the character of the building concerned, the character and visual amenity of the surrounding area and to ensure that important existing historical and/or architectural features are retained.

11.64 The Chester city conservation area and in particular The Rows are considered to be of international importance and the Council will pay particular regard to preserving and enhancing the character and appearance of that unique environment. Proposals for shopfront alterations to meet the requirements of the Disability Discrimination Act 2005 (DDA), which affect a listed building or a conservation area, will be balanced against the requirements of other policies in the development plan.

11.65 Solid metal shutters and external shutters present a bleak and blank appearance to an area when closed, have no architectural merit, and discourage life and activity which help to prevent vandalism and burglaries. Other security measures which do not require obtrusive features on the exterior of buildings are encouraged, such as toughened glass and alarm systems. Proposals for the installation of solid metal shutters, metal shutter boxes, external grilles or other obtrusive features is unlikely to be acceptable in conservation areas or on listed buildings.

DM 17 - Advertisements

DM 17

Applications for advertisement consent will be supported provided there is no unacceptable harm to amenity and public safety. In the interest of amenity and public safety, the size, position, materials, colour scheme and means of illumination of advertisements must be designed to respect the general characteristics of the locality and the architectural character of the building on which they are to be displayed. Advertisements on buildings should be proportionate to the scale of the building and should not obscure architectural features.

Illuminated advertisements will be supported in settlements where illuminated advertisements are a feature of the locality and the use of the premises is such that it is expected to operate outside of daylight hours throughout the year. Illumination will normally be restricted to the opening hours of the premises.

Advertisements that satisfy the above criteria and are located below the first-floor level of a business premises frontage containing the main access or shopfront will be supported. The use of land or buildings for the display of advertisements unrelated to the premises on which they are to be displayed, and advertisements that are located some distance from the business being advertised, or are temporary advertisements, will not normally be supported unless it can be demonstrated that it would result in an enhancement to amenity or public safety.

In assessing impacts on amenity and public safety regard will be had to the cumulative impact of advertisements.

Explanation

11.66 The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 apply to applications for advertisement consent. The Regulations state that the Council should exercise its powers in the interest of amenity and public safety. Factors relevant to public safety are specified in Regulation 3 and the policy sets out the criteria that will be used in assessing amenity. Local Plan (Part One) policy [ENV 6](#) requires new development to respect local character, provide a high quality public realm, be sympathetic to heritage and landscape assets and make the best use of high quality materials.

11.67 To encourage appropriate displays, the Council will seek to ensure that advertisements are of an appropriate scale and size, well designed and are sympathetic to both the building on which they are to be displayed and the general characteristics of the locality. Standardised or corporate displays that have no regard to the character of the building on which they are to be displayed or the general characteristics of the locality will be unlikely to be acceptable. The Council may require firms to adapt their corporate design and image to a particular location. Inappropriate proposals that would have a detrimental cumulative impact will not be allowed.

11.68 Applications for advertisement consent should provide a sufficient level of information to allow the Council to reach an informed decision about the likely impacts of the proposal. Proposals for development which incorporate advertising should clearly show the likely impact of associated advertising at an early stage, preferably as part of an initial planning application.

11.69 Illuminated and/or, full-motion advertising displays or messages (or those which give the impression of continuous movement) will be given very careful consideration to ensure that they do not harm amenity or public safety. Intermittent (flashing) illumination is unlikely to be acceptable in the interests of amenity and public safety.

11.70 The illumination of advertisements should be confined to premises which routinely carry out a significant proportion of their business at night, and must be discrete. Regard will be had to the adequacy of existing street lighting and light from the windows of premises. In the interest of amenity, internal illumination of signs should preferably be by means of 'halo' illumination or, in limited circumstances, letters-only lighting (for example, individual letters or fret-cut or similar face panels, so that light may be seen only through the lettering / logo etc with the background being opaque). External illumination in the form of downlighters or overhead trough lighting may also be acceptable, provided it is directed so as to only illuminate the sign or forms part of a considered architectural lighting scheme.

11.71 In respect of illuminated advertisements on listed buildings or in conservation areas, the Council will only support proposals if it can be demonstrated that the design would preserve or enhance the character and appearance of the building or area. The Council will pay special attention to the quality and appropriateness of illumination in respect of conservation areas and listed buildings. Standardised solutions such as the use of internally illuminated box advertisement that are bulky and not high quality are unlikely to be acceptable in conservation areas or on listed buildings.

11.72 There can be pressure for advance signs, particularly as a result of the advertising needs of rural businesses, or in the urban area where intricate street patterns and narrow pavements may inhibit standard advertising practices. Provided it can be demonstrated that signage would be acceptable in respect of amenity and public safety, wherever practical businesses in the same general location, or in bypassed communities, will be encouraged to combine their essential advertising needs so as to avoid a proliferation of advance signs. Advertisements that are unrelated to the business premises on which they are to be displayed, are located some distance from the business being advertised, temporary advertisements, and the use of land or buildings for the general display of advertisements will not normally be supported unless they would have a positive effect upon the amenity of the locality or public safety (for example, they are required to overcome a highway safety hazard).

11.73 An Area of Special Control of Advertisements places additional restrictions on the display of advertisements. For example, some deemed consent classes are subject to reduced size limits; and some types of advertising (for example, general poster display hoarding) are not permitted at all. The Regulations are complex and the Council's advice should be sought where the proposed advertisement is within the designated area as shown on the policies map.

11.74 The Council will look to review the Chester city supplementary planning document relating to advertisements and banners. A general restriction on licensing 'A' boards in Chester city centre commenced in January 2018. Alongside the general restriction, an exception will be made for a trial permitting licensed shared directional 'A' boards advertising businesses on the (upper) Rows or businesses with no frontage on a main thoroughfare and without other physical means of advertising their location, subject to an overall restriction on the number of 'A' boards in any given street.

DM 18 - ICT and telecommunications

DM 18

The Council will support the provision, expansion and enhancement of electronic communications networks, including telecommunications and high speed broadband.

Developers are required to make provision for the installation and maintenance of information connection networks, such as superfast broadband, within new developments.

New development should be accessed by fibre to the premises (FTTP) or similar technology enabling access to superfast broadband speeds of at least 30 megabits per second (or the most recent Government requirements, if higher). Where this is not possible, adequate ducting should be provided to enable fibre to premises connection at a later date, unless it can be shown that this is not economically viable in this location.

Proposals for telecommunication installations and equipment will be supported provided that:

1. numbers of radio and telecommunication masts and the sites for such installations are kept to a minimum, consistent with the efficient operation of the network. As such, mast sharing will be supported and the erection of additional masts will only be supported if the feasibility of sharing an existing mast or erecting antennae on an existing building or other structure has been investigated and demonstrated to be unsuitable;
2. the proposal is sympathetically designed and is camouflaged where appropriate;
3. they do not have an unacceptable adverse impact on the character or appearance of the area or the appearance of any building;
4. the proposal does not have a detrimental impact on the safe and satisfactory functioning of highways;
5. the proposal has regard to the natural environment where the quality of the landscape may be particularly sensitive to the intrusion of communications infrastructure;
6. all reasonable measures have been taken in respect of siting, design and landscaping to minimise the impact of the development;
7. they accord with the historic environment policies of the plan (DM 46-50), where relevant;
8. they do not cause significant and irremediable interference with other electrical equipment, air traffic service, broadcast or telecommunication service, or instrumentation operated in the national interest.

Where planning permission is required for the installation, relocation or replacement of domestic radio masts, aerials and satellite dishes, permission will be granted provided that the development is located to minimise any visual impact, and the scale, form and siting are appropriate to the building and surrounding area. Masts, aerials and satellite dishes should be located on a wall or roof slope that does not face a public highway, where practicable, and must not result in harm to residential amenity.

Green Belt

In addition, in line with Local Plan (Part One) policy STRAT 9, proposals for the development of land in the Green Belt must accord with Green Belt policy as set out in the National Planning Policy Framework (NPPF).

Explanation

11.75 The Local Plan (Part One) policy [STRAT 11](#) states that the Council will support measures to protect, enhance or improve access to existing facilities, services and amenities that contribute to quality of life for residents, businesses and visitors, including access to information communication technologies (ICT).

11.76 Where it is not currently viable to provide superfast broadband, adequate ducting (or similar technology) will ensure that developments are future-proofed as connection can be made easily at a later date, without the additional costs of retrofitting. Design of developments could also be undertaken with future broadband installation in mind, for example designing and locating green infrastructure so that this can be used as a location for ducting to prevent the need to dig up roads and other hardstanding areas in the future.

11.77 The Building (Amendment) Regulations 2016 (Part R) require buildings to be equipped with high speed ready in-building physical infrastructure, up to a network termination point for high speed electronic communications networks. In February 2016 the Government announced a deal to see fibre based broadband offered to all new developments either for free or as part of a co-funded initiative. It is estimated that more than half of all new build properties can be connected to fibre broadband free of charge to developers.

11.78 The Council will work with relevant partners to support advances in Information Communication Technologies (ICT) including positively promoting the development of ICT embedded sites and premises. This includes the ongoing work through the Connecting Cheshire project. Connecting Cheshire is a partnership between BT and four local authorities (Cheshire East, Cheshire West and Chester, Halton and Warrington). The partnership was established to deliver fibre broadband to areas outside the commercial deployment of fibre broadband.

11.79 Most telecommunications development will be permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or amended/replacement legislation). The

policy does not apply directly to telecommunications prior approval applications, where the principle of the development has already been established. Prior approval applications will be determined by the local authority based on the siting and design of the proposed telecommunications equipment.

12 Housing

12.1 The housing requirement for the borough set out in Local Plan (Part One) policy [STRAT 2](#) can be achieved through the delivery of extant planning permissions, Local Plan (Part One) strategic sites, and Local Plan (Part Two) land allocations. In addition, the Council's Brownfield Land Register and the Housing and Economic Land Availability Assessment (2017) (HELAA) provide further potential sources of land supply that provide choice and flexibility in the housing market in line with the National Planning Policy Framework (NPPF). The policies in this section provide detailed criteria for development proposals relating to housing.

12.2 Providing the right type of housing is as important as providing the right level of housing across the borough. Cheshire West and Chester has both an ageing population as well as a concentration of younger people in certain locations associated with educational establishments. The issue of housing affordability also means that there is a need to provide homes for first time buyers, and housing that is suitable for people wishing to downsize from larger houses. The retention of student graduates and young professionals to support the economic and employment opportunities in the borough is also a key issue. New residential development must therefore deliver a range of homes to meet the diverse range of needs for all communities which includes market and affordable housing, age and care related facilities and housing for student populations.

12.3 Over the next two decades the age profile of residents in the borough is expected to show a significant change with residents above pensionable age (60/65 years) increasing from 71,800 in 2010 to 108,000 by 2030. This change in demographics creates a demand for housing to support elderly residents, whilst encouraging independent living through offering a range of age and care related products in addition to nursing and care homes. The Local Plan (Part Two) supports the development of specialist accommodation to meet the needs of vulnerable, disabled and older people.

12.4 The Housing and Planning Act was granted Royal Assent in May 2016 and provides the legislative basis for Starter Homes. The Act sets a statutory duty on Local Authorities to promote the delivery of Starter Homes, but much of the detail of the Starter Homes product and its relationship to forms of affordable housing in meeting housing needs will be set out in forthcoming regulations, guidance and proposed changes to the NPPF.

12.5 Consultation on the details for the starter homes regulations under the Housing and Planning Act 2016 was carried out between 23 March and 30 June 2016. The publication Local Plan (Part Two) reflects the current adopted Local Plan (Part One) policy [SOC 1](#) requirements for affordable housing which will continue to be applied until such time as the forthcoming regulations and changes to the NPPF are confirmed. The Council will have regard to the duty to promote Starter Homes and will explore opportunities through regeneration programmes and the Brownfield Land Register where appropriate.

DM 19 - Proposals for residential development

DM 19

Identified settlements

Proposals for residential development within identified settlements, on sites that have not been allocated/designated for a particular use, will be supported in line with the relevant development plan policies.

The creation of new dwellings on garden land in identified settlements will only be supported where this does not result in a disproportionate loss of garden land or cause unacceptable harm to the character of the surrounding area.

Countryside

In line with Local Plan (Part One) policies [STRAT 1](#) and [STRAT 9](#) proposals for residential development in the countryside, outside of identified settlements, will only be supported where necessary to meet the minimum levels of development for new housing or where the proposal is for one of the following;

1. replacement of an existing dwelling in line with policy Local Plan (Part Two) policy **DM 21**;
2. change of use or conversion of a building in line with Local Plan (Part Two) policy **DM 22**;
3. affordable housing in line with Local Plan (Part One) policy [SOC 2](#) and Local Plan (Part Two) policy **DM 24**;
4. an essential rural workers dwelling in line with Local Plan (Part Two) policy **DM 25**;
5. new housing supported in a neighbourhood plan for the area;
6. redevelopment of previously developed land identified on the Council's Brownfield Land Register or
7. replacement of buildings on previously developed land and;
 - i. there is good access to public transport;
 - ii. it is located within reasonable walking distance of local services and facilities along a safe route;
 - iii. it does not result in the loss of buildings that contribute to the rural character of an area;
 - iv. it would not result in an unacceptable loss of employment land or buildings;
 - v. there would be no greater impact on the character of the countryside;
 - vi. it would result in an enhancement of the site and the rural setting; and
 - vii. the design and layout of the development fully reflects the rural character of the area and does not 'urbanise' the countryside.

Green Belt

In addition, in line with Local Plan (Part One) policy [STRAT 9](#), proposals for the development of land in the Green Belt must accord with Green Belt policy as set out in the National Planning Policy Framework (NPPF).

Explanation

12.6 The location for sustainable development and growth in the borough is set out in Local Plan (Part One) policies [STRAT 3](#) to [STRAT 8](#), and further detail in Local Plan (Part Two) policy **R 1** which defines identified settlements in the rural area, and the distinction between rural sustainable settlements and the countryside.

12.7 The re-use of previously developed/ brownfield land is supported in Local Plan (Part Two) policy **DM 1** and through the Council's Brownfield Land Register. The register will set out the level of development appropriate on each site which will ensure the maximum use of land is achieved through densities of development that reflect the existing character and scale of its location as well as accessibility to transport hubs.

12.8 The Brownfield Land Register should be used as a guide to achieving suitable development densities on brownfield sites that may come forward through the development management process. Proposals for the redevelopment of a site that is not identified on the Brownfield Land Register should follow the same approach to density and layout, reflecting a similar volume and area of development that is to be replaced.

12.9 Garden land is important to residential amenity and an important resource of open space that should be protected from over development where possible. The partial development of garden land for alternative uses should only take place where it would not result in a disproportionate or significant loss of land to the detriment of the amenity of the original dwelling, or the new development.

12.10 New dwellings in the countryside, including in the Green Belt, outside of identified settlements, that do not fall within one of the exceptions listed in this policy, are not generally supported. New dwellings would create isolated development in unsustainable locations, and increases reliance on the use of private vehicles to access facilities and services. Housing in the rural area should be located where it will enhance or maintain the vitality of rural communities⁽ⁱⁱⁱ⁾ and in sustainable locations as identified in Local Plan (Part One) policy [STRAT 8](#) and Local Plan (Part Two) policy **R 1**.

12.11 Isolation, for the purpose of development in the countryside refers to proximity and access to facilities and services within an identified settlement. The presence of neighbouring properties and/or rural operations within close proximity to a proposed site in the countryside do not reduce isolation. The creation of new dwellings, unrelated to rural land based activities, will be resisted in

iii See National Planning Policy Framework: Paragraph 55

order to reduce development that is isolated from an acceptable level of access to services and facilities. The Local Service Centre Background Paper sets out the acceptable level of and access to services and facilities for sustainable rural locations.

12.12 Planning permission is commonly granted for domestic outbuildings to serve dwellings in countryside locations, and parliament has granted extensive permitted development rights for such structures. Domestic outbuildings in gardens, built for specific uses ancillary or incidental to existing residences, are rarely likely to become permanently redundant and their conversion will seldom lead to an enhancement of setting. Allowing the conversion of such buildings to housing in the countryside (outside of identified settlements) would significantly undermine the national and local strategy of locating new development in the most sustainable locations.

DM 20 - Mix and type of new housing development

DM 20

In line with Local Plan (Part One) policy [SOC 3](#) proposals for residential development must take account of the housing needs of the local area to ensure a range of house types, tenures and sizes are provided across the borough.

Taking account of the most up to date housing information and where relevant, policies in neighbourhood plans, applications for major residential development should demonstrate how the proposal will address:

1. need for smaller properties for first time buyers;
2. requirements of an ageing population and people wishing to downsize, including where justified the provision of adaptable and accessible homes and/or single-storey dwellings; and
3. demand for self-build and custom build housing.

The Council will work with the developer to agree a suitable housing mix taking full account of the characteristics of the site and viability considerations. Where a neighbourhood plan sets out locally specific policies on housing mix and type these will take priority.

Explanation

12.13 The NPPF requires local authorities to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. Local Plan (Part One) policies [SOC 3](#) and [SOC 5](#) support mixed, balanced and sustainable communities through the provision of a range of market and affordable housing that meets identified future needs, and seek to deliver new housing that considers the requirements of different groups of people including vulnerable, disabled and elderly people.

12.14 In particular a requirement for smaller homes (two to three bed) is identified to enable people to get on the property ladder or to allow downsizing. The demographic profile of the borough is anticipated to change significantly between 2010 and 2030 as a result of an ageing population. The pressure to provide housing for people aged 65+ will therefore continue to increase throughout the plan period. Providing access to a wide range of housing products that encourage and support independent living (with varying levels of support and care) will support the creation and longevity of mixed sustainable communities.

12.15 The Council's Strategic Housing Market Assessment (SHMA) identified that an ageing population is a significant issue for the borough but also that the majority of elderly people would wish to stay in their own homes. Policy SOC 3 of the Local Plan (Part One) sought to address this issue through requiring new housing development to take account of the needs of an ageing population that could include the provision of Lifetime Homes, bungalows and extra care housing. Local Plan (Part One) policy ENV 6 identifies Lifetime Homes as an appropriate standard to help guide development across the borough. Since adoption of the Local Plan (Part One) the Government no longer supports references to Lifetime Homes in planning policies, the standards of which are now broadly reflected in the requirements of Building Regulations M4(2) (accessible and adaptable dwellings). Homes built to this standard are designed to meet the needs of occupiers throughout their lifetime and the provision of housing that complies with Building Regulations M4(2) as part of major developments may help demonstrate that the needs of an ageing population have been addressed in line with policy SOC 3, through high quality design and construction in line with policy ENV 6.

12.16 Larger scale developments should provide a range of dwelling sizes, and should not be dominated by large dwellings (four or more bedrooms) that are unlikely to meet the majority of the borough's housing needs. Smaller dwellings that allow for down sizing as well as first time buyers should be included as part of all new developments to encourage mixed and balanced communities, whilst providing homes for the greatest number of people in need.

12.17 Ensuring that housing design is flexible enough to be easily adapted to meet changing needs over time is a key priority of the Council's Vulnerable and Older People's Accommodation Plan. Measures to future proof new housing could include: straight staircases; the correct location of power points (such as at the bottom of staircases) and at the right level; and including dementia friendly design principles, in new developments. Further information could be included in supplementary guidance where appropriate.

12.18 Section 1 (1) of the Self-build and Custom Housebuilding Act 2015, places a duty on local authorities to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land to build a house for their own occupation. The Council will work pro-actively with small and volume house builders to identify small plots of land for single building plots, as well as making plots available to self-build and custom housebuilders as part of a larger scheme. The plots must be accessible and serviced in line with National Planning Policy Guidance (NPPG).

12.19 In addition to ensuring the self-build and custom housebuilding register is taken into account when carrying out its planning function the Council must also have regard to the register in relation to housing, land disposal and regeneration functions. The Council is proactive in bringing forward

sites for residential development, whether as stand-alone schemes or as part of wider regeneration projects, and will ensure that where there is demand provision is made for self and custom build properties as part of these developments. The Council's self-build and custom housebuilding register will be kept up to date by the Housing Strategy Team, and monitored in line with the regulations and guidance. The most up to date register must be used to inform the level of demand in the borough.

12.20 The Council will work with developers to agree on the most appropriate mix and type and it may not always be possible to provide a range of dwellings across all sites. The most up to date evidence of need at borough and local level should be fully taken into account. The Council recognises that the most appropriate housing mix may not always be achievable and account will be taken of any negative impacts on the viability of a scheme and local design considerations when determining the most suitable mix and type. The provision of a proportion of new dwellings built to comply with Building Regulations part M4(2) may also contribute towards meeting the requirements of an ageing population in relation to major developments. Whole plan viability testing has identified that in some areas of the borough, particularly on brownfield sites, development requirements including affordable housing delivery, may be harder to secure. The Council will work with developers to ensure that viable schemes can come forward and deliver housing that best suits the need of the local area.

DM 21 - Development within the curtilage of a dwellinghouse

DM 21

Proposals within the residential curtilage of a dwellinghouse for extensions, alterations, new outbuildings or structures, annexe accommodation, replacement dwellings, boundary treatments and hard surfacing, will only be supported where they meet the relevant criteria set out below.

Extensions, alterations and outbuildings/structures

Extensions and alterations to existing dwellings, or the construction of ancillary outbuildings or structures within the residential curtilage will be supported only if, taking into account any previous development to the original building or within its curtilage, they meet all of the following criteria:

1. the resulting development is in keeping with the character and appearance of, and is subordinate to, the original dwelling and surrounding properties, and the wider setting;
2. the resulting development would not have a significantly adverse effect on the amenities of nearby residential properties, or the future occupiers of the dwellinghouse;
3. suitable provision is included for access and parking;
4. where the building was originally constructed for a non-residential purpose e.g. agricultural, religious or industrial use, the resulting development would be of a limited scale consistent with the retention of the architectural and functional character of the original building; and
5. in the Green Belt, the resulting development would not result in disproportionate additions over and above the size of the original building.

Annexe accommodation

The provision of, or change of use of an existing building to residential annexe accommodation requiring planning permission will be supported where it is for occupation by a person dependant upon an occupant of the main dwellinghouse, and where all of the criteria for extensions, alterations and incidental outbuildings or structures, set out above, are met. Annexe accommodation must be closely related physically to, and functionally dependant upon, the main dwellinghouse.

Replacement dwellings

Proposals for replacement dwellings will be supported where all of the following criteria are met:

1. the existing dwelling does not have recognised special architectural or historic value, or local character (by being nationally or locally listed);
2. the development will not significantly adversely affect the amenities of nearby residential properties or the future occupiers of the dwellinghouse;
3. the replacement dwelling would not be significantly larger than the existing dwelling and is in keeping with the scale, character and appearance of its surroundings.
4. in the Green Belt, the replacement dwelling would not be materially larger than the existing dwelling.

Extending residential gardens

In the countryside, outside of identified settlements proposals for the extension of residential garden land will not be supported.

Boundary treatments and hard surfacing

The provision of a fence, wall, gate or means of enclosure and hard surfaced areas will only be supported where the first three criteria for 'Extensions, alterations and outbuildings/structures', set out above, are met. Particular regard will be had to the loss of existing soft landscaping and the prevailing character of boundary treatments in assessing the impacts of the proposed development.

Green Belt

In addition, in line with the Local Plan (Part One) policy STRAT 9, proposals for the development of land in the Green Belt must also accord with Green Belt policy as set out in the National Planning Policy Framework (NPPF).

Explanation

12.21 Local Plan (Part One) policies [SOC 3](#) and [SOC 5](#) promote the delivery of residential accommodation to meet a wide variety of needs, and in particular, meet the long term needs of the older people. Restricting the size of new development within the curtilage of a dwellinghouse will help maintain the following: the character and appearance of the original buildings and their surroundings; the character of a variety of dwelling sizes; and a range of dwelling sizes and types to enable a diverse and inclusive community in the countryside; and the openness of the Green Belt. As a general guide:

- subordinate and small scale extensions/outbuildings should not increase the size of the original dwelling by more than 30 per cent;
- replacement dwellings should not be significantly larger (i.e. more than 30 per cent) than the existing dwelling; and
- in the Green Belt, replacement dwellings should not be materially larger (i.e. more than 10 per cent) than the existing dwelling.

12.22 The increase in size of the original or existing dwelling will generally be determined by assessing the net increase in floorspace (measured externally). In cases where the increase proposed involves an increase in the overall building height, the net increase in volume (measured externally), will also be taken in to account. This assessment will not include any allowance or credit from the demolition of existing detached buildings or structures. In the countryside, and in the Green Belt, where the limits of the policy have been reached, when planning permission is granted, planning obligations/conditions may be applied to remove permitted development rights where necessary.

12.23 For the purposes of this policy only, a dwellinghouse is a self-contained building used as a single unit of residential accommodation, usually housing a single household, and will include a house, bungalow or building previously converted into a single unit of residential accommodation. It does not include a flat, maisonette or other forms of residential accommodation such as residential homes or student halls (which are included in the definition of a dwelling where they are self-contained for the purpose of housing land supply). The 'original dwelling' is the dwelling as it existed on 1 July 1948 or, if constructed after this date, as it was originally built. All outbuildings or structures within the curtilage of a dwellinghouse which are built after the construction of the original dwelling, will be treated as being an extension to the original building.

12.24 Local Plan (Part One) policy [SOC 3](#) states that the provision of new housing should meet the needs of older people. Residential annexes can provide suitable supported living accommodation that enables older people to retain a degree of independence. Annexe accommodation can also support larger families where children live at home for longer resulting in a need for additional living accommodation associated with an existing dwelling. Where an extension is not possible, living space can be increased through the creation of an annexe or ancillary living accommodation. Annexe accommodation should only be provided for a person dependant upon on an occupant of the main dwellinghouse, for example, a close relative who is elderly or has medical needs provided by the occupier of the main dwelling.

12.25 Annexe accommodation should be limited in size to provide for the basic needs of the dependant person, remain subordinate to the main dwelling, and normally include only one bedroom. It should be designed to be closely related physically to, and functionally dependant upon, the main dwellinghouse. Where the Council approves annexe accommodation, a condition will normally be attached to a planning permission to restrict its use to ancillary accommodation. Where an annexe would comprise self-contained living accommodation which would otherwise conflict with the development plan, the Council will require the applicant to enter into a Section 106 legal agreement under the provisions of the Town and Country Planning Act 1990, to prevent the severance of the

annexe from the main dwelling, and/or limiting the occupation to dependent relative(s). This will prevent the sub-letting of either property and ensure that such accommodation is required to meet a genuine family need.

12.26 The assessment of whether a development is in keeping with the character and appearance of, and is subordinate to, the original dwelling and surrounding properties, and the wider setting, will have particular regard to the design, scale, height, massing, material finishes, visual appearance and character of buildings, and the prevailing layout and landscaping of the development. In the Green Belt, extensions or replacement buildings which are materially higher than the original building are likely to be regarded as disproportionate additions, or materially larger.

12.27 Proposals for development on land within the curtilage of a dwellinghouse must be in line with relevant development plan policies, including for the provision of parking, and safe access. The Council will have regard to Local Plan (Part Two) policy **T 5**, and relevant parking standards for new residential development in determining applications for development within the curtilage of existing dwellings, with the aim of mitigating the harmful effects of any proposed reduction in existing parking provision or creation of additional demand for parking.

12.28 For proposals relating to the creation of new build dwellings or for the creation of dwellings through a change of use, please see Local Plan (Part Two) policies **DM 19** and **DM 22** respectively. Further details on supported living and specialist accommodation are set out in Local Plan (Part Two) policy **DM 26**. The Council may prepare a further guidance on the approach to, and implementation of the housing policies set out in the development plan.

DM 22 - Change of use to dwellinghouses and residential conversions

DM 22

Identified settlements

The change of use of buildings to dwellinghouses in identified settlements will be supported where proposals meet the requirements of Local Plan (Part Two) policy **DM 5**, and other relevant development plan policies.

Proposals for conversion/sub-division of an existing dwelling will only be supported where the conversion would not lead to significant alterations or extensions that would have a detrimental impact on the appearance and character of the original building or surrounding area.

Countryside

In the countryside, outside of identified settlements, proposals for the change of use of buildings to dwellinghouses will be only be supported where they also meet all of the following criteria:

1. the building is currently redundant or disused;

2. the building is of permanent and substantial construction and it is suitable for and capable of conversion to residential use without significant loss of existing fabric, or major or complete reconstruction;
3. the existing building does not have a harmful visual impact which would be perpetuated by its retention;
4. the conversion or change of use of the buildings(s) would lead to an enhancement to its immediate setting; and
5. the proposal would not be in conflict with existing uses in the locality.

Green Belt

In addition, in line with Local Plan (Part One) policy [STRAT 9](#), proposals for the development of land in the Green Belt must accord with Green Belt policy as set out in the National Planning Policy Framework (NPPF).

Explanation

12.29 The NPPF promotes mixed use development, encouraging the benefits from the use of land in urban and rural areas. Proposals that include residential accommodation within an urban environment can create mixed and balanced communities, combining living, working and social activities. A change of use can safeguard the future of existing buildings whilst making a valued contribution towards the supply of dwellings, particularly in premises located above commercial and business uses within the identified settlements set out in Local Plan (Part Two) policy **R 1**.

12.30 In the countryside, the Council recognises that the retention and re-use of some redundant or disused rural buildings e.g. traditional brick and slate barns, may have visual benefits and other benefits in terms of re-use of building materials that can outweigh the remoteness of such buildings from access to local services. However, this policy is not intended to encourage the retention of buildings that currently have adverse visual/landscape impact e.g. large agricultural sheds.

12.31 In determining whether a building is redundant or disused, where appropriate the Council will have regard to the nature of the most recent use, when the most recent use ceased, and the reason why it ceased. Outbuildings within residential gardens will seldom be considered sufficiently redundant or disused to outweigh the general approach of the Local Plan (Part One) to locate new housing in identified sustainable settlements.

12.32 In determining whether a building is of permanent and substantial construction and suitable for and capable of conversion the local planning authority will take the following into account:

- a structural survey demonstrating the structural integrity of the building and how much of the building can be retained, and drawings indicating how much will be retained;
- what proportion of the building will need to be replaced and/or re-constructed;
- the extent of changes that will be made to the fabric of the building, including the number and size of new openings that will need to be created.

12.33 In order to maintain the present level of residential accommodation in the borough it is necessary to prevent unnecessary loss through the conversion of dwellinghouses to fewer units. However, it is acknowledged that qualitative improvements can be made to unfit housing through conversion to larger units and this will be supported where it would result in empty and / or unfit properties being brought back in to use.

12.34 Dwellings created through the conversion/sub-division of an existing dwellinghouse should provide adequate accommodation, and not compromise living standards especially where smaller units are provided.

DM 23 - Delivering affordable housing

DM 23

Proposals for residential development should meet the affordable housing requirements set out in Local Plan (Part One) policy [SOC 1](#). Affordable housing should be provided on site. Where this cannot be achieved and exceptional circumstances can be demonstrated the Council will consider the following:

2nd Preference: off-site provision, located within the same spatial area as the approved development, secured through a Section 106 legal agreement;

3rd Preference: financial contributions to be used to deliver affordable dwellings within the same spatial area as the approved development, secured through a Section 106 legal agreement.

The Council must be satisfied that the proposed size and design of any affordable housing, will meet the specific identified need for that type of affordable housing in that area.

Explanation

12.35 The Council's key housing priorities include maintaining a supply of housing to meet a wide range of housing needs within the community, maximising the provision of affordable housing throughout the borough, including rural areas. Local Plan (Part One) policy [SOC 1](#) sets the threshold for sites on which the provision of up to 30 per cent affordable homes will be sought. Affordable homes are an integral part of new developments, and their on site delivery is key to achieving sustainable and mixed communities.

12.36 The Council is aware of changes to the National Planning Practice Guidance (NPPG) reducing the site threshold for affordable housing. The Council consider that the evidence of affordable housing need in the borough justifies the retention of the local thresholds set out in Local Plan (Part One) policy [SOC 1](#). The policies in the development plan ensure that viability of proposed schemes is taken into account therefore not compromising smaller sites from coming forward.

12.37 Where a proposal does not meet the affordable housing requirements set out in Local Plan (Part One) policy [SOC 1](#), an economic viability assessment which can be made publicly available, must be submitted with the application. The assessment must provide sufficient evidence to support the proposed alternative provision of affordable housing.

12.38 Off-site provision of affordable dwellings and financial contributions used to deliver affordable housing within a spatial area will be secured through a Section 106 legal agreement. Where off-site provision is not achievable e.g. there are no suitable sites within the same spatial area, the 3rd preference of a financial contribution will then be considered.

12.39 The level of discount applied to Intermediate housing including discount for sale properties, will be determined by the Council, and set at level which is affordable for local people. Further details including delivery mechanisms, calculating contributions and level of discount will be provided in supplementary guidance.

12.40 The spatial areas refer to the main urban areas of Chester, Ellesmere Port, Northwich and Winsford, and key and local service centres. Local Plan (Part One) policies STRAT 3 to STRAT 8, Local Plan (Part Two) policy **R 1** and the policies map identify each spatial area.

DM 24 - Rural exception sites

DM 24

In line with Local Plan (Part One) policy [SOC 2](#), small affordable exception sites will be supported adjacent to key or local service centres subject to meeting the additional requirements set out below.

A current affordable local need for the development must be demonstrated through an up to date independent assessment of local housing need prepared by the Parish Council or in collaboration with the Parish Council. Local housing need must relate to people who have a strong local connection to the parish in which the development is proposed. Unless defined differently in a neighbourhood plan, local connection means people or households who:

1. currently live in the parish and have been living there continuously for at least five years; or
2. have permanent employment in the parish; or
3. have close family members (defined as children, parents, siblings only) who have been residing in the parish continuously for at least five years; or
4. people who have previously lived in the parish for a continuous period of at least 10 years.

Once a local affordable need has been established a suitable site should be identified following a thorough assessment of alternatives in consultation with the Parish Council and local community. Rural exception sites will only be permitted where the local need cannot otherwise be met on sites within an identified settlement boundary, including on sites for market housing on which an element of affordable housing is required.

The allocation and occupancy of rural exception properties will be restricted to people/households who can meet the local connection test. After first occupation a geographical cascade approach will apply as agreed with the Council.

Explanation

12.41 Local Plan (Part One) policy [SOC 2](#) acknowledges that rural exception sites are an important tool to deliver rural affordable housing. In line with Local Plan (Part One) policy [SOC 2](#), rural exception sites are only acceptable to meet a clearly identified local need, where adjacent to the key service centres and local service centres identified in the development plan.

12.42 It is very important that an exception site for affordable housing meets a genuine and current local need, in order to justify development that would normally be considered contrary to policies that seek to resist development in the countryside and potentially Green Belt. A local needs survey prepared by an independent body will need to be prepared to justify a rural exception site. This need survey should be prepared by the relevant Parish Council/Parish Council group (such as Neighbourhood Plan Group or Community Land Trust) or in close consultation with the Parish Council to ensure the work has local support and an accurate survey response is achieved.

12.43 The Council is proactive in supporting rural housing and has commissioned an independent rural enabler (Cheshire Community Action) to undertake rural needs surveys for a number of the identified key service centres, working in partnership with the Parish or Town Council. Community land trusts have also been supported to help local communities to bring forward local housing schemes. The Council's housing waiting list may also be useful in informing housing need as part of local need survey work.

12.44 Once a local need has been established then an assessment of suitable sites should take place in terms of land being of an appropriate size, availability and ensuring sites would not harm other policy objectives such as Green Belt. Sites should be brought forward following close engagement with the local community and wherever possible through the neighbourhood plan process. A Registered Provider partner should be identified at an early stage to deliver and manage the housing. Alternative delivery options may be acceptable but must be agreed in advance with the Council.

12.45 Exception sites to meet an identified need for affordable housing will only be permitted where this need cannot be met through the provision of affordable housing on sites within identified key and local service centres. Sites must be easily accessible to local services and facilities in the settlement via a safe pedestrian route.

12.46 Any local needs survey must be carried out in accordance with a methodology and to a geography which has been agreed in advance by the Council. Local need will relate to the key or local service centre and the associated Parish Council area. There are two local service centres, Willaston and Childer Thornton, that presently unparished although this may change as a result of

the Council's Governance review to create new Parish Council areas. Until such time as Parish areas are formally designated the Council will work with the Willaston Residents and Countryside Society and residents of Childer Thornton should they wish to pursue an exception scheme.

12.47 Subject to the need identified in the local community the Council would ideally like to see affordable homes provided for rent although other tenures may be supported. Due to the nature of the policy being supportive of schemes as exceptions to the general housing policies in the development plan, the specific types of affordable housing are restricted to social rented, affordable rented, and intermediate housing.

12.48 As set out in Local Plan (Part One) policy [SOC 2](#), any development must remain affordable in perpetuity. To ensure that houses remain affordable in perpetuity, stair-casing on any shared ownership properties will be capped at 80 per cent.

12.49 Sites should be modest in scale, proportionate to the size of the existing settlement and be well related to the existing settlement in terms of form and character. As a guide developments of up to 20 dwellings may be acceptable in key service centres and up to 10 dwellings acceptable in local service centres. It is recognised that the key service centres of Neston and Frodsham are of a much larger scale and a higher number of units may be acceptable subject in particular to neighbourhood plan policies. In all cases the scale of development must reflect the identified need as well as considerations such as the impact on landscape, heritage and amenity. Within the Green Belt, the impact on openness will be taken into account in assessing the appropriate scale of development.

12.50 Schemes should be for 100 per cent affordable housing. A small subsidiary element of market housing may be allowed where it can be demonstrated through an open book viability appraisal that the identified housing need cannot be met without cross subsidy. The provision of market housing within a scheme will be at the Council's discretion and unrealistic land values will not be accepted as a justification for cross-subsidy.

DM 25 - Essential rural workers dwellings

DM 25

Permanent rural workers dwellings

Proposals for new permanent essential rural workers dwellings to support agricultural, forestry and rural land based enterprises will be supported where a worker is required to live on site, and where all of the following criteria are met;

1. there is a clearly established existing functional need for an additional worker to live permanently at the site;
2. the need relates to a full-time worker, or their primary employment as a rural worker, and does not relate to a part-time requirement;
3. the unit and the rural land based activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound and have a prospect of remaining so;
4. the functional need could not be fulfilled by another existing dwelling on or near to the site, or any other existing accommodation in the area which is suitable and available for occupation by the worker(s) concerned;
5. the size and siting of the dwelling is commensurate with the established functional requirement and well-related to existing buildings or other dwellings;
6. occupation of the dwelling will be restricted to persons employed in agriculture, forestry, or other land-based rural enterprise, or the widow or widower of such a person or any resident dependants;
7. where new dwellings are approved on the basis that they are vital to the success of a specific rural enterprise, provisions will be put in place to ensure that they remain available for that purpose in perpetuity; and
8. other planning requirements e.g. in relation to access, or impact on the countryside, are satisfied.

A rural workers dwelling must remain available for meeting the evidenced need for as long as it exists, and should remain as affordable housing if the original need ceases.

Permitted development rights for extensions and outbuildings will normally be removed to ensure that the size of the dwelling remains commensurate to the needs of the business.

Temporary rural workers dwellings

Where a new dwelling is essential to support a new rural based activity, whether on a newly-created agricultural unit or an established one, it should, for the first three years, be provided by a caravan, or other temporary accommodation.

Proposals for temporary workers dwellings should satisfy all of the criteria for permanent rural workers dwellings set out above, with the exception of criterion three, requiring activity to have been established for three years.

Explanation

12.51 Within the Green Belt and in the countryside development of new housing is restricted through Local Plan (Part One) policy [STRAT 9](#) to that which requires such a location. Special circumstances for new dwellings in the countryside are also set out in paragraph 55 of the NPPF. The creation of new housing in the countryside, outside of identified settlements, is restricted to set requirements to ensure that isolated private housing is not developed in unsustainable locations. New dwellings must be linked to the occupational use of the land, and to a business that requires a worker to live on or near to that business.

12.52 The functional need relates to the operation of the rural business and is restricted to agriculture, forestry, equestrian related activities, and animal care. It does not apply to other businesses in the rural area that have no occupational tie to the land use or the countryside location. The proven need will establish whether the dwelling is essential for the proper functioning of the business for one or more workers to be available on site at most times. New permanent farm workers accommodation cannot be justified on agricultural grounds unless the farming enterprise is economically viable, and a financial test will be necessary to evidence this, and the size of the dwelling which the unit can sustain.

12.53 Where new dwellings are approved on the basis that they are vital to the success of a specific rural enterprise, it is reasonable and necessary to seek to ensure that they remain available for that purpose in perpetuity and the Council will use legal agreements to secure this. Where it can be demonstrated that the essential need for a dwelling to serve the enterprise has fallen away, the Council has been and will continue to be flexible in removing legal obligations.

DM 26 - Specialist accommodation

DM 26

Proposals for specialist accommodation, including nursing homes and elderly persons accommodation, within identified settlements to meet the needs of vulnerable and older people will be supported where the criteria of Local Plan (Part Two) policies **DM 2** and **DM 3** and the relevant development plan policies can be met.

Where appropriate, developments should include a mix of accommodation including:

1. accessible and adaptable self-contained dwellings e.g. bungalows;
2. specialist care accommodation;
3. market and affordable housing that is wheelchair accessible; and
4. adaptable homes to meet the needs of people with disabilities; and to accommodate changing needs of occupants as they age.

Developments will be required to provide a proportion of dwellings that are built to specified standards in line with Local Plan (Part Two) policy **DM 20** where a local need is identified.

Affordable housing provision will be required in line with Local Plan (Part One) policy [SOC 1](#) for all elements of a proposal that would create self-contained dwellings.

New specialist accommodation must be located with good accessibility to a range of existing services and facilities, and with good access to public transport. New facilities, including large scale extra care village developments, outside of settlement boundaries will be resisted in line with Local Plan (Part One) policy [STRAT 9](#).

Proposals for hostel accommodation should be located within identified settlements, to provide a suitable location for its residents to access local services and facilities, and to minimise potential conflict or impacts on surrounding uses.

Explanation

12.54 Local Plan (Part One) policies [STRAT 1](#), [SOC 3](#) and [SOC 5](#) seek to deliver sustainable mixed communities that meet the wide range of needs throughout the borough. To ensure that the appropriate level of support is available and accessible to the elderly and vulnerable groups in the community, developments must have regard to the proximity of existing communities and facilities to ensure they are accessible by foot as well as public transport where appropriate. The identified settlements are set out in Local Plan (Part One) policies STRAT 3 to STRAT 8 and policy Local Plan (Part Two) policy **R 1**.

12.55 The Council's draft Vulnerable and Older People's Accommodation Plan (2016 - 2020) states that "poor housing conditions can contribute to physical and mental health problems and people without a home experience some of the worst health inequalities of all". The Local Plan acknowledges the Council's need to promote the delivery of new homes whilst ensuring that they are "well-designed, of high quality, are sustainable and meet the needs of our diverse population".

12.56 Extra care/age restricted accommodation can provide either self contained housing or communal living with on-site care, and support a range of facilities that are designed to assist older people to maintain their independence for as long as possible. Developments that support older and vulnerable people to live healthier and more independent lives are supported. The level of care provision can be flexible in such developments which means the support available is responsive and adaptable to changing needs as required. Developments should be well located in relation to existing services and facilities including accessibility via safe walking and cycling routes where possible.

DM 27 - Student accommodation

DM 27

Proposals for the development of purpose-built student accommodation will be supported in line with Local Plan (Part One) policy [SOC 3](#) where there is a demonstrated quantitative and qualitative need.

New student accommodation must be located within an identified settlement, as identified on the policies map, and within a reasonable walking distance (approximately 1.6 km) of a university or college campus as identified in Local Plan (Part Two) policy **CH 4**; or with good accessibility to cycling and public transport routes.

The proposed accommodation must provide satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms for its residents.

The cumulative impacts of student accommodation proposals must be considered in relation to the surrounding area, and the development must not result in harm to amenity through increased on-street parking, traffic, noise or waste and must contribute towards the creation of balanced sustainable communities.

A management plan must be submitted to support student accommodation proposals to identify and address potential impacts arising from the development. This should include, where required, mitigation measures to ensure a safe living environment for student occupants and residents in the surrounding area.

Where student accommodation becomes vacant / surplus to requirements its reuse for alternative residential accommodation will be considered in line with the relevant development plan policies including affordable housing, access and parking, and amenity.

Explanation

12.57 Local Plan (Part One) policy [SOC 3](#) supports the provision of specialised student accommodation in appropriate, accessible locations, convenient for the facilities at the University of Chester. Additional guidance is provided by the Houses in Multiple Occupation and Student Accommodation Supplementary Planning Document (SPD) that was adopted by the Council on 27 April 2016.

12.58 Purpose built student accommodation is a building specifically designed for occupation by students (either a new building or conversion of an existing building). This type of accommodation may be in the form of halls of residence, cluster flats with some amenities shared, or fully self-contained flats (including studio flats) and can be provided by, or on behalf of an educational establishment, or by a private landlord/developer.

12.59 Applicants must demonstrate a quantitative and a qualitative need for new student accommodation based on robust evidence supported by the University of Chester, and agreed with the Council.

12.60 Local Plan (Part One) policy [SOC 3](#) also supports mixed, balanced and sustainable communities. It is recognised that even with careful planning that the presence of a large number of students in an area can cause community imbalance and issues with community cohesion. Therefore

cumulative impacts of student related developments will be an important consideration. It is considered that well designed purpose built accommodation and accompanying management plans can address many of these issues. Management plans must include the following:

- appropriate security measures, such as security door and window locks, intercom entry systems, lighting, wardens and CCTV, which can all help to make the local environment safer for occupants and reduce opportunities for crime;
- appropriate soundproofing to address both internal and external noise transmission;
- appropriate supervision and reporting mechanisms such as a resident tutor within the block or a designated helpline available throughout the day and night to deal with inappropriate behaviour or complaints from occupants and local residents;
- appropriate means of storing and dealing with waste;
- appropriate secure cycle storage facilities;
- an on-site and off-site car parking management plan (including car ownership, parking allocation, servicing and deliveries); and
- implementation guidance.

12.61 To future proof developments, schemes should be designed to be suitable and able to be adapted to general residential use, taking in to consideration the requirements for parking, open space, general residential amenity, and affordable housing. Developments should be in line with all relevant design and amenity policies set out in the development plan to ensure that new buildings integrate with the local area in relation to the character, built and natural environment.

DM 28 - Houses in Multiple Occupation

DM 28

The change of use from a dwelling to a House in Multiple Occupation (HMO) will be supported where:

1. the additional HMO would not result in a concentration of HMOs within 50 metres of the property exceeding 15 per cent of the total number of dwellings;
2. the additional HMO would not result in the sandwiching of an existing single household dwelling between HMOs;
3. the additional HMO has regard to the amenity standards set out in the Physical Property Standards - Shared houses/flats document published by Cheshire West and Chester Council in 2012 and any relevant standards set by national housing legislation and guidance;
4. appropriate provision is made for secure cycle parking within the curtilage of the property, where there is sufficient space; and
5. appropriate provision is made for waste and recycling facilities

Where a proposal is made in a road/street with an existing very high level of HMO properties, the change of use of the remaining properties will be permitted where this would not result in a detrimental change to the overall character of the area, and where the application is supported by evidence that there is no reasonable demand for the existing C3 (dwellinghouse) use.

Explanation

12.62 Houses in multiple occupation (HMOs) provide an important supply of housing for a variety of people including young professionals in house shares as well as for the student population living outside of purpose built student accommodation. However, an increase in the number of people living in a dwelling will increase the demand on services and infrastructure, above the demands of a smaller household size traditionally associated with a C3 dwellinghouse. The impact of increasing the demands on services and increasing the population significantly in a residential must be considered when proposals are made to intensify the number of HMOs in an area.

12.63 The explanatory text to Local Plan (Part One) policy [SOC 3](#) notes the high concentration of HMOs present in areas close to the University of Chester, such as the Garden Quarter area, and areas of Neston, and the potential problems that this can lead to. It notes that the effective management of HMOs is vital including, where necessary, implementing Article 4 Directions to require planning permission for the creation of HMOs.

12.64 Proposals should have regard to the Houses in Multiple Occupation and Student Accommodation SPD which provides additional guidance including a density calculation and potential exceptions to this. This states that where the vast majority (around 80 per cent or more) of existing properties surrounding the application site within the defined area of impact are HMOs, the retention of the remaining C3 dwellings may have little impact on the balance and mix of households.

13 Health and well-being

13.1 This chapter considers how development can impact on health and wellbeing of residents, including how the built environment can contribute to health to how air quality, noise, land instability and contamination should be considered. Policies in this chapter consider hazardous installations and appropriate locations for such a use along with the appropriate development in a hazard zone to ensure the best use of available land.

13.2 The National Planning Policy Framework (NPPF) actively promotes strong, vibrant and healthy communities and recognises that the planning system can play an important role. Health and wellbeing is a core theme that runs through the Local Plan (Part One). The health and wellbeing strategy (2015-2020) is the strategic framework for improving health and inequality across the borough. The Joint Strategic Needs Assessment (JSNA) brings together data and intelligence that helps us understand the needs of the local population. The JSNA is organised under themes of population, starting well, living well, working well and ageing well. The Council is preparing a Low Emissions Strategy to make an improvement to the air quality across the borough.

13.3 The borough has a four Air Quality Management Areas (AQMA) within Chester, Frodsham and Ellesmere Port. There is a significant amount of industrial and potentially polluting uses east of Ellesmere Port and east of Northwich. Many of these uses have hazardous substances on site and can limit development in the surround areas. The Mid-Cheshire area has historically been a major area for salt and brine extraction and as such, land instability may arise.

DM 29 - Health impacts of new development

DM 29

Development proposals should take every reasonable opportunity to promote and positively contribute to the health of the borough in line with Local Plan (Part One) policy [SOC 5](#). A statement considering the health implications of new build commercial and residential development should be submitted, with mitigation of negative impacts made proportionate to the scheme.

Where development is likely to have a significant impact, including any cumulative impacts on public health, it must be demonstrated how health and wellbeing has been taken into account through an assessment. Such applications must make a positive contribution to health and wellbeing and any negative impacts adequately mitigated.

Development that would give rise to significant adverse effects on health and wellbeing will not be supported.

Explanation

13.4 Local Plan (Part One) policy [SOC 5](#) supports new and improved health and wellbeing in the borough, whilst ensuring residential amenity is protected. New build development can have a positive and negative impact on health and wellbeing. Although the proposed development maybe small scale, the cumulative effects can have a significant impact on health as a whole. Applicants, should be conscious of health impacts when preparing development proposals. Whilst a full health impact assessment would not be expected for all development, considerations towards physical and mental health should be included in a statement included with the planning application. Mitigation of negative impacts should be made that are proportionate to the proposed scheme.

13.5 The Cheshire West and Chester Health and Wellbeing Strategy (2015-2020) sets out the strategic framework for improving health and reducing inequalities across the borough. The emphasis in the strategy is on prevention, coordination and integration of care, and sets out the following priorities:

- every child and young person has the best start in life;
- people have healthier lifestyles;
- improved mental health, wellbeing and personal resilience; and
- older people live healthier and more independent lives, feel supported and have a good quality of life

13.6 The Health and Wellbeing Strategy builds upon the key priorities identified in the Cheshire West and Chester's Joint Strategic Needs Assessment (JSNA) and is a process undertaken jointly by the Council and its partners. The JSNA shows a number of key health and wellbeing priorities, highlighting specific challenges in:

- the health inequalities facing those living within our most disadvantaged communities;
- an increasing proportion of older people - a large proportion of whom have complex needs;
- the increase in unhealthy lifestyles leading to preventable diseases and early death;
- the need to ensure access to services for vulnerable groups.

13.7 The JSNA also identifies childhood obesity as a growing issue for the borough. The Health and Wellbeing Strategy identifies reducing excess weight in children as an indicator of meeting key priorities.

13.8 Developments that are likely to impact the challenges in the borough as identified in the JSNA should demonstrate how the scheme contributes to the outcomes in the Health and Wellbeing Strategy. Other development that is likely to have a significant impact on health such as large scale residential schemes, large scale economic uses and hazardous development should demonstrate the positive impacts of the development and how negative impacts are mitigated.

13.9 An assessment that demonstrates the positive and negative impacts of development on health and wellbeing should be included with the planning application when required. An assessment could include a standalone Health Impact Assessment, an integrated assessment with an Environmental Impact Assessment (EIA), Sustainability Appraisal (SA), or a suitable agreed alternative.

13.10 It is acknowledged that there are a number of ways to contribute to strong, vibrant and healthy communities such as promotion of social interaction for people of all ages; meeting the needs of an increasingly elderly population; providing good access to local services and facilities; reducing health inequalities; supporting people of all ages in making healthier choices and access to healthier food; making a positive contribution to health and quality of life, including minimising pollution; providing safe places for active sport, play and food growing; promoting active travel; and enhancing access to green open space and recreational route ways. Many of these can be achieved through the consideration of the design and layout of a scheme, and should be demonstrated in the planning application, which can provide opportunities to be active within developments themselves as included in Sports England's Active Design Principles.

13.11 Hot food takeaways in close proximity to schools have the potential to impact health, especially children. These applications could give rise to significant adverse impacts on residential amenity in terms of noise, vibrations, odours, traffic disturbance, litter or hours of operation as a result of the proposed premises. Planning conditions may be used to mitigate impacts to protect health and residential amenity.

DM 30 - Noise

DM 30

In line with Local Plan (Part One) policy [SOC 5](#), development must not give rise to significant adverse impacts on health and quality of life, from noise. Development which generates noise or is sensitive to it will only be permitted where it accords with the development plan and does not have an unacceptable adverse impact on human health or quality of life.

Unless it can be demonstrated that a significant adverse impact on residential amenity arising from construction and demolition is unlikely it is expected that demolition and construction works shall be carried out during normal working hours.

The Council must be satisfied that the proposed location of any construction/demolition site compound will minimise the noise impact on neighbouring residential uses.

Explanation

13.12 The impact of noise is a key consideration for residential amenity as stated in Local Plan (Part One) policy [SOC 5](#). This policy covers noise from commercial and industrial uses, and energy generation schemes, including the impacts on residential uses and the expected noise levels within residential development, and should be considered alongside other relevant development plan policies. Consideration should not only be given to potential increases in noise levels but also changes in the acoustic character of the local noise environment. The Council may prepare further guidance to assist in the application of this policy.

13.13 The effective control and management of environmental, neighbour and neighbourhood noise should, within the context of Government policy, on sustainable development, contribute to the improvement of health and quality of life. In considering the impact of noise, regard should be had to the World Health Organisation Guidelines for Community Noise and the latest British Standards (or their recognised replacement) for both internal and external noise levels. In line with Local Plan (Part One) policy [SOC 5](#), the protection of health (mental and physiological) and prevention of interference with speech communication is a consideration in assessing planning applications. As such, the relaxation of indoor criteria is not considered appropriate, and generally internal levels can be achieved through design and insulation measures.

13.14 For the purposes of this policy residential development includes uses such as dwellings, care homes (including extra-care/age-restricted) and houses in multiple occupation (HMO's). A relaxation of the external standard may be considered acceptable in noisier environments such as city centres and urban areas adjoining the strategic transport network having regard to the latest British Standard (or its recognised replacement). No limit will be applied to balconies but all development should be designed to achieve the lowest practicable level in external amenity space.

13.15 Internal noise levels could be conditioned on approval. New residential development should demonstrate the expected noise levels in habitable rooms when they are unoccupied and with a window partially open or otherwise adequate ventilation to meet the standards outlined in the Building Regulations Approved Document. External noise levels will normally need to be demonstrated in principle as part of the application if there is a significant noise source within close proximity. A noise report should be standard for the majority of residential, industrial and commercial developments. The noise report should follow the approach set out in relevant guidance (or its recognised replacement) which includes: the latest British Standards, the Calculation of Road Traffic Noise and, where appropriate, the Professional Practice Guidance on Planning and Noise.

13.16 In the event that the appropriate level cannot be achieved without mitigation applicants should carry out detailed investigations and submit appropriate levels of mitigation, including details of the noise output, and the provision of purpose designed attenuation for all noise generative plant and equipment.

13.17 Noise from construction or demolition works as part of a development can be intrusive or disruptive to local businesses and/or noise sensitive land uses and regard should be had to the latest British Standard, or its recognised replacement. In all instances where alternative working methods exist, the minimisation of noise and vibration shall be a prime consideration in the choice of technique and equipment used. For this reason, construction or demolition activities should be restricted to daytime periods and have fixed start and finish times i.e. 08.00 to 18.00 hours Monday to Friday, and 08.00 to 18.00 hours on Saturdays, with no works being permitted on Sundays or Bank Holidays, unless it can be clearly demonstrated that they will not cause unacceptable disturbance to noise sensitive receptors. The location of any site compound must be submitted to and approved by the Council's Environmental Protection team, to ensure that it is appropriately situated in order to minimise the noise impact on neighbouring residential uses.

13.18 Where there is potential for a wind turbine proposal to result in noise or vibration impacts which affect residential properties, or other sensitive receptors, the applicant must undertake a noise impact assessment carried out in accordance with current guidance and in agreement with the Council's Environmental Protection team.

DM 31 - Air quality

DM 31

In line with Local Plan (Part One) policy [SOC 5](#), development must not give rise to significant adverse impacts on health and quality of life, from air pollution. In particular, development proposals within or adjacent to an Air Quality Management Area will be expected to be designed to mitigate the impact of poor air quality on future occupiers.

An air quality assessment will be required for development proposals that have the potential for significant air quality impacts, including those which:

1. are classed as major development and have the potential, either individually or cumulatively, for significant emissions; or
2. are likely to result in an increase in pollution levels in an Air Quality Management Area (AQMA); or
3. are likely to expose people to existing sources of air pollutants.

Where an air quality assessment identifies an unacceptable impact on or from air quality, an appropriate scheme of mitigation must be submitted, which may take the form of on-site measures or, where appropriate, a financial contribution to off-site measures.

Applicants must demonstrate that appropriate mitigation will be provided to ensure that the new development is appropriate for its location and unacceptable risks are avoided.

Development that is likely to produce an odour should demonstrate that there is no negative impact on residential amenity, in line with Local Plan (Part One) policy [SOC 5](#) and Local Plan (Part Two) policy **DM 2**.

Explanation

13.19 The Local Plan (Part One) strategic objective SO 11 ensures that new development does not create an unacceptable impact on amenity and health of residents. Local Plan (Part One) policy [SOC 5](#) is clear that development that gives rise to significant adverse impacts on health and quality of life, including residential amenity will not be allowed.

13.20 Poor air quality can be a major cause of ill health, linked to strokes, heart disease, lung cancer, and both chronic and acute respiratory diseases. The Council is preparing a Low Emissions Strategy that seeks to address these health impacts by targeting the reduction of pollutants and sets out measures to improve air quality across the borough.

13.21 The Council is required to assess airborne levels of benzene, butadiene, carbon monoxide, lead, nitrogen dioxide (NO₂), particles (PM₁₀) and sulphur dioxide. Where it identifies areas exceeding statutory limits and there is relevant public exposure, it is required to declare an AQMA under the the Environment Act 1995, and to draw up an action plan detailing remedial measures to address the problem.

13.22 Cheshire West and Chester Council has currently three AQMAs designated for NO₂ caused by traffic on the roads (at Chester city centre; Whitby Road/Station Road, in Ellesmere Port; Fluin Lane/A56 junction, in Frodsham) and one AQMA declared at Thornton-le-Moors as a result of exceedances of sulphur dioxide (SO₂) from industry. The Council will assess air quality in the borough on a regular basis and the changing status of areas should therefore be taken into account. Further information is available from the Council's website (the AQMA boundaries can also be viewed on DEFRA's interactive map: <https://uk-air.defra.gov.uk/aqma/maps>).

13.23 To protect future occupiers and reduce exposure to air pollution, development proposals located within, or adjacent^(iv) to AQMAs should include measures to mitigate the impact of poor air quality, where appropriate. Examples include:

- on-site provision of electric vehicle charging infrastructure above the levels set out in Local Plan (Part Two) policy **T 5**;
- avoiding the creation of new “street canyon”, or building configurations that inhibit effective pollution dispersion;
- locating habitable rooms away from busy roads, or directing combustion generated pollutants through well sited vents of chimney stacks;
- increasing the distance between the development façade and the pollution source.

13.24 An air quality assessment (AQA) will be required for all major development proposals that have the potential, either individually or cumulatively, for significant emissions to the detriment of air quality; or for development proposals that are likely to result in an increase in pollution levels in an AQMA; or introduce new occupiers into an existing AQMA or other area of poor air quality.

13.25 In considering whether there is the potential for significant emissions or a proposal is likely to increase pollution levels, the Council will take into account the location and the nature of the proposed development. Where an AQA is required, it will be expected to:

1. clearly identify potential sources of air pollution resulting from the proposed development and future use of the site;
2. show that the potential future occupants of the land or building will not be exposed to excessive air pollution;

iv Defined as within 20 metres

3. demonstrate how the proposed development will not diminish the existing air quality;
4. identify measures that will be taken to monitor the impact of the proposed development on air quality.

13.26 Where an AQA demonstrates that the impacts from a proposed development are predicted to have an unacceptable impact^(v) on local air quality, the Council will request funding from developers to support projects to improve air quality and mitigate the impacts. The scale of mitigation requirements for developments will be assessed using a damage cost approach such as using damage costs per tonne of emissions provided by Defra. This provides a transparent, simple method for calculating costs to society of a change in emissions (from both vehicles and other combustion sources) of different pollutants, and calculation of the additional emissions generated by the proposal.

13.27 On-site mitigation is generally preferred, but such solutions should be weighed against other relevant planning considerations such as the climate change implications of extensive mechanical ventilation and the need to maintain a positive relationship in design terms between the development and the public realm.

13.28 The demolition and construction phases of development proposals can lead to both nuisance dust and elevated fine particulate (PM₁₀ and PM_{2.5}) concentrations. Non-Road Mobile Machinery (NRMM) used in demolition and construction is a significant source of pollution. Therefore, wherever possible, renewable, mains or battery powered plant items should be used. The Institute of Air Quality Management (IAQM) has produced a number of definitive guidance documents which developers and contractors should follow when drafting their construction plans and measures to minimise air pollution during the demolition and construction process.

13.29 Development that is likely to create an odour must ensure that there is no harm to the residential amenity in the area. Appropriate mitigation measures may be required and planning conditions used to protect the amenity of the residents. Odours released from hot food preparation can have a particular impact on residential amenity. All odour controls proposed must ensure that odour and noise arising from extract and abatement plants does not result in a loss of amenity to nearby property and commercial premises.

13.30 Further guidance on the measures that can be taken to comply with this policy are included within the relevant Air Quality Action Plans, the Low Emission Strategy, the Travel Planning Guidance SPD, the Parking Standards SPD and other relevant guidance documents that may be prepared by the Council.

v Defined as being greater than negligible within AQMAs and greater than slight elsewhere, as per EPUK/IAQM Guidance – Land-Use Planning & Development Control: Planning For Air Quality January 2017

DM 32 - Land contamination and instability

DM 32

In line with Local Plan (Part One) policies [SOC 5](#) and [ENV 4](#), development proposals on land known or suspected to be unstable or contaminated must demonstrate that they will not give rise to significant adverse impacts on health, controlled waters, ecological receptors, property and quality of life.

Contamination

Development on previously developed sites or on land known or suspected to be contaminated must be supported by an appropriate contamination assessment which clearly demonstrates that the risk from contamination can be successfully mitigated and managed over the lifetime of the development.

Development adjacent to or adjoining known or suspected contaminated land may also need to be supported by an appropriate contamination assessment.

Development adjoining or adjacent to a landfill site must be accompanied by a full landfill gas assessment conducted in accordance with current industry best practice guidance and identify the necessary mitigation measures to protect the development from the risks of landfill gas.

Instability

In areas of potential land instability, an assessment should be made to ensure that the land is suitable for the proposed development, and that development can be undertaken, occupied and used without risk to people and property resulting from underground conditions. Areas of potential land instability will include those of vulnerable topography or geology, as well as those identified on the policies map with evidence of:

1. brine and salt extraction (either currently, or in the past)
2. past or potential future natural subsidence due to salt erosion
3. coal mining

Development must not result in an increased risk of subsidence or land instability on the site or in the surrounding area.

Explanation

13.31 The Council's objective is to encourage the use of sustainable previously developed land. This is set out in Local Plan (Part One) policy [STRAT 1](#) that encourages the use and redevelopment of previously developed land and buildings in sustainable locations that are not of high environmental value. The policy specifically refers to supporting the enhancement and restoration of degraded and despoiled land and encouraging the use and redevelopment of previously developed land.

13.32 The Council will need to be satisfied that contaminated and potentially instable land is safe for its proposed use and will not harm residential amenity, the surrounding environment, health and quality of life, in line with Local Plan (Part One) policies [SOC 5](#) and [ENV 4](#). Therefore, these policies set out criterion which are required to satisfy the Council that land and the intended use is appropriate and safe. For sites with land instability caused through flooding and at risk of flooding should refer to Local Plan (Part One) policy [ENV 1](#) and Local Plan (Part Two) policies **DM 40** and **DM 41**.

Contamination

13.33 All land, including greenfield sites, may be subject to land contamination from previous uses, including from adjoining sites with known or suspected contamination. As a minimum, a Phase 1 desktop study will be required, to characterise the site in terms of potential contamination and help inform the consideration of additional information that may be required and potential mitigation measures.

13.34 Where contamination issues are identified, development proposals for the site should incorporate appropriate remediation and subsequent management measures to remove unacceptable risks to human health, controlled waters, ecological receptors, property and the wider environment identified in the assessment process, as appropriate for the uses proposed, and the Council may impose planning conditions or remove permitted development rights to this effect. The full implementation of approved remediation measures will normally be required prior to the occupation of the proposed development.

13.35 It is acknowledged that although land maybe suitable for remediation, the construction process could harm the surrounding land, including waterways. The suitability of the intended use of the land and the construction method will be considered through the planning application process and conditioned where appropriate.

Instability

13.36 Areas of Mid-Cheshire including Northwich, Winsford, Marston and Wincham have historically been a major area for salt mining and brine extraction. A Land Stabilisation Programme managed by English Partnership for the stabilisation of abandoned salt mines beneath Northwich town centre was completed in 2007. These mines were Penny's Lane, Neumann's Mine, Baron's Quay and Witton Bank. However, there are other areas outside Northwich town centre that may be at risk of subsidence due to rock salt mining and brine extraction. The salt and brine deposits around Northwich are also naturally eroded, leading to further concerns over the stability of land.

13.37 The Cheshire Brine Subsidence Compensation Board provide compensation for specified categories of damage to land and buildings caused by subsidence due to brine pumping and to respond to consultations from the Planning Authorities and Building Control regarding development within specified areas which may have been affected by historic brine pumping (Consultation Areas). The Board is responsible for prescribing the Consultation Areas under Section 38(1) of The Cheshire Brine Pumping (Compensation for Subsidence) Act, 1952, which are areas potentially at risk from the pumping of brine.

13.38 There are historic records of coal mines in the Neston area. These are no longer active and are sealed, with the areas around them developed. There are no immediate concerns over the safety of these areas, however new development should be assessed.

DM 33 - New or extension to hazardous installations

DM 33

Hazardous substances consent or development proposals which either creates new hazardous installations or extends existing hazardous installations, including pipelines will be supported where:

1. the development does not create or increase risk to the general public or environmental sensitive areas and retains an appropriate distance from the hazard;
2. it does not significantly restrict the type of development on the surrounding land.

Applications for underground hazardous waste storage or containment facility will be supported providing it is demonstrated this is the most sustainable option and the methods and technologies used would be the most appropriate, that ground stability would not be affected and that mineral reserves, which are both workable and economically viable, would not be sterilised.

Explanation

13.39 The borough has concentrations of hazardous installations, namely to the east of Ellesmere Port and to the east of Northwich. Stanlow is a large site east of Ellesmere Port which contains a high number of hazardous operators, including Essar and within the borough at Capenhurst is a nuclear site operated by Urenco. There are also a number of hazardous pipelines that run through the borough.

13.40 The purpose of this policy is to control the development of hazardous installations to avoid increasing the number of people at risk or risk to environmentally sensitive areas. The intention of the Local Plan (Part One) policy [ECON 1](#), is to support existing business and encourages business growth, whilst balancing the creation of new risks, which may preclude the development of land surrounding a hazardous installation.

13.41 The Council is required to consult the Control of Major Accident Hazards (COMAH) competent authority and others as required by legislation on planning applications which involve the creation of hazardous installations. The hazardous substances authority must give consultees at least 28 days to comment. The COMAH competent authority, for most cases, is the HSE and the Environment Agency, acting jointly. For nuclear sites, this will be the Office of Nuclear Regulation and the Environment Agency, acting jointly. They advise hazardous substances authorities on the nature and severity of the risk to persons in the vicinity and the local environment arising from the presence of a hazardous substance at an establishment.

13.42 The consultation zones are normally determined by a detailed assessment of the risks and/or hazards of the installation or pipeline which takes into account the following factors; the quantity of hazardous substances for which the site has hazardous substances consent and details of the storage and/or processing; the hazard ranges and consequences of major accidents involving the toxic and/or flammable and/or other hazardous substances that could be present. The risks and hazards from the major hazard are greatest in the Inner Zone and hence the restrictions on development are strictest within that zone. The consultation zone comprises the land enclosed by all the zones and the installation itself.

13.43 Early discussions with the Council and the COMAH competent authority is advised to fully understand any constraints and allow for adequate mitigation that may be required. Considerations will be given to the total number of people present in a potential consultation zones and the surrounding uses, including cumulative impacts. The Council will also consider the long-term need for appropriate distances between hazardous establishments and population or environmentally sensitive areas. Considerations will be made as to whether additional measures for existing establishments are required so that risks to people in the area are not increased. The level of sensitivity of the surrounding uses will be considered in line with the HSE Land Use Planning Methodology.

13.44 If the opportunity arises, the Council will welcome the relocation of hazardous installations away from centres of population. Not only would this lessen the risk of accident to the general public but also reduce the problems of potential blight. Such relocations will only be acceptable if they do not create new problems or an accumulation of installations which amount to a greater hazard than previously existed in the area.

13.45 Generally, consent is required for the presence of hazardous substances on, over or under land unless below the thresholds listed in the Planning (Hazardous Substances) Regulations 2015.

13.46 Development proposals involving minerals is considered in Local Plan (Part Two) policy **M 3** and proposals for exploration, appraisal or production of hydrocarbons is covered in Local Plan (Part Two) policy **M 4**.

DM 34 - Development in the vicinity of hazardous installations

DM 34

Development in the vicinity of hazardous installations, including proposed new installations for which planning permission or hazardous substances consent has been given, will be supported providing it would not result in a significant increase in the number of people being subjected to threshold levels of risk.

Exceptions to this policy may be considered in existing built-up areas or where there is an existing commitment to development, in order to achieve a balance between the need for investment and regeneration within the existing urban areas and the degree of risk involved.

Explanation

13.47 The Local Plan (Part One) policy [SOC 5](#) states that development that gives rise to significant adverse impacts on health and quality of life will not be allowed. Local Plan (Part One) policy [ENV 6](#) encourages development to promote safe and secure environments, while Local Plan (Part One) policy [ECON 1](#) aims to support existing businesses and encourage business growth.

13.48 The Council is required to consult the Control of Major Accident Hazards (COMAH) Competent Authority and other statutory consultees on planning applications within a consultation zone surrounding a hazardous installation. The consultation zone is defined by the HSE and takes account of the size and nature of the proposed development, the inherent vulnerability of the exposed population and the ease of evacuation or other emergency procedures for the type of development proposed. Some categories of development, e.g. schools and hospitals, are regarded as more sensitive than others, e.g. light industrial, and advice is weighted accordingly. The HSE Land Use Planning methodology identifies the sensitivity level of uses and threshold levels of appropriate development in the proximity of the hazard.

13.49 The borough has concentrations of hazardous installations with consultation zones which cover significant parts of the borough's settlement areas. For example, currently about half of the town of Ellesmere Port is included in a consultation zone. The Council has to consider that within the consultation zones, persistent refusals of planning permission because of the proximity to hazardous installations may lead to blight, a consequent lack of investment and a downward spiral of decay. The purpose of this policy is to avoid increasing the number of people at risk from hazardous installations but adopting a more flexible approach to development within the vicinity of hazardous installations that balances the need for investment and regeneration within the zones, against the degree of risk involved.

13.50 Development near to hazardous installations which would put members of the public at threshold levels of risk will normally be prevented. However, if under the exceptional circumstances outlined above, development in the vicinity of hazardous installations is permitted, the Council will require that all practicable measures be taken to mitigate risks by, for example, careful building design and the preparation of emergency procedures.

13.51 The HSE publish hazard consultation zones (and the Office for Nuclear Regulation publish consultation distances) around each of the hazardous installation. As a statutory consultee, the COMAH Competent Authority will advise the Council on planning applications for development within the consultation zone of a hazardous installation. 'Threshold levels of risk' are those which are sufficient for the HSE to advise against the development concerned, being granted planning permission. These zones are based upon an assessment of the degree of risk at each installation. Their extent is influenced by a number of factors including the nature and levels of the hazardous substance permitted at the site and the process involved. Since these hazard consultation zones are likely to change during the Local Plan period, it is not appropriate to show them on the policies map. Pre-application advice is recommended to establish the most up to date information.

14 Open space, sport and recreation

14.1 Cheshire West and Chester contains a variety of open space typologies, sport, recreation and community facilities, and a wide network of recreational routeways and waterways. This chapter provides a series of policies that support and provide further guidance for protecting and enhancing existing sport, recreation and community facilities and the network of multifunctional open spaces, including recreational routeways and waterways. It provides opportunities to widen and strengthen the borough's cultural, sport, recreation and leisure offer and sets out requirements for the provision of, and contributions towards open space, sport and recreation facilities with new development.

14.2 The National Planning Policy Framework (NPPF) emphasises the important contribution that access to high quality open spaces and opportunities for sport and recreation can make to the health and well-being of communities. Enabling access to leisure, recreational and community facilities and promoting active lifestyles in order to support stronger, safer and healthier communities is a strategic objective of the Local Plan (Part One). Local Plan (Part One) policies [SOC 5](#) and [SOC 6](#) set out the Council's approach to meeting the health and well-being needs of the borough and protecting and providing open space, sport and recreation facilities.

14.3 The policies in this chapter will contribute to ensuring that open spaces and sport, recreation and community facilities meet existing and future needs across the borough and continue to deliver benefits to healthy and prospering communities, personal wellbeing and sustained economic growth.

DM 35 - Open space and new development

DM 35

Open space provision in new residential development

In line with Local Plan (Part One) policy [SOC 6](#), proposals for new residential development will be required to provide open space, where:

1. there are existing deficiencies in quantity, quality or access to open space; or
2. the development generates a need that cannot be met by existing provision.

All new residential development of 11 units or more must make provision for open space in accordance with the following standards:

Table 14.1 Open space quantity standards

Typology	Quantity standards (m ² per unit)
Allotments	3.45
Amenity / Natural Green Space	23 (For developments between 20-65 dwellings, the minimum amenity/natural green space is 1500 m ²)
Parks and recreation grounds (excluding pitches and fixed sports space)	11.50
Play Space (Children)	1.15
Play Space (Youth)	0.69

On-site provision will be provided at the following scales of development. Below this, off-site contribution will be required.

Table 14.2 Thresholds for on-site open space requirements

Typology	Threshold (no. of units)
Allotments	100 or more
Amenity Green Space / Natural Green Space	20 or more
Parks and recreation grounds (excluding pitches and fixed sports space)	200 or more
Play Space (Children)	50 or more
Play Space (Youth)	200 or more

Where on-site provision according with the above standards is not practical, a financial contribution will be sought to secure open space provision elsewhere or enhancement to an existing site(s). This will be prioritised within the locality of the development, based on the access standards set in the Open Space Study. Where no suitable sites exist, contributions will be directed elsewhere within the parish or ward and then within a neighbouring parish or ward where the evidence base demonstrates a need.

In establishing the amount and type of open space provision and/or financial contribution required, the Council will have regard to:

3. quantity, quality and access to existing provision, as set out in the Open Space Study;
4. nature of the proposed development and surrounding area; and
5. site constraints.

Where open space is provided on-site, the applicant is required to make provision for its management and maintenance in perpetuity, and clarify these arrangements as part of an open space management plan to be agreed by the Council.

Protecting non-designated open spaces

Development proposals that protect or enhance the value and functions of non-designated open space will be supported.

Explanation

14.4 In order to achieve a network of diverse multi-functional open spaces, Local Plan (Part One) policy [SOC 6](#) seeks to protect and enhance existing open spaces, sport and recreation facilities, including those identified on the policies map, and requires an appropriate amount and type of provision with new development.

14.5 Open space, including sites which provide opportunities for sport and recreation designated under Local Plan (Part One) policy [SOC 6](#), makes an important contribution to the borough's green infrastructure network. This policy seeks to protect the green infrastructure benefits, functions and public value of non-designated open spaces which despite having no public access, provide a range of environmental and/or quality of life benefits for local communities, including for nature conservation, visual amenity, local character and environmental quality.

14.6 Non-designated open spaces are not intended to cover extensive tracts of land, but rather sites within or related to the urban areas and identified settlements that offer a locally important green space resource for the aforementioned reasons. Non-designated open spaces will be considered on a case by case basis, and the Council will have regard to the value of the site and overall degree of harm to that value, taking into account opportunities for enhancement through improving quality, quantity or public access.

14.7 Regard should be given to sites of open space, including Local Green Spaces, that are identified and protected in neighbourhood plans. These sites are not duplicated on the Local Plan policies map.

14.8 New residential development will generate additional demand for open space. The Cheshire West and Chester Open Space Study 2016 – 2030 (the Open Space Study) provides an up-to-date assessment of open space need and has identified deficiencies across the borough. The Council seeks to ensure that new residential development does not exacerbate deficiencies and so requires inclusion or contribution towards an appropriate amount and type of open space in order to satisfy additional demand that cannot be met through existing provision.

14.9 The quantity, quality and access standards within the Open Space Study should be used to inform assessment of existing open space, in order to determine an appropriate amount and type of provision (or contribution) with new development. These standards provide minimum guidance levels and should be considered together – exceeding minimum quantity standards in an area does not necessarily mean that there is a surplus as such provision may be well-used, of poor quality or there may be gaps in access.

14.10 The access standards set out below represent a distance only variable and should be considered within the local context of the site and its surroundings (such as road safety, legibility and other access barriers). Surrounding playable space may be required in addition to the quantity standard of play space, in line with Fields in Trust and Play England guidance.

Table 14.3 Open space access standards

Typology	Distance
Allotments	720 metres or 15 minute walk time
Amenity Green Space	480 metres or 10 minute walk time
Parks and recreation grounds (excluding pitches and fixed sports space)	720 metres or 15 minute walk time
Play Space (Children)	480 metres or 10 minute walk time
Play Space (Youth)	600 metres or 12-13 minute walk time
Natural Green Space	Natural England's Accessible Natural Green Space Standards (ANGSt) (as set out in the Open Space Study)

14.11 Open space requirements apply to all new residential developments (including provision through conversion or change of use), including: extra care developments, student accommodation, one-bed dwellings and flats. Where a development site forms part of a larger scheme, the Council may consider the open space requirements in relation to the development as a whole.

14.12 Where a financial contribution is required, it will be calculated in accordance with the most up to date evidence base. Where open space is to be provided on-site, the developer is required to provide the land and design and build the provision to the satisfaction of the Council. New public open space must be of high design quality, maximising opportunities for natural surveillance, and where appropriate and practical, provide other green infrastructure benefits such as providing wildlife habitats,

flood or water storage areas, creating and linking routes for leisure and active travel and improving quality of place. New public open spaces (including sports and recreation facilities) created during the Local Plan period will be protected under Local Plan (Part One) policy [SOC 6](#).

14.13 Amenity green space should be provided with natural green space as a combined typology, by providing amenity green space that is designed and planted to be natural in character, maximising wildlife and biodiversity opportunities. The minimum amount of amenity / natural green space that the Council will accept is a single site of 1500m² to ensure that it can provide real recreation value and is not merely satisfied through left-over or hard to develop pieces of land. A development scheme should be sufficiently landscaped in addition to these requirements, in line with Local Plan (Part Two) policy **DM 3**.

14.14 In addition, contributions towards sport and recreation facilities (including playing pitches and indoor facilities) will be required in line with Local Plan (Part Two) policy **DM 36**. If, when a financial contribution for open space or sports pitches is received but is no longer required at the stated scheme, the sum may be re-allocated to another scheme identified by the Council in the evidence base.

14.15 Assessment of open space, sport and recreation provision is contained within a suite of documents, including the Open Space Study, the Playing Pitch Strategy (2015), the Play Strategy (2016) and the Draft Sports Facilities Strategy (2017). These documents, and any updates, should be considered together with any further guidance the Council may produce to inform decisions relating to the provision of, or contributions towards open space, sport and recreation facilities.

DM 36 - Provision for sport and recreation

DM 36

To help meet identified needs for sport and recreation, as set out in the most up to date evidence base, development affecting indoor and outdoor facilities will be supported where it meets Local Plan (Part One) policy [SOC 6](#).

Loss or replacement of sport and recreation facilities

Development that would result in the loss of an indoor sport and recreation facility or lapsed or disused playing pitch must meet the tests in Local Plan (Part One) policy [SOC 6](#).

Proposals to locate an artificial sports surface on an existing playing field will be supported where there is evidence that it meets a strategic need and the sporting benefits are clearly demonstrated. Conversion of an existing artificial sports surface to a different type of surface will only be supported where the up to date evidence base supports the conversion and there will be no detrimental impact to existing sports users.

Enhancing and providing sport and recreation facilities

Developer contributions will be required to enhance existing provision of playing pitches, based on additional demand generated by the new residential development and the sufficiency of existing

provision to meet current and projected need. The Council will have regard to Sport England's strategic planning tools and findings of the Playing Pitch Strategy to determine an appropriate amount and type of contribution or provision with new development.

Where it is agreed by the Council that on-site pitch provision is appropriate to meet identified demand, the applicant is required to provide the new pitch(es) and make provision for its management and maintenance in perpetuity, and clarify these arrangements within a management plan to be agreed by the Council.

Provision of new sport and recreation facilities will be supported in line with the priorities of the Draft Sports Facilities Strategy, subject to relevant development plan policies.

Explanation

14.16 Local Plan (Part One) policy [SOC 6](#) seeks to protect, manage and enhance existing open space, sport and recreation facilities, and requires that new development incorporates or contributes towards an appropriate level and quality of open space, sport and recreation provision.

14.17 This policy covers sport and recreation facilities, including: playing pitches (natural or artificial surfaces, either publicly or privately owned for sport and recreation); playing fields (including school playing fields); other outdoor sports areas (including golf courses, bowling greens, tennis courts, athletics tracks); and indoor sports and recreation facilities (including sports halls (which may include village halls/community centres), swimming pools, courts, health and fitness facilities, indoor cycling). Other open spaces and recreational routeways can also provide informal opportunities for sport and should be considered in line with Local Plan (Part One) policy [SOC 6](#) and Local Plan (Part Two) policy **DM 37**.

14.18 The Cheshire West and Chester Playing Pitch Strategy (2015) provides a supply and demand assessment of playing pitch provision across the borough and has revealed that all pitch sports will experience shortfalls by 2027. It identifies a need to protect all existing playing pitch provision and increase capacity through creating access to school sites or bringing disused sites back into use, where feasible.

14.19 The Draft Sports Facilities Strategy (2017) provides an assessment of the adequacy of other sports and recreation facilities (indoor and outdoor) to meet existing and future needs. In line with identified needs, the Draft Sports Facilities Strategy sets out the following priorities:

- protect all existing and support new build or replacement provision of pay and play sports halls, swimming pools and fitness and studio provision;
- support replacement or refurbishment of ageing facilities, specifically Neston Recreation Centre and Northgate Arena; and
- support new provision of specialist facilities led by local club networks, especially for cycling, walking and running, gymnastics, squash, archery and watersports.

14.20 The Council will support proposals which contribute to meeting these priorities and may seek developer contributions towards them. This will be subject to meeting other development plan policies, including proposals being appropriately located, accessible by a range of transport modes and appropriately designed. When providing new or enhanced provision of sport and recreation facilities, including ancillary facilities, consideration should be given to the need to protect residential amenity in line with Local Plan (Part One) policy [SOC 5](#) and Local Plan (Part Two) policy **DM 2**. This might include careful consideration of siting, design and potential cumulative impacts, including from lighting systems, noise and traffic disturbance.

14.21 Where possible, the Council will seek the opening up of private and school sports facilities and spaces for community use, in line with Local Plan (Part Two) policy **DM 39**.

14.22 Proposals relating to existing or new sport and recreation facilities will be assessed by the Council on a case by case basis, informed by the most up to date evidence base. New residential development will generate additional demand for sports pitches, so new provision or a contribution to increase capacity of an existing site(s) may be required to accommodate this additional demand. The Council will seek to increase capacity of existing provision by enhancing its quality, accessibility and maintenance, securing greater community access and, subject to relevant development plan policies, undertake works such as providing or improving ancillary facilities (e.g. changing facilities, parking, floodlighting).

14.23 To determine an appropriate amount and type of contribution or provision with new development, the Council will use Sport England's strategic planning tools as a starting point to understand the additional demand generated. This will then be considered alongside the assessment of need and other findings within the Playing Pitch Strategy to determine how additional demand should be met. The use of developer contributions will be informed by the findings of the Playing Pitch Strategy and Action Plan for the analysis area in which the development is located. Developments of 10 dwellings or less are unlikely to generate a playing pitch contribution.

14.24 New provision on-site may be considered to be appropriate in certain instances, including when the development is located within an area of identified need and the new provision constitutes creation of a multi-pitch community sports hub or community sports facilities associated with a new school. Sport England should be consulted on applications of 300 dwellings or more, which can inform the assessment for on-site provision.

14.25 When a development proposal requires replacement or on-site sport pitch provision, the Council may require the applicant to provide additional information, such as a Feasibility Study and/or Agronomy Report, to assess suitability of the site to accommodate the pitch. The Council may stipulate requirements of new pitch provision through planning conditions.

14.26 Contribution towards open space will also be required in line with Local Plan (Part Two) policy **DM 35**.

DM 37 - Recreational routeways

DM 37

Development incorporating or adjacent to the following must protect and, wherever possible, enhance and extend:

- Public Rights of Way
- footpaths/bridleways
- cycle routes
- canals and waterways

Re-routeing should be avoided, but may be supported if the alternative route is acceptable and / or the re-routeing is for a temporary period. Where appropriate, creation of new routeways will be supported.

Development proposals that protect and enhance the public access and recreation value of strategic recreational routeways, as identified on the policies map, will be supported.

Explanation

14.27 There is a wide network of recreational routeways across the borough including footpaths, cycleways, bridleways, canals and waterways, and public rights of way. In line with Local Plan (Part One) policies [SOC 6](#) and [STRAT 10](#) which support opportunities to extend and improve access to green corridors and the local footpath and cycle network, and Local Plan (Part One) policy [ECON 3](#) which recognises the economic benefit of maintaining a wide network of recreational routeways, this policy seeks to protect and, where possible, enhance the network for combined benefits to health, ecology, accessibility and the economy.

14.28 The following strategic recreational routeways are of particular importance within the borough, providing value locally and for visitors. Approximate routes rather than specific boundaries are shown on the policies map as public enjoyment often relates to their wider setting and surroundings.

Shropshire Union Canal	The Delamere Loop
The Sandstone Trail	The Baker Way
River Dee Corridor	Bishop Bennett Way
The Whitegate Way	North Cheshire Way
The Weaver Way and Weaver Parkway	Longster Trail
The Wirral Way	Trent and Mersey Canal

14.29 Development that affects disused rail corridors, including Chester Millennium Greenway and Tattenhall-Whitchurch rail corridor, should be considered against Local Plan (Part Two) policy **T 4** which safeguards these routes for future transport use.

14.30 Opportunities to improve the quality, accessibility and connectivity of the network of recreational routeways, including medium and long-distance routes which cross administrative boundaries, should be maximised. Measures to enhance existing routes might include: upgrades to facilitate shared use and accommodate the needs of different users; enhanced signage for wayfinding and information/interpretation; improved entrances and boundaries; habitat creation; enhanced provision of public rights of way furniture such as benches and bins; safety improvements; and promotion of railway stations as gateways for exploring and visiting recreational routes. Recreational value may also be enhanced through provision of appropriately located visitor facilities that are of appropriate scale and type for the location and recreational use of the site.

14.31 Investment in the network of recreational routeways should be informed by the latest evidence base, including: the Council's Rights of Way Improvement Plan and Transport Strategies; the Draft Sports Facilities Strategy which identifies a need for safe traffic-free cycling facilities; and the Chester Waterways Strategy which seeks to maximise the recreational potential of the waterways.

14.32 Where opportunities arise to support creation of new routes or improvements to the existing network, the following might be considered alongside the findings of the most up to date evidence base: Ellesmere Port Greenway Loop, A5117 Cycle Route, Ellesmere Port to Thornton Science Park, Chester – Ellesmere Port Canal Towpath, Sutton Way Boulevard (Ellesmere Port), Rossfield Road Footbridge (Ellesmere Port), cycle route along the length of the Weaver Navigation, cycle routes across Frodsham marshes and between Frodsham and Delamere.

14.33 Increased public access may not be appropriate in all areas, and consideration should be given to the potential for increased recreational pressures and disturbances on internationally designated sites with the creation or extension of recreational routes. Such adverse effects should be avoided and a project-level Habitat Regulations Assessment (HRA) may be required on a case by case basis, in line with Local Plan (Part One) policy [ENV 4](#) and Local Plan (Part Two) policy **DM 44**.

14.34 This policy should be read alongside other relevant development plan policies, and can be used to inform policies in emerging neighbourhood plans where there are opportunities to identify and support enhancements to recreational routeways locally.

DM 38 - Waterways and mooring facilities

DM 38

Development proposals adjacent to waterways in the defined settlements of Chester, Ellesmere Port, Northwich and Winsford will be supported where they provide positive regeneration benefits.

Development proposals affecting the borough's waterways must:

1. maintain an active frontage and positive connection with the waterway;
2. include environmental improvements and make a positive contribution to the visual appearance of the corridor;
3. incorporate high standards of design, materials, external appearance, layout and landscaping, that respects local landscape character and historic assets and is an appropriate scale for its location;
4. safeguard the structural and operational integrity of the waterways;
5. support public access to and recreational use of waterways, as defined in Local Plan (Part Two) policy **DM 37** or in neighbourhood plans;
6. retain and enhance existing natural features and make a positive contribution to the borough's ecological network;
7. avoid any adverse effects on internationally designated sites of ecological importance.

Development proposals for new mooring facilities will be supported where;

8. the development would not result in the obstruction of the waterway for other users;
9. the proposal would not result in the degradation of the canal environment;
10. the proposal is appropriately located and designed;
11. built development is of an appropriate scale and ancillary to the mooring facilities; and

Proposals for the extension of mooring facilities at existing locations will be considered in relation to the above criteria and the potential cumulative impacts arising from further development.

Development proposals will be subject to any additional controls that apply in the Green Belt.

Explanation

14.35 Local Plan (Part One) policy [ECON 3](#) supports development proposals that have the potential to improve access to and use of the borough's waterways in particular the canal network. The borough has a wide network of canals that provide recreational opportunities. The waterways form part of the multi-functional green network in the borough and are integrated into a network of walkways, cycleways, open spaces and ecological networks. This policy should be considered alongside Local Plan (Part Two) policies **DM 37** and **DM 44**.

14.36 The waterways in the borough have a wide variety of mooring facilities available and demand may result in pressure for the further development of new linear or layby mooring facilities, new marina developments, or extensions to existing facilities. The policy allows for the development of these, providing the impacts on users and the local environment can be minimised and mitigated. Additional controls will apply to new built development within the Green Belt, in line with the NPPF and Local Plan (Part One) policy [STRAT 9](#).

14.37 Public access and the recreational use of the waterways as defined in Local Plan (Part Two) policy **DM 37** is supported. The Habitats Regulations Assessment (HRA) highlighted that any adverse effects on internationally designated sites of ecological value arising from recreational pressure must be avoided and a project-level HRA may be required on a case by case basis, in line with Local plan (Part One) policy [ENV 4](#) and Local Plan (Part Two) policy **DM 44**.

14.38 The Manchester Ship Canal is an important part of the canal network within Cheshire West and Chester however this is a commercial waterway and a Statutory Harbour Authority with restricted public access.

14.39 Inland waterways are an important form of infrastructure that can potentially be affected by all scales and forms of development located near the waterway. Local planning authorities are required to consult navigation authorities before granting planning permission for development likely to affect specified rivers, canals, reservoirs, canal feeder channels, watercourses, let offs and culverts. The TCPA Policy Advice Note: Inland Waterways sets out additional guidelines for safeguarding inland waterways from inappropriate development.

14.40 The policy supports proposals that provide regeneration benefits alongside the waterways, particularly in urban areas. In line with other Local Plan (Part Two) policies, there is an opportunity to upgrade industrial areas of Ellesmere Port along the M53/Shropshire Union Canal corridor, recreational schemes around Chester Castle and Riverside linked to historic assets, the regeneration of industrial areas of Northwich, and Winsford alongside the Rivers Dane and Weaver. This will support economic development, tourism and recreational development along the waterways and at associated tourism attractions alongside the waterways such as the National Waterways Museum, Lion Salt Works and Anderton Boat Lift. The Winsford Neighbourhood Plan aims to promote and diversify the use of the Flashes and Weaver Valley.

DM 39 - Culture and community facilities

DM 39

Proposals for new or improved community facilities and local services within urban areas, key service centres and local service centres will be supported where they are of an appropriate scale to serve the local community. Proposals for clearly justified healthcare facilities in the local community will be supported. The Council will support neighbourhood plans and Neighbourhood Development Orders that seek to plan for new community facilities.

Proposals for the development of new cultural attractions and supporting facilities, particularly where they contribute to regeneration initiatives, will be supported subject to meeting the requirements of other relevant development plan policies. The temporary use of vacant buildings for cultural uses will be supported.

Schools (and other community facilities) should, where appropriate, secure pay and play community access for sport and recreation through a community use agreement.

Development involving the loss of existing community facilities, cultural or local services will be supported where:

1. it is demonstrated that the facility is surplus to the needs of the local community;
2. it is demonstrated that the facility is not capable of continued use for the existing purpose and cannot be used for other community uses in an economic and sensitive manner;
3. the loss of the land/property forms part of a larger scheme for the development of community facilities serving the needs of the locality; or
4. compensatory facilities of equivalent community benefit are provided within the catchment of the existing facility.

In addition to the above criteria, the loss of a local shop will need to demonstrate that there is an alternative and equally accessible facility and reasonable attempts have been made to let or sell the premises for continued community use for a minimum of 12 months, including to the local community.

Buildings and land that has been defined as an Asset of Community Value (ACV) will be a material consideration in determining planning applications.

Public art

Where appropriate, significant development should contribute to the provision of locally distinctive public art especially within town centres, on key sites and as part of regeneration schemes. In line with Local Plan (Part One) policy [ENV 6](#), proposals for new public art in both urban and rural areas should reflect and respond to local character, contribute to a high quality environment and create a sense place.

Explanation

14.41 Local Plan (Part One) policy [SOC 5](#) supports new and improved health facilities, with improved links to healthcare in the rural area and strengthen the boroughs cultural, recreation and leisure offer. Within new developments, especially residential, community facilities can contribute to the social well-being of the community and bringing people together, whilst contributing to the local infrastructure in line with Local Plan (Part One) policy [STRAT 11](#). There is a wide range of different types of community facilities and services that meets the day to day needs of the local area. For the purposes of the policy, community facilities and services could include: education, libraries, social services, fire, police, health, public houses, local shops, places of worship and community centres.

14.42 With a growing and ageing population there is an increasing pressure on health services, particularly Accident and Emergency departments. Improved services and facilities will need to meet changing healthcare needs. Increasing the level of care in the community will ease some of this pressure, whilst providing a sustainable option that reduces the need to travel and will particularly benefit the elderly population. Neighbourhood planning groups experience pressures on the health services and other community development such as education first hand and are best placed to understand the needs of the local community.

14.43 Culture makes an important contribution to the social, economic and cultural wellbeing of the borough and are therefore safeguarded and new proposals supported where appropriate. They can contribute to social wellbeing of our residents and contribute to the local economy. Many cultural facilities are considered main town centre uses and should be directed to town and district centres in line with Local Plan (Part One) policy [ECON 2](#). Applications that promote tourism should meet the criteria set out in Local Plan (Part One) policy [ECON 3](#).

14.44 The Department for Digital, Culture, Media and Sport definition of 'culture' is generally taken to include the following areas: arts (including visual arts, literature, music, theatre and dance), architecture, crafts, creative industries, design, heritage, historic environment, museums and galleries, libraries, archives, film, broadcasting and media. Cultural development will be expected to be aligned with the Cheshire West and Chester Cultural Strategy and action plans.

14.45 The Draft Sports Facilities Strategy states that where possible, opportunities should be taken to secure community use agreements in new build education sites (and other community facilities) by planning condition or other legal agreement. It was identified that many of these facilities have the opportunity to increase activity in the community, but are not available to the general public on a pay and play basis. Increase in pay and play accessibility for sports halls and swimming pools will be welcomed and supported in new and existing facilities.

14.46 The policy protects existing community facilities and cultural assets with a view to helping them to adapt to new challenges and uses. Where proposals involve the loss of an existing community facility or building used for cultural purposes, the Council will require demonstration that there is no longer a need for the facility, either now or in the foreseeable future. The possibility of using the premises for any other community facilities for which there is an identified need in the locality should be fully investigated by the applicants and evidence of this provided to the Council. Capability of continued or other community uses could relate to the economic viability or physical condition of the building.

14.47 When considering proposals for demolition or change of use, the Council will also take into consideration the role of that facility within the community and existing alternative facilities in the surrounding area. Local shops are important for meeting the day to day needs of a community and the loss of such a facility can be very damaging, especially to members of the community that are less mobile. It is therefore important to protect these uses, especially if this is the only shop in an area.

14.48 ACVs have been identified by the local community as important to their social well-being. Therefore, every opportunity to retain such a use should be made. Locally important community facilities and services may also be identified at a local level, through neighbourhood plans, parish plans and village plans.

14.49 There are a number of social, economic and environmental benefits that can be achieved by including public art in a scheme in both the urban and rural area, these include:

- contribute to local distinctiveness and a sense of place
- create a stimulating environment to live, work, invest or visit

- encourage people to value their surroundings, contributing to a reduction in vandalism and fear of crime and creating a healthier, safer and sustainable environment
- create a sense of local identity and community pride
- providing a focus and stimulus for tourism

14.50 Public art involves the commissioning of artists and craftspeople to make new site specific work that can be permanent, temporary, internal or external. Public art includes work that is integrated into a scheme; this could range from bespoke street furniture, lighting, boundaries and landscaping through to internal details of a building - its furniture, flooring, ceramics and textiles. It can also be sculpture, photography, performance, moving image and events. Significant development could include major regeneration schemes and key sites.

14.51 Public art does not have to be within public spaces, but has to be accessible to the public realm or available in the semi-public areas of completed developments. Early engagement in public art will maximise the benefits and embed the creative process into the development as recommended in the Public Art Strategic Framework.

15 Flood risk and water management

15.1 National Planning Policy Framework (NPPF) sets out clear requirements that flood risk should be taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding and direct development away from areas at highest risk. It is also becoming increasingly important to consider flood risk from all sources. These include groundwater, land drainage, sewerage, and other artificial sources e.g. reservoirs and canals.

15.2 The policies in this section seek to direct development to areas at low risk of flooding and actively manage and reduce flood risk. The policies also seek to promote water efficiency measures and protect and enhance water quality. In Cheshire West and Chester there are many different types of flood risk present. Flood risk predominantly arises from fluvial (rivers and watercourses) and tidal (sea and estuarial) sources. The Strategic Flood Risk Assessments (SFRA) and the Environment Agency Flood Map for Planning show flooding from these sources.

15.3 Cheshire West and Chester is the designated Lead Local Flood Authority under the provisions of the Flood and Water Management Act and therefore must contribute to the achievement of sustainable development when carrying out flood risk management functions and has a duty to deal with enquiries and determine watercourse consents. The Council will be introducing a set of Land Drainage Byelaws for the borough which will control a range of activities in and around watercourses that may impact on flood risk. The purpose of these Byelaws is to strengthen the enforcement and consenting powers within the Land Drainage Act 1991 to provide effective flood risk action at the local level.

15.4 The Council will continue to work with the water utility companies serving the borough to ensure that there is adequate wastewater infrastructure and water supply capacity to serve proposed development.

DM 40 - Development and flood risk

DM 40

In line with Local Plan (Part One) policy [ENV 1](#), flood risk must be avoided or reduced by:

1. locating development within areas of lower flood risk through the application of a borough-wide sequential test and then, where required, applying the exception test in line with the National Planning Policy Framework; and
2. ensuring development proposals in flood risk areas are actively managed and reduce flood risk by applying the sequential approach at site level.

Where a site specific Flood Risk Assessment is required in line with the National Planning Policy Framework (NPPF) ^(vi), this will be expected to demonstrate whether a proposed development is likely to be affected by current or future flooding (including effects of climate change) from any source.

Development proposals for sites that are at risk will only be supported where the site-specific Flood Risk Assessment shows that:

3. the effects of climate change have been taken into account;
4. there is no loss in floodplain storage resulting from the development;
5. the development will not increase flood risk elsewhere;
6. there is no adverse effect on the operational functions of any existing flood defence infrastructure;
7. proposed resistance / resilience measures designed to deal with current and future risks are appropriate;
8. where applicable, appropriate Sustainable Drainage System (SuDS) techniques have been considered and are to be incorporated into the design of the site, in line with Local Plan (Part Two) policy **DM 41**; and
9. the development will be safe and pass the exceptions test, if applicable.

A Flood Risk Assessment will be required for development within a Critical Drainage Area (CDA) as notified by the Environment Agency. All development in a designated CDA will be required to incorporate measures to alleviate surface water flood risk through the layout and form of the development, including the appropriate application of SuDS to intercept and attenuate overland flow and drained water in line with Local Plan (Part Two) policy **DM 41** and the Council's Draft SuDS Design and Technical Guidance.

Flood risk should be considered at an early stage in deciding the layout and design of a site to provide an opportunity to reduce flood risk within the development. Applicants will be required to provide schemes to reduce flood risk on individual sites through flood resilient design and on site flood risk management measures. It is essential that the scheme proposed does not create any additional flood risk outside the development in any part of the catchment, either upstream or downstream.

Existing structures and other features that help to reduce the risk of flooding or mitigate its impacts should be protected. Their loss, alteration or replacement will only be permitted where there would be no increase in flood risk.

Where appropriate, the Council may request that phasing of development should be carried out to avoid any cumulative impacts of flood risk.

vi (National Planning Policy Framework - Footnote 20) a site-specific flood risk assessment is required for proposals of one hectare or greater in Flood Zone 1; all proposals for new development (including minor development and change of use) in Flood Zones 2 and 3, or in an area within Flood Zone 1 which has critical drainage problems (as notified to the local planning authority by the Environment Agency); and where proposed development or a change of use to a more vulnerable class may be subject to other sources of flooding.

Explanation

15.5 Local Plan (Part One) policy [ENV 1](#) seeks to reduce flood risk and avoid inappropriate development in areas at risk of flooding by directing development away from areas at high risk. Development in Flood Zone 3b will not be permitted unless in exceptional circumstances such as for essential infrastructure or where development is water compatible.

15.6 Development proposals in areas at risk of flooding will only be supported where consideration has been given to the NPPF and Flood Risk and Climate Change Planning Practice Guidance and the Council's Strategic Flood Risk Assessment (SFRA) together with appropriate consultation with the Lead Local Flood Authority, the Environment Agency/Natural Resources Wales and the water companies, where applicable.

Flood Risk Assessments

15.7 The objectives of a site-specific Flood Risk Assessment are to establish whether a proposed development is likely to be affected by current or future flooding (including effects of climate change) from any source. This should include referencing the SFRA to establish sources of flooding. Flood Risk Assessments will be used to improve the understanding of flood risk associated with a development proposal including whether the measures proposed to deal with any effects and risks are appropriate; providing the evidence for the local planning authority to apply the sequential test (if necessary) and to demonstrate that the development will be safe and pass the exception test, if applicable.

15.8 Climate change will increase flood risk over the lifetime of a development. In making an assessment of the impacts of climate change on flooding from the land and rivers as part of a Flood Risk Assessment, the sensitivity ranges shown in the SFRA should be considered which provide an appropriate precautionary response to the uncertainty about climate change impacts on rainfall intensities and river flow.

15.9 The Environment Agency revised the climate change allowances in February 2016, for use in Flood Risk Assessments. The Council's SFRA was updated accordingly. The allowances in the Council's SFRA and any subsequent revisions should be used when submitting details within a Flood Risk Assessment.

15.10 Considering the impacts of climate change within a Flood Risk Assessment will have implications for both the building type and design that is appropriate according to its vulnerability to flooding, finished floor levels and design standards for any SuDS or mitigation schemes proposed. Residential development may not be appropriate without suitable flood mitigation measures or flood resilient or resistant houses.

15.11 As the Lead Local Flood Authority (LLFA), the Council is responsible for developing, maintaining, applying and monitoring a Local Flood Risk Management Strategy (LFRMS). The strategy addresses flooding from surface runoff, groundwater and ordinary watercourses. Developers should

consult the LFRMS and its supporting documents and be aware of the overall aims of managing and mitigating flood risk in Cheshire West and Chester and the wider implications of any new development on the surrounding area.

Site layout, design and phasing

15.12 New development will be required to include or contribute to flood mitigation, compensation and/or protection measures where this is necessary to manage flood risk associated with or caused by the development.

15.13 The SFRA identifies a number of sites where a review of the site layout and/or design at the development planning stage is recommended in order for development to proceed. For these sites, a Level 2 SFRA or site-specific Flood Risk Assessment would be required to inform the site layout and design. Any site layout and design should take account of the eight metre easement buffer along watercourses where development is not permitted. This easement buffer is recommended by the Environment Agency to allow ease of access to watercourses for maintenance works. Any site redesign, where Flood Zone 3a is included within the site footprint, should allow water to flow naturally or be stored in times of flood through application of suitable SuDS.

15.14 Using a phased approach to development, should ensure that any sites at risk of causing flooding to other sites are developed first in order to ensure flood storage measures are in place before other sites are developed, thus ensuring a sustainable approach to site development. It may be possible that flood mitigation measures put in place at sites upstream could alleviate flooding at downstream or nearby sites.

Critical Drainage Areas

15.15 The SFRA identifies indicative Areas of Critical Drainage (ACDs) across the borough for large sites and for areas where surface water flooding is considered significant. A formal CDA designation, following on from the indicative ACDs proposed in the SFRA can be formally designated and notified to the local authority by the Environment Agency.

DM 41 - Sustainable Drainage Systems (SuDS)

DM 41

In line with Local Plan (Part One) policy [ENV 1](#), proposals for major development will be required to incorporate Sustainable Drainage Systems (SuDS).

SuDS must be included in the early stages of the site design in order to incorporate appropriate SuDS within the development. SuDS schemes will be required to satisfy technical standards and design requirements having regard to the Council's Draft SuDS Design and Technical Guidance.

On greenfield sites, restrictions on surface water runoff from new development should be incorporated into the development at the planning stage and must mimic or improve upon greenfield

rates. On brownfield sites, site runoff rates should be reduced to the greenfield rates wherever possible. Where this cannot be achieved a reduction of at least 30 per cent of the actual existing runoff must be provided, unless it can be demonstrated that this is unachievable or hydraulically impractical to do so.

Explanation

15.16 Local Plan (Part One) policy [ENV 1](#) requires the drainage of new development to be designed to reduce surface water run-off rates and include the implementation of SuDS. Managing surface water discharges from new development is crucial in managing and reducing flood risk to new and existing development downstream. Carefully planned development can also play a role in reducing the amount of properties that are directly at risk from surface water flooding and provide opportunities to enhance biodiversity in line with Local Plan (Part Two) policy **DM 44**.

15.17 Development has the potential to cause an increase in the impermeable area, an associated increase in surface water runoff rates and volumes, and consequently a potential increase in downstream flood risk due to overloading of sewers, watercourses, culverts and other drainage infrastructure.

15.18 Changes to planning legislation give provisions for applications for major development to require sustainable drainage within the development proposals in accordance with the interim national standards published in April 2015.

15.19 The NPPF continues to reinforce how planning applications that fail to deliver SuDS above conventional drainage techniques could be rejected. Sustainable drainage should form part of integrated design secured by detailed planning conditions so that the SuDS to be constructed must be maintained to a minimum level of effectiveness. Maintenance options must clearly identify who will be responsible for SuDS maintenance. Funding for maintenance should be fair for householders and premises occupiers and set out a minimum standard to which the SuDS must be maintained.

15.20 The runoff destination should always be the first consideration when taking into account design criteria for SuDS including the following possible destinations in order of preference:

- i. to ground;
- ii. to surface water body;
- iii. to surface water sewer;
- iv. to combined sewer.

15.21 Effects on water quality should also be investigated when considering the runoff destination in terms of the potential hazards arising from development and the sensitivity of the runoff destination. Developers should also establish that proposed outfalls are hydraulically capable of accepting the runoff from SuDS.

15.22 It is important to understand the location and capacity of existing drainage to determine what infrastructure could or should be reused in a SuDS scheme. When building on brownfield or pre-developed sites, existing on-site infrastructure should be documented and mapped.

15.23 Determining hydraulic impracticability may look at issues such as whether surface water flows are reduced to such a level over parts of the site as to be at risk of blockages, or where there would be a requirement to install pumps in order to pump water out of SuDS systems in a location where the downstream catchment is not at risk of flooding.

15.24 The CIRIA has produced a number of guidance documents relating to SuDS that should be consulted alongside the Council's Draft SuDS Design and Technical Guidance which provides guidance on:

- the SuDS approval process
- design considerations
- the suitability of SuDS within Cheshire West and Chester
- SuDS maintenance.

15.25 Above ground runoff attenuation for flood risk alleviation is always considered preferential to underground storage – in accordance with the latest SuDS treatment train approach (Ciria C753, 2015).

DM 42 - Flood water storage

DM 42

In line with Local Plan (Part One) policies [ENV 1](#) and [ENV 3](#), development within or adjacent to* a flood water storage area, as defined on the policies map, which would have a negative impact on its function will not be supported.

As the Lead Local Flood Authority the Council, in partnership with the Environment Agency, may identify additional areas for flood water storage through the Local Flood Risk Management Strategy. If needed, these additional areas will be safeguarded as part of a review of the Local Plan.

*adjacent means within eight metres of the boundary of the flood water storage area as defined on the policies map or within eight metres of the landward toe of any associated flood defence structure.

Explanation

15.26 Under both the Water Resources Act (1991) and Flood and Water Management Act (2010) the Environment Agency and Lead Local Flood Authority (LLFA) has permissive powers to manage flood risk. This can involve constructing flood defences or holding flood waters in specific locations,

to reduce the risk of flooding elsewhere. One such location is Finchett's Gutter, where there is flood risk due to fluvial/ tidal interaction at the confluence of Finchett's Gutter and the sea. A scheme has been designed that allows Sealand Basin to flood, should the outlet of Finchett's Gutter become constrained at high tides. Maintaining the full, unimpeded capacity for the storage of floodwaters on any site is key, and it is for this reason that a location is designated.

DM 43 - Water quality, supply and treatment

DM 43

In line with Local Plan (Part One) policies [ENV 1](#), [ENV 4](#) and [SOC 5](#), development proposals will be supported where it can be demonstrated that the proposal will not cause unacceptable deterioration to water quality or have an unacceptable impact on water quantity (including drinking water supplies) or waste water infrastructure capacity by ensuring that:

1. sufficient water resources are available and the proposal does not have a detrimental impact on the flow or quantity of groundwater;
2. development does not affect the water quality of surface or groundwater;
3. development does not cause unacceptable harm to biodiversity;
4. opportunities to improve water quality are used where possible;
5. water efficiency methods are optimised;
6. wastewater infrastructure already exists or can be provided in time to serve the development. Development should connect to the nearest point of adequate capacity.

The discharge of surface water to combined drainage systems will be regulated in accordance with requirements set by the relevant utility provider.

The Council will support the development or expansion of infrastructure associated with water supply, surface water drainage and wastewater treatment facilities where proposals are consistent with other relevant development plan policies such as the development strategy (including development in the Green Belt), flood risk, contamination, health and wellbeing and protection of the natural and built environment.

Explanation

15.27 Local Plan (Part One) policy [ENV 1](#) seeks to ensure that development proposals comply with the Water Framework Directive in relation to water quality. Development proposals should demonstrate that there is adequate wastewater infrastructure and water supply capacity to serve the development or adequate provision can be made available.

15.28 Local Plan (Part One) policy [SOC 5](#) also seeks to ensure that development which gives rise to significant adverse impacts on health and quality of life, including water quality and quantity water will not be allowed. Local Plan (Part One) policy [ENV 4](#) seeks to safeguard and enhance biodiversity

through the identification and protection of sites and/or features of international, national and local importance. The Council will need to be satisfied that the implementation of proposals will not have an unacceptable impact on these environmentally sensitive areas.

15.29 Local Plan (Part One) policy [STRAT 11](#) supports the timely provision of additional facilities, services and infrastructure to meet identified needs, whether arising from new developments or existing community need, in locations that are appropriate and accessible. Shortages and gaps in capacity may affect the timing, delivery and design of development. Water supplies are limited and sewerage capacity varies locally. Adequate water supply, surface water and foul water drainage and sewage treatment capacity must be available to serve all new development. This is in addition to the supply and infrastructure capacity for existing development.

Water quality

15.30 Improving water quality provides a better quality environment for and opportunities to enhance biodiversity; it will also help to maintain a good quality supply of drinking water and meet the requirements of the EU Water Framework Directive (2000/60/EC). This requires member states to prevent deterioration of all water bodies (groundwater and surface waters) and to improve them with the aim to meet 'good status' or 'good ecological potential' by 2027.

15.31 There are a number of Source Protection Zones (SPZ) in the borough, these are areas of groundwater storage or areas of extraction where the risk to groundwater quality may need to be considered. When assessing proposals for development, reference should be made to the Environment Agency's Groundwater Source Protection Zones Map:

<http://apps.environment-agency.gov.uk/wiyby/37833.aspx> together with the Environment Agency's Groundwater Protection guidance documents to ensure any impact of development on groundwater quality in the area is managed. These guidance documents can be found at:

<https://www.gov.uk/government/collections/groundwater-protection>

15.32 If a developer wishes to develop sites within a source protection zone they must demonstrate that there will be no risk to the source during construction or post-construction stages.

15.33 Developments in these zones will be subject to consultation with the Environment Agency, which will require evidence that the proposals will not put the source at risk. Developments within 'Inner Protection Zones' will be subject to the most rigorous scrutiny: certain types of development will be restricted, and significant mitigation measures are likely to be required. Outside of the inner zones development proposals will also be examined in detail but the restrictions and mitigation requirements will be less stringent.

15.34 The use of infiltration drainage as part of SuDS systems is also likely to be restricted by the presence of a source protection zone.

Waste water

15.35 For some development sites, there will be a requirement for developers to contribute to the provision of off-site sewers to connect sites to the existing network and, dependant on the scale and

density of the developments, for a hydraulic modelling assessment (HMA) of the network to be undertaken at the developers expense to establish adequate connection points and/or any network improvements are required. Network reinforcement works or specific improvements to a WwTW, where required in order to bring a development site forward and not included in the Asset Management Plan, will be secured by an appropriate planning condition or legal agreement.

15.36 Large scale schemes may have a major impact on infrastructure capacity, whereas smaller schemes can cumulatively have the same effect. All developers are therefore encouraged to liaise with the relevant water supply company as early as possible before submitting a planning application to establish:

- the water supply infrastructure demand of the development both on and off site and whether this can be met;
- the wastewater infrastructure demand of the development both on and off site and whether this can be met; and
- the surface water drainage requirements and flood risk of the development both on and off site.

15.37 In some circumstances a study may be required to ascertain whether the proposed development would lead to an unacceptable overloading of existing infrastructure. Where there is an identified capacity problem, the Council may require the developer to fund appropriate improvements, which must be completed prior to occupation of the development.

16 Green infrastructure, biodiversity and geodiversity

16.1 The National Planning Policy Framework (NPPF) emphasises the importance of protecting and enhancing the natural environment. Promoting development that conserves, manages and enhances the borough's valuable natural environments, resources and assets is a core theme within the Local Plan and the vision for the borough. Local Plan (Part One) policies [ENV 4](#) and [ENV 3](#) set out the Council's approach to protecting and enhancing biodiversity, geodiversity and green infrastructure.

16.2 The policies in this chapter provide further detailed guidance to support the achievement of no net biodiversity loss and delivery of net gain, by guiding consideration of biodiversity, geodiversity and planting in development proposals. Identifying the borough's ecological network supports opportunities to strengthen the resilience of the borough's biodiversity by linking up areas of high value habitat, and can inform and support the delivery of net gain in natural assets that bring wider benefits to the green infrastructure network and natural environment as a whole.

DM 44 - Protecting and enhancing the natural environment

DM 44

In line with Local Plan (Part One) policy [ENV 4](#), development will be supported where there is no net loss of natural assets and, wherever possible, it delivers net gains within the borough.

Development likely to have an impact on protected sites (statutory and non-statutory), protected/priority species, priority habitats or geological sites must be accompanied by an Ecological Assessment that complies with industry best practice and guidance, and:

1. identifies the assets of biodiversity/geodiversity value on and within the vicinity of the site;
2. evaluates the value and extent of the assets;
3. assesses the likely expected impact of the development on assets of biodiversity/geodiversity value taking into account the mitigation hierarchy;
4. identifies the net losses and gains for biodiversity/geodiversity, using a biodiversity metric calculation;
5. identifies the options to enhance the value of the assets and contribute towards the borough's ecological network; and
6. provides sufficient information to inform a Habitats Regulations Assessment (HRA), where development could have an individual or in combination significant effect on a European Site or its supporting habitat.

Commensurate with the size and scale of potential impact, proposals must:

7. be designed in line with the mitigation hierarchy, with compensatory measures only considered as a last resort;
8. include a long term habitat and species management plan, if applicable;

9. include a management plan for invasive species, if applicable; and
10. utilise native species in landscaping schemes, where appropriate.

Development that makes a positive contribution towards the borough's ecological network will be supported. Within the components of the ecological network, as identified on the policies map, proposals should:

11. increase the size, quality or quantity of priority habitat within core areas, corridors or stepping stones;
12. within corridors and stepping stones, improve the connectivity of habitats for the movement of mobile species;
13. in restoration areas, improve the structural connectivity, resilience and function of the network;
14. in buffer zones within core areas and around protected meres and mosses, minimise adverse impacts from pollution or disturbance;
15. contribute towards the integration and creation of green infrastructure and habitats in line with Local Plan (Part One) policy [ENV 3](#).

Soil resources must be protected and used sustainably to retain ecosystem services, in line with accepted best practice.

Explanation

16.3 Local Plan (Part One) policy [ENV 4](#) seeks to safeguard and enhance biodiversity and geodiversity, including through the identification and protection of sites and/or features of international, national and local importance, as identified on the policies map. This policy provides further guidance on the implementation of Local Plan (Part One) policy [ENV 4](#), particularly in relation to the consideration of development proposals and information required alongside planning applications. To maintain and enhance the borough's habitats and biodiversity, development should avoid any net loss of biodiversity and geodiversity assets and seek to provide net gains, in accordance with the ecological network priorities.

16.4 The Natural Environment and Rural Communities Act (NERC) 2006 places a duty on every public authority, in exercising its functions, to have regard to the purpose of conserving biodiversity, so far as is consistent with the proper exercise of those functions.

16.5 Where development has the potential to impact on protected sites, habitats or species (directly or indirectly) the Council will require the submission of a detailed ecological assessment. The assessment and protective measures should comply with industry best practice (BS42020), Natural England & DEFRA standing advice and industry guidance and be undertaken by a suitably qualified and competent ecologist.

16.6 The presence of a protected species is a material consideration in determining a planning application which if carried out would likely result in harm to that species or its habitat (ODPM Circular

06/2005^(vii)). The presence or otherwise of protected species and the extent that they may be affected by the proposed development should, therefore, be established before planning permission is granted, and surveys will be expected to be submitted where there is a reasonable likelihood of the species being present and affected by the development.

16.7 Project-specific HRA may be required where it is considered that a likely significant impact on a European Site could arise. This policy requires that sufficient information is submitted to inform the screening and, if required, a full HRA (in line with the Habitat Regulations), to be agreed by the Council. Such HRAs should consider SACs, SPAs and Ramsar sites themselves and also habitats outside the designated site boundaries that nonetheless support priority species for which the sites are designated, which also contribute to the borough's ecological network of sites and assets.

16.8 The mitigation hierarchy (avoid, minimise, mitigate, compensate) shall be followed when considering development proposals. Avoidance of damage will always be the Council's preferred option, with compensation only acceptable as a last resort. Compensation for habitat loss should aim for like for like replacement and either be delivered on-site or off-site, secured by planning conditions, planning obligations and/or biodiversity offsetting mechanisms within the borough. Compensatory measures underpinning no net loss will be expected to be adequately protected, monitored and managed over agreed timescales. The possibility of using compensation/offsetting measures strategically within the borough e.g. pooling compensation/offsetting obligations linked to several different projects, in order to optimise the outcomes for biodiversity and ecosystem services may be considered.

16.9 An Ecological Network for Cheshire West and Chester (2016) has been developed taking account of the hierarchy of ecological designations. It links areas of biodiversity importance at a broad landscape scale and maps the main components of the ecological network as being:

- core areas which contain concentrations of habitats that are rare or important because of the wildlife they support and areas of irreplaceable natural habitat;
- corridors and stepping stones that enable mobile species to move between core areas and the wider landscape;
- restoration areas which are designed to enhance connectivity, resilience and the functioning of the ecological network;
- buffer zones which are areas within the identified core areas around the individual component sites and habitats which protects them from external adverse impacts such as disturbance and pollution;
- sustainable land use areas which are within the wider landscape, focused on the sustainable use of natural resources and appropriate economic activities which assist in the delivery of ecosystem services.

16.10 The ecological network is an important component of the borough's green infrastructure network. The policy seeks to achieve net gains in biodiversity and geodiversity assets in the borough

vii Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System.

which, when delivered in line with the ecological network priorities, can contribute towards strengthening the borough's wider green infrastructure network, natural capital and maximise gains to the natural environment as a whole.

16.11 Whilst the preference is for utilising locally native species in landscaping schemes, the use of evergreen tree species may be encouraged to benefit air quality, where appropriate.

16.12 Development proposals should minimise the loss of high grade agricultural land, as set out in Local Plan (Part One) policy [STRAT 1](#). For development proposals on the best and most versatile agricultural land, the Council will consider how significant the agricultural land issues are and the need for detailed field assessments. This will be in accordance with technical advice or information from Natural England.

16.13 This policy should be read alongside other relevant development plan policies, and can be used to inform policies in emerging neighbourhood plans where there are opportunities to support net gains in biodiversity and enhancements to the ecological network.

16.14 The Council will monitor the implementation of this policy and may provide further detailed guidance to inform and support the achievement of net gain.

DM 45 - Trees, woodland and hedgerows

DM 45

In line with Local Plan (Part One) policies [ENV 3](#) and [ENV 4](#), development will be supported where it conserves, manages and, wherever possible, enhances existing trees, woodlands, traditional orchards, and hedgerows. All significant healthy trees, woodlands, traditional orchards, and hedgerows should be integrated into the development scheme. Where possible, existing significant trees should be incorporated within public open space.

Where it is demonstrated to the satisfaction of the Council that integration is not possible and the above assets would be lost, development proposals must:

1. include replacement trees, woodlands and hedgerows within the site, or where this can be demonstrated to not be practical, contribute to off-site provision, prioritised within the locality of the development;
2. include replacement planting at a ratio of at least two new trees for each tree lost. Replacement trees should be of heavy or extra heavy standard, and where prominent trees are to be removed, large specimen trees may be required; and
3. use locally native species, where appropriate.

Development affecting all existing and new woodlands should:

4. support proposals which assist in the positive use of woodlands;

5. promote sustainable management to deliver multiple benefits; and
6. support the aims and policies of the Mersey Forest Plan, where relevant.

A tree survey and arboricultural impact assessment to BS5837:2012 standard (or subsequent revisions) will be expected to be submitted with planning applications where existing significant trees are likely to be affected by the proposed development.

Explanation

16.15 Local Plan (Part One) policy [ENV 3](#) supports the creation, enhancement, protection and management of a network of green infrastructure, by increasing planting of trees and woodland. This policy provides guidance for development proposals which have the potential to affect existing trees, woodland and hedgerows and to guide the integration of planting within new development.

16.16 The Council generally considers trees that are at least five metres in height with a diameter of at least 150 millimetres to be significant, however, such dimensions provide a general rule and some significant trees may be smaller than this. In assessing significant trees, the Council will have regard to the species, form, condition, age, life expectancy and visual impact. In line with Local Plan (Part One) policy [ENV 4](#), veteran trees and ancient woodland will be protected from loss or harm given the irreplaceability of the habitat.

16.17 Where development may affect existing significant trees, the Council will normally expect the submission of a detailed tree survey and arboricultural impact assessment. The survey and protective measures should comply with industry best practise (BS5837) and be undertaken by a suitably qualified arboriculturist. Appropriate management measures may also be required to protect replacement trees, woodland and hedgerows, to be agreed by the Council.

16.18 In exceptional circumstances where a tree could practically be retained but doing so would create problems and pressures for its removal in the future, such as unacceptable overshadowing of new dwellings, appropriate replacement provision may be considered.

16.19 Many trees in the borough are already protected by Tree Preservation Orders (TPO) or by merit of their location in a Conservation Area. As such it is an offence to cause wilful damage to any protected tree, or to fell, top or lop one without prior consent from the Council. Many of the borough's rural hedgerows are species rich and/or remnants of historic boundaries and are protected under the hedgerows regulations (1997). It may be an offence to remove a hedgerow without consent. Where rural hedgerows are to be removed a detailed hedgerow survey including details of historic importance should be submitted as part of the planning process.

16.20 Whilst preference is for utilising locally native species in new or replacement planting, the use of evergreen tree species may be encouraged to benefit air quality, where appropriate.

16.21 The Mersey Forest is one of England's Community Forests. Cheshire West and Chester Council's status as a Mersey Forest partner reinforces the Council's commitment to the protection, increase and management of trees as part of a cross boundary initiative. The NPPF states that an

approved Community Forest Plan can be a material consideration in deciding planning applications. The Mersey Forest Plan 'More From Trees' (2014) includes policies specifically relating to how the Mersey Forest will be delivered in Cheshire West and Chester, including a broad guide to tree planting for sub areas across the borough. This, or future updates, should be considered in planning decisions, where appropriate, when a proposal is located within the Mersey Forest area, as identified on the policies map.

16.22 The emerging Cheshire West and Chester Tree and Woodland Strategy should be considered to inform opportunities to maximise the environmental, social and economic value of trees and woodland, and to contribute towards delivery of the Mersey Forest Plan.

17 Historic environment

17.1 The borough contains a wealth of heritage assets of international, national and local significance including the walled city of Chester with its unique Row buildings, market towns and villages with the area's distinctive "black and white" architecture, as well as Georgian, Victorian and modern development.

17.2 Local Plan (Part One) policy [ENV 5](#) defines heritage assets as as a building, monument, site, place, structure, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets are irreplaceable. All development should therefore have regard to the effect on heritage assets and their setting.

17.3 Decisions involving the protection and enhancement of historic assets should ensure that their special interest is sustained for future generations to value and enjoy. The policies in this section seek to ensure that all elements of the historic environment are considered and that there is an informed analysis of any proposals that will impact on them.

DM 46 - Development in conservation areas

DM 46

In line with Local Plan (Part One) policy [ENV 5](#), development within or affecting the setting of conservation areas, as identified on the policies map, will be expected to pay special attention to the desirability of preserving or enhancing the character or appearance of that area, taking account of the significance of heritage assets.

Where applicable, development proposals should take into consideration:

1. topography, landscape setting and natural features;
2. existing townscapes, local landmarks, views and skylines;
3. the architecture of surrounding buildings;
4. the quality and nature of materials, both traditional and modern;
5. the established layout and spatial character of building plots, the existing alignments and widths of historic routes and street hierarchy (where physically and historically evident);
6. the contribution that open areas make to the special character and appearance of the conservation area;
7. the scale, height, bulk and massing of adjacent townscape;
8. architectural, historical and archaeological features and their settings;
9. the need to retain historic boundary and surface treatments;
10. the local dominant building materials, the building typology that best reflects the special character and appearance of the area and features and detailing; and
11. minimising and mitigating the loss of hedgerows, trees and other landscape features.

Development proposals which will not be supported include the following:

12. demolition of non-listed buildings which make a positive contribution to the character or appearance of conservation areas, other than in exceptional circumstances;
13. the erection of buildings and structures which are unsympathetic in design, scale, mass and use of materials;
14. alterations and extensions which are unsympathetic in design, scale, mass and use of materials;
15. the erection or extension of buildings and structures which will obstruct important views within, or views in or out of conservation areas.

Where consent for demolition is granted, conditions will be attached to ensure no demolition shall take place until a scheme for redevelopment has been approved and a contract for the works has been made. Where appropriate and on a case by case basis, where permission is granted for the demolition of non-listed buildings, they should be appropriately recorded before demolition.

Applicants will be expected to submit a Heritage Impact Assessment for all applications which affect heritage assets, including as a minimum, a description of their significance and the impact which proposals may have upon this.

Explanation

17.4 Local Plan (Part One) policy [ENV 5](#), seeks to protect the borough's unique and significant heritage assets and seeks to safeguard or enhance the character and setting of areas of acknowledged significance such as conservation areas.

17.5 The boundaries of existing conservation areas will continue to be reviewed and the Council will consider the designation of new conservation areas in accordance with consistent standards. Designation should be accompanied by an assessment which clearly identifies the character of the area and its special architectural or historic interest. The reasons for designating a conservation area are key to the future protection and enhancement of the area.

17.6 Conservation Area Appraisals and Management Plans will continue to be produced to define the significance of the conservation areas and set out best practice for the management of these areas. In addition, the use of Article 4 (2) Directions will be reviewed to provide additional conservation management.

17.7 The Council will, as appropriate, seek support and funding from all available sources e.g. Townscape Heritage Initiatives etc, for the repair and improvement of the historic environment.

DM 47 - Listed buildings

DM 47

In line with Local Plan (Part One) policy [ENV 5](#), development proposals or works, including alterations, extensions and changes of use shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Where relevant, development proposals or works will only be supported which would:

1. conserve the significance of a listed building and its setting, securing its optimum viable use;
2. preserve or enhance a listed building or structure, and any curtilage listed structures or features of special architectural or historic landscape interest.

Development proposals or works within or affecting the setting of listed buildings will be expected to achieve a high quality of design, making a positive relationship between the proposed and existing context by taking account of:

3. topography, landscape setting and natural features;
4. existing townscapes, local landmarks, views and skylines;
5. the architecture of surrounding buildings;
6. the need to retain trees;
7. the quality and nature of materials, both traditional and modern;
8. established layout and spatial character;
9. the scale, height, bulk and massing of adjacent townscape;
10. architectural, historical and archaeological features and their settings; and
11. the need to retain historic boundary and surface treatments

In the rare event that permission for demolition is granted, conditions will be attached to ensure no demolition shall take place until a scheme for redevelopment has been approved and a contract for the works has been made. This will also apply to any curtilage buildings of the listed building or structures.

All applications for development proposals or works to listed buildings must be accompanied by a Heritage Impact Assessment which clearly identifies, as a minimum, the significance of the building; the proposed works of alteration; any loss of historic fabric; and the effect on the character and appearance which the proposed works will have. A copy of this statement should also be submitted to the Local Authority's Historic Environment Record.

Explanation

17.8 Local Plan (Part One) policy [ENV 5](#) seeks to ensure that development proposals or works protect, preserve and wherever possible enhance designated listed buildings. Development proposals or works will be required to respect and respond positively to designated heritage assets and their setting, avoiding loss or harm to their significance.

17.9 Heritage assets are irreplaceable. All development proposals or works should therefore have regard to the effect on heritage assets and their setting. The setting of a listed building will often include adjacent development and the wider surroundings. This may relate to landscaping, trees, open spaces and other features which add to the significance of the site or structure.

17.10 Alterations to improve disabled accessibility to properties may be allowed where they are located and designed to minimise impacts on features of historic or architectural interest.

DM 48 - Non-designated heritage assets

DM 48

In line with Local Plan (Part Two) policy [ENV 5](#), development proposals will be encouraged and supported where they are designed to preserve or enhance the significance of non-designated heritage assets.

The significance of non-designated heritage assets and their setting should be assessed in development proposals or works, against the following criteria, namely the:

1. special qualities of architectural and historic interest;
2. features of interest and the setting of the non-designated historic asset;
3. contribution the non-designated historic asset makes to local distinctiveness; local townscape; or rural character; and
4. conservation of interesting or unusual features; architectural detail; materials; construction; or historic interest.

Development which would remove, harm or undermine the significance of such non-designated heritage assets, or their contribution to the character of a place, will only be permitted where the benefits of the development outweigh the harm having regard to the scale of the harm and significance of the non-designated heritage asset.

Prior to the loss of the non-designated heritage asset, an appropriate level of survey and recording will be expected including where appropriate archaeological investigation. The results of which should be deposited on the Historic Environment Record.

It is recognised that not all buildings, structures or landscapes of significance are captured on either the national lists or local lists and these are termed undesignated heritage assets. Where the significance of these buildings, structures or landscapes can be demonstrated, the above policy consideration should be applied.

Explanation

17.11 Local Plan (Part One) policy [ENV 5](#), seeks to protect the borough's unique and significant heritage assets, both designated and non-designated and their settings. Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets.

17.12 The presumption is for the retention of non-designated heritage assets. An assessment of the non-designated heritage asset will be required to consider the asset's architectural and aesthetic quality and its unique contribution to the remaining architectural, historic and townscape and landscape interest of the area.

17.13 Often neighbourhood plans and village design statements identify local heritage assets as the communities who prepare these documents are best placed to understand the local features of heritage value and the special character which makes their village or town distinctive.

17.14 Some buildings, structures and landscapes within the borough, whilst not of national significance, are valued for their contribution to the local scene; as good examples of local architectural styles; or for their local historic association. The Council will seek to identify such assets on a Local List. The Local List for Cheshire West and Chester is held on the Historic Environment Record and will be reviewed from time to time. These buildings, structures and landscapes are usually considered 'non-designated heritage assets' under the NPPF. The inclusion of a building structure or landscape on the list is a material consideration in the determination of planning applications.

DM 49 - Registered Parks and Gardens and Battlefields

DM 49

Registered Parks and Gardens

In line with Local Plan (Part One) policy [ENV 5](#) development proposals affecting landscapes identified on the Register of Historic Parks and Gardens of special historic interest in England (Registered Parks and Gardens) as identified on the policies map will only be supported where it has been demonstrated that:

1. great weight is given to the asset's conservation and significance, taking into consideration the appearance, historic characteristics, integrity of the landscape, setting and key views.

In considering proposals which may affect those historic landscapes identified as Registered Parks and Gardens and their settings, regard will also be given to:

2. the prevention of sub-division of the landscape;
3. the conservation of features of architectural, archaeological and historic interest and the requirement to record such features on the Historic Environment Record.

Development proposals which enhance and better reveal the significance of a Registered Park and Garden will be encouraged. Any new development should avoid, minimise and mitigate impact on the landscape and should be balanced against the sustainable development objective of conserving significance and the need for change.

Registered Battlefields

In line with Local Plan (Part One) policy [ENV 5](#), development proposals will only be supported which would not adversely affect the historic significance, appearance, integrity and setting of a battlefield recorded on the Register of Historic Battlefields (a Registered Battlefield) as identified on the policies map.

Proposals for new development should not fragment or erode historic landscapes. Where development is considered acceptable in or on the perimeter of these areas, it should be discrete in its form, massing and visibility.

Development proposals which will affect an historic landscape (registered or otherwise) must be in line with the relevant landscape policies in the development plan.

Explanation

17.15 Local Plan (Part One) policy [ENV 5](#) seeks to protect the borough's unique and significant heritage assets which include Registered Parks and Gardens, and Registered Battlefields. Cheshire West and Chester has a number of designed landscapes, parks and gardens and important historic battlefields. Not only are these areas of significant historic importance but they also now provide the setting for a number of historic buildings and high quality open spaces. The effect of development on such sites or their setting will be a material consideration in the determination of any planning applications.

17.16 Reference documents including the Cheshire Historic Landscape Characterisation Report and Managing Historic Landscapes can be viewed on the Council's Historic Environment Record: http://www.cheshirearchaeology.org.uk/?page_id=152

DM 50 - Archaeology

DM 50

Development proposals affecting archaeological heritage assets which meet the requirements of Local Plan (Part One) policy [ENV 5](#) will be supported.

Development proposals will need to take into account the significance of the heritage asset and their setting, and the scale of any loss or harm.

For sites of known or potential archaeological interest, applications must be accompanied by an appropriate archaeological assessment of the archaeological impact of the development. A field evaluation prior to determination of the planning application may also be required. Where remains are of national significance e.g. within a Primary Archaeological Zone as defined by the Chester Archaeological Plan, detailed agreement on ground impacts should be secured before planning permission is granted.

Where necessary to secure the protection of the heritage asset or a programme of archaeological mitigation, conditions will be attached to permissions. These may include requirements for detailed agreement on ground impacts and programmes of archaeological investigation, building recording, reporting and archiving.

For development proposals within Chester, the Chester Archaeological Plan must be consulted which defines Areas of Archaeological Significance and the Primary and Secondary Archaeological Character Zones.

Explanation

17.17 In line with Local Plan (Part One) policy [ENV 5](#) which seeks to protect the borough's unique and significant heritage assets, this policy seeks to ensure that the damage to archaeological remains caused by development is minimised; well preserved remains of national significance are preserved in situ and development in Chester protects and enhances the city's unique archaeological and historic character.

17.18 In assessing development proposals affecting archaeological heritage assets, the Council will take into account the significance of the asset, the scale of any loss or harm and whether alternative means of delivering the development benefits could achieve a more sustainable result. Proposals will normally be refused where they would result in substantial harm to designated heritage assets such as Scheduled Monuments. This will also apply to non-designated assets of a similar significance, for example, remains within Primary Archaeological Character Zones identified in the Chester Archaeological Plan. Where a development proposal would lead to less than substantial harm to these assets, the harm will be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Any harm or loss will require clear and convincing justification. Proposals which would cause harm to non-designated assets will be assessed in

accordance with policy DM 48. Prior to the loss of the asset, an appropriate level of survey and recording will be expected including where appropriate archaeological investigation. The results of which should be deposited with the Historic Environment Record.

17.19 Archaeological remains are a valuable but fragile part of our heritage, and once destroyed they can never be replaced. Such remains include not just finds but also traces of buildings, layers of soil and entire landscapes. Maintaining this resource is an important part of the Council's commitment to conservation.

17.20 Depending on the nature of the proposed development, it may be appropriate for pre-determination archaeological work to be carried out (such as desk based archaeological assessment or a programme of field evaluation) and the results submitted as a report in support of a planning application.

17.21 The report will assist in establishing the significance of any heritage assets and help define whether any further archaeological mitigation is required. Any further mitigation, which is likely to be secured by condition, may consist of detailed proposals to secure the preservation in situ of significant archaeological deposits or, if this is not possible further fieldwork. Further fieldwork may range from a formal programme of excavation in the case of significant deposits to a watching brief in the case of remains of lesser importance.

17.22 The Cheshire Archaeology Planning Advisory Service (APAS) can provide specifications for archaeological work, monitor archaeological fieldwork and post-excavation programmes and advise on the discharge of archaeological conditions.

17.23 The Chester Archaeological Plan which forms part of the evidence base for the Local Plan (Part One) summarises the approach that the Council will take in determining applications that may affect heritage assets in Chester. The significance of the archaeological resource in Chester is outlined and guidance is provided for developers and applicants on the role of archaeology in the planning and development management process. The Chester Archaeological Plan is based on data in the Chester Urban Archaeological Database Project which includes the identification of the Chester Archaeological Character Zones. These zones are defined by their predominant archaeological character and are identified on an interactive map. The plan and mapping can be found at: http://www.cheshirearchaeology.org.uk/?page_id=165

18 Energy

18.1 Local Plan policies should ensure that development and land use contribute to the mitigation or adaptation to climate change. The 2009 Renewable Energy Directive sets a target for the UK to achieve 15 per cent of its energy consumption from renewable sources by 2020. Local Plan (Part One) policy [ENV 7](#) supports the provision of renewable energy proposals, subject to criteria. The policy has regard to national planning policy which highlights the responsibility of communities to contribute towards the move to a low carbon future, and the need to have a positive strategy to promote energy from renewable and low carbon sources.

18.2 The Cheshire West and Chester Low Carbon Renewable and Low Carbon Energy Study (2012) is a technical assessment of the potential for low carbon and renewable energy in the borough. It assesses the potential contribution from a variety of sources and identifies wind energy and biomass as having particular potential. Policies in the Local Plan (Part Two) have been included to address the particular issues arising from these technologies, as well as solar energy which has experienced significant growth in the last few years. Local Plan (Part Two) policy **DM 53** also covers battery storage which is a fast developing technology.

18.3 The Council has identified the potential for heat networks to be developed within the borough through the Low Carbon and Renewable Energy Study and subsequent energy masterplanning and feasibility studies. In particular, there is potential within areas of Ellesmere Port, where there are existing significant heat generators and energy users. The Council will support proposals for establishing district heat networks in Ellesmere Port as well as in other parts of the borough where opportunities arise. The concept of district heat networks has been identified as having potential in the borough, particularly around the industrial areas of Ellesmere Port and Chester city centre.

18.4 The policies in this section set out criteria for development proposals relating to wind energy; solar energy; and energy generation, storage and district heat networks.

DM 51 - Wind energy

DM 51

Proposals for wind energy will be supported where they meet the requirements of Local Plan (Part One) policy [ENV 7](#) and the relevant following criteria:

1. proposals are located outside of those areas identified on the policies map as being highly sensitive to wind development; key settlement gaps and Areas of Special County Value and their settings;
2. proposals are for single turbines or small groups of less than seven units. Proposals for large groups of turbines are unlikely to be acceptable anywhere in the borough due to the sensitivity of the landscape;
3. proposals for small-medium sized turbines are most likely to be acceptable. Where proposals involve larger turbines, either in single units or small groups of turbines, they must be located

within an 'area of least constraint' for commercial scale wind energy as defined in the Low Carbon and Renewable Energy Study;

4. the impacts of the development on key landscape characteristics must be acceptable. Proposals must have regard to the Landscape Sensitivity Study and be of a scale and type where landscape sensitivity has been identified as being low/moderate or moderate. Applications in areas which have been identified as being of high landscape sensitivity for the scale of development proposed will not be approved;
5. the local planning authority must be satisfied that there would be no unacceptable impacts on aircraft safety;
6. there would be no unacceptable harm to the historic environment, heritage assets and their setting.

For all proposals, developers must provide an assessment of any potential shadow flicker or flashes of reflected light which might affect properties or nearby land uses, including playing fields. Where potential exists for these effects, appropriate measures to mitigate and reduce the impacts must be identified as part of the planning application.

In all cases, applications must be supported by a landscape appraisal or, in the case of development requiring Environmental Impact Assessment, a Landscape and Visual Impact Assessment, the scope of which should be agreed at the outset with the Council. Any cumulative impacts of renewable schemes should be carefully considered as part of this assessment.

In order to minimise the impact on the landscape, proposals for wind turbines and associated development should have regard to the General Design Guidance Principles for Wind Energy set out in the Landscape Sensitivity Study.

Explanation

18.5 This policy supports wind energy development, subject to criteria, and adds further detail to Local Plan (Part One) policy [ENV 7](#), particularly in relation to landscape impacts. It has been informed by the Cheshire West and Chester Low Carbon and Renewable Energy Study (2012) and the Landscape Sensitivity Study (2016). The Low Carbon and Renewable Energy Study provides an assessment of the potential for renewable energy generation in the borough, identifying 'areas of least constraint' for large and medium scale wind development. These are areas which could be technically suitable for such wind development, taking into account wind speeds and the presence of constraints such as transport corridors, buildings, inland waters, airports and airfields and sites of historic interest and nature conservation.

18.6 The Landscape Sensitivity Study was prepared alongside the borough Landscape Strategy, and provides an analysis of the potential impact of wind development on the landscape. Together, these studies provide useful guidance for preparing and considering proposals for wind development, and should be read alongside this policy.

18.7 The Landscape Sensitivity Study identifies areas where the sensitivity of the landscape to wind development is likely to be greatest and areas where impacts may be more moderate. Areas identified as being of high sensitivity are considered to be unsuitable for wind development. In these areas, which are identified on the policies map, the key characteristics and qualities of the landscape are highly sensitive and are likely to be adversely affected by this type of development. Outside of these areas, wind energy development proposals may be acceptable, where they meet the criteria set out in the above policy, Local Plan (Part One) policy [ENV 7](#) and other relevant development plan policies.

18.8 The Landscape Sensitivity Study concluded that, due to the scale and nature of the landscape in the area, any further proposals for large scale wind farms (over approximately 13 turbines) are unlikely to be acceptable anywhere in the borough. The greatest potential is likely to be for single or small groups of turbines that are small or small-medium size in height, located within a particular part of the borough rather than being scattered throughout the borough, as their impact will be less pronounced. Such developments have the potential to provide clean electricity to local communities, businesses or farms.

18.9 For the purposes of this policy, turbine heights and groups should be taken as follows:

Table 18.1 Turbine heights and groups

Turbine Heights (to blade tip):	
Smaller turbine	Approx 10m-30m
Medium turbine	Approx 30m-80m
Larger turbine	Approx 80m-130m+
Turbine Groups	
Single turbine	
Smaller group	Up to 6 turbines
Larger group	7 to 13 turbines

18.10 Proposals for small or medium turbines in single free standing units or small groups may be acceptable in areas where landscape sensitivity has been identified as being low-moderate or moderate (there are no areas of low sensitivity). However in all areas, there will be characteristics in the landscape which are sensitive to wind energy development and applicants should demonstrate how impacts, including cumulative impacts, would be minimised through siting, layout and design. Detailed guidance for applicants on the location of wind energy can be found in the Landscape Sensitivity Study.

18.11 Wind turbines have the potential to create certain problems for aviation. In addition to their potential for presenting a physical obstacle to air navigation, wind turbines can affect signals radiated from and received by aeronautical systems. The rotating blades create electromagnetic disturbance, which can degrade the performance of these systems and cause incorrect information to be received. The amount of interference depends on the number of wind turbines, on a wind turbine's size,

construction materials and location and on the shape of its blades. The most significant impacts are likely to arise in connection with large turbines, but smaller installations can also have impacts and need to be assessed.

18.12 Applicants are encouraged to initiate consultations with aerodrome operators prior to the submission of planning applications. Where consultations with the relevant operators identify that there may be unacceptable impacts on aircraft safety then proposals will not be supported. Please refer also to Local Plan (Part Two) policy **DM 11**.

18.13 Wind turbines can create noise and vibration and applicants will be expected to address these issues as part of any application in accordance with Local Plan (Part Two) policy **DM 30**.

18.14 Proposals for wind turbines in the Green Belt will constitute inappropriate development, in such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

18.15 There is a legal requirement for a developer to carry out pre-application consultation with the local community, for all planning applications for wind development involving more than two turbines or where the hub height of any turbine exceeds 15 metres. Details of the consultation should be agreed with the local planning authority in advance. In larger scale developments, regular site liaison committees should be held, where there is interest from local residents.

DM 52 - Solar energy

DM 52

Proposals for ground mounted solar energy developments will be supported where they meet the requirements of the Local Plan (Part One) policy [ENV 7](#) and the following criteria:

1. proposals must be sited on previously developed land wherever possible. Proposals for solar developments on existing industrial or derelict land which directly supply electricity users will be supported;
2. where it is clearly demonstrated that there are no suitable sites on previously developed land and development is proposed on agricultural land, the best and most versatile land must be avoided in favour of lesser quality land. Disturbance to agricultural land must be minimised, and proposals must demonstrate how the site can be reinstated to its previous use and condition once the operational lifespan of the development has been reached. Wherever possible, land around the structure should be continued to be used for livestock grazing or other agricultural use;
3. proposals must be of a scale and type where landscape sensitivity has been identified as being low/moderate or moderate and the impacts on key landscape characteristics are considered to be acceptable, having regard to the Landscape Sensitivity Study. Proposals

- in areas which have been assessed as having high sensitivity to the scale of development proposed will not be permitted;
4. applications must be supported by a landscape appraisal or, in the case of development requiring Environmental Impact Assessment, a Landscape and Visual Impact Assessment, the scope of which should be agreed at the outset with the Council. Any cumulative impacts of renewable schemes must be carefully considered as part of this assessment;
 5. applicants must demonstrate how any adverse impacts on the landscape would be mitigated through layout, siting and design. Wherever possible, hedgerows, trees, field patterns and strong boundary features should be used to mitigate the visual impact of solar energy developments;
 6. associated development such as access roads, security fencing, lighting and any buildings must be designed so as to minimise its visual impact, whilst ensuring that the development causes no risk to public safety;
 7. there would be no unacceptable harm to the historic environment, heritage assets and their setting.

Explanation

18.16 This policy relates to ground mounted solar energy developments, adding further detail to Local Plan (Part One) policy [ENV 7](#) particularly in relation to landscape impacts. Further criteria relating to other impacts which may be relevant, such as biodiversity, noise, highways etc can be found in other policies in the development plan.

18.17 This policy has been informed by the Cheshire West and Chester Landscape Sensitivity Study (2016) which has provided an assessment of the sensitivity of the borough's landscape to accommodate solar energy development. It has identified areas, based on Landscape Character Areas, which would be sensitive to this type of development to varying degrees. The study concludes that landscape character significantly limits the potential for medium or large sized solar farms (6 hectares - 25 hectares and above) within the borough. The greatest potential in the borough is for very small or small solar farms (less than six hectares) located in areas of lesser landscape sensitivity (low/medium or medium sensitivity). To be supported, such proposals would need to be in scale with the landscape, in particular field patterns of hedgerows, trees and other human-scale landscape features.

18.18 Strong boundary features can also mitigate the visual impact of smaller solar arrays by helping to screen them. However, there is still the potential for even small scale solar farms to cause significant adverse effects to key landscape characteristics. Applicants will be expected to demonstrate how any such impacts will be reduced, avoided or mitigated. In order to minimise the impact of development on the landscape, proposals for solar energy should follow the general design principles for ground mounted solar development contained in the Cheshire West and Chester Sensitivity Study.

18.19 Proposals in the Green Belt will constitute inappropriate development and developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

18.20 Support for the provision of photovoltaic cells on new buildings is covered by Local plan (Part Two) policy **DM 4**. Installation of photovoltaic cells on existing buildings is frequently covered by permitted development rights and as such does not require planning permission.

DM 53 - Energy generation, storage and district heat networks

DM 53

Proposals will be supported that:

1. make maximum use of renewable energy sources as set out in Local Plan (Part One) policy [ENV 7](#);
2. provide for electricity storage which assist with balancing the grid and support the use of intermittent renewable energy sources (such as wind and solar);
3. enable the establishment or expansion of district heat networks.

Proposals for energy related development must demonstrate how they meet the following criteria in addition to other relevant development plan policies:

4. wherever possible schemes must be located on previously developed land and/or in existing industrial areas, close to existing users who can make use of the heat and/or power generated;
5. proposals must not limit the range and choice of employment land in the area;
6. proposals must not adversely impact on neighbouring land users, or the existing commercial/operational requirements of surrounding businesses;
7. the cumulative impacts of existing and proposed developments on the landscape, natural environment and surrounding users will be acceptable;
8. wherever possible development must utilise existing power lines, structures and infrastructure. Where it can be demonstrated that this is not possible and new power lines and pipelines are proposed, their impact on the landscape must be minimised;
9. where biomass is proposed to be used for energy generation it must be sustainably sourced. Developers will be required to provide information about the type and source of material to be used in biomass plants. The production of biomass crops should avoid the use of best and most versatile agricultural land;
10. proposals for biomass installations will not be permitted within or adjacent to Air Quality Management Areas;

11. there must be no unacceptable impact on air quality arising from the emissions of the proposed development, as follows:
 - i. Proposals for natural gas-fired CHP plants must meet a minimum standard of:
 - a. spark ignition engine: 250 mgNO_x/Nm³
 - b. compression ignition engine: 400 mgNO_x/N
 - c. gas turbine: 50 mgNO_x/Nm³
 - ii. Proposals for biomass installations must meet a minimum standard of 275 mgNO_x/Nm³ and 25 mgPM/Nm³ (Solid biomass boiler)
12. Any proposals which involve energy generation should include an assessment of the potential for heat recovery, and proposals which generate heat should consider options for power generation. Where possible excess heat or power should be used on site, by nearby users or in district heat networks.

Explanation

18.21 Local Plan (Part One) Policy [ENV 7](#) supports proposals for renewable and low carbon energy, but it is recognised that proposals for energy generation from other sources such as natural gas may come forward over the plan period. Such proposals may form the basis for heat networks or balancing the national grid by enabling energy storage. This policy provides a framework for assessing such applications.

18.22 Proposals for energy generation and storage are directed to existing industrial areas where their impacts on sensitive neighbouring uses are likely to be less, and where there is scope to link into existing power infrastructure and develop heat and energy networks. The Stanlow Special Policy Area Review (2016) recognises the specialism that the area has in the energy sector, which is likely to grow in future.

18.23 The Council's Low Emission Strategy recommends the adoption of measures to reduce emissions and impacts from new developments, with the presumption that natural gas-fired installations will be used rather than biomass. The emission benchmarks set out in the policy represent readily achievable emission concentrations by using relatively simple technologies.

18.24 Biomass can provide a low carbon source of energy and heat, but it is important that it is sustainably sourced and the production of biomass does not impact negatively upon water, soils, landscape, archaeology, ecology and landscape. Article 17 of the EU Renewable Energy Directive 2009 requires users of biomass to demonstrate that biomass is not sourced from areas of primary forest, designated nature conservation areas or areas containing threatened species, biodiverse grassland, areas of high carbon stock and peatland.

19 Managing waste

19.1 Local Plan (Part One) policy [ENV 8](#) makes provision for sustainable waste management in Cheshire West and Chester. The aim of the policy is to drive waste management up the waste hierarchy and to ensure that sufficient capacity exists to meet the borough's predicted waste requirements up to 2030. The policy was prepared having regard to the Waste Needs Assessment 2012, which forecast arisings from the main waste streams over the plan period. The 2012 Waste Needs Assessment showed that there was sufficient capacity on operational and consented sites in the borough to meet the identified waste needs.

19.2 As part of the background work on Local Plan (Part Two), an update to the Waste Needs Assessment was undertaken in 2016. The 2016 update confirmed that there is still sufficient capacity to meet forecast needs and therefore it is not necessary to identify additional land to meet the borough's waste management requirements. This situation will continue to be kept under review through the Council's annual monitoring report (AMR) and future updates to the Waste Needs Assessment.

19.3 Local Plan (Part One) policy [ENV 8](#) seeks to retain the existing capacity for waste uses on consented and operational sites, whilst providing for flexibility to allow for new uses in specific circumstances. It also identifies a need to identify sites for replacement Household Waste Recycling Centres. Local Plan (Part Two) policy **DM 54** sets out the criteria that must be met where new waste management development is proposed which meets the requirements of Local Plan (Part One) policy [ENV 8](#). Local Plan (Part Two) policy **DM 55** provides a framework for guiding the site selection process for replacement household waste recycling sites and assessing any subsequent planning applications.

DM 54 - Waste management facilities

DM 54

Proposals for waste management development will be supported where they meet the principles for sustainable waste management set out in Local Plan (Part One) policy [ENV 8](#) and the following criteria:

1. proposals for new large scale waste management facilities must be located on the safeguarded sites of Ince Park (Protos), Lostock Works or Kinderton Lodge in accordance with Local Plan (Part One) policy [ENV 8](#);
2. proposals for new smaller scale waste management facilities must wherever possible be located on or close to existing operational or permitted waste management sites. Where this is not practical or desirable, sites must be located in Stanlow or other industrial areas;
3. all proposals must demonstrate how they meet the locational criteria set out in the National Planning Policy for Waste (Appendix B) or any revisions to this document;
4. proposals must be accompanied by a thorough evaluation of potential direct and indirect impacts. Where unacceptable impacts are identified, measures should be proposed to avoid, reduce or mitigate those impacts. Where unacceptable impacts cannot be avoided then the proposal will not be supported;

5. proposals must demonstrate how they minimise potential adverse impacts on human health, air quality and the ecology of the area. Opportunities to enhance biodiversity and green infrastructure and improve air quality through use of clean technologies, should be considered and included within schemes wherever possible;
6. proposals should ensure that there is no unacceptable impact on aircraft safety resulting from potential bird strike in accordance with Local Plan (Part Two) policy **DM 11**;
7. proposals should demonstrate how they will ensure that hydro-geological, hydrological and soil permeability characteristics are protected;
8. schemes must have good access to the highway network and must meet the requirements of Local Plan (Part Two) policy **T 5**. Wherever possible proposals should make use of sustainable modes of transport, including for the importation and exportation of material, in accordance with Local Plan (Part One) policy [STRAT 10](#);
9. proposals should have regard to the setting and character of the site and its surroundings, taking account of the need to protect distinctive townscapes, natural landscapes and features of historical significance and their settings;
10. proposals for waste management facilities should provide information on the type and source of the waste being managed, including the distance travelled. In assessing proposals for waste management facilities, the Council will have regard to the desirability of managing waste close to its source;
11. proposals for waste management facilities will be required to set out arrangements for the management of the facility, including hours of operation. Measures for monitoring of the facility should be set out within the application.

Proposals for biomass plants and other facilities which use waste material to produce heat or combined heat and power should wherever possible be located close to existing or potential users of heat outputs, in accordance with Local Plan (Part Two) policy **DM 53**.

Farm scale anaerobic digestion plants will be supported, particularly where they allow for sharing of facilities between linked farms. Inputs of material should be derived primarily from farm wastes which arise from the farm unit. Energy and other outputs from the process should also primarily be used on the farm unit. Where additional inputs and outputs of material and energy are required to make the facility viable, they should come from, and be used within, the local area. The location of facilities on farms should avoid high quality agricultural land.

Proposals for new or alternative waste uses at existing or consented waste sites (including the safeguarded sites) will be permitted where they do not undermine the borough's capacity to provide a range of waste management facilities (as set out in the most recent Waste Needs Assessment) and where the impacts of the proposed development are acceptable.

Explanation

19.4 This policy sets out the criteria which will be used to determine applications for new or extended waste uses which comply with the provisions of Local Plan (Part One) policy [ENV 8](#). It recognises that waste management facilities have the potential to impact on the setting, character and environment

of the site and local area, and may also impact on the amenity and quality of life of local communities. Planning applications for new waste management facilities or alterations to existing facilities will therefore be required to identify potential short, medium and long term direct and indirect impacts on the site and surrounding area. Measures to mitigate and reduce those impacts should be identified as part of the application.

19.5 New large scale waste management development is directed to the safeguarded sites at Ince Park, Lostock and Kinderton Lodge, which are the most appropriate locations for such development. The safeguarded sites have existing consents for large scale development and, whilst proposals for alternative waste management facilities on those sites may be appropriate, they should be of a scale which is commensurate with the existing plot sizes on these sites. The Council does not wish to see the existing plots on Ince Park subdivided into smaller units. Proposals for development at Ince Park (Protos) should have full regard to Local Plan (Part Two) policy **EP 6**.

19.6 Smaller scale facilities, such as waste transfer stations, are directed to existing waste sites (including those which have not yet been implemented), on previously developed, industrial land wherever possible. The exception to this is anaerobic digestion facilities on farms, which can provide a sustainable means of dealing with farm waste whilst generating power and providing fertiliser.

19.7 The current list of sites with planning permission but not yet operational can be found in the most recent Waste Needs Assessment.

19.8 Clear and robust information should be provided as part of the application relating to the management and monitoring of the site, including in larger schemes, measures to work with local communities to address any concerns throughout the development and implementation of the scheme. Proposals for larger waste management schemes will be encouraged to make arrangements for regular site liaison committees involving members of the local community, which should operate throughout the development, operation and where applicable, decommissioning of the site.

DM 55 - Sites for replacement household waste recycling facilities

DM 55

Proposals for household waste recycling centres will be supported where they meet the following criteria:

1. a replacement for the Frodsham site will be located on suitable previously developed land within or on the edge of the town.
2. a replacement for the Tattenhall will be located on or adjacent to an existing employment site or other suitable previously developed land within the wider Tattenhall area.
3. the site will be capable of being safely accessed by HGVs and other types of vehicles likely to visit the facility, with adequate room for manoeuvring and waiting on site;
4. it can be ensured that impacts on the amenities of neighbouring properties and land uses are acceptable, in particular noise and odour;

5. proposals should demonstrate how they meet the locational criteria set out in the National Planning Policy for Waste (Appendix B) or any revisions to this document;
6. the site would be managed so as to avoid pollution of watercourses;
7. the proposal can be appropriately screened and does not have an unacceptable impact on the local landscape.

Explanation

19.9 Local Plan (Part One) policy [ENV 8](#) refers to a need to identify sites for Household Waste Recycling Centres (HWRCs) to replace existing facilities in Chester, Tattenhall and Frodsham, none of which meet current standards of best practice. Since the Local Plan (Part One) was adopted, the Council's contract for managing its HWRCs has been extended and now runs until 2023. The revised contract involves retaining the existing network of seven HWRCs across the borough, with service improvements and changes to opening hours to reflect patterns of usage both during the week and summer/winter.

19.10 The revised contract includes the provision of improved facilities in Chester. Planning permission has been granted for expansion of the current site on Bumpers Lane to incorporate a new 'pay as you throw' Trade Waste Recycling Centre. The new site, once operational, will meet the needs of the Chester catchment area and there is no need to identify any additional site for a Chester HWRC through the Local Plan (Part Two).

19.11 The revised contract makes no provision for the replacement of the Frodsham and Tattenhall sites to 2023, but in light of logistical constraints associated with both sites a site search exercise has been carried out as part of the preparation of the Local Plan (Part Two). This has been informed by responses to consultation on the Local Plan (Part Two) preferred approach in 2016, as well as discussions with the Waste Management Service. The methodology for identifying and assessing sites is set out in the Land Allocations Background Paper.

19.12 No suitable alternative sites have been identified at this time, although there may be sites which become available over the plan period. The Planning and Strategic Transport team will continue to work with Waste Management Service to try and identify alternative sites as required. Any proposals for replacement facilities will be considered in accordance with the above policy.

20 Monitoring framework

20.1 The monitoring framework set out in the table below encompasses the approach in the adopted Local Plan (Part One) and includes additional targets and indicators that flow from the policies in the Local Plan (Part Two). Some indicators within the Local Plan (Part One) Monitoring Framework have been updated with more detailed Local Plan (Part Two) indicators that measure the effectiveness of the development plan as a whole through the production of the Annual Monitoring Report. This will allow the Council to determine what, if any, corrective action is required to ensure that the strategy of the Local Plan is delivered over the plan period.

20.2 Alongside the Local Plan indicators, significant effects indicators, as established in the Sustainability Appraisal, are identified. The significant effects indicators consider the impact of policy on the sustainability appraisal objectives and measure the likely significant effects (positive and negative) over the plan period. The indicators are ordered based on the structure in the Local Plan (Part One) and each section links with the strategic objectives of the plan. In addition to the Local Plan indicators, contextual indicators will be included in the Annual Monitoring Report that will measure changes in the wider social, environmental and economic circumstances of the borough.

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
Spatial, Chester, Ellesmere Port, Northwich, Winsford, Rural				
Strategic objectives - SO1, SO2, SO3, SO6, SO7, SO8, SO9, SO16 Significant effects - SE50, SE25, SE57, SE58, SE26				
Spatial	STRAT 2 – Sustainable development	STRAT 2(A) - Number of net dwelling completions in monitoring year [CWAC Housing Land Monitor reports / Housing flow reconciliation]		Projected completions for year set out in housing trajectory
	STRAT 2 – Sustainable development DM 1 – Development of previously developed land	STRAT 2(Ai) - Percentage of new and converted dwellings built on previously developed land [CWAC Housing Land Monitor reports]		N/A

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	STRAT 2 – Sustainable development	STRAT 2(B) - Number of net dwelling completions in previous five years [CWAC Housing Land Monitor reports / Housing Flow Reconciliation]		Delivery of 5,500 net dwellings over a five year period
	STRAT 2 – Sustainable development	STRAT 2(C) - Number of net dwelling completions since 2010 [CWAC Housing Land Monitor reports]		Delivery of 7,700 net dwellings since 2010 (2010 – 2017)
	STRAT 2 – Sustainable development	STRAT 2(D) - Supply of deliverable housing sites [CWAC Housing Land Monitor reports]		Five year supply based on housing trajectory
	STRAT 2 – Sustainable development CH 3 – Employment land provision in Chester EP 2 – Employment land provision in Ellesmere Port EP5 – Thornton Science Park N 4 – Employment land provision in Northwich	STRAT 2(E) - Cumulative employment land completions 2010-2030 by type and location (ha) [Employment monitor data]	LPP2/S2 (A) - Employment land completions by type and location, in monitoring year (ha/m2) [Employment monitor data]	At least 365 hectares
		STRAT 2(F) - Amount of employment land developed since 2010 plus amount of employment land available in supply to 2030 (ha) [Employment monitor 2016]	LPP2/S2 (B) - Employment land supply (ha), by type and location, to 2030 [Employment monitor data]	At least 365 hectares
			LPP2/S2 (C) - Loss of existing or allocated	No loss

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	<p>W 2 – Employment land provision in Winsford</p> <p>R 3 – Employment land provision in the rural area</p>		<p>employment land to other uses, by type and location (ha) [Employment monitor data]</p>	
	<p>STRAT 2 – Sustainable development</p> <p>ECON 1 – Economic growth, employment and enterprise</p> <p>DM 1 – Development of previously developed land</p>	<p>STRAT 2(Fi) - Employment development on previously developed land (ha / %). [Employment monitor data]</p>		None identified
Chester	STRAT 3 - Chester	STRAT 3(A) - Number of net dwelling completions in Chester spatial area 2010 – 2030 [CWAC Housing Land Monitor reports]		Delivery of 5,200 net dwellings by 2030
	STRAT 3 - Chester	STRAT 3(B) - Number of net dwelling completions on Wrexham Road site 2010 – 2030 [CWAC Housing Land Monitor reports]		1,300 dwellings

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	STRAT 3 - Chester	STRAT 3(C) - Delivery of Northgate leisure and retail scheme and new theatre [CWAC Retail monitoring and online planning application register]		Development completed by 2020
	STRAT3 – Chester CH 2 – Chester Regeneration areas	STRAT 3(D) – Delivery of Chester Business Quarter [Employment monitor data]		Development completed by 2027
	CH 1 – Chester Settlement areas		No indicator	n/a
	CH 2 – Chester Regeneration areas		LPP2/S3 (A) - Regeneration schemes delivered within a designated regeneration area	Development completed by 2030.
	STRAT 3 - Chester CH 3 – Employment land provision in Chester		LPP2/S3 (B) (Chester) - Employment land completions by type and location, in monitoring year (ha/m2) [Employment monitor data]	
			LPP2/S3 (C) (Chester) - Employment land supply (ha), by type and location, to 2030 [Employment monitor data]	
		STRAT 3(E) – Amount of	LPP2/S3 (D) (Chester) - Loss of existing or	No loss on allocated sites

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
		employment land and premises lost to other uses at Chester Business Park, Chester West Employment Park and Sealand Industrial Estate [Employment monitor data]	allocated employment land to other uses, by type and location (ha) [Employment monitor data]	
	CH 4 – University of Chester		No indicator	n/a
	CH 5 – Chester conservation areas		LPP2/S3 (E) - Percentage of planning applications / adverts for signage and illumination refused on the Rows contrary to CH 5 [Planning application monitoring]	
	CH 6 - Chester key views, landmarks and gateways and historic skyline		No indicator	n/a
Ellesmere Port	STRAT 4 – Ellesmere Port	STRAT 4(A) Number of net dwelling completions in Ellesmere Port spatial area 2010 – 2030 [CWAC Housing Land Monitor reports]		Delivery of 4,800 net dwellings by 2030
		STRAT 4(B) - Number of net dwelling completions on Ledsham Road site 2010 – 2030 [CWAC Housing Land Monitor reports / monitoring database]		2,000 dwellings

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	EP 1 – Ellesmere Port settlement area		[JL1] LPP2/S4 (A) Delivery of regeneration schemes around the town centre.	Development completed by 2030.
	STRAT 4 – Ellesmere Port EP 2 – Employment land provision in Ellesmere Port EP 3 – Stanlow special policy area		LPP2/S4 (B) (Ellesmere Port) - Employment land completions by type and location, in monitoring year (ha/m2) [Employment monitor data]	
	EP 4- Hooton Park EP 5 – Thornton science park		LPP2/S4 (C) (Ellesmere Port) - Employment land supply (ha), by type and location, to 2030 [Employment monitor data]	
	EP 6- Ince Park		LPP2/S4 (D) - Employment completions (ha/m2) at key employment locations identified in STRAT 4 in Ellesmere Port [Employment monitor data]	
	STRAT 4 – Ellesmere Port EP 2 – Employment land provision in Ellesmere Port		LPP2/S4 (E) (Ellesmere Port) - Loss of existing or allocated employment land to other uses, by type and location (ha) [Employment monitor data]	

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	EP 7 – Ellesmere Port historic		LPP2/S4 (F) – Number of planning applications for tourism related uses in the canal port area [Planning application monitoring]	
Northwich	STRAT 5 - Northwich	STRAT 5(A) - Number of net dwelling completions in Northwich spatial area 2010 – 2030 [CWAC Housing Land Monitor reports]		Delivery of 4,300 net dwellings by 2030
	STRAT 5 - Northwich	STRAT 5(B) - Delivery of Winnington Urban Village scheme including up to 1,200 dwellings [CWAC Housing Land Monitor reports / monitoring database]		Development completed by 2029
	N 1 – Northwich settlement area		No indicator	n/a
	N 2- Northwich regeneration area		LPP2/S5 (A) - Regeneration schemes delivered within a designated regeneration area [Planning application monitoring]	Development completed by 2030.
	STRAT 5 - Northwich N 2- Northwich regeneration area		LPP2/S5 (B) - Delivery of new housing and employment at Wincham. [Planning application monitoring]	Development completed by 2030.

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	N 4 – Employment land provision in Northwich			
	STRAT 5 - Northwich N 4 – Employment land provision in Northwich N 5 – Gadbrook Park		LPP2/S5 (C)(Northwich) - Employment land completions by type and location, in monitoring year (ha/m2) [Employment monitor data]	At least 30 hectares by 2030
			LPP2/S5 (D) (Northwich) - Employment land supply (ha), by type and location, to 2030 [Employment monitor data]	
		STRAT 5(F) - Amount of employment land and premises lost to other uses at Gadbrook Park [Employment monitor]	LPP2/S5 (E)(Northwich) - Loss of existing or allocated employment land to other uses, by type and location (ha) [Employment monitor data]	No loss on allocated sites
	STRAT 5 - Northwich	STRAT 5(E) - Delivery of Northwich Riverside projects including Barons Quay [CWaC Monitoring Database]		Development completed by 2017
	STRAT 5 - Northwich N3 - Meeting outstanding housing need in Northwich		LPP2/S5 (F) - Number of new homes delivered on allocated sites [CWAC Housing Land Monitor reports]	

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	N 6 – Northwich town centre conservation areas		No indicator	n/a
Winsford	STRAT 6 - Winsford	STRAT 6(A) - Number of net dwelling completions in Winsford spatial area 2010 – 2030 [CWAC Housing Land Monitor reports]		Delivery of 3,500 net dwellings by 2030
	STRAT 6 - Winsford	STRAT 6(B) - Number of net dwelling completions at Station Quarter site 2010 – 2030 [CWAC Housing Land Monitor reports / monitoring database]		1,000 new dwellings (775 by 2030)
	W 1 – Winsford settlement area		No indicator	n/a
	STRAT 6 - Winsford W 2 – Employment land provision in Winsford	STRAT 6(C) - Amount of additional employment land provided 2010 – 2030 [Employment monitor (2016)]	LPP2/S6 (A) (Winsford) - Employment land completions by type and location, in monitoring year (ha/m2) [Employment monitor data]	At least 35 hectares
			LPP2/S6 (B) (Winsford) - Employment land supply (ha), by type and location, to 2030 [Employment monitor data]	
		STRAT 6(D) Amount of employment land	LPP2/S6 (C) (Winsford) - Loss of existing or allocated employment land to other uses, by type and location (ha)	No loss on allocated sites

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
		and premises lost to other uses at Winsford Industrial Estate and Woodford Park [Employment monitor (2016)]	[Employment monitor data]	
	STRAT 6 - Winsford	STRAT 6(E) - Delivery of new food store in town centre [CWaC Retail Monitoring and online planning register]		Development completed by 2030
Rural	STRAT 8 – Rural area	STRAT 8(A) - Number of net dwelling completions in rural area 2010 – 2030 [CWAC Housing Land Monitor reports]		Delivery of 4,200 net dwellings by 2030
	STRAT 8 – Rural area	STRAT 8(B) - Number of net dwelling		Cuddington and Sandiway - delivery of 200 net dwellings by 2030 Farndon - delivery of 200 net dwellings by 2030 Frodsham - delivery of 250 net dwellings by 2030 Helsby - delivery of 300 net dwellings by 2030 Kelsall - delivery of 200 net dwellings by 2030

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
		completions in key service centres 2010 – 2030 [CWAC Housing Land Monitor reports]		Malpas - delivery of 200 net dwellings by 2030 Neston and Parkgate - delivery of 200 net dwellings by 2030 Tarporley - delivery of 300 net dwellings by 2030 Tarvin - delivery of 200 net dwellings by 2030 Tattenhall - delivery of 250 net dwellings by 2030
	STRAT 8 – Rural area R 3 – Employment land provision in the rural area	STRAT 8(C) - Amount of additional employment land provided 2010 – 2030 [Employment monitor (2016)]	LPP2/S8 (A) (Rural) - Employment land completions by type and location, in monitoring year (ha/m2) [Employment monitor data]	At least 10 hectares by 2030
			LPP2/S8 (B) (Rural) - Employment land supply (ha), by type and location, to 2030 [Employment monitor data]	
			LPP2/S8 (C) (Rural) - Loss of existing or	No loss on allocated sites

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
			allocated employment land to other uses, by type and location (ha) [Employment monitor data]	
	R 1 – Identified settlements in the rural area		LPP2/S8 (D) - Number of development proposals approved in the countryside contrary to R1 [Planning application monitoring]	Zero
	R 2 – Meeting the outstanding housing requirement in Northwich		LPP2/S8 (E) - Number of new homes delivered on allocated sites in Tattenhall [CWAC Housing Land Monitor reports]	
Green Belt and countryside	STRAT 9 – Green Belt and countryside		LPP2/S9 (A) - Number and type of new built developments (on greenfield land) approved in the Green Belt contrary to policy. [Planning application monitoring]	Zero
	ECON 3 - Visitor economy GBC 1 – Commercial sites in the Green Belt		LPP2/S9 (B) - Planning applications refused / approved in accordance with policy at commercial sites in the green belt defined under policy GBC1 (Chester Zoo; Countess of Chester; Dale Barracks; Urenco, Capenhurst and Chester Business Park).	100 per cent

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
			[Planning application monitoring]	
	GBC 2 – Protection of landscape		LPP2/S9 (C) - Percentage of approved applications that erode ASCV's. [Planning application monitoring]	Zero
	GBC 3 – Key settlement gaps		LPP2/S9 (D) - Proportion of approved schemes within Key Settlement Gaps that meet policy criteria. [Planning application monitoring]	N/A
<u>Transport and accessibility</u>				
Strategic objectives - SO4, SO8				
Significant effects - SE1, SE2, SE19, SE20, SE8				
Transport and accessibility	STRAT 10 – Transport and accessibility	STRAT 10(A) - Carbon emissions from transport [Department of Energy & Climate Change]		Reduce from 2010 baseline
		STRAT 10(B) - Delivery of Chester Bus Interchange [CWaC online planning register]		Development completed by June 2016
		STRAT 10(C) - Delivery of New Bridge Road/A5117 link road		Development completed by 2030
	STRAT 10 – Transport and accessibility		LPP2/S10 (A) - Delivery of road improvement schemes (delivered by	As per Transport Strategies (Chester,

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	T 1 – Local road network improvement schemes		LGF, local large majors, developer contributions). [Planning application monitoring]	Winsford, Northwich, Ellesmere Port).
	T 2 – A56 Hoole Road Corridor		LPP2/S10 (B) - Delivery of 5 th Park and Ride site [Planning application monitoring]	As per Council's Parking Strategy / Parking Standards SPD
			LPP2/S10 (D) - A56 Hoole Road corridor improvements [Planning application monitoring]	
	T 3 – Railway stations		LPP2/S10 (E) - Additional car parking spaces [Planning application monitoring]	Increase from baseline 2017/2018.
	T 5 – Parking and access		LPP2/S10 (F) - Planning permissions determined not in accordance with policy [Planning application monitoring]	Zero
			LPP2/S10 (G) - Number/proportion of schemes that do not meet parking standards [Planning application monitoring]	Zero

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
			LPP2/S10 (H) -Number/proportion of EV charging points/infrastructure provided. [Planning application monitoring]	Increase from baseline 2017/2018.
Infrastructure				
Strategic objectives - SO5, SO14 Significant effects - SE67				
Infrastructure	STRAT 11 - Infrastructure	STRAT 11(A) - Provision of necessary infrastructure / contributions as part of development [Tracking of s73 applications and general planning application information.]		100 per cent of relevant schemes
			LPP2/S11 (A) - Number of applications liable for CIL. [CIL monitoring]	n/a
			LPP2/S11 (B) - Annual total CIL payments. [CIL monitoring]	n/a
			LPP2/S11 (C) - Number of applications where S106 money received by the Council. [S106 monitoring]	n/a
Economic				
Strategic objectives - SO2, SO3, SO4, SO5, SO7, SO13 Significant effects - SE45, SE63, SE60, SE64, SE59, SE61, SE62, SE65, SE67				

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
Employment	ECON 1 – Economic growth, employment and enterprise DM 5 – protection of employment land and premises		LPP2/EC (A) - Loss of existing or allocated employment land to other uses, by location (ha) within the monitoring period. [Employment monitor data] Also see LPP2/S2 (A) and LPP2/S2 (B), LPP2/S2 (C), LPP2/S2 (D) and STRAT3(E), STRAT5(F) , STRAT6(D)	No loss on allocated sites
	DM 6 – New agricultural and forestry buildings		No indicator	n/a
	DM 7 – Rural diversification of land based businesses		LPP2/EC (B) - Number and type of proposals for rural diversification refused due to being contrary to DM 7. [Planning application monitoring]	n/a
	DM 8 – Equestrian development		LPP2/EC (C) - Percentage of new equestrian development proposals approved in line with policy [Planning application monitoring]	n/a
	DM 11 – Safeguarded areas around aerodromes		No indicator	n/a
	DM 12 – Jodrell Bank		No indicator	n/a
	DM 13 – Oulton Park		No indicator	n/a

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	DM 18 – ICT and telecommunications		No indicator	n/a
Town Centres	ECON 2 – Town centres		LPP2/EC (D) - Vacancy rates in the primary shopping areas. [Retail monitoring]	Reduce from baseline established in the 2014/2015 AMR.
	DM 14 – City and town centres		LPP2/EC (E) - Number of approved retail planning applications and floor space sqm in and out of centre. [Retail monitoring]	Increase of town centre uses approved in 'in centre' locations
			LPP2/EC (F) - Amount of completed floor space in centre for town centre uses. [Retail monitoring]	Increase from baseline set in 2017/2018.
			LPP2/EC (G) - Amount of completed floor space across the borough for town centre uses. [Retail monitoring]	Decrease from baseline set in 2017/2018.
	ECON 2 – Town centres		LPP2/EC (H) - Total loss of town centre floor space in local retail centres. [Retail monitoring]	Decrease from baseline set in 2017/2018 AMR.
	DM 15 – District and local retail centres			
	DM 16 – Shopfronts		No indicator	n/a
	DM 17 – Advertisements		No indicator	n/a
Tourism	ECON 3 – Visitor economy		LPP2/EC (I)- Number of planning applications for	100 per cent

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
			tourism attractions /facilities granted in accordance with policy. [Planning application monitoring]	
	DM 9 – Visitor accommodation DM 10 – Caravan and camping sites		LPP2/EC (J) - Number of planning applications granted for new visitor accommodation, in accordance with policy. [Planning application monitoring]	100 per cent
	DM 38 – Waterways and mooring facilities		No indicator	n/a
Social				
Strategic objectives - SO6, SO5, SO8, SO11, SO10, SO12, SO13 Significant effects - SE46, SE51, SE47, SE48, SE49, SE17, SE18, SE44. SE52, SE53, SE54, SE55, SE56, SE41, SE42, SE43, SE12, SE40				
Housing	SOC 1 – Delivering affordable housing DM 23 – Delivering affordable housing	SOC 1-2 (A) - Number of affordable housing completions in monitoring year [CWAC Housing Land Monitor reports]	LPP2/SO (A) - Number and location of affordable homes completed [CWAC Housing Land Monitor reports]	6,600 affordable homes by 2030 (based upon 30 per cent of housing 22,000 net additional dwellings) 100 per cent affordable housing on relevant rural exception schemes
	SOC 2 – Rural exceptions sites DM 24 – Rural exceptions sites		LPP2/SO (B) - Number of rural exception sites approved and completed. [CWAC Housing monitoring database]	n/a

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	SOC 3 – Housing mix and type DM 20 – Mix and type of new housing development		LPP2/SO (C) - Number of new homes completed by type and size. [CWAC Housing monitoring database]	Meet the requirements of the policy.
	DM 19 – Proposals for residential development		LPP2/SO (D) - Number of new dwellings approved / completed in the countryside contrary to policy. [CWAC Housing monitoring database]	Zero
	DM 20 – Mix and type of new housing development		LPP2/SO (E) - Number of Accessible and Adaptable Dwellings [Planning application monitoring database]	Increase in baseline established 2017/2018.
			LPP2/SO (F)- Number of Wheelchair User Dwellings [Planning application monitoring]	Increase in baseline established 2017/2018.
	DM 21 – Development within residential curtilage		LPP2/SO (G) - Number of proposals approved in the countryside to extend residential curtilage. [CWAC Housing monitoring database]	Zero
	DM 21 – Development within residential curtilage DM 22 – Change of use to dwelling		LPP2/SO (H) - Number of development proposals comply with policy (DM21 and DM22) [Planning application monitoring]	Increase in baseline established 2017/2018.

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	houses, and residential conversion			
	DM 22 - Change of use to dwelling houses, and residential conversion		LPP2/SO (I) - Number of dwellings created through change of use / conversion of rural buildings by area. [CWAC Housing monitoring database]	n/a
	DM 24 – Rural exceptions sites		LPP2/SO (J) - Number of schemes approved in line with local need. [CWAC Housing monitoring database]	100 per cent
	DM 25 – Essential rural workers dwelling		LPP2/SO (K) - Number of essential rural workers dwellings completed. [CWAC Housing monitoring database]	n/a
			LPP2/SO (L) - Number of essential rural workers dwellings lost to open market housing. [CWAC Housing monitoring database]	Zero
	DM 26 – Specialist accommodation		LPP2/SO (M) - Number of new bedspaces provided (by type). [CWAC Housing monitoring database]	n/a
	DM 27 – Student accommodation		LPP2/SO (N) - Number and location of new bedspaces and new self contained units completed.	n/a

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
			[CWAC Housing monitoring database]	
	DM 28 – Houses in multiple occupation		LPP2/SO (O) - Number of new HMO properties approved. [CWAC Housing monitoring database]	n/a
	DM 28 – Houses in multiple occupation		LPP2/SO (P) - Change in number of HMOs within Article 4 areas. [CWAC Housing monitoring database]	Zero
Gypsy and Traveller and travelling Showpersons accommodation	SOC 4 – Gypsy and Traveller and travelling Showpersons accommodation	SOC 4(A) - Provision of sites for Gypsy and Traveller and Travelling Showpersons accommodation [CWAC Housing Land Monitor Report]		Gypsy and Traveller pitches: 15 pitches 2013 - 2018, 15 pitches 2018 - 2023 and 16 pitches 2023 - 2028 Travelling Showpersons plots: 11 plots 2013 - 2018, 1 plot 2018 - 2023 and 1 plot 2023 - 2028 Transit site: 5-10 pitches by 2030
	SOC 4 - Gypsy and Traveller and travelling Showpersons accommodation	SOC 4(B) - Supply of deliverable sites [CWAC Housing monitoring database]		Five year supply based on needs set out in indicator SOC 4 (A)
Health and Wellbeing	SOC 5 – Health and well-being		LPP2/SO (Q) - Number of planning applications for householder	n/a

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	DM 2 – Impact on residential amenity DM 21 – Development within a residential curtilage		development refused due to DM 2 – impacts on residential amenity. [Planning application monitoring]	
	DM 31 – Air Quality		LPP2/SO (R) - Number of approved applications within or adjacent to AQMA that included mitigation measures to improve air quality [planning application monitoring]	Increase in the number of approvals in AQMA that mitigate negative impacts.
	DM 33 – New or extension to hazard installations and pipelines DM 34 – Development in the vicinity of hazardous installations		LPP2/SO (S) – Number of planning applications that are approved against HSE advice. [Planning application monitoring]	No applications.
	DM 29 – Health impacts of new development		LPP2/SO (T) – Number of approved planning applications on major schemes that included an assessment on health. [Planning application monitoring]	Increase from baseline established in 2017/2018.
	DM 30 – Noise		No indicator	n/a
	DM 32 – Land contamination and instability		No indicator	n/a

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
Open space, sport and recreation	SOC 6 - Open space, sport and recreation	LPP1/AV - Amount of open space [Cheshire West and Chester Open Space Study]		At least maintain baseline amount (Every 5 years)
	DM 35 – Open space and new development		LPP2/SO (U) - Proportion of major residential schemes that provide open space in accordance with the quantity standards. [Planning application monitoring for major residential schemes]	Increase from baseline established in 2017/2018
	DM 36 – Provision for sport and recreation		LPP2/SO (V) - Change in capacity of playing pitches across the borough. [Playing Pitch Strategy annual review]	Reduce quantitative shortfalls in pitch stock from baseline figures.
			LPP2/SO (W) – Delivery of priority schemes identified in the Sports Facilities Strategy. [Planning application monitoring]	No net loss in facilities.
	DM 37 – Recreational routeways		LPP2/SO (X) – Number of major applications that enhance the public access and recreational value of the strategic recreational routeways. [Planning application monitoring]	Increase from baseline established in 2017/2018
DM 38 – Waterways and mooring facilities			No indicator	n/a

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	DM 39 – Culture and community facilities		LPP2/SO (Y) - Number of approved (new) and loss of community facilities in the urban area, key service centre or local service centres. [planning application monitoring]	Increase of the percentage of community facilities in the in identified settlements and decrease in the loss.
	DM 39 – Culture and community facilities		LPP2/SO (Z) - Number of community use agreements for pay and play in schools or community facilities. [planning application monitoring]	Increase the number of community use agreements.
Environmental				
Strategic objectives - SO10, SO12, SO13, SO14, SO15, SO16 Significant effects - SE3, SE14, SE13, SE15, SE16, SE24, SE10, SE9, SE11, SE38, SE39, SE36, SE37, SE4, SE5, SE6, SE7, SE27, SE28, SE29, SE30, SE31, SE32, SE33, SE34, SE35, SE21, SE22, SE23				
Flood risk and water management	ENV 1 – Flood risk and water management DM 40 – Development and flood risk	ENV 1(A) - Relevant planning applications determined in accordance with policy and/or Environment Agency advice [Environment Agency internal monitoring records July 2016]		100 per cent
	ENV 1 - Flood risk and water management DM 41 – Sustainable Drainage Systems (SuDS)	ENV 1(Aii) Percentage of relevant development incorporating SuDS [Planning application monitoring]		100 per cent

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	DM 42 – Flood water storage		LPP2/EV (A) – Number of applications within or adjacent to a flood storage area refused contrary to DM42. [Planning application monitoring]	100 per cent of relevant applications
	DM 43 – Water quality, supply and treatment	ENV 1(Aiii) Change in water quality/ecological status of rivers in the borough		Deliver 'good' ecological status or 'good ecological potential' on all water bodies by 2017.
Green Infrastructure, Biodiversity and Geodiversity	ENV 4 – Biodiversity and geodiversity	ENV 4(B) and ENV 4(Bii) - Number of sites recognised for biodiversity or geodiversity importance [Natural England, CWAC GIS data, JNCC, CWAC Total Environment Team]		At least maintain baseline amount.
	DM 44 – Protecting and enhancing the natural environment		LPP2/EV (B) - Proportion of applications within or adjacent to designated sites of biodiversity/geodiversity importance that result in a net loss of natural assets, and the proportion that deliver a net gain. [Planning application monitoring]	Increase in approved schemes that achieve no net loss.

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	DM 45 – Trees, woodland and hedgerows		No indicator	n/a
Historic Environment	ENV 5 - Historic environment DM 46 – Development in conservation areas	ENV 5(Ai) - Number of Conservation Area Appraisals as a proportion of Conservation Areas [Cheshire Historic Environment Record]		100 per cent
	ENV 5 - Historic environment DM 47 – Listed building	ENV 5(B) - Number of heritage assets at risk [Historic England - Heritage at Risk Register]		Reduce from 2010 baseline
	DM 48 – Non-listed buildings, structures and landscapes of architectural and historic interest		LPP2/EV (C) – Number of additional locally listed assets registered on the historic environment record. [Historic environment record]	Increase from baseline 2017/2018.
	DM 49 – Registered landscapes		No indicator	n/a
	DM 50 – Archaeology		No indicator	n/a
	High quality design and sustainable construction	ENV 6 – High quality design and sustainable construction DM 3 – Design, character and visual amenity		LPP2/EV (D) – Number of applications agreed through the design and review panel. [Planning application monitoring]

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	ENV 6 – High quality design and sustainable construction DM 4 – Sustainable construction		LPP2/EV (E) - Number new dwellings meeting higher National Housing Standard for water consumption of 110 litres per person per day [Planning application monitoring]	Increase from baseline established in 2017/2018.
			LPP2/EV (F) - Number of non-domestic buildings achieving a BREEAM rating of 'Excellent' [Planning application monitoring]	Increase from baseline established in 2017/2018.
Alternative Energy	ENV 7 – Alternative energy supplies	ENV 7(B) - Installed capacity from renewable energy sources [Renewable energy by local authority. Published September 2015]		Increase from baseline established in 2017/2018.
	DM 51 – Wind energy DM 52 – Solar energy		LPP2/EV (G)- Applications for wind and solar energy determined in accordance with policy [Planning application monitoring]	100 per cent
	DM 53 – Energy generation, storage and district heat networks		LPP2/EV (H)- Applications for energy generation and storage determined in accordance with policy [Planning application monitoring]	n/a

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
Managing waste	ENV 8 – Managing waste	ENV 8(A) - Capacity of waste management facilities [Waste Needs Assessment 2016]		Sufficient capacity to meet identified needs throughout the plan period
		ENV 8(B) - Amount of land safeguarded for waste management lost to other uses at Ince Park, Lostock Works and Kinderton Lodge [Planning application monitoring]	LPP2/EV (I) - Progress with development for waste management uses at Ince Park, Lostock Works and Kinderton Lodge. [Planning application monitoring]	No loss since baseline position.
	ENV 8 – Managing waste[JL4] DM 54 – Waste management facilities DM 55 – Sites for replacement household waste recycling facilities		LPP2/EV (J) - Applications for waste management facilities determined in accordance with policy, including applications on safeguarded land and applications for new household waste recycling sites [Planning application monitoring]	100 per cent Delivery of new household waste recycling sites for Chester, Frodsham and Tattenhall
Minerals	ENV 9 – Minerals supply and safeguarding M 1 – Future sand and gravel working	LPP1/BK - Supply of permitted reserves of sand and gravel [latest Local Aggregate Assessment – currently 2016 LAA including data from 2015]		Maintain at least 7 year landbank throughout the plan period.
	ENV 9 – Minerals supply and safeguarding	ENV 9(B) - Relevant planning applications		100 per cent

Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	M 3 – Proposals for minerals working	determined in accordance with policy [Review of minerals planning applications]		
	M 1 – Future sand and gravel working M 2 – Minerals Safeguarding Areas – prior extraction of minerals		LPP2/EV (K) - Number of applications for sand and gravel permitted outside the current sites, allocated site for sand and gravel, Preferred Area or Area of Search. [planning application monitoring]	No applications permitted outside the current sites, allocated site, Preferred Area or Area of Search, unless the required level of provision cannot be met from within these areas and the proposal would secure significant material planning benefits that outweigh any material planning objections.
	M 2 – Mineral Safeguarding Areas – prior extraction of minerals		LPP2/EV (L) - Number of applications for non-mineral development or hydrocarbon development granted within Mineral Safeguarding Areas that do not comply with the criteria within policy M 2.	No applications for non-mineral or hydrocarbon developments permitted within MSAS that do not comply with the criteria within policy M 2.

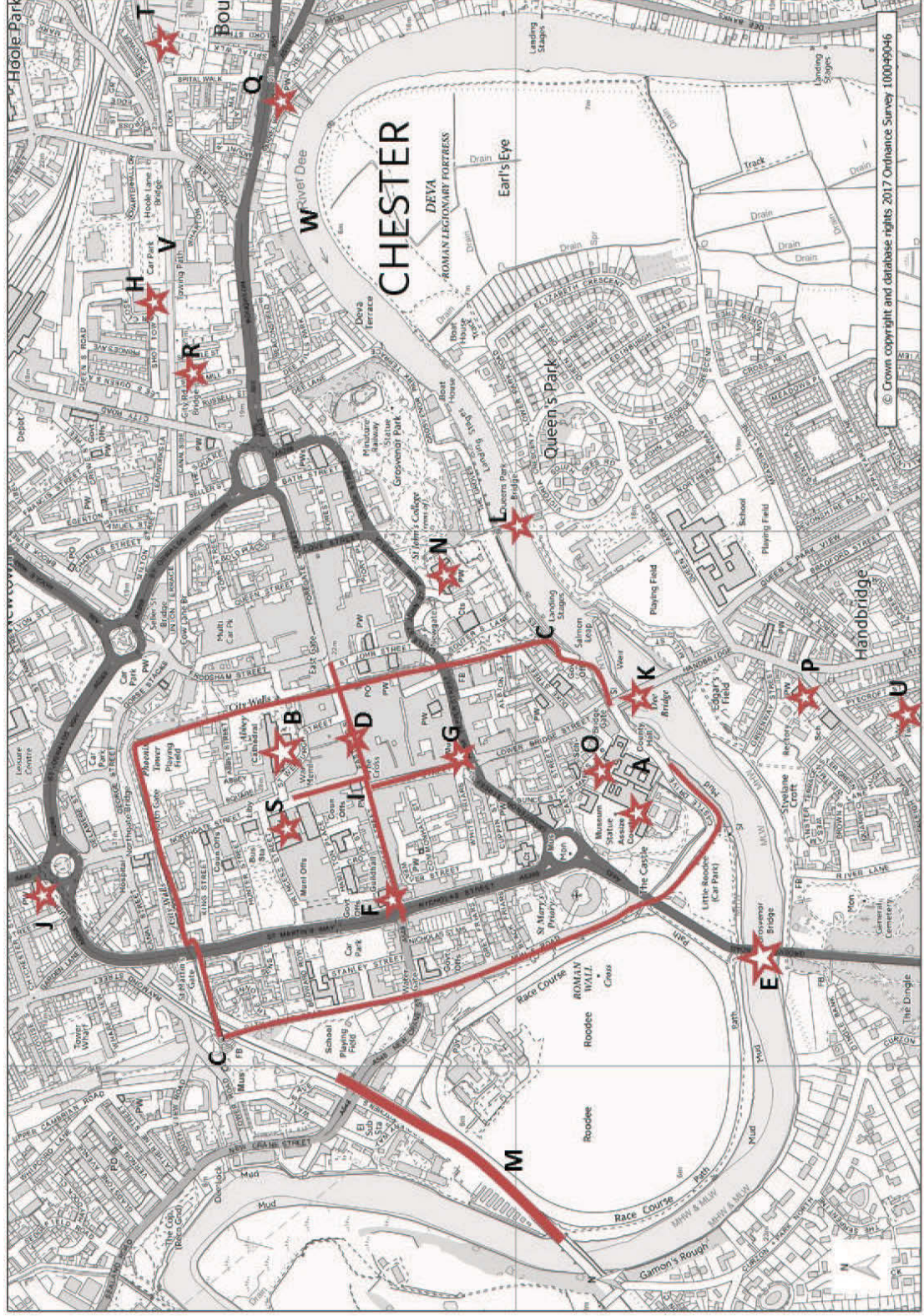
Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
			[Planning application monitoring]	
	M 4 – Proposals for exploration, appraisal or production of hydrocarbons		No indicator	n/a
	M 5 – Restoration of minerals and oil and gas sites		LPP2/EV (M) - Number of quarries where restoration has been completed that year, in accordance with the policy and planning application. [Planning application monitoring]	n/a
	M 2 – Mineral Safeguarding Areas – prior extraction of minerals M 6 – Salt and brine working		LPP2/EV (N) - Number of applications for salt and brine permitted outside the current sites or Preferred Areas. [Planning application monitoring]	No applications for salt or brine permitted outside the current sites or Preferred Areas unless the required level of provision cannot be met from within these areas and the proposals would secure significant material planning benefits that outweigh any material planning objections.

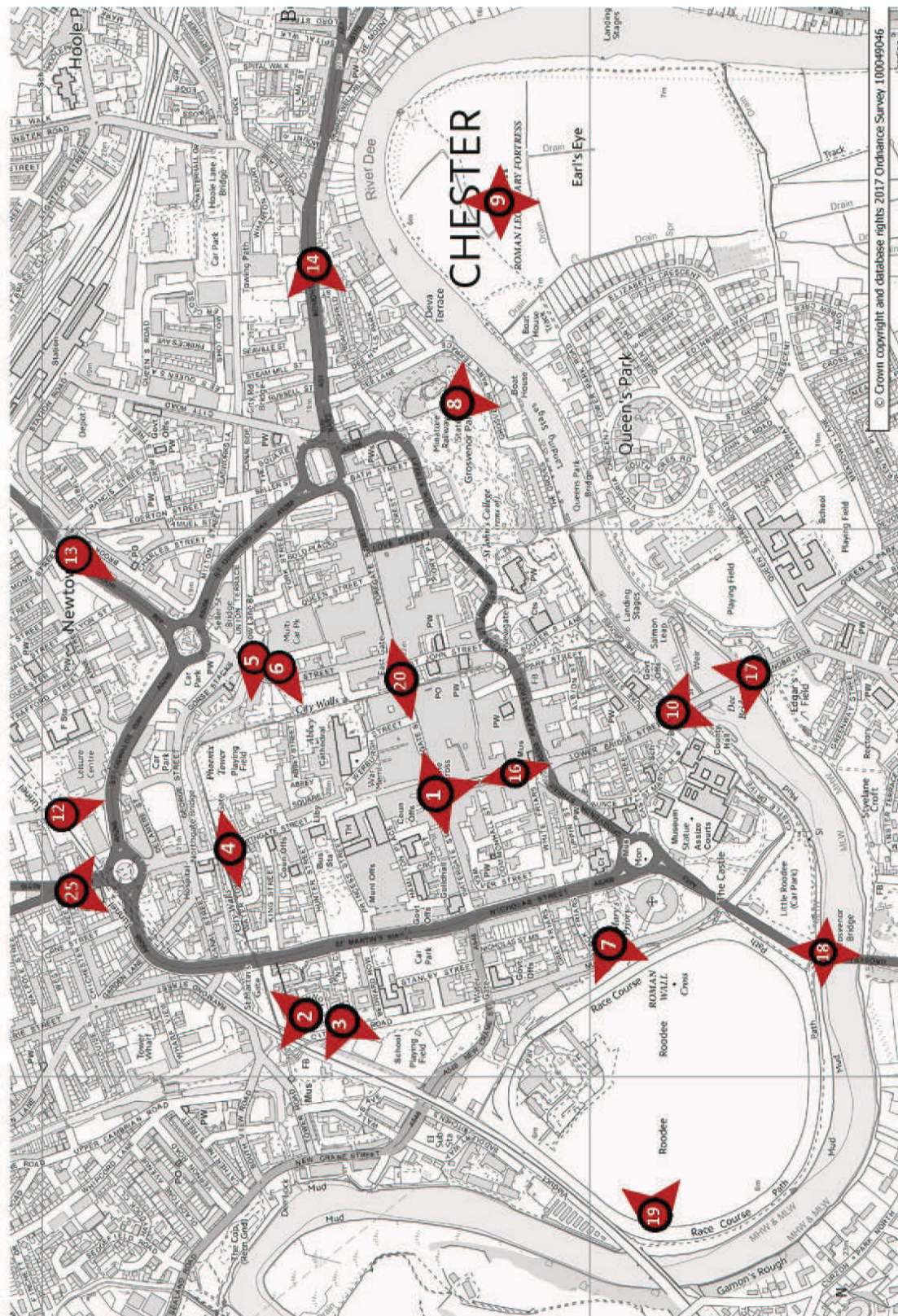
Theme	Local Plan (Part One) and Local Plan (Part Two) policies	Local Plan (Part One) Primary Indicators and source ⁽¹⁾	Local Plan (Part Two) Primary indicators and source	Targets
	M 7 – Industrial sand proposals		LPP2/EN (O) - Number of applications for silica sand development permitted outside the allocated areas that do not comply with the criteria in the policy. [Planning application monitoring]	No applications for silica sand permitted outside the allocated areas that do not comply with the criteria within policy M 7.
	M 8 – Minerals infrastructure		LPP2/EV (P) - Number of applications for non-mineral development on safeguarded minerals infrastructure sites. [Planning application monitoring]	No applications for non-minerals development on safeguarded minerals infrastructure sites that do not comply with the criteria within policy M 8.
General			LPP2/GEN (A) - Number of appeals upheld and dismissed and policy reason(s). [Planning appeal monitoring]	

1. Referencing taken from AMR

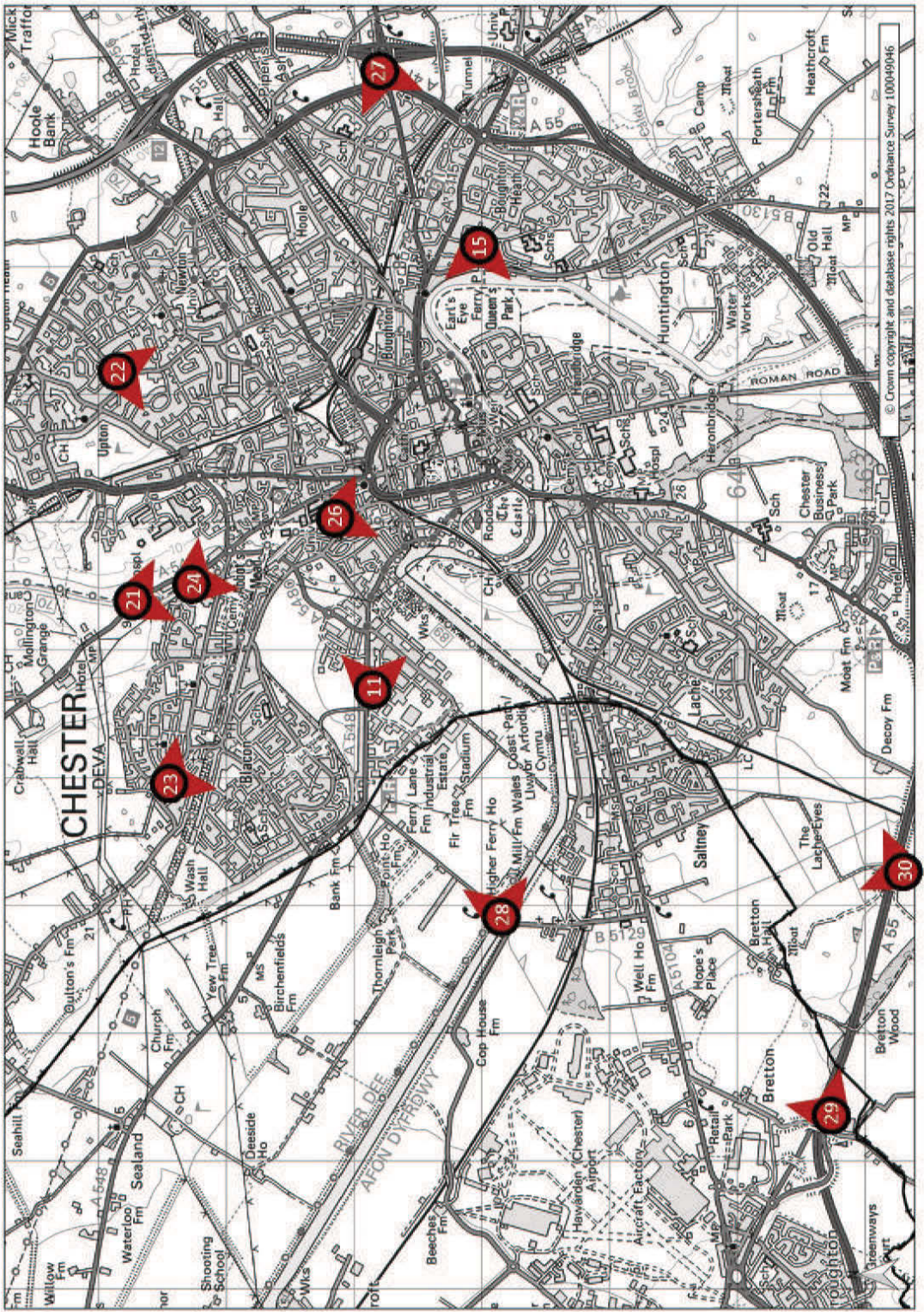
A Chester key views and landmark buildings

Landmark buildings, structures and notable landscape features





Key views



B Replaced and deleted policies

When the Local Plan (Part One) was adopted on 29 January 2015, its policies replaced some of those contained in the currently adopted development plan for the borough. Some extant policies were retained until such time as they are replaced by policies within the Local Plan (Part Two) Land Allocations and Detailed Policies.

The following schedules set out these policies, and explain whether they have been deleted from the development plan, or replaced by policies in the Local Plan (Part One) or Local Plan (Part Two).

Where policies are identified for deletion upon the adoption of the Local Plan (Part Two), rather than replacement, a reason for the deletion is given in the schedules. Details of any changes to the adopted policies map are also included.

Chester District Local Plan

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
Chapter: General Policies Guiding All Development				
GE 1	General	Delete - replaced by STRAT 1 Sustainable development		
GE 2	Accessibility	Delete - replaced by ENV 6 High quality design and sustainable construction		
GE 3	Impact on residential amenity	Delete - replaced by SOC 5 Health and well-being		
GE 4	Availability of utility services	Delete - replaced by ENV 1 Flood risk and water management		
GE 5	Protection of water resources			
GE6	Development and Flood Risk			
GE7	Local distinctiveness	Delete - replaced by ENV 6 High quality design and		

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
		sustainable construction		
Chapter:	Environment			
ENV 1	General	Delete - replaced by STRAT 1 Sustainable development		
ENV2	Local setting and context	Delete - replaced by ENV 6 High quality design and sustainable construction		
ENV3	Public spaces and squares	Delete - replaced by SOC 6 Open space, sport and recreation		
ENV4	Facades of development	Delete - replaced by ENV 6 High quality design and sustainable construction		
ENV5	Accessibility/permeability	Retain	Delete - replaced by 'DM 3 - Design, character and visual amenity'	n/a
ENV6	Accessibility/permeability	Retain	Delete - replaced by ENV 6 , 'T 5 - Parking and access' and 'DM 3 - Design, character and visual amenity'	n/a
ENV7	Accessibility/permeability	Delete - replaced by ENV 5 Historic environment		
ENV8	Views, viewpoints and landmarks	Retain	Delete - replaced by 'CH 6 - Chester key views, landmarks and gateways and historic skyline'	A 'Chester key views and landmark buildings'
ENV9	Materials	Delete - replaced by ENV 6 High quality design and		

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
		sustainable construction		
ENV10	Parking	Retain	Delete - replaced by 'T 5 - Parking and access'	n/a
ENV11	Safety and Security	Delete - replaced by ENV 6 High quality design and sustainable construction and STRAT 1 Sustainable development		
ENV12	Inner ring road corridor	Retain	Delete - replaced by 'CH 1 - Chester settlement area'	1, 117
ENV13	City Corridors	Retain	Delete - replaced by 'CH 1 - Chester settlement area'	117
ENV14	District lighting strategy	Retain	Delete - replaced by NPPF and ENV 6	n/a
ENV15	Strategic open space	Retain	Delete - replaced by 'CH 1 - Chester settlement area'	2, 118
ENV16	Development adjacent to strategic open spaces	Retain	Delete - replaced by 'CH 1 - Chester settlement area'	n/a
ENV17	Other greenspace	Retain	Delete - replaced by SOC 6 and 'DM 35 - Open space and new development'	3, 338
ENV18	Amenity open space	Delete - replaced by SOC 6 Open space, sport and recreation		
ENV19	Urban Corridors	Retain	Delete - replaced by SOC 6 , 'T 4 - Rail corridors', 'DM 37 - Recreational routeways' and 'DM 44 - Protecting and enhancing the natural environment'	4, 234, 310-323, 325, 338
ENV20	Greenspace improvements	Delete - replaced by SOC 6 Open space, sport and recreation		

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
		and ENV 3 Green infrastructure		
ENV21	Trees, hedgerows and woodland	Retain	Delete - replaced by 'DM 45 - Trees, woodland and hedgerows'	326
ENV22	Landscape and development	Retain	Delete - replaced by 'GBC 2 - Protection of landscape'	204-215
ENV23	Provision and maintenance of open space in new development	Retain	Delete - replaced by 'DM 35 - Open space and new development'	n/a
ENV24	Rural (general)	Delete - replaced by STRAT 8 Rural area and ENV 2 Landscape		
ENV25	Areas of Special County Value	Retain	Delete - replaced by 'GBC 2 - Protection of landscape'	5, 204-215
ENV26	Green Network in Chester District	Retain	Delete - replaced by SOC 6 , 'DM 35 - Open space and new development'	338
ENV27	Nature conservation strategy	Retain	Delete - replaced by ENV 4 and 'DM 44 - Protecting and enhancing the natural environment'	204-215
ENV28	General	Retain	Delete - replaced by ENV 4 and 'DM 44 - Protecting and enhancing the natural environment'	6, 325
ENV29	Features of local importance	Retain	Delete - replaced by 'DM 44 - Protecting and enhancing the natural environment'	7, 8, 9, 325
ENV30	Strategic wildlife corridors	Retain	Delete - replaced by 'DM 44 - Protecting and enhancing the natural environment'	10, 325
ENV31	Sites of national importance	Retain	Delete - replaced by ENV 5 and 'DM 50 - Archaeology'	11, 335
ENV32	Evaluation of archaeological sites	Retain	Delete - replaced by 'DM 50 - Archaeology'	n/a

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
ENV33	Sites of regional or county importance	Retain	Delete - replaced by 'DM 50 - Archaeology'	12
ENV34	District and Local importance	Retain	Delete - replaced by 'DM 50 - Archaeology'	n/a
ENV35	Demolition in Conservation Areas	Retain	Delete - replaced by 'DM 46 - Development in conservation areas'	13, 327
ENV36	Recording	Retain	Delete - replaced by 'DM 46 - Development in conservation areas'	13, 327
ENV37	New development in conservation areas	Retain	Delete - replaced by 'DM 46 - Development in conservation areas'	13, 327
ENV38	Views	Retain	Delete - replaced by 'DM 46 - Development in conservation areas'	13, 327
ENV39	City Centre Conservation Area	Retain	Delete - replaced by 'CH 5 - Chester conservation areas'	13, 127
ENV40	City Centre Conservation Area	Retain	Delete - replaced by 'CH 5 - Chester conservation areas'	13, 127
ENV41	City Centre Conservation Area	Retain	Delete - replaced by 'CH 5 - Chester conservation areas'	13, 14, 127
ENV42	City Centre Conservation Area	Retain	Delete - replaced by 'CH 5 - Chester conservation areas'	14, 127
ENV43	City Centre Conservation Area	Retain	Delete - replaced by 'CH 5 - Chester conservation areas'	14, 127
ENV44	River and Canal Corridors	Retain	Delete - replaced by 'CH 5 - Chester conservation areas' and 'DM 37 - Recreational routeways'	13, 127, 310-323
ENV45	Protection of Listed Buildings	Retain	Delete - replaced by 'DM 47 - Listed buildings'	n/a
ENV46	Changes of use	Retain	Delete - replaced by 'DM 47 - Listed buildings'	n/a

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
ENV47	Local list of buildings of architectural or historic interest	Retain	Delete - replaced by 'DM 48 - Non-designated heritage assets'	n/a
ENV48	Historic Parks and Gardens and Historic Battlefields	Retain	Delete - replaced by 'DM 49 - Registered Parks and Gardens and Battlefields'	15, 328-334
ENV49	Design and location of adverts	Retain	Delete - replaced by 'DM 16 - Shopfronts' and 'DM 17 - Advertisements'	n/a
ENV50	Means of illumination	Retain	Delete - replaced by 'CH 5 - Chester conservation areas'	n/a
ENV51	Row signage	Retain	Delete - replaced by 'CH 5 - Chester conservation areas'	n/a
ENV52	Advance signs	Retain	Delete - replaced by 'DM 16 - Shopfronts' and 'DM 17 - Advertisements'	n/a
ENV53	Shop front design	Retain	Delete - replaced by 'DM 16 - Shopfronts'	n/a
ENV54	Blinds, canopies and awnings	Retain	Delete - replaced by 'DM 16 - Shopfronts'	n/a
ENV55	Security shutters	Retain	Delete - replaced by 'DM 16 - Shopfronts'	n/a
ENV56	Generation of renewable energy	Delete - replaced by ENV 7 Alternative energy supplies		
ENV57	Energy efficient building design and site layout	Delete - replaced by ENV 6 High quality design and sustainable construction and ENV 7 Alternative energy supplies		
ENV58	Energy efficient building design and site layout	Delete - replaced by STRAT 1 Sustainable development and		

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
		ENV 7 Alternative energy supplies		
ENV59	Pollution in the plan area	Delete - replaced by STRAT 1 Sustainable development and ENV 1 Flood risk and water management		
ENV60	New or extended hazardous installations	Retain	Delete - replaced by 'DM 33 - New or extension to hazardous installations'	n/a
ENV61	Development in the vicinity of hazardous installations	Retain	Delete - replaced by 'DM 34 - Development in the vicinity of hazardous installations'	n/a
ENV62	After uses	Delete - replaced by ENV 9 Minerals supply and safeguarding		
ENV63	Green Belt	Delete - replaced by STRAT 9 Green Belt and countryside		
ENV64	Agriculture and Forestry	Delete - replaced by STRAT 9 Green Belt and countryside and National Planning Policy Framework		
ENV65	Recreation and other open land uses	Delete		
ENV66	Limited extensions, alterations or replacement dwellings	Retain	Delete - replaced by 'DM 21 - Development within the curtilage of a dwellinghouse'	n/a
ENV67	Low Cost' housing in settlements in the Green Belt	Delete - replaced by STRAT 9 Green Belt and countryside SOC 2 Rural exception sites		

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
ENV68	Countess of Chester Health Park	Retain	Delete - replaced by 'GBC 1 - Commercial sites in the Green Belt' (GBC 1.B)	16, 201
ENV69	Countess of Chester Health Park	Retain	Delete - replaced by 'GBC 1 - Commercial sites in the Green Belt' (GBC 1.B)	201
ENV70	Chester Zoo	Retain	Delete - replaced by 'GBC 1 - Commercial sites in the Green Belt' (GBC 1.A)	17, 201
ENV71	Dale Camp	Retain	Delete - replaced by 'GBC 1 - Commercial sites in the Green Belt' (GBC 1.C)	18, 201
ENV72	BNFL/URENCO	Retain	Delete - replaced by 'GBC 1 - Commercial sites in the Green Belt' (GBC 1.E)	19, 203
ENV73	BNFL/URENCO	Retain	Delete - replaced by 'GBC 1 - Commercial sites in the Green Belt' (GBC 1.E)	203
ENV74	Huntington water treatment works and Ellesmere Port waste water treatment works	Retain	Delete - replaced by NPPF and STRAT 9 and 'DM 43 - Water quality, supply and treatment'	20
ENV75	Siting of telecommunications development	Retain	Delete - replaced by 'DM 18 - ICT and telecommunications'	n/a
ENV76	Satellite dishes and antennas	Retain	Delete - replaced by The Town and Country Planning (General Permitted Development) (England) Order 2015	n/a
ENV77	Satellite dishes and antennas	Retain	Delete - replaced by The Town and Country Planning (General Permitted Development) (England) Order 2015	n/a
Chapter:	Transport			
TR1	General	Delete - replaced by STRAT 1 Sustainable development		

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
TR2	Pedestrians	Delete - replaced by STRAT 10 Transport and accessibility		
TR3	Pedestrians	Delete - replaced by STRAT 10 Transport and accessibility		
TR4	Pedestrians	Retain	Delete - replaced 'DM 37 - Recreational routeways'	21, 310-323
TR5	Cycling	Retain	Delete - replaced by 'DM 37 - Recreational routeways'	22, 310-323
TR6	Cycling	Retain	Delete - replaced by 'T 5 - Parking and access'	n/a
TR7	Major transport improvements	Retain	Delete - replaced by 'T 1 - Local road network improvement schemes' and 'T 2 - A56 Hoole Road Corridor'	23, 222, 223
TR8	Public Transport - Buses	Delete - out of date		
TR9	Public Transport - Buses	Delete - replaced by STRAT 3 Chester and STRAT 10 Transport and accessibility		
TR10	Coaches	Retain	Delete - replaced by 'T 5 - Parking and access'	235
TR11	Public Transport - Rail	Retain	Delete - replaced by 'T 3 - Railway stations'	24
TR12	Public Transport - Rail	Retain	Delete - replaced by 'T 4 - Rail corridors'	25, 234
TR13	Parking	Retain	Delete - replaced by 'T 5 - Parking and access'	26, 235
TR14	Parking	Retain	Delete - replaced by 'T 5 - Parking and access'	235

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
TR15	Parking	Retain	Delete - replaced by 'T 5 - Parking and access'	235
TR16	Residents parking schemes	Delete - not required		
TR17	Safety and Environment	Retain	Delete - replaced by 'T 5 - Parking and access'	n/a
TR18	Highway improvements	Delete - completed		
TR19	New developments	Delete - replaced by STRAT 1 Sustainable development and STRAT 10 Transport and accessibility		
TR20	New developments	Retain	Delete - replaced by 'T 5 - Parking and access'	n/a
TR21	New developments	Retain	Delete - replaced by 'T 5 - Parking and access'	n/a
TR22	Motorway/Roadside facilities	Retain	Delete - replaced by STRAT 10 and 'T 5 - Parking and access'	n/a
TR23	Car free housing	Delete - replaced by STRAT 1 Sustainable development		
Chapter:	Economy			
EC1	Scale of provision of employment	Delete - out of date		
EC2	Allocations for Employment Land	Retain	Delete - replaced by 'CH 1 - Chester settlement area', 'CH 2 - Chester regeneration areas', 'CH 3 - Employment land provision in Chester' (CH 3.A-G) and 'EP 2 - Employment land provision in Ellesmere Port' (EP 2.B) and 'R 3 - Employment land provision in the rural area' (R 3.A-C)	27a/b, 119-125, 132, 198, 197, 199

B

Replaced and deleted policies

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
EC3	Areas allocated for a range of employment uses	Retain	Delete - replaced by 'CH 2 - Chester regeneration areas', 'CH 3 - Employment land provision in Chester' and 'DM 5 - Protection and refurbishment of employment land and premises'	28, 120-125
EC4	Chester Business Park	Retain	Delete - replaced by 'CH 3 - Employment land provision in Chester' and 'GBC 1 - Commercial sites in the Green Belt' (GBC 1.D)	29, 120, 202
EC5	Protection of sites allocated for employment	Delete - replaced by ECON 1 Economic growth, employment and enterprise	Delete - replaced by 'CH 3 - Employment land provision in Chester', 'EP 2 - Employment land provision in Ellesmere Port', 'R 3 - Employment land provision in the rural area' and 'DM 5 - Protection and refurbishment of employment land and premises'	n/a
EC6	Protection of existing employment land and buildings	Retain	Delete - replaced by 'DM 5 - Protection and refurbishment of employment land and premises'	n/a
EC7	Stanlow complex	Retain	Delete - replaced by 'EP 2 - Employment land provision in Ellesmere Port', 'EP 3 - Stanlow special policy area' and 'EP 5 - Thornton Science Park'	30, 132, 136, 138
EC8	Ince Power Stations	Retain	Delete - replaced by 'EP 2 - Employment land provision in Ellesmere Port' (EP2.A)	31, 131
EC9	Unallocated employment development	Delete - replaced by ECON 1 Economic growth, employment and enterprise		
EC10	Extensions to existing business premises	Delete - covered in all other policies		

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
EC11	Re-use of rural buildings	Retain	Delete - replaced by STRAT 9 and 'DM 1 - Development of previously developed land'	n/a
EC12	Home working, including teleworking	Delete - replaced by National Planning Policy Framework		
EC13	Downgrade or unneighbourly uses	Delete - not required		
EC14	Tourism	Retain	Delete - replaced by 'CH 2 - Chester regeneration areas'	32, 119
EC15	Tourist accommodation	Delete - replaced by ECON 1 Economic growth, employment and enterprise		
EC16	Tourist accommodation			
EC17	Beeston sand quarry	Retain	Delete - out of date	33
EC18	Camping and caravanning sites	Retain	Delete - replaced by 'DM 9 - Visitor accommodation' and 'DM 10 - Caravan and camping sites'	n/a
EC19	Conference facilities	Delete - replaced by ECON 2 Town centres		
EC20	Agricultural land	Delete - replaced by STRAT 1 Sustainable development		
EC21	Agricultural diversification	Retain	Delete -replaced by 'DM 7 - Rural diversification of land based businesses'	n/a
EC22	New agricultural buildings	Retain	Delete - replaced by 'DM 6 - New agricultural and forestry buildings'	n/a
EC23	Agricultural workers dwellings in the Open Countryside and Green Belt	Retain	Delete - replaced by 'DM 25 - Essential rural workers dwellings'	n/a

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
EC24	Agricultural service industries	Delete - covered in all other policies		
Chapter:	Retail			
RET1	The City Centre	Delete - replaced by STRAT 3 Chester		
RET2	Primary Shopping Streets	Retain	Delete - replaced by 'DM 14 - City and town centres'	34, 266
RET3	Secondary Shopping Streets	Retain	Delete - replaced by 'DM 14 - City and town centres'	35, 266
RET4	The Market	Delete - replaced by ECON 2 Town centres		
RET5	Allocations for retail development			
RET6	Protection of sites allocated for retail	Delete - not required		
RET7	Assessment of proposals for retail development in the City Centre	Retain	Delete - replaced by 'DM 14 - City and town centres'	260
RET8	Assessment of proposals in the area immediately adjacent to the city centre	Retain	Delete - replaced by ECON 2 and 'DM 14 - City and town centres'	n/a
RET9	Assessment of proposals outside the city centre	Retain	Delete - replaced by ECON 2 and 'DM 14 - City and town centres'	n/a
RET10	Suburban shopping centres	Retain	Delete - replaced by 'DM 15 - District and local retail centres'	36, 268-307
RET11	Suburban shopping centres	Retain	Delete - replaced by 'DM 39 - Culture and community facilities'	n/a
RET12	Village shops	Retain	Delete - replaced by 'DM 7 - Rural diversification of land based businesses'	n/a
RET13	Village shops	Delete - replaced by National Planning Policy Framework and all other policies		

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
RET14	Shopping development in the Open Countryside	Retain	Delete - replaced by 'DM 7 - Rural diversification of land based businesses'	n/a
RET15	Control over future use of large out of centre shops	Retain	Delete - replaced by ECON 2	n/a
Chapter:	Housing			
HO1	Scale of housing provision	Already deleted		
HO2	Allocations for housing development	Part Retain	Delete - out of date	37
HO3	Affordable housing	Delete - replaced by SOC 1 Delivering affordable housing		
HO4	Infill housing development	Retain	Delete - replaced by STRAT 8 , STRAT 9 and 'R 1 - Development in the rural area'	158-195
HO5	Criteria for assessing proposals for residential sites not allocated	Retain	Delete - replaced by STRAT 2 , 'CH 1 - Chester settlement area' and 'R 1 - Development in the rural area'	117, 158-195
HO6	Infill development in washed over villages in the GB	Retain	Delete - replaced by STRAT 8 , STRAT 9 and 'R 1 - Development in the rural area'	158-195
HO7	Housing in the open countryside	Retain	Delete - replaced by STRAT 9 and 'R 1 - Development in the rural area'	158-195, 337
HO8	Extensions to existing dwellings	Retain	Delete - replaced by 'DM 21 - Development within the curtilage of a dwellinghouse'	n/a
HO9	Conversion of non-residential properties to residential use	Retain	Delete - replaced by STRAT 2 and 'DM 22 - Change of use to dwellinghouses and residential conversions'	n/a
HO10	Re-use of rural buildings	Retain	Delete - replaced by 'DM 22 - Change of use to dwellinghouses and residential conversions'	n/a

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
HO11	Replacement dwellings	Retain	Delete - replaced by 'DM 21 - Development within the curtilage of a dwellinghouse'	n/a
HO12	Low cost housing in the rural area	Delete - replaced by SOC 1 Delivering affordable housing and SOC 2 Rural exception sites		
HO13	Protection of existing dwellings	Delete - replaced by National Planning Policy Framework		
HO14	Protection of land allocated for housing development	Retain	Delete	n/a
HO15	Residential accommodation for homeless persons in the community...	Retain	Delete - replaced by 'DM 26 - Specialist accommodation'	n/a
HO16	HMO's	Retain	Delete - replaced by 'DM 28 - Houses in Multiple Occupation'	n/a
HO17	Student Accommodation	Retain	Delete - replaced by 'DM 27 - Student accommodation'	n/a
HO18	Granny flats	Retain	Delete - replaced by 'DM 26 - Specialist accommodation'	n/a
HO19	Day nurseries	Retain	Delete - replaced by SOC 5 and STRAT 10	n/a
HO20	Improvement of older housing	Delete - out of date		
HO21	Gypsy Caravan Sites	Delete - replaced by SOC 4 Gypsy and Traveller and Travelling Showpersons accommodation		

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
HO22	Non-residential uses in predominantly residential areas	Delete - replaced by ENV 6 High quality design and sustainable construction		
Chapter:	Community Facilities			
CF1	Schools	Delete - built		
CF2	University of Chester	Retain	Delete - replaced by 'CH 4 - University of Chester' and 'EP 5 - Thornton Science Park'	38, 126, 138
CF3	Re-use of surplus land and buildings	Retain	Delete - replaced by 'DM 39 - Culture and community facilities'	n/a
Chapter:	Sport and Recreation			
SR1	Assessment of public open space in urban area	Retain	Delete - replaced by 'DM 35 - Open space and new development'	n/a
SR2	Assessment of public open space in urban area	Delete - replaced by SOC 6 Open space, sport and recreation		
SR3	Meeting the shortfall in provision	Retain	Delete - replaced by 'DM 36 - Provision for sport and recreation'	39
SR4	Meeting the shortfall in provision	Delete - replaced by SOC 6 Open space, sport and recreation		
SR5	Guidelines for provision in new housing developments	Retain	Delete - replaced by 'DM 35 - Open space and new development'	n/a
SR6	Playing pitches	Retain	Delete - replaced by 'DM 36 - Provision for sport and recreation'	n/a
SR7	Amenity open space	Retain	Delete - replaced by 'DM 35 - Open space and new development'	n/a
SR8	Indoor sports provision	Retain	Delete - replaced by 'DM 36 - Provision for sport and recreation'	n/a

B

Replaced and deleted policies

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
SR9	Golf	Retain	Delete - replaced by 'DM 36 - Provision for sport and recreation'	n/a
SR10	Athletics Tracks	Retain	Delete - replaced by 'DM 36 - Provision for sport and recreation'	40
SR11	Water recreation	Retain	Delete - replaced by 'DM 38 - Waterways and mooring facilities'	n/a
SR12	Water recreation	Retain	Delete - replaced by 'DM 38 - Waterways and mooring facilities'	n/a
SR13	Noisy Environmentally intrusive recreation	Retain	Delete - replaced by 'DM 30 - Noise'	n/a
SR14	Countryside recreation	Retain	Delete - replaced by 'DM 37 - Recreational routeways'	41, 310-323
SR15	Countryside recreation	Delete - replaced by ECON 3 Visitor economy		
SR16	Carden Park	Retain	Delete - out of date	42
SR17	Footpaths, bridleways and cycleways	Retain	Delete - replaced by 'DM 37 - Recreational routeways'	310-323
Chapter:	Culture and Leisure			
CU1	Cultural buildings	Retain	Delete - replaced by 'DM 39 - Culture and community facilities'	n/a
CU2	Cultural buildings	Delete - replaced by ECON 2 Town centres		
CU3	Cultural areas and historic sites	Retain	Delete - replaced by 'CH 2 - Chester regeneration areas'	43, 119
CU4	Street Events	Retain	Delete - replaced by 'DM 14 - City and town centres'	n/a
Chapter:	Urban Renaissance			
URBREN1	Urban Renaissance	Retain	Delete - replaced by 'CH 2 - Chester regeneration areas' and 'CH 3 - Employment land provision in Chester'	44, 119-125
URBREN2	Urban Renaissance	Retain	Delete - replaced by 'CH 2 - Chester regeneration areas'	45, 119

Chester District Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
Chapter:	Monitoring and Implementation			
MI1	Provision of services and infrastructure	Delete - replaced by STRAT 11 Infrastructure		
MI2	Sealand Road	Retain	Delete - replaced by 'T 1 - Local road network improvement schemes'	46

Ellesmere Port and Neston Borough Local Plan

Ellesmere Port and Neston Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
Chapter:	General Policies			
GEN1	General development criteria	Delete - replaced by STRAT 1 Sustainable development		
GEN2	Allocation of sites	Delete - out of date		
GEN3	Safeguarded land	Delete - out of date		
GEN4	Noise	Delete - replaced by ENV 6 High quality design and sustainable construction		
GEN5	Crime prevention	Delete - replaced by STRAT 1 Sustainable development		
GEN6	Access for everyone	Delete - replaced by SOC 6 Open space, sport and recreation		
GEN7	Telecommunications development	Retain	Delete - replaced by The Town and Country Planning (General Permitted Development) (England) Order 2015 and 'DM 18 - ICT and telecommunications'	n/a
GEN8	Telecommunications development	Retain	Delete - replaced by replaced by The Town and Country Planning (General Permitted Development) (England) Order 2015, ENV 5 and 'DM 18 - ICT and telecommunications'	n/a
GEN9	Art	Delete - out of date		
GEN10	Power stations	Retain	Delete - replaced by 'DM 53 - Energy generation, storage and district heat networks'	n/a

Ellesmere Port and Neston Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
GEN11	Renewable energy	Delete - replaced by ENV 7 Alternative energy supplies		
GEN12	Overhead power lines	Delete - out of date		
GEN13	Development on agricultural land	Delete - replaced by STRAT 1 Sustainable development		
Chapter:	Housing			
H1	Allocation of land for housing development	Part Retain	Delete - out of date	47
H2	Affordable housing	Delete - replaced by SOC 1 Delivering affordable housing		
H3	Housing needs	Delete - replaced by STRAT 2 Strategic development		
H4	Housing in urban areas	Delete - replaced by SOC 6 Open space, sport and recreation		
H5	Conversion to flats	Retain	Delete - replaced by 'DM 22 - Change of use to dwellinghouses and residential conversions'	n/a
H6	House extensions	Retain	Delete - replaced by 'DM 21 - Development within the curtilage of a dwellinghouse'	n/a
H7	Transport and access provision	Delete - replaced by STRAT 10 Transport and accessibility		
H8	School site	Already deleted		
Chapter:	Employment			
EMP1	Sites for employment development	Part Retain	Delete - replaced by 'EP 2 - Employment land provision in Ellesmere Port' (EP 2.A-H) and 'R 3 - Employment land	48, 131-135, 200

Ellesmere Port and Neston Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
			provision in the rural area' (R 3.D)	
EMP2	Stanlow special policy area	Retain	Delete - replaced by 'EP 3 - Stanlow special policy area'	49, 136
EMP3	Hooton Park strategic site	Retain	Delete - replaced by 'EP 2 - Employment land provision in Ellesmere Port' (EP 2.D) and 'EP 4 - Hooton Park'	50, 133, 137
EMP4	Ince Marshes	Retain	Delete - replaced by STRAT 9 , 'EP 2 - Employment land provision in Ellesmere Port' and 'EP 6 - Ince Park'	51, 139
EMP5A	Cheshire Oaks	Delete - developed		
EMP5B	Cheshire Oaks	Delete - developed		
EMP5C	Cheshire Oaks	Retain	Delete - replaced by 'EP 2 - Employment land provision in Ellesmere Port' (EP 2.E)	52, 134
EMP6	Established industrial areas	Delete - replaced by National Planning Policy Framework		
EMP7	Ince Power Station site	Retain	Delete - replaced by 'EP 2 - Employment land provision in Ellesmere Port' (EP 2.A)	53, 131
EMP8	Land at Station Road	Retain	Delete - replaced by 'EP 2 - Employment land provision in Ellesmere Port' (EP 2.G)	54, 131
Chapter:	Green Belt			
GB1	Green Belt area	Delete - replaced by STRAT 9 Green Belt and countryside		
GB2	Green Belt policy	Delete - replaced by National Planning Policy Framework		
GB3	Re-use of buildings	Delete - replaced by National Planning Policy Framework		

Ellesmere Port and Neston Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
GB4	Housing development in the Green Belt	Delete - replaced by National Planning Policy Framework		
GB5	Extensions and alterations to dwellings in GB	Retain	Delete - replaced by 'DM 21 - Development within the curtilage of a dwellinghouse'	n/a
GB6	Willaston village inset	Retain	Delete - replaced by STRAT 9	55, 195, 337
GB7	Roften area major development site	Retain	Delete - replaced by NPPF and STRAT 9	56, 337
GB8	Stables and field shelters	Delete - replaced by National Planning Policy Framework		
GB9	Large stables and riding facilities	Delete - replaced by National Planning Policy Framework		
GB10	Golf courses	Delete - out of date		
Chapter:	Natural and Built Environment			
ENV1	Nature conservation sites (international)	Delete - replaced by ENV 4 Biodiversity and geodiversity		
ENV2	National sites of nature conservation	Delete - replaced by ENV 4 Biodiversity and geodiversity		
ENV3	Nature conservation sites (regional and local)	Delete - replaced by ENV 4 Biodiversity and geodiversity		
ENV4	SNCVs	Retain	Delete - replaced by 'DM 44 - Protecting and enhancing the natural environment'	325
ENV5	Ecological interest	Retain	Delete - replaced by 'DM 44 - Protecting and enhancing the natural environment'	325
ENV6	ASCVs	Retain	Delete - replaced by 'GBC 2 - Protection of landscape'	57, 204-215

Ellesmere Port and Neston Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
ENV7	Agricultural buildings	Retain	Delete - replaced by 'DM 6 - New agricultural and forestry buildings'	n/a
ENV8	Urban green network	Retain	Delete - replaced by SOC 6 and 'DM 35 - Open space and new development'	58, 338
ENV9	Landscape and habitat features	Retain	Delete - replaced by 'DM 44 - Protecting and enhancing the natural environment'	325
ENV10	The Mersey Forest	Retain	Delete - replaced by 'DM 45 - Trees, woodland and hedgerows'	59, 326
ENV11	M53/Shropshire Union Canal Corridor	Retain	Delete - replaced by 'EP 2 - Employment land provision in Ellesmere Port' (EP 2.B) and 'EP 4 - Hooton Park'	60, 132, 133, 135, 137
ENV12	Coastal zones	Retain	Delete - replaced by ENV 2 and 'GBC 2 - Protection of landscape'	61, 204-215
ENV13	Development in conservation areas	Retain	Delete - replaced by 'DM 46 - Development in conservation areas'	62, 327
ENV14	Parkgate conservation area	Retain	Delete - replaced by 'DM 46 - Development in conservation areas'	63, 327
ENV15	Conservation of listed buildings	Retain	Delete - replaced by 'DM 47 - Listed buildings'	n/a
ENV16	Non listed buildings and structures	Retain	Delete - replaced by 'DM 48 - Non-designated heritage assets'	n/a
ENV17	Sites of special archaeological interest	Retain	Delete - replaced by 'DM 50 - Archaeology'	64, 335
Chapter:	Hazard and Pollution			
HAZ1	New of extended hazardous installations	Delete - replaced by National Planning Policy Framework/HSE		

Ellesmere Port and Neston Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
HAZ2	Development in vicinity of hazardous installations	Delete - replaced by National Planning Policy Framework/HSE		
HAZ3	Potentially polluting development	Retain	Delete - replaced by 'DM 33 - New or extension to hazardous installations'	n/a
HAZ4	Contaminated land	Delete - replaced by STRAT 1 Sustainable development		
Chapter:	Recreation and Tourism			
REC1	Sports fields, play areas and parks	Delete - replaced by SOC 6 Open space, sport and recreation		
REC2	Open space provision	Retain	Delete - replaced by 'DM 35 - Open space and new development'	n/a
REC3	Indoor sports and social facilities	Delete - replaced by SOC 6 Open space, sport and recreation		
REC4	Amenity open space in residential areas	Delete - replaced by SOC 6 Open space, sport and recreation		
REC5	Allotments	Delete - replaced by SOC 6 Open space, sport and recreation		
REC6	Site for potentially noisy outdoor sports	Delete - developed		
REC7	Recreational routeways	Retain	Delete - replaced by 'DM 37 - Recreational routeways'	65, 310-323
REC8	Tourist accommodation	Delete - replaced by National Planning Policy Framework		
REC9	Historic canal port	Retain	Delete - replaced by 'EP 7 - Ellesmere Port historic canal port'	66, 140
Chapter:	Town Centre and Shopping			

Ellesmere Port and Neston Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
SHOP1	Primary shopping areas	Retain	Delete - replaced by 'DM 14 - City and town centres'	67, 255, 259, 261, 265
SHOP2	Local shopping centres	Retain	Delete - replaced by 'DM 15 - District and local retail centres'	68, 268-307
SHOP3	Small shopping centres	Retain	Delete - replaced by 'DM 15 - District and local retail centres'	69, 268-307
SHOP4	Retail development	Delete - replaced by ECON 2 Town Centres		
SHOP5	Food and drink establishments	Delete - replaced by National Planning Policy Framework		
SHOP6	Shop fronts	Retain	Delete - replaced by 'DM 16 - Shopfronts'	n/a
SHOP7	Cromwell Road	Retain	Delete - residential permission	70
Chapter:	Transport			
TRANS1	Access to developments	Delete - replaced by STRAT 10 Transport and accessibility		
TRANS2	Highway network	Delete - replaced by STRAT 10 Transport and accessibility		
TRANS3	Freight Transport	Delete - replaced by STRAT 10 Transport and accessibility		
TRANS4	Provision for cyclists	Delete - replaced by STRAT 10 Transport and accessibility		
TRANS5	Car parking in residential areas	Retain	Delete - replaced by 'T 5 - Parking and access'	236
TRANS6	Car parking standards	Retain	Delete - replaced by 'T 5 - Parking and access' and Parking standards SPD	236

Vale Royal Borough Local Plan

Vale Royal Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
Chapter:	General Strategy			
GS1	Selection of Sites	Already deleted		
GS2	New Development in the Borough	Delete - replaced by STRAT 2 Strategic development		
GS3	North Cheshire Green Belt	Delete - replaced by STRAT 9 Green Belt and countryside		
GS4	Changes to the North Cheshire Green Belt	Delete - replaced by STRAT 9 Green Belt and countryside		
GS5	The Open Countryside	Retain	Delete - replaced by STRAT 9 and 'GBC 2 - Protection of landscape'	71, 204-215, 337
GS6	Change of Use/Conversion of Rural Buildings	Retain	Delete - replaced by 'DM 1 - Development of previously developed land' and 'DM 22 - Change of use to dwellinghouses and residential conversions'	n/a
GS7	Areas Affected by Former Underground Rock Salt Mining in Northwich	Retain	Delete - replaced by 'DM 32 - Land contamination and instability'	72, 309
GS8	Proposals for New Development for Main Town Centre Uses	Delete - completed		
GS9	General Urban Design Principles for Development in Northwich Town Centre	Retain	Delete - replaced by 'DM 14 - City and town centres'	262
GS9A	Barons Quay Development Area	Retain	Delete - replaced by 'DM 14 - City and town centres'	73, 262
GS9B	Weaver Shopping Centre Extension Development Area	Retain	Delete - replaced by 'N 2 - Northwich regeneration areas'	74, 142
GS9C	Land North of Leicester Street	Retain	Delete	75

Vale Royal Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
GS9D	Northwich Market	Retain	Delete - replaced by 'N 2 - Northwich regeneration areas'	76, 142
GS9E	Marina Development Area	Delete - completed		
GS9F	County Council Offices Site	Retain	Delete - replaced by 'N 2 - Northwich regeneration areas'	77, 142
GS9G	Magistrates' Court Site	Delete - closed		
GS9H	British Waterways Site	Retain	Delete	78
GS9I	Lock Street Site	Part Retain - see plan	Delete	79
GS9J	Memorial Hall Site	Delete - developed		
GS9K	Land West of Old Warrington Road	Retain	Delete	80
GS9L	Land West of Queen Street	Retain	Delete	81
GS9M	Land Adjacent to Victoria Bridge	Delete - part developed		
GS9N	Northwich Vision Transportation Schemes	Part Retain - see plan	Delete - replaced by STRAT 10 and 'T 1 - Local road network improvement schemes'	82
GS9P	Developer Contributions to Transport and Public Realm Improvements	Retain	Delete - replaced by STRAT 11 , CIL and 'T 1 - Local road network improvement schemes'	n/a
GS10	Winsford Gateway	Retain	Delete - replaced by Winsford Neighbourhood Plan	n/a
GS11	Weaver Valley Regional Park Project	Delete - out of date		
Chapter:	Natural Environment			
NE1	Protection of the Nature Conservation Resource	Retain	Delete - replaced by 'DM 44 - Protecting and enhancing the natural environment'	325
NE2	Designated Sites of International and National Nature Conservation Importance	Retain	Delete - replaced by ENV 4 and 'DM 44 - Protecting and enhancing the natural environment'	83-86, 325

Vale Royal Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
NE3	Designated Sites of Local and Regional Nature Conservation and Geological importance	Delete - replaced by ENV 4 Biodiversity and geodiversity		
NE4	Threatened and Priority Habitats	Delete - replaced by ENV 4 Biodiversity and geodiversity		
NE5	Endangered Species	Delete - replaced by ENV 4 Biodiversity and geodiversity		
NE6	Wildlife Corridors and Green Wedges	Retain	Delete - replaced by 'DM 44 - Protecting and enhancing the natural environment'	87, 88, 325
NE7	Protection and Enhancement of Landscape Features	Retain	Delete - replaced by 'DM 44 - Protecting and enhancing the natural environment'	325
NE8	Provision and Enhancement of Landscape in New Development	Retain	Delete - replaced by 'DM 44 - Protecting and enhancing the natural environment'	325
NE9	Trees and Woodland	Retain	Delete - replaced by 'DM 45 - Trees, woodland and hedgerows'	326
NE10	Proposals for the Establishment of Areas of Multipurpose Woodland on Derelict and Under Used Land	Retain	Delete - replaced by 'DM 45 - Trees, woodland and hedgerows'	89, 90, 326
NE11	Areas of Special County Value	Retain	Delete - replaced by 'GBC 2 - Protection of landscape'	91, 204-215
NE12	Areas of Significant Local Environmental Value	Retain	Delete - replaced by 'GBC 2 - Protection of landscape'	92, 204-215
NE13	River Corridors	Retain	Delete - replaced by 'DM 38 - Waterways and mooring facilities'	n/a
NE14	Dane Valley	Retain	Delete - replaced by 'DM 38 - Waterways and mooring facilities'	n/a

Vale Royal Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
NE15	Protection of the Floodplain	Delete - replaced by ENV 1 Flood risk and water management		
NE16	Surface Water Run Off	Delete - replaced by ENV 1 Flood risk and water management		
NE17	Watercourses	Delete - replaced by ENV 1 Flood risk and water management		
NE18	Mersey Estuary Zone	Retain	Delete - replaced by ENV 2	93
Chapter:	Built Environment			
BE1	Safeguarding and Improving the Quality of the Environment	Retain	Delete - replaced by 'DM 39 - Culture and community facilities'	n/a
BE2	Sewerage Infrastructure	Delete - replaced by ENV 1 Flood risk and water management		
BE3	Water Supply	Delete - replaced by ENV 1 Flood risk and water management		
BE4	Planning Obligations	Retain	Delete - replaced by STRAT 11 and CIL	n/a
BE5	Historic Environment - Listed Buildings	Retain	Delete - replaced by 'DM 47 - Listed buildings'	n/a
BE6	Alteration/Extensions to Listed Buildings	Retain	Delete - replaced by 'DM 47 - Listed buildings'	n/a
BE7	Changes of Use to Listed Buildings	Retain	Delete - replaced by 'DM 47 - Listed buildings'	n/a
BE8	Listed Buildings and Archaeology	Retain	Delete - replaced by 'DM 47 - Listed buildings' and 'DM 50 - Archaeology'	n/a
BE9	Demolition Control of Listed Buildings	Retain	Delete - replaced by 'DM 47 - Listed buildings'	n/a

Vale Royal Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
BE10	Historic Environment - Conservation Areas	Retain	Delete - replaced by 'DM 46 - Development in conservation areas'	94, 327
BE11	Development of Sites Outside the Conservation Area	Retain	Delete - replaced by 'DM 46 - Development in conservation areas'	n/a
BE12	Northwich Conservation Area	Retain	Delete - replaced by 'N 6 - Northwich conservation area'	95, 153
BE13	Ancient Monuments/Archaeological Sites	Retain	Delete - replaced by 'DM 50 - Archaeology'	96, 335
BE14	Other Sites of Archaeological Importance	Retain	Delete - replaced by 'DM 50 - Archaeology'	n/a
BE15	Historic Parks and Gardens	Retain	Delete - replaced by 'DM 49 - Registered Parks and Gardens and Battlefields'	97, 326-333
BE16	Advertisements and Signs	Retain	Delete - replaced by 'DM 17 - Advertisements'	308
BE17	Advance Directional Advertisements	Retain	Delete - replaced by 'DM 17 - Advertisements'	308
BE18	Telecommunications Development	Retain	Delete - replaced by 'DM 18 - ICT and telecommunications'	n/a
BE19	Domestic Radio, Masts, Aerials and Satellite Dishes	Retain	The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)	n/a
BE20	Jodrell Bank	Retain	Delete - replaced by 'DM 12 - Jodrell Bank'	98, 252
BE21	Renewable Energy	Part Retain	Delete - replaced by 'DM 51 - Wind energy' and 'DM 52 - Solar energy'	336
BE22	Locally Important Buildings	Retain	Delete - replaced by 'DM 48 - Non-designated heritage assets'	n/a

Vale Royal Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
BE23	Conservation Area Appraisals	Retain	Delete - replaced by 'DM 46 - Development in conservation areas'	327
Chapter:	Housing			
H1	The Supply of Housing Land	Already Deleted - out of date		
H2	Housing Allocations	Retain	Delete - out of date	99
H3	Phasing	Delete - out of date		
H4	Housing Development Hierarchy	Delete - out of date		
H5	Windfall Sites	Delete - out of date		
H6	Change of Use/Conversion	Delete - out of date		
H7	Sub-Division of Existing Dwellings into Self-Contained Residential Units	Delete - out of date		
H8	Extensions/Alterations to Dwellings	Retain	Delete - replaced by 'DM 21 - Development within the curtilage of a dwellinghouse'	n/a
H9	Extensions to Dwellings that have been Created Through the Conversion of a Rural Building	Retain	Delete - replaced by 'DM 21 - Development within the curtilage of a dwellinghouse'	n/a
H10	Rebuilding/Replacement of Dwellings	Retain	Delete - replaced by 'DM 21 - Development within the curtilage of a dwellinghouse'	n/a
H11	Extensions to Residential Curtilages in the Open Countryside and the Green Belt	Retain	Delete - replaced by 'DM 21 - Development within the curtilage of a dwellinghouse'	n/a
H12	Density	Delete		
H13	Mixed Communities	Delete - replaced by STRAT 1 Sustainable development		

Vale Royal Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
H14	Sites for Affordable Housing on Residential Developments	Delete - replaced by SOC 1 Delivering affordable housing		
H15	Sites for Affordable Housing within the Settlement Policy Boundaries of Frodsham, Helsby and Tier 1 Locations			
H16	Sites for Affordable Housing in the Green Belt/Open Countryside	Delete - replaced by SOC 1 Delivering affordable housing and SOC 2 Rural exception sites		
H17	Gypsy and Traveller Sites	Delete - replaced by SOC 4 Gypsy and Traveller and Travelling Showpersons accommodation		
H18	Transit Gypsy Sites	Delete - replaced by SOC 4 Gypsy and Traveller and Travelling Showpersons accommodation		
H19	Show Person's Sites	Delete - replaced by SOC 4 Gypsy and Traveller and Travelling Showpersons accommodation		
Chapter:	Employment			
E1	General Requirements for Employment Use	Part Retain - delete paragraph iv	Delete	n/a
E2	Existing Non-Conforming Uses	Delete - out of date		
E3	Redevelopment of Employment Land for Employment Purposes	Retain	Delete - replaced by 'N 4 - Employment land provision in Northwich' and 'DM 5 - Protection and refurbishment of employment land and premises'	149-151, 198
E4	Redevelopment of Existing and Proposed Employment	Retain	Delete - replaced by 'DM 5 - Protection and refurbishment	n/a

Vale Royal Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
	Land for Non-Employment Purposes		of employment land and premises'	
E5	Employment Land Allocations	Part Retain	Delete - replaced by 'N 4 - Employment land provision in Northwich', 'W 2 - Employment land provision in Winsford' and 'R 3 - Employment land provision in the rural area'	100, 149-151, 156, 157, 198
E6	Lostock Triangle, Lostock Gralam	Retain	Delete - site developed and extant planning permission	n/a
E7	Northwich and Winsford Town	Delete - replaced by National Planning Policy Framework		
E8	Villages	Delete - replaced by National Planning Policy Framework		
E9	Employment Uses in the Open Countryside Outside the Green Belt	Delete - replaced by National Planning Policy Framework		
E10	Employment Uses in the Green Belt Including Washed Over Green Belt Villages	Retain	Delete - replaced by NPPF and STRAT 9	101
Chapter:	Recreation and Tourism			
RT1	General Requirements for Recreation/Tourism Developments	Delete - replaced by all other policies in the Plan		
RT2	Sports Facilities and Open Spaces - Allocations	Retain	Delete - replaced by SOC 6 and 'DM 35 - Open space and new development'	102a/b, 338
RT3	Recreation and Open Space in New Developments – Space standards	Retain	Delete - replaced by 'DM 35 - Open space and new development' and 'DM 36 - Provision for sport and recreation'	n/a

Vale Royal Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
RT4	Existing Formal and Informal Open Spaces and Recreational Facilities	Delete - replaced by National Planning Policy Framework		
RT5	Allotments	Delete - replaced by SOC 6 Open space, sport and recreation		
RT6	Village Facilities	Retain	Delete - replaced by 'DM 39 - Culture and community facilities'	n/a
RT7	Tourist Accommodation within the Towns of Northwich and Winsford and the Villages	Retain	Delete - replaced by 'DM 9 - Visitor accommodation'	n/a
RT8	Tourist Accommodation within the Open Countryside and the Green Belt	Retain	Delete - replaced by ECON 3 and 'DM 9 - Visitor accommodation'	n/a
RT9	Chalet Type Development	Retain	Delete - replaced by STRAT 9 , 'DM 9 - Visitor accommodation' and 'DM 10 - Caravan and camping sites'	n/a
RT10	The Use of Farmhouses for B&B Accommodation within the GB and OC	Delete - replaced by National Planning Policy Framework		
RT11	Extensions to Existing Facilities	Retain	Delete - replaced by 'DM 9 - Visitor accommodation'	n/a
RT12	Small Extensions to Existing Hotels, Guest Houses and Other Tourist Accommodation within the Green Belt and Open Countryside	Delete - replaced by National Planning Policy Framework		
RT13	Touring Recreational Caravan and Camping Sites	Retain	Delete - replaced by 'DM 9 - Visitor accommodation' and 'DM 10 - Caravan and camping sites'	n/a
RT14	Static Recreational Caravan Sites	Retain	Delete - replaced by 'DM 9 - Visitor accommodation' and 'DM 10 - Caravan and camping sites'	n/a

Vale Royal Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
RT15	Golf Courses	Retain	Delete - replaced by 'DM 36 - Provision for sport and recreation'	n/a
RT16	Driving Ranges	Retain	Delete - replaced by 'DM 36 - Provision for sport and recreation'	n/a
RT17	Noisy Sports	Part Retain - delete paragraph iv	Delete - replaced by 'DM 30 - Noise'	n/a
RT18	Motor Sports	Part Retain - delete paragraph i	Delete - replaced by 'DM 13 - Oulton Park' and 'DM 30 - Noise'	253
RT19	Tourist/Recreation Related Facilities - Allocations	Retain	Delete - replaced by ECON 3 and 'N 6 - Northwich conservation area'	103
RT20	Mooring Facilities	Retain	Delete - replaced by 'DM 38 - Waterways and mooring facilities'	n/a
RT21	The Weaver and Dane Valleys	Part Retain - delete first sentence	Delete - replaced by 'DM 38 - Waterways and mooring facilities'	n/a
RT22	The Winsford Flashes – Site specific policy	Retain	Delete - replaced by 'W 1 - Winsford settlement area' and Winsford Neighbourhood Plan	155
RT23	The Whitegate Way – Site specific policy	Retain	Delete - replaced by 'DM 37 - Recreational routeways'	104, 318
RT24	Delamere Forest – Site specific policy	Retain	Delete - replaced by STRAT 9 , ECON 3 , ENV 3 , ENV 4 , 'GBC 2 - Protection of landscape' and 'DM 37 - Recreational routeways'	105, 208, 210, 310, 312
RT25	Oulton Park Motor Racing Venue – Site specific policy	Retain	Delete - replaced by 'DM 13 - Oulton Park'	106, 253
Chapter: Transportation				
T1	General Requirements	Delete - replaced by STRAT 10 Transport and accessibility		

Vale Royal Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
T2	Transportation Assessments	Delete - replaced by STRAT 10 Transport and accessibility		
T3	Public Transport	Retain	Delete - replaced by STRAT 10	n/a
T4	Railways	Retain	Delete - replaced by 'T 3 - Railway stations'	224-233
T5	Railway Stations	Retain	Delete - replaced by 'T 3 - Railway stations'	107, 224-233
T6	Northwich - Middlewich - Sandbach Rail Line – safeguarded route	Retain	Delete - replaced by STRAT 10	108
T7	Safeguarded Rail Lines – safeguarded route	Retain	Delete - replaced by 'T 4 - Rail corridors'	109, 234
T8	Pedestrians and Walking	Delete - replaced by STRAT 10 Transport and accessibility		
T9	Cycling	Delete - replaced by STRAT 10 Transport and accessibility		
T10	National Cycle Network	Delete - out of date		
T11	Freight	Delete - replaced by National Planning Policy Framework		
T12	Development of Land Adjacent to the River Weaver for Water Based Freight Facilities	Retain	Delete - replaced by STRAT 10 and 'DM 38 - Waterways and mooring facilities'	n/a
T13	Car Parking	Retain	Delete - replaced by 'T 5 - Parking and access' and Parking standards SPD	237, 238
T14	Car Parking in Town and Village Centres	Retain	Delete - replaced by 'T 5 - Parking and access' and Parking standards SPD	237, 238
T15	Provision of Access for People with Disabilities	Retain	Delete - replaced by STRAT 10	n/a

Vale Royal Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
T16	Roadside Facilities	Retain	Delete - replaced by STRAT 10 and 'T 5 - Parking and access'	n/a
T17	Lorry Parks	Retain	Delete - replaced by STRAT 10 and 'T 5 - Parking and access'	n/a
T18	General Highways Policies – Safeguarded route	Retain	Delete - replaced by 'T 1 - Local road network improvement schemes'	110, 221
T19	Appropriate Traffic Calming Measures	Delete - not used		
T20	Travel Plans	Retain	Delete - replaced by STRAT 10 and Travel planning SPD	n/a
Chapter:	Shopping and Town Centre Development			
STC1	General Policy	Retain	Delete - replaced by 'DM 14 - City and town centres'	111a/b, 112, 114, 256-258
STC2	Northwich Town Centre – Allocations	Retain	Delete - replaced by 'DM 14 - City and town centres'	113, 262
STC3	Winsford Town Centre	Retain	Delete - replaced by ECON 2 , 'DM 14 - City and town centres' and Winsford Neighbourhood Plan	114, 263
STC4	Use of Upper Floors	Retain	Delete - replaced by 'DM 14 - City and town centres'	n/a
STC5	Design	Delete - replaced by ENV 6 High quality design and sustainable construction		
STC6	Design-Installation of Shutters	Retain	Delete - replaced by 'DM 16 - Shopfronts'	n/a
STC7	Proposals for Key Town Centre Development in Edge-of-Centre and Out-of-Centre Locations	Delete - replaced by National Planning Policy Framework		

Vale Royal Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
STC8	Defined Town and Large Village Centres	Delete - out of date		
STC9	Defined Town and Large Village Centres	Delete - out of date		
STC10	Loss of Existing Ground and Upper Floor Residential Uses	Delete - out of date		
STC11	Large Proposals in Large Village Centres	Delete - replaced by National Planning Policy Framework		
STC12	Local Centres in Winsford and Northwich	Retain	Delete - replaced by 'DM 15 - District and local retail centres'	268-307
STC13	All Smaller Villages With or Without Defined Policy Boundaries	Delete - replaced by National Planning Policy Framework		
STC14	All Smaller Villages With or Without Defined Policy Boundaries	Retain	Delete - replaced by 'DM 39 - Culture and community facilities'	n/a
STC15	Changes of Use That Would Result in the Loss of a Public House or Other Service Serving a Rural Community	Retain	Delete - replaced by 'DM 39 - Culture and community facilities'	n/a
STC16	Farm Shops	Retain	Delete - replaced by 'DM 7 - Rural diversification of land based businesses'	n/a
Chapter:	Public Services			
PS1	Public Services Development in the Open Countryside	Delete - out of date		
PS2	Redundant Institutions in the Open Countryside/Green Belt	Delete - completed		
PS3	Child Care facilities	Delete - replaced by National Planning Policy Framework		
Chapter:	Pollution, Hazards and Contaminated Land			

Vale Royal Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
P1	Air Pollution	Delete - replaced by SOC 5 Health and well-being		
P2	New Development which is Sensitive to Air Pollution	Delete - replaced by SOC 5 Health and well-being		
P3	Noise Pollution	Delete - replaced by SOC 5 Health and well-being		
P4	Light Pollution	Delete - replaced by SOC 5 Health and well-being		
P5	Groundwater	Delete - replaced by ENV 1 Flood risk and water management		
P6	Hazardous Installations	Delete - replaced by HSE		
P7	Development of a Non-Hazardous Nature in the Vicinity of Non-Hazardous Installations	Delete - replaced by HSE		
P8	Contaminated and Derelict Land	Delete - replaced by STRAT 1 Sustainable development		
P9	Aerodrome Safeguarding - Liverpool John Lennon Airport – Site specific	Retain	Delete - replaced by 'DM 11 - Safeguarded areas around aerodromes'	115, 249-251
Chapter:	Rural Enterprises			
RE1	Agricultural Land	Delete - replaced by STRAT 1 Sustainable development		
RE2	Where Development is Allowed Which Involves the Loss of Agricultural Land	Delete - out of date		
RE3	New Agricultural Buildings	Retain	Delete - replaced by 'DM 6 - New agricultural and forestry buildings'	n/a

Vale Royal Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
RE4	Proposals for New Buildings and Other Structures Associated with Livestock	Delete - replaced by ENV 6 High quality design and sustainable construction		
RE5	Change of Use of Agricultural and Other Rural Buildings	Delete - replaced by National Planning Policy Framework		
RE6	Withdrawal of Agricultural Permitted Development Rights Following a Change of Use	Delete - replaced by National Planning Policy Framework		
RE7	Agricultural workers' Dwellings	Retain	Delete - replaced by 'DM 25 - Essential rural workers dwellings'	n/a
RE8	Removal of an Agricultural or Forestry Occupancy Condition	Retain	Delete - replaced by 'DM 25 - Essential rural workers dwellings'	n/a
RE9	Equestrian Development	Retain	Delete - replaced by 'DM 8 - Equestrian development'	n/a
RE10	Kennels and Catteries	Retain	Delete - replaced by STRAT 9 , ENV 2 and	n/a
RE11	Private Airstrips	Delete - out of date		
RE12	Farm Diversification	Retain	Delete - replaced by 'DM 7 - Rural diversification of land based businesses'	n/a
Chapter:	After Use of Mineral Workings			
MW1	General Considerations	Delete - replaced by ENV 9 Minerals supply and safeguarding		
MW2	Consultation on County Matters	Delete - replaced by ENV 9 Minerals supply and safeguarding		
MW3	After Uses – Site specific	Retain	Delete - replaced by 'M 5 - Restoration of minerals and oil and gas sites'	n/a

Vale Royal Borough Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
MW4	Ancillary Development	Delete - replaced by ENV 9 Minerals supply and safeguarding		

Cheshire Replacement Minerals Local Plan

Cheshire Replacement Minerals Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
1	Sustainability	Delete - replaced by ENV 9 Minerals supply and safeguarding		
2	Need	Delete - replaced by ENV 9 Minerals supply and safeguarding		
3	Aggregate reserves	Delete - replaced by ENV 9 Minerals supply and safeguarding		
4	Alternative sources of aggregate	Delete - replaced by ENV 9 Minerals supply and safeguarding		
5	Safeguarding high quality material	Delete - replaced by ENV 9 Minerals supply and safeguarding		
6	Prior extraction	Delete - replaced by ENV 9 Minerals supply and safeguarding		
7	Mineral conservation areas	Delete - replaced by ENV 9 Minerals supply and safeguarding		
8	Review	Delete - replaced by ENV 9 Minerals supply and safeguarding		
9	Planning applications	Retain	Delete - replaced by 'M 3 - Proposals for minerals working'	n/a
10	Geological content of planning applications	Delete - replaced by ENV 9 Minerals supply and safeguarding		
11	Pre-application discussions	Delete - replaced by ENV 9 Minerals supply and safeguarding		
12	Conditions	Retain	Delete	n/a
13	Planning obligations/legal agreements	Retain	Delete	n/a
14	ASCV	Delete - replaced by ENV 9 Minerals supply and safeguarding		

Cheshire Replacement Minerals Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
15	Landscape	Retain	Delete - replaced by 'M 3 - Proposals for minerals working'	n/a
16	Plant and buildings	Retain	Delete - replaced by 'M 3 - Proposals for minerals working'	n/a
17	Visual amenity	Retain	Delete - replaced by 'M 3 - Proposals for minerals working'	n/a
18	Jodrell Bank zone	Delete - replaced by ENV 9 Minerals supply and safeguarding		
19	Archaeology	Delete - replaced by ENV 9 Minerals supply and safeguarding		
20	Archaeology	Delete - replaced by ENV 9 Minerals supply and safeguarding		
21	Archaeology	Delete - replaced by ENV 9 Minerals supply and safeguarding		
22	Nature conservation	Delete - replaced by ENV 9 Minerals supply and safeguarding		
23	Nature conservation	Delete - replaced by ENV 9 Minerals supply and safeguarding		
24	Built heritage and historic environment	Delete - replaced by ENV 9 Minerals supply and safeguarding		
25	Ground water/surface water/flood protection	Delete - replaced by ENV 9 Minerals supply and safeguarding		
26	Noise	Delete - replaced by ENV 9 Minerals supply and safeguarding		
27	Noise	Delete - replaced by ENV 9 Minerals supply and safeguarding		
28	Dust	Retain	Delete - replaced by 'M 3 -	n/a

Cheshire Replacement Minerals Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
			Proposals for minerals working'	
29	Agricultural land	Delete - replaced by ENV 9 Minerals supply and safeguarding		
30	Agricultural land - silica sand	Delete - replaced by ENV 9 Minerals supply and safeguarding		
31	Cumulative impact	Delete - replaced by ENV 9 Minerals supply and safeguarding		
32	Advance planting	Delete - replaced by ENV 9 Minerals supply and safeguarding		
33	Public rights of way	Delete - replaced by ENV 9 Minerals supply and safeguarding		
34	Highways	Delete - replaced by ENV 9 Minerals supply and safeguarding		
35	Alternative forms of transport	Delete - replaced by ENV 9 Minerals supply and safeguarding		
36	Secondary operations	Delete - replaced by ENV 9 Minerals supply and safeguarding		
37	Hours of operation	Retain	Delete - replaced by 'DM 30 - Noise'	n/a
38	Blasting	Delete - replaced by ENV 9 Minerals supply and safeguarding		
39	Stability and support	Delete - replaced by ENV 9 Minerals supply and safeguarding		
40	Mine waste disposal	Delete - replaced by ENV 9 Minerals supply and safeguarding		
41	Restoration	Delete - replaced by ENV 9 Minerals supply and safeguarding		
42	Aftercare	Delete - replaced by ENV 9 Minerals supply and safeguarding		
43	Liaison committees	Retain	Delete - replaced by 'M 3 -	n/a

Cheshire Replacement Minerals Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
			Proposals for minerals working'	
44	Opencast coal	Delete - replaced by ENV 9 Minerals supply and safeguarding		
45	Sand and gravel landbank	Delete - replaced by ENV 9 Minerals supply and safeguarding		
46	Future sand and gravel extraction	Delete - replaced by ENV 9 Minerals supply and safeguarding		
47	Sand and gravel area of search	Retain	Delete - replaced by 'M 1 - Future sand and gravel working'	116, 242
48	Hydrocarbons	Delete - replaced by ENV 9 Minerals supply and safeguarding		
49	Peat	Delete - replaced by ENV 9 Minerals supply and safeguarding		
50	Natural brine pumping	Delete - replaced by ENV 9 Minerals supply and safeguarding		
51	Future rock salt extraction	Retain	Delete - replaced by 'M 6 - Salt and brine working'	116, 245
52	Future controlled brine extraction	Retain	Delete - replaced by 'M 6 - Salt and brine working'	116, 246
53	Crushed rock landbank	Delete - replaced by ENV 9 Minerals supply and safeguarding		
54	Future silica sand extraction	Delete - replaced by ENV 9 Minerals supply and safeguarding		

Cheshire Replacement Waste Local Plan

Cheshire Replacement Waste Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
1	Sustainable waste management	Delete - replaced by ENV 8 Managing waste		
2	Need for waste management facilities	Delete - replaced by ENV 8 Managing waste		
3	Phasing of sites for landfill/landraise and/or thermal treatment	Delete - replaced by ENV 8 Managing waste		
4	Preferred sites for waste management facilities	Delete - replaced by ENV 8 Managing waste		
5	Other sites for waste management facilities	Delete - replaced by ENV 8 Managing waste		
6	Built waste management facilities of a national/regional scale	Delete - replaced by ENV 8 Managing waste		
7	Sites for open air windrow composting facilities	Delete - replaced by ENV 8 Managing waste		
8	Wastewater treatment works	Delete - replaced by ENV 8 Managing waste		
9	Preferred sites for non-hazardous landfill/landraise	Delete - replaced by ENV 8 Managing waste		
10	Minimising waste during construction and development	Delete - replaced by ENV 8 Managing waste		
11a and 11b	Development and waste recycling	Delete - replaced by ENV 8 Managing waste		
12	Impact of development proposals	Retain	Delete - replaced by 'DM 54 - Waste management facilities'	n/a
13	ASCV	Delete - replaced by ENV 8 Managing waste		
14	Landscape	Delete - replaced by ENV 8 Managing waste		

Cheshire Replacement Waste Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
15	Green Belt	Delete - replaced by ENV 8 Managing waste		
16	Historic environment	Delete - replaced by ENV 8 Managing waste		
17	Natural environment	Delete - replaced by ENV 8 Managing waste		
18	Water resource protection and flood risk	Delete - replaced by ENV 8 Managing waste		
19	Agricultural land quality	Delete - replaced by ENV 8 Managing waste		
20	Public rights of way	Delete - replaced by ENV 8 Managing waste		
21	Jodrell Bank	Delete - replaced by ENV 8 Managing waste		
22	Aircraft safety	Retain	Delete - replaced by 'DM 11 - Safeguarded areas around aerodromes' and 'DM 54 - Waste management facilities'	249-251
23	Noise	Delete - replaced by ENV 8 Managing waste		
24	Air pollution: air emissions including dust	Delete - replaced by ENV 8 Managing waste		
25	Litter	Delete - replaced by ENV 8 Managing waste		
26	Air pollution: odour	Delete - replaced by ENV 8 Managing waste		
27	Sustainable transport of waste and waste derived materials	Delete - replaced by ENV 8 Managing waste		
28	Highways	Delete - replaced by ENV 8 Managing waste		

Cheshire Replacement Waste Local Plan				
Policy Number	Policy Title	Local Plan (Part One) Outcome	Local Plan (Part Two) Outcome	Map change(s)
29	Hours of operation	Delete - replaced by ENV 8 Managing waste		
30	Hours of operation for HWRC	Delete - replaced by ENV 8 Managing waste		
31	Ancillary development at a landfill/landraise site and/or open windrow composting site	Delete - replaced by ENV 8 Managing waste		
32	Reclamation	Delete - replaced by ENV 8 Managing waste		
33	Liaison committees	Retain	Delete - replaced by 'DM 54 - Waste management facilities'	n/a
34	Energy recovery	Delete - replaced by ENV 8 Managing waste		
35	Underground hazardous waste storage/containment	Retain	Delete - replaced by 'DM 33 - New or extension to hazardous installations'	n/a
36	Design	Delete - replaced by ENV 8 Managing waste		

C Glossary

Air Quality Management Area (AQMA) - an area, declared by the Council, where national air quality objectives are not being met.

Affordable housing - social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision.

Aftercare of minerals and oil and gas sites - a period of aftercare will commence following restoration of the site to ensure that the land returns to a state that is the same or better than it was prior to operations commencing.

Aged or veteran tree - a tree which, because of its great age, size or condition is of exceptional value for wildlife, in the landscape, or culturally.

Aggregate - sand, gravel, crushed rock and other bulk materials used in the construction industry for purposes such as the making of concrete, mortar, asphalt or for roadstone, drainage or bulk filling materials.

Allocated land/sites - land which has been identified in the development plan as being acceptable in principle for development for a particular purpose.

Anaerobic digestion - a process in which organic matter is broken down by bacteria in the absence of air, producing a gas (methane) and solid (digestate). The by-products can be useful, for example gas can be used to produce heat and power or in gas-powered vehicles, and digestates can be re-used on farms as a fertiliser.

Annual Monitoring Report (AMR) - assessment of the implementation of the Local Development Scheme and the extent to which policies in Local Development Documents are being successfully implemented.

Apportionment - a specified amount of aggregates to be produced annually on a sub-regional basis.

Appraisal of hydrocarbons - further testing or exploratory work once a hydrocarbon has been found as a result of exploration phase, in order to further define the deposit and evaluate the options available or assess the viability and potential environmental effects of commercial exploitation. The appraisal stage may involve further seismic work or drilling and is usually a relatively short-term activity, typically between six months and two years.

Appropriate Assessment - undertaken as part of a Habitats Regulations Assessment to establish the impacts a Local Development Document will have on a range of European designated sites.

Areas of Critical Drainage (ACD) - an informal area of critical drainage as identified through the SFRA.

Area of Search - a technique used to identify areas of land which are considered to contain mineral resources and which are generally free from major mappable constraints.

Area of Special County Value - areas in the borough that are demonstrably special in their landscape character and scenic value.

Backfill - the material used to fill cavities produced at minerals and oil and gas sites.

Biodiversity - a measure of the number and range of species and their relative abundance in a community.

Biomass plant - biomass is renewable organic matter, frequently wood or plant based materials. A biomass plant is a power plant which produces heat and power by burning biomass.

Bird strike - damage to aircraft caused by birds.

Brine - salt which occurs in solution form.

BS42020 - British Standard BS42020 Code of Practice for Planning and Development promotes transparency and consistency of ecological information submitted with planning applications and applications for other regulatory approvals.

BS5837:2012 – the British Standard for Trees in relation to design, demolition and construction – Recommendations. It sets out the arboriculture process to be followed where trees are being considered in relation to development. It provides recommendations and guidance on assessing and protecting trees during all stages of development and how a harmonious relationship between trees and structures can be achieved and sustained in the long term.

Brownfield land - see 'previously developed land' (PDL).

Brownfield Land Register - information on brownfield land/sites that are considered to be appropriate for residential development (having regard to the criteria set out in Regulation 4 of the Town and Country Planning (Brownfield Land Register) Regulations 2017. Part 1: all brownfield sites appropriate for residential development. Part 2: those sites granted permission in principle (PiP).

Coalbed Methane (CBM) - natural gases produced during coal formation which are either adsorbed onto the coal or dispersed into pore spaces around the coal seam. Can be extracted and used as an energy source.

Combined heat and power - the combined production of heat (usually in the form of steam) and power (usually in the form of electricity). Plants can be powered by burning natural gas or biomass.

Communal living accommodation - a number of bedrooms (greater than 6) sharing living facilities (including kitchen, bathroom and toilet), including school, university, and college student halls of residence, hospital staff accommodation, hostels, care homes and defence establishments (excluding married quarters).

Community facilities - facilities providing for the health, welfare, social, educational, spiritual, leisure and cultural needs of the community.

Community Infrastructure Levy - a levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area.

Conservation Areas - areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Such areas are designated by Local Planning Authorities under the Town and Country Planning Acts.

Construction Industry Research and Information Association (CIRIA) - an independent organisation to facilitate a range of collaborative activities that help improve the industry.

Contaminated land - land that is polluted by noxious or toxic substances.

Countryside - the rural area beyond the boundaries of the main urban settlements (Chester, Ellesmere Port, Northwich and Winsford), the key service centres and the local service centres as identified in Local Plan (Part One) policy STRAT 8 and Local Plan (Part Two) policy R 1, and identified on the polices map. For the purpose of the Local Plan, villages and hamlets that are not identified as a key or local service centre are categorised as a countryside.

Critical Drainage Area (CDA) - an area within Flood Zone 1 which has critical drainage problems and which has been notified to the local planning authority by the Environment Agency.

Curtilage - the area of land normally immediately surrounding a building and which is enclosed, that is used intimately in association with, and to serve the purpose of the building. Curtilage may include structures and buildings within it that are similarly used. Land ownership does not automatically define the curtilage of a building.

Deliverable (housing supply) - in line with NPPF, a deliverable site for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years.

Derelict land - land so damaged by industrial or other development that it is incapable of beneficial use without treatment.

Developable (housing supply) - in line with NPPF, a developable site for housing should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.

Development brief - document providing detailed information to guide developers on the type of development, design and layout constraints and other requirements for a particular, usually substantial, site.

District heat network - a district heat network comprises of a source of heat (which could be a combined heat and power plant or waste heat) which is distributed to consumer/s via a pipe network. It can be as simple as a heat source supplying 2 consumer points or a complex network with a number of different heat sources supplying a large number of different consumers.

Dwelling (in line with the Census definition) - a self-contained unit of accommodation. Self-containment is where all rooms (including kitchen, bathroom and toilet) are behind a single door which only that household can use.

Ecological network - links sites of biodiversity importance at a broad landscape scale.

Economic development - development, including those within the B Use Classes, public and community uses and main town centre uses (but excluding housing development).

Ecosystem services - the benefits people obtain from ecosystems such as food, water, flood and disease control, recreation.

Edge of centre - for retail purposes, a location that is well connected and up to 300 metres of the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.

Employment land - development of land falling within use classes B1, B2 and B8 or applicable sui generis uses of the Use Classes Order 1987 as amended.

Enterprise Zone - the Cheshire Science Corridor Enterprise Zone is an area in which sites are identified as benefiting from tax incentives to support future economic growth with a particular focus on sectors in life science, energy, nuclear, environmental technology, advanced manufacturing and engineering and automotive. It supports collaboration and synergies between businesses, institutions and research establishments.

Exploration of hydrocarbons - mineral exploration is the process of ascertaining the presence, extent or quality of a mineral deposit with a view to commercial exploitation of that mineral. The exploration phase usually takes around two to six months.

Fibre to the premises (FTTP) - an end-to-end fibre optic connection from the exchange to the building. It delivers faster speeds than a connection between the exchange and street cabinets which then connect to a standard phone line to provide broadband.



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Financial viability - the ability of a development project to meet the normal costs of development and mitigation, including the costs of any requirements likely to be applied to the development (such as requirements for affordable housing or infrastructure contributions) and provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

Geodiversity - the range of rocks, minerals, fossils, soils and landforms.

Green Belt - area of land, largely rural in character, which is adjacent to the main urban areas and which is generally protected from development by restrictions on building imposed through national planning policy.

Green Infrastructure - a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

Greenfield - land on which no development has previously taken place unless the previous development was for agriculture or forestry purpose or, the remains of any structure or activity have blended into the landscape.

Habitable room - any room used or intended to be used within a dwelling as a living room, dining room, bedroom, kitchen, study or playroom. Bathrooms, toilets, hallways/corridors, staircases, landings, utility rooms, laundries, service rooms, store rooms, garages or workshops and similar spaces are excluded from this definition.

Housing and Economic Land Availability Assessment (HELAA) - an assessment of land/sites for development potential, and deliverability (see National Planning Practice Guidance).

Household Waste Recycling Centres (HWRCs) - sites to which the public can bring domestic waste including bulky items and green waste. Waste collected is sent to a variety of locations for recycling or other forms of treatment.

Hydraulic fracturing (fracking) - the process of fracturing the rock structure to provide permeability for extracting shale gas.

Hydrocarbons - within the context of the minerals policies, “hydrocarbon” relates to oil, gas and coal bed methane.

Identified settlement - the named urban settlements, key service centres, and local service centres only, as set out in Local Plan (Part One) policies STRAT 3 to STRAT 8 and Local Plan (Part Two) policy R 1 and their corresponding boundaries as identified on the policies map.

Index of Multiple Deprivation (IMD) - key source of evidence of deprivation at Lower Super Output Area level across England. It measures disadvantage and consists of seven domains: income; employment; health deprivation and disability; education, skills and training; barriers to housing and services; crime; and living environment.

Infill - the filling of a small gap, up to two dwellings, in an otherwise built up frontage in an identified settlement. (Please refer to definition of ‘identified settlement’ in the Glossary).

Key Settlement Gaps - areas that are important for maintaining the distinct and/or remaining separation between settlements, and in doing so, helps to define settlement identity, character, sense of place or historic settlement form. The network of key settlement gaps contributes towards protecting landscape character and distinctiveness.

Land-based businesses - agricultural, forestry and horticulture with an emphasis on food production.

Lapsed/disused playing pitch - playing field sites that formerly accommodated playing pitches but are no longer used for formal or informal sports use within the last five years (lapsed) or longer (disused).

Listed building - a building included in a list compiled by the Secretary of State for National Heritage as being of special architectural or historic interest.

Local Development Document (LDD) - the collective term for documents prepared by a local planning authority which contain statements and policies regarding the development and use of land and the allocation of sites.

Local Development Order (LDO) - made by local planning authorities and give a grant of planning permission to specific types of development within a defined area. They streamline the planning process by removing the need for developers to make a planning application to a local planning authority.

Local Development Scheme (LDS) - a public document setting out the Council's programme for the production of its Local Development Documents.

Local Plan - a plan setting the statutory planning framework for the area.

Local Planning Authority - the body responsible for carrying out the statutory planning functions.

Main town centre uses - retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

Major development - as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015, or subsequent amendments to this definition: Development involving any one or more of the following:(a) the winning and working of minerals or the use of land for mineral-working deposits; (b) waste development; (c) the provision of dwellinghouses where: (i) the number of dwellinghouses to be provided is 10 or more; or (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i); (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or (e) development carried out on a site having an area of 1 hectare or more.

Mineral sterilisation - loss of the ability to extract a mineral deposit.

MSA - Minerals Safeguarding Area - areas where proven mineral resources exist identified to alert against potential sterilisation.

National Planning Policy Framework (NPPF) - the Government's policies for plan making (Local Plans) and decision taking (development management).

National Planning Practice Guidance (NPPG) - the Government's web-based resource launched in March 2014, which brings together planning guidance on various topics to supplement the National Planning Policy Framework (NPPF).

Neighbourhood Development Order - an Order made by a local planning authority (under the Town and Country Planning Act 1990) through which Parish Councils and neighbourhood forums can grant planning permission for a specific development proposal or classes of development.

Neighbourhood Plan - a plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area (made under the Planning and Compulsory Purchase Act 2004).

Non-designated heritage assets - buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets.

Open space - all open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as visual amenity.

Out of centre - a location which is not in or on the edge of a centre but not necessarily outside the urban area.

Out of town - a location out of centre that is outside the existing urban area.

Permission in Principle (PiP) - an alternative way of obtaining residential planning permission that separates the consideration of matters of principle from the technical detail of a development. This consent route has two stages: the first stage establishes whether a site is suitable in principle for residential development; and the second stage is an assessment of the detailed development proposals.

Petroleum Exploration and Development Licences (PEDL) - a licence that companies seeking to explore for or produce oil or gas must obtain from the Oil and Gas Authority. The issuing of a PEDL conveys no permission for operations on land, but gives exclusivity for exploration operations against other oil and gas exploration companies within a defined area.

Preferred Areas - Preferred Areas are defined by the Government as areas of known resources where planning permission might reasonably be anticipated by industry. These areas will contain viable mineral deposits and have been assessed against planning criteria as the least environmentally

damaging sites. They are areas of land with reasonable evidence for the existence of commercially extractable minerals, which are largely unaffected by substantial planning constraints and which are adequate, collectively, to meet the anticipated need for the mineral.

Previously Developed Land (PDL) - land which is or has been occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This **excludes**: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal **by** landfill purposes where provision for restoration has been made through development control procedures; land and buildings used for outdoor sport and recreation purposes (including recreation grounds, parks, allotments, the keeping of horses and playing golf); residential gardens; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time. Also referred to as brownfield land.

Primary Aggregates/Minerals - minerals that are extracted or won from where they naturally occur.

Production of hydrocarbons - the long term production of oil or gas commercially. In most cases the initial seismic survey work can be completed under permitted development rights, but apart from this, planning permission is required for each phase of hydrocarbon extraction.

Redevelopment - the development of land with a pre-existing use through demolition and new build, or change of use of a building/structure. The development of greenfield land for an alternative use is not classed as redevelopment.

Restoration of minerals and oil and gas sites - restoring the site to its former use or, in some circumstances, an appropriate new use or for other environmental benefits.

Rural exception sites - small sites in the rural area used for affordable housing in perpetuity where sites would not normally be used for housing.

Silica sand / industrial sand - silica sand, also known as industrial sand, contains a high proportion of silica in the form of quartz and is chemically purer and more even grained than construction sand.

Site liaison committee - a group established as a means of communication between interested parties and site operators.

Strategic Flood Risk Assessment (SFRA) - sets out the areas of the borough that may flood, taking into account a number of flooding sources and climate change. The SFRA should form the basis of flood risk management decisions.

Strategic Housing Land Availability Assessment (SHLAA) - an assessment of land for residential development in line with National Planning Practice Guidance (now superseded by the Housing and Economic Land Availability Assessment).

Strategic Housing Market Assessment (SHMA) - an assessment of a housing market produced by authorities or partnership authorities.

Superfast broadband - broadband with download speeds of at least 30 megabits per second (or the most recent Government requirements, if higher).

Supplementary Planning Document (SPD) - guidance notes produced by the local authority, which give advice on particular aspects of policies in development plan documents. They can provide a guide for developers. They do not form part of the development plan and are not subject to independent examination.

Sustainability Appraisal (SA) - a means of appraising the social, environmental and economic effects that policies and plans may have in the long term. Sustainability appraisals are required for each development plan document and must fully incorporate the requirements of the Strategic Environmental Assessment Directive.

Sustainable Drainage Systems (SuDS) - a sequence of management practices and control structure, often referred to as SuDS, designed to drain water in a more sustainable manner than some conventional techniques. Typically these are used to attenuate run-off from development sites.

Trade Counters - 10% retail use in a factory or warehouse.

Unconventional oil and gas - oil and gas resources that are trapped in impermeable rocks, such as shale, and require unconventional methods of extraction, such as hydraulic fracturing of the rock to enable the shale gas to be collected; dewatering of rock to extract coal bed methane; and underground coal gasification.

Underground coal gasification - the process of converting coal into a gas that can then be extracted and processed.

Visitor accommodation - this includes, but is not restricted to; hotels, guest houses, bed and breakfast accommodation, touring and camping sites, static caravans, chalets (including other forms of static accommodation such as pods, yurts and tepees).

Waste Management Facility - this term covers a wide range of facilities including recycling facilities and depots, waste transfer stations, Household Waste Recycling Centres, composting sites, scrapyards, energy from waste plants and anaerobic digestion plants.

Waste Needs Assessment - a waste needs assessment is carried out as part of the Local Plan preparation. It forecasts the quantities of various types of waste which may be produced in the area over the plan period. From this, an assessment is made of whether there are sufficient facilities to manage the waste in the area, or whether additional facilities will be required.

Accessing Cheshire West and Chester Council information and services

Council information is also available in Audio, Braille, Large Print or other formats. If you would like a copy in a different format, in another language or require a BSL interpreter, please email us at **equalities@cheshirewestandchester.gov.uk**

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Tel: 0300 123 8 123 **Textphone:** 18001 01606 867 670

email: equalities@cheshirewestandchester.gov.uk

web: www.cheshirewestandchester.gov.uk