



Upton by Chester & District Parish Council

26 Alpraham Crescent
Upton
CHESTER
CH2 1QX

Mr A Mead
c/o Intelligent Plans
and Examinations Ltd,
3 Princess Street,
BATH
BA1 1HL

Your Ref 01/AM/UBC&DNBP

18th March 2022

Dear Mr Mead,

Upton by Chester & District Parish Council – Response to Examiner’s Initial Questions Upton-by-Chester and District Neighbourhood Development Plan

Further to your letter dated 4 March 2022, please find below a response from the Parish Council to your initial questions.

Questions to UBC&DPC (1-4)

1. The documents relating to the Plan refer to various versions of the title. For example, the Basic Conditions Statement (BCS) refers to the Upton-by-Chester, Bache and Moston Neighbourhood Development Plan. This has been abbreviated to the Upton-by-Chester & District Neighbourhood Plan on the front cover of the BCS and the Plan. Occasionally, within the Plan, reference is made to the Upton Neighbourhood Plan. This inconsistency should be avoided and I suggest that the title should be the Upton-by-Chester & District Neighbourhood Development Plan (and shortened to the UNDP, or the Plan, within my report). Does the UBC&DPC agree and if not, what is its preferred alternative?

Yes, we agree that the title should be the Upton-by-Chester & District Neighbourhood Development Plan (and shortened to the UNDP, or the Plan, within your report).

2. CWaCC has suggested that Policy E2 of the Plan is not intended to include support for retail and restaurant uses which fall within Class E. Is this correct?

This is correct, in Policy E2 of the Plan we do not intend to include support for retail and restaurant uses which fall within Class E. Therefore, we wish to remove the reference to Class E in the Policy. The revised version of Policy E2 will then read as follows:

Policy E2: Development for business purposes

*Applications for development for office and light industrial businesses will be supported, provided that they fulfil **all** of the following criteria:*

- They demonstrate that they will not unacceptably harm the residential amenity of an area.*
- They do not cause unacceptable noise, air pollution or other nuisance.*
- They do not lead to a loss of residential property.*
- They do not have significant negative impact on the environment or significantly increase traffic levels.*
- They do not lead to a decrease in retail shop usage at the Local Retail Centres.*
- They provide adequate parking in line with Cheshire West and Chester Parking Standards Supplementary Planning Document.*

Development of land for general industrial uses will not be supported.

3. Should Policy PC3 of the Plan include references to Local Plan (Part One) Policy SOC6 and Local Plan (Part Two) Policy DM36? See the Regulation 16 representation from Sport England.

Yes, Policy PC3 of the Plan should include references to Local Plan (Part One) Policy SOC6 and Local Plan (Part Two) Policy DM36.

4. Policy D1 of the Plan includes a reference to Building for a Healthy Lifestyle Assessment (second bullet point). Should the policy also include a reference to Sport England's "Active Design"?

Yes, Policy D1 should also include a reference to Sport England's "Active Design". We propose adding a further bullet point to Policy D1 to say this.

The revised version of Policy D1 will then read as follows:

Policy D1: Dale Barracks Development

Any redevelopment of the Dale Barracks site shall conform with Policy **GBC 1C** of the Local Plan and will be supported provided that:

- Consultation with the community and regular communication and liaison with community groups has formed a key part of the design process from an early stage through to submission of any planning applications for redevelopment.
- A Building for a Healthy Life 2020 Assessment, or any subsequent industry standard for the design of new housing development, is undertaken and updated through all stages of the planning and delivery of the project.
- A statement is provided to show how each of the National Design Guide and Upton Design Guide topics has or will be taken into account within the design process at each stage.
- Development is in keeping with local housing requirements as set out in the draft Housing Needs Assessment (2019) or the latest available assessment of housing needs, including at least the maximum provision of affordable housing in line with policy SOC1 of Chester West and Chester Council Local Plan Part 1, homes for the elderly and smaller homes for first time buyers, young families and for down-sizing. Community led housing initiatives and self-build plots will be supported.
- Existing residential properties are retained and enhanced where needed or alternative accommodation is provided in the same development area.
- There is no physical segregation or barrier to movement between phases of development and existing housing.
- All properties within the development have access to safe, well lit and comfortable walking and cycling routes linked to the wider walking and cycling network.
- Future development retains, and where possible enhances, all of the existing sports pitches on the site. Development must demonstrate that the existing sport and recreation facilities/pitches at the site can be fully maintained, enhanced and transferred into permanent club/community use, subject to an appropriate financial contribution/commuted sum payment so far as is reasonable and if considered necessary and appropriate to the Club and Community.
- Development incorporates features beneficial to wildlife.
- Sport England Active Design guidance is followed throughout all stages of the planning and delivery of the project.

Question to both Councils (10)

10. Should either Council choose, I would welcome any comments on the questions not directed to them in the first instance.

Question 9:

9. Policy H1 of the Plan states that *“small-scale housing development will be supported in principle, provided that it is environmentally sustainable”*. Should I assume that this element of Policy H1 is subject to Green Belt constraints as indicated in Local Plan (Part Two) Policy DM19?

We agree that that it should be made clear within the neighbourhood plan that part of the neighbourhood area is covered by Green Belt and countryside and is protected by policy STRAT 9 and national Green Belt policy. As such within the Green Belt part of the neighbourhood area, inappropriate development would not be approved except in very special circumstances.

We agree with the suggestion made by CWaCC that this information could be added to section 5.2 Green Belt in the neighbourhood plan. That this was not done in the final edit before submission was an oversight on our part, as we'd intended to add it in.

We also agree that the additional information relating to Green Belt restrictions could be added into Policy H1 if required.

Regarding your other questions to CWaCC (5-8), we are aware of their responses, and have no further comments to make.

Yours sincerely,



Jean Evans
Councillor, Upton by Chester and District Parish Council
Chair of NDP Steering Group