

Tattenhall & District Neighbourhood Plan 2023 Review

Policy changes and additions

Existing Policies	Proposed changes	Reasons
<p>POLICY 1 Housing Growth</p> <p>To enable managed housing growth in the Parish: Proposals involving up to 30 homes will be allowed within or immediately adjacent to the built-up part of Tattenhall village over the period 2010 to 2030;]</p>	<p>Replace with: To enable managed housing growth in the Parish:</p> <p>Proposals involving up to and not exceeding 30 homes on any one site will be allowed within the settlement boundary of Tattenhall, to meet the housing requirements established in the CWaC Local Plan. Proposals outside the settlement boundary of Tattenhall must comply with Local Plan policies STRAT9, SOC2 and DM24.</p>	<p>The proposed change brings the policy into conformity with CWaC Local Plan. Development adjacent to the Service Centre boundary is now covered in Policy SOC2:</p> <p>“Rural exception sites <i>Where necessary to meet local affordable housing needs, schemes for 100% affordable housing may be permitted on small sites which would otherwise not be appropriate for housing adjacent to key service centres and local service centres including those in the Green Belt. Where it is essential to enable the delivery of affordable housing to meet local needs, a small, subsidiary element of market housing may be permitted on such sites. “</i></p> <p>And Policy DM 24:</p> <p><i>“In line with Local Plan (Part One) policy <u>SOC 2</u>, 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:</i></p> <ol style="list-style-type: none"> <i>1. currently live in the parish and have been living there continuously for at least five years; or</i> <i>2. have permanent employment in the parish; or</i> <i>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</i> <i>4. people who have previously lived in the parish for a continuous period of at least 10 years.</i> <p><i>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.</i></p> <p><i>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.”</i></p> <p>Policy STRAT 9 “ ...</p>

Existing Policies	Proposed changes	Reasons
		<p><i>Within the countryside the following types of development will be permitted;</i></p> <ul style="list-style-type: none"> <i>• Development that has an operational need for a countryside location such as for agricultural or forestry operations.</i> <i>• Replacement buildings.</i> <i>• Small scale and low impact rural / farm diversification schemes appropriate to the site, location and setting of the area.</i> <i>• The reuse of existing rural buildings, particularly for economic purposes, where buildings are of permanent construction and can be reused without major reconstruction.</i> <i>• The expansion of existing buildings to facilitate the growth of established businesses proportionate to the nature and scale of the site and its setting.</i> <p><i>Development must be of an appropriate scale and design to not harm the character of the countryside..."</i></p>
<p>Smaller scale development of exception sites will be allowed within the hamlets of Gatesheath and Newton-by-Tattenhall over the period 2010 to 2030.</p> <p>Exceptions will be made where additional housing development involves the redevelopment of brown-field land (subject to its environmental value), the conversion of existing buildings or affordable housing-led 'exceptions' schemes. 'Exceptions' schemes will be allowed to contain an element of 'enabling' market housing, but no more than 30% in any individual scheme</p>	<p>Remove</p>	<p>The proposed change brings the policy into conformity with CWaC Local Plan STRAT9, SOC2 and DM24.</p>

Existing Policies	Proposed changes	Reasons
Provide a mix of homes taking into account objectively identified housing needs, and include an element of affordable housing as specified in the Local Plan. The affordable housing will be subject to a S1065 Legal Agreement, or planning condition, ensuring that it remains an affordable dwelling for local people in perpetuity.	<p>Housing proposals of 3 or more dwellings must:</p> <p>Provide a mix of homes taking into account objectively identified housing needs, and include an element of affordable housing as specified in the Local Plan. The affordable housing will be subject to a S106 Legal Agreement, or planning condition, ensuring that it remains an affordable dwelling for local people in perpetuity.</p> <p>For proposals which have a capacity of three or more dwellings or comprise an area of 0.1 hectares or more, must include at least 30% affordable housing. Provision of affordable houses must otherwise comply with SOC 1. Affordable housing provision will be sought on site unless there are exceptional circumstances which can be demonstrated to justify off-site contributions. Any off-site contributions must go towards the provision of affordable housing in Tattenhall Neighbourhood Plan Area in the first instance and the allocation of funding must be discussed with the Parish Council.</p>	<p>The proposed change seeks to maximise affordable housing development in the local area now defined as the Neighbourhood Plan area is justified by the housing needs assessment.</p> <p>The original Neighbourhood Plan (Housing Growth, Justification and evidence, p12) stated “<i>There is a requirement to provide 35% affordable units on-site...</i>” which was considered as policy although not included under Policy 1. The change to “at least 30% affordable” is considered to be in general conformity with Local Plan Policy SOC 1 which states that “<i>The Council will seek to maximise the proportion of affordable housing provided up to a target of 30%</i>”. Refusing a development proposal of more than 30% affordable element on the grounds of non-compliance with Policy SOC 1 would be perverse given the housing needs for the whole borough, a point made by the Secretary of State and Inspector in 2017 when considering an appeal for a proposed development adjacent to Tattenhall with 35% affordable housing element:</p> <p><i>“26. The Secretary of State has given careful consideration to the Inspector’s assessment of the proposed affordable housing provision at SR350-360. He notes that, in accordance with the Framework, LP Policy SOC1 seeks to maximise the provision of affordable housing on sites up to a target of 30%, while the appeal scheme proposes 35%. Thus, given that there is a considerable unmet need for affordable housing in the Borough and the appeal scheme proposes the delivery of affordable housing above the policy requirement in SOC1, it and would make a valuable contribution towards addressing the shortfall. Accordingly, the Secretary of State agrees with the Inspector at SR361 that the affordable housing offer in the appeal scheme is a matter of very significant weight in its favour.”</i></p> <p>APP/A0665/A/12/2180958 21 April 2017</p>
Respect and, where possible, enhance the natural, built and historic environment.	Remove	Covered in Policy 2
Maintain Tattenhall’s strong and established sense of place.	Remove	Covered in Policy 2

Existing Policies	Proposed changes	Reasons
<p>POLICY 2 Local Character</p> <p>Development will be supported where it:</p> <p>Respects the local character and historic and natural assets of the surrounding area, and takes every opportunity, through design and materials, to reinforce local distinctiveness and a strong sense of place</p>	<p>Replace with:</p> <p>Development will be supported where it:</p> <p>Safeguards or enhances the local character and historic and natural assets of the surrounding area, and takes every opportunity, through design and materials, to reinforce local distinctiveness and a strong sense of place.</p>	<p>Changed to be more specific.</p>
<p>Incorporates, wherever possible, locally distinctive features such as Cheshire railings and fingerposts</p>	<p>No change</p>	
<p>Does not unacceptably erode the important, predominantly undeveloped gaps between the three settlements of Tattenhall, Newton-by- Tattenhall and Gatesheath</p>	<p>Replace with: Does not erode, beyond the curtilage of existing residential property, the important, predominantly undeveloped gaps between the three settlements of Tattenhall, Newton-by- Tattenhall and Gatesheath</p>	<p>“Unacceptably” is considered vague and does not support maintenance of the gap between the 3 settlements which is not explicit in Local Plan Part 2 Policy GBC 3.</p>
<p>Fully accords with the Tattenhall Village Design Statement</p>	<p>Can demonstrate full accordance with the Tattenhall and District Design Code (2022) or any updated version. This may include (but is not limited to) construction, design, energy efficiency and landscaping.</p>	<p>Tattenhall Village Design Statement has been replaced by Tattenhall and District Neighbourhood Plan Design Code in compliance with the National Planning Policy Framework.</p>
<p>Respects local landscape quality ensuring that views and vistas are maintained wherever possible (See Appendix A)</p>	<p>No change</p>	

Existing Policies	Proposed changes	Reasons
Takes every opportunity, where practicable and viable, to incorporate features that improve its environmental performance thereby reducing carbon emissions. These can include both energy efficiency measures and green energy generation	No change	
	Add: Planning applications for new dwellings, must clearly demonstrate how they have incorporated appropriate measures to secure and enhance connectivity of wildlife corridors including the Mill Brook and Keysbrook wildlife Corridors.	Adds wildlife and biodiversity protections lacking in the original Neighbourhood Plan.
	Add Development proposals will be expected to demonstrate how they will provide a net gain in biodiversity using the latest DEFRA metric calculation	Adds wildlife and biodiversity protections lacking in the original Neighbourhood Plan.
Development that does not meet these criteria will not be permitted.	Remove	
In order to gauge whether good design is at the heart of proposed new developments, applicants should include with their planning applications an assessment of how their scheme performs against the twelve criteria set out in Building for Life.	Remove	The design code now covers this.

Existing Policies	Proposed changes	Reasons
Outdoor advertisements will be controlled to prevent an unacceptable proliferation of signage which would undermine the visual amenity of the village.	No change	
The removal, or cutting back, of any trees that have a significant amenity value without an arboricultural report by a reputable company will be resisted. New development should not involve the loss of important trees and schemes should allow space for such trees to mature, to avoid any later pressure for their removal.	<p>Replace with: The removal, or cutting back, of any trees that have a significant amenity value without an arboricultural report by a reputable company will be resisted. New development must not involve the loss of important trees and schemes must allow space for such trees to mature, to avoid any later pressure for their removal. Where there is a loss of trees they must be replaced with native species at the ratio of 2 for 1.</p> <p>Proposals must be designed to retain and protect ancient, veteran and mature trees, hedgerows, ponds, areas of woodland.</p>	Strengthens wildlife and biodiversity protections to the original Neighbourhood Plan.
<p>POLICY 3 The Local Economy</p> <p>The following types of employment development will be supported:</p> <p>The conversion of existing buildings and the small-scale expansion of existing employment premises across the Parish.</p>	No change	

Existing Policies	Proposed changes	Reasons
Small-scale new build development within or adjacent to Tattenhall village and within or adjacent to the adjoining hamlets.	No change	
All new employment development should respect the character of its surroundings by way of its scale and design, not harm the surrounding landscape, and safeguard residential amenity and road safety.	Replace with: All new employment development must respect the character of its surroundings by way of its scale and design, not harm the surrounding landscape, safeguard residential amenity and road safety, and demonstrate accordance with the Tattenhall and District Design Code (2023) or any updated version.	Adds requirement for compliance with the Design Code.
POLICY 4 Local Facilities Proposals for development will be required to identify their likely impact on local infrastructure, services and facilities and to demonstrate how any such impacts will be addressed. Account should also be taken of the cumulative impacts arising from the new development combined with other schemes that have planning permission.	Replace with: Proposals for development will be required to identify their likely impact on local infrastructure, services and facilities and to demonstrate how any such impacts will be addressed. Account must also be taken of the cumulative impacts arising from the new development combined with other schemes that have planning permission.	Change in emphasis from “should” to “must”.
Where new development proposals bring new utility services (particularly mains gas) to parts of the village that currently are not	Replace with: Where new development proposals bring new utility services to parts of the village that currently	Emphasis on gas provision is considered inappropriate at a time of reducing reliance on fossil fuels.

Existing Policies	Proposed changes	Reasons
served by them, this will be seen as a positive benefit.	are not served by them, this will be seen as a positive benefit.	
Development that supports the vibrancy and vitality of Tattenhall village centre by diversifying and enhancing the range of local shops and related commercial services for the local community will be allowed.	<p>Replace with: Proposals for development will be required to identify their likely impact on local infrastructure, services and facilities and to demonstrate how any such impacts will be addressed. Account should also be taken of the cumulative impacts arising from the new development combined with other schemes that have planning permission.</p> <p>Where new development proposals bring new utility services to parts of the village that currently are not served by them, this will be seen as a positive benefit.</p> <p>Appropriate development that supports the vibrancy and vitality of Tattenhall village centre by diversifying and enhancing the range of local shops and related commercial services for the local community will be supported.</p>	Adds strength and support for preservation and enhancement of the commercial centres of the settlements not covered by Local Plan Policies ECON 1 and ECON 2.
The loss of shops and related commercial services for the local community will be resisted unless it can be demonstrated that reasonable efforts have been made to secure their continued use for these purposes.	<p>Replace with: Change of use of shops and related commercial services for the local community which require planning permission will be resisted unless it can be demonstrated any replacement use will provide equal or greater benefits</p>	Adds strength and support for preservation and enhancement of the commercial centres of the settlements not covered by Local Plan Policies ECON 1 and ECON 2.

Existing Policies	Proposed changes	Reasons
	to the community. Proposals must demonstrate that the site has been marketed for freehold or leasehold purposes for the current use at a reasonable commercial price for at least twelve months without an appropriate offer being received.	
<p>POLICY 5 Transport and Communication</p> <p>Development should:</p> <p>Identify the realistic level of traffic it is likely to generate. It must assess the potential impact of this traffic on pedestrians, cyclists, road safety, parking and congestion within the parish and include measures to mitigate any impacts. Development that would give rise to unacceptable highway dangers will not be permitted.</p>	<p>Replace with:</p> <p>Development must:</p> <p>Identify the realistic level of traffic it is likely to generate. It must assess the potential impact of this traffic on pedestrians, cyclists, road safety, parking and congestion within the parish and include measures to mitigate fully any impacts. Development that would give rise to unacceptable highway dangers and congestion will not be permitted.</p>	Change in emphasis.
Maximise opportunities to walk and cycle, including between Tattenhall, Newton by Tattenhall and Gatesheath as well as supporting public transport where possible.	<p>Replace with:</p> <p>Maximise opportunities to walk and cycle, including between Tattenhall, Newton by Tattenhall and Gatesheath, the linking of exiting public rights of way, as well as supporting public transport where possible.</p>	Includes links to existing rights of way

Existing Policies	Proposed changes	Reasons
Make provision for high-speed broadband to serve it. High Speed Broadband - Development of new, high-speed broadband infrastructure to serve the parish will be supported	Replace with: Make provision for 30 megabit per second high-speed broadband to serve it.	Change to meet general conformity with Local Plan.
Car Parking in Tattenhall Village Centre – Schemes to increase car parking provision to serve Tattenhall village centre will be supported in principle.	No change	
POLICY 6 The areas listed below are designated 'Local Green Spaces' which are protected from new development unless very special circumstances can be demonstrated:	LOCAL GREEN SPACES The following table lists any changes or additions.	Sites listed in the original plan have been retained wherever justification was identified. Sites of Sport, Recreation and Amenity Value as well as Designated Local Wildlife Sites have been incorporated into the list of Local Green Spaces. All listed spaces have been characterised (including maps) and justification has been added.

Changes Policy 6

Pol- icy No.	Existing Policies	Pol- icy No.	Proposed changes	Reason
a	SITES OF OPEN SPACE VALUE		LOCAL GREEN SPACES	
a1	Land adjacent to Flacca Lodge, Burwardsley Road at entrance to Field Lane	1	Retained	
a2	Land in the Centre of Covert Rise Estate with willow trees	2	Retained	
a3	Land adjacent to Gorsefield – small area looking towards the Continuing Care Retirement Community	3	Retained	
a4	Land adjacent to the Spinney and Millbrook End	16	Retained	
a5	Land enclosed within the curtilage of Rean Meadow	4	Retained	
a6	Land, with trees on the corner of Smithfields and Harding Avenue		Removed	No justification after applying CWaC criteria.
a7	Fenced land with trees, one a London Plane, adjacent to bungalow at the top of Harding Avenue		Removed	No justification after applying CWaC criteria.
a8	Land on right hand side of Park Avenue backing onto Rean Meadow		Removed	No justification after applying CWaC criteria.
a9	Land around junction of Keysbrook and Keysbrook Avenue (3 sides of road)		Removed	No justification after applying CWaC criteria.

Pol- icy No.	Existing Policies	Pol- icy No.	Proposed changes	Reason
a10	Land on High Street at entrance to Millbrook Park estate		Removed	No justification after applying CWaC criteria.
a11	Land on High Street at entrance to Newall/ Breen Close		Removed	No justification after applying CWaC criteria.
a12	Open spaces within Oaklands, Greenlands, Rookery Drive areas	5	Open spaces within Greenlands housing estate	Only open space meeting criteria is within Greenlands
a13	Land in front of, and to rear of, Grakle Croft properties		Removed	No justification after applying CWaC criteria.
a14	Land at entrance to, and along, Ravensholme Lane		Removed	No justification after applying CWaC criteria.
a15	Land on Castlefields	7	Removed	No justification after applying CWaC criteria.
		6	Addition Youth Shelter	The Youth Shelter is technically within Glebe Meadow but has additional reasons for inclusion.
		7	Addition Grassed land with ponds on Shire Way	Two areas but closely linked and preserved as part of housing development new since the original Neighbourhood Plan.
b	SITES OF SPORT, RECREATION AND AMENITY VALUE			
b1	Castlefields play area	8	Retained	

Pol- icy No.	Existing Policies	Pol- icy No.	Proposed changes	Reason
b2	The Park playing field	9	Retained	The whole Park Playing area was included in the original Neighbourhood Plan and has been retained unchanged in the knowledge that approximately 2/3 has been fenced off as school field. The fenced area is still used for wider community events.
b3	Sport Tattenhall playing fields (Recreation Club)	10	Retained	
b4	Allotments on Rocky Lane and at Gatesheath	11 12	Retained	
c	SITES OF NATURE CONSERVATION VALUE			
c1	The Mill Brook Wildlife Corridor	13	Addition The Mill Brook and Keys Brook Wildlife Corridors	They Keys Brook wildlife corridor was indicated on a map but not included in the formal list in the original Neighbourhood Plan.
c2	Jubilee Wood	14	Addition Jubilee Wood and Memorial Wood	The Memorial Wood has been added as an extension of Jubilee Wood since the original Neighbourhood plan was made.
c3	Glebe Meadow	15	Retained	
c4	Barn Field (land behind flats at Ravensholme Court)	16	Retained	
c5	Land bounded by Barn Field, Glebe Meadow and the Spinney	17	Retained	
c6	The Spinney	18	Retained	

Pol- icy No.	Existing Policies	Pol- icy No.	Proposed changes	Reason
c7	Mill Field	19	Retained	
c8	Disused railway line between Chester Road and Frog Lane	20	Retained	
c9	Entrance to and field in front of Tattenhall Hall	21	Retained	
c10	Allotment Pond, Rocky Lane	11	Retained	
c11	Land within curtilage of Tattenhall Marina	20	Retained	
		23	Addition Canal bank west of Red Lane bridge	Designated Local Wildlife site now moved from the original Neighbourhood Plan list to the list of Local Green Spaces.
		24	Addition Bank of River Gowy	Designated Local Wildlife site now moved from the original Neighbourhood Plan list to the list of Local Green Spaces.
		25	Addition Bank of Crimes Brook	Designated Local Wildlife site now moved from the original Neighbourhood Plan list to the list of Local Green Spaces.

Views and Vistas

There are no changes proposed. Each has description and justification added with a new map.

Number	Description
1	Glimpsed views to the church across the park
2	The landscaped setting of the church and churchyard
3	Views to Tattenhall Hall across the Mill Field and the public footpath behind the modern housing
4	The landscape setting in front of and to the side of Tattenhall Hall
5	Views to the Rookery from the Millennium Mile footpath and churchyard
6	The visual prominence of the Clough Williams-Ellis houses on the corner of Frog Lane and Rocky Lane
7	The views across the fields from Chester Road to Brook Hall
8	The visual setting of the Righi – its open setting looking over fields
9	Views to Bolesworth Castle and the setting of its gatehouse
10	Glimpses between Nine Houses and Pluto House and the Bear and Ragged Staff public house

11	The sequential view stretching from the eastern edge of the conservation area from Burwardsley Road to Tattenhall Hall. In particular from Sport Tattenhall and Flacca Court towards the Sandstone Ridge and Bolesworth Castle.
12	Boundary edge dividing cottages on one side of the small lane leading to Mill Bank
13	Views from the edge of the conservation area towards Beeston Castle, the Peckforton Hills and Bolesworth Castle
14	Boundary edge dividing Tattenhall Park Primary School from houses located to the south of Tattenhall Road
15	Views from the disused railway line to the village and the Peckforton Hills and Sandstone Ridge
16	Views from Gatesheath & Newton to the Peckforton Hills and Sandstone Ridge.