

Kelsall Parish Council comment on Anwyl Planning Application 25/03203/FUL on Flat Lane, Kelsall for 120 dwellings.

1 Overall

Kelsall & Willington have a made Neighbourhood Plan (2017 (NP). Many sections of the application documents dismiss NP policies as differing from the Local Plan policies. The dismissal is then justified by a subjective opinion stating that the feature in question ‘does not conflict with rural character’ or that the policy cannot have been intended to apply to this case - eg. for parking courts or the provision of bungalows.

However, Neighbourhood Plans are an integral parts of the planning framework. The NPPF and planning guidance makes it clear that they can create policies at variance with Local Plans, as long as they are justified by evidence and in conformity with the NPPF. The Kelsall & Willington NP was made in 2017 following all the stages of the planning process, including examination, and its detailed policies must apply with the same weight as the Local Plan’s

see NPPG para 12. “...Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted“).

Para. 132 “Neighbourhood Plan groups can play an important role in identifying the special qualities of an area and how this should be reflected in development...”

2 Suitability for development; Agricultural land quality

The proposed development is located on one of the few areas of ‘best and most versatile agricultural land’ in the borough and thus is contrary to the NPPF paragraphs 187 policy on retaining such land for agriculture.

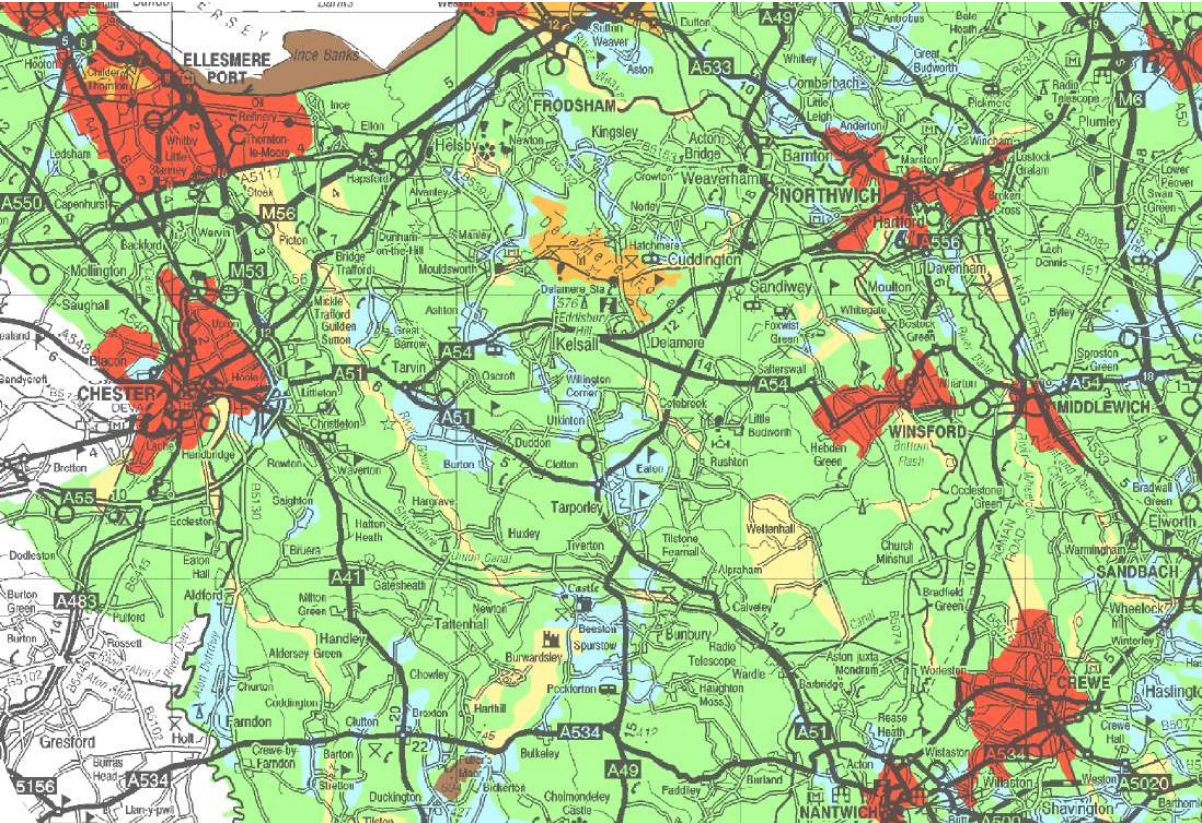
The maps released by Natural England on-line in August 2025, show (Map1) that virtually all of the land is ‘Best and most versatile agricultural land’ (Quality of Land Report, 87% of the site is Grade 2 quality and 12% grade 3 i.e. 99% for both), and furthermore, that such land is rare in the borough of Cheshire West and Chester (map2).

According to the applicant’s Planning Statement, the application site equates to 6.77 hectares but and “*while the scheme involves the loss of agricultural land which may be best and most versatile, this does not meet the threshold of 20 hectares representing ‘significant loss’*”. This is a spurious argument; if there was no scrutiny on developing sites of best and most valuable land below 20 Ha, the cumulative impact would be that there was none left (and this would encourage piecemeal applications to circumvent the provision). This site still represents a significant loss given the quality of soils in the county.

Map1



Map 2



188. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework ⁽⁶⁵⁾ [...]

Footnote 65: Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

Appendix 2 Glossary: “Best and most versatile agricultural land”: Grade 1, Grade 2 and Grade 3a of the Agricultural Land Classification.”

Acquisition of the site by a property developer does not “make it necessary” to build on the land.

Additionally, Cheshire West & Chester Council unanimously declared on 21 May 2019 that the borough is in a Climate Emergency. The Land Action Plan (published in March 2022) Vision states as a top priority that “*To reduce emissions and store residual emissions, land needs to be used to: Produce Food*”. Loss of Grade 2 agricultural land is inconsistent with this objective.

This objective and our objection are consistent with the high-level definition of ‘Sustainable Development’ as defined in NPPF para.7 as “*meeting the needs of the present **without compromising the ability of future generations to meet their own needs***”

And specifically in para 8., to meet the environmental objective of sustainability, “*making **effective use of land**, improving biodiversity, **using natural resources prudently*** [...]”.

If development on this site is to go ahead despite this, Kelsall Parish Council advises that the current application should not be accepted in its current form. The issues outlined below together warrant refusal, until they can be made compliant with the detailed provisions of the planning framework.

Our specific objections are outlined below.

2.1 Education

This application is a significant factor precluding the necessary expansion of the **primary school** to cope with the growth of the community in this Plan period and the next.

The current period is highly unusual due to the new and high mandatory targets issued by central government in 2024. This has caused a surge in planning applications similar in scale with the amount of development more usually anticipated by Local Plan reviews. Currently, since the Local Plan must be reviewed and the 5-yr land supply no longer meets the requirements of the new targets, this high level of development is only market-led, and taking place outside plan making. As a result, there is no provision for facilities and amenities required to make this rapid development sustainable – as defined by the NPPF para. 11.

For decision making this means

d. [...] granting permission unless

- i. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*

‘Sustainable Development’ is defined in NPPF para.7 as “**meeting the needs of the present without compromising the ability of future generations to meet their own needs**”

And specifically in para 8., to meet the social objective of sustainability, “**delivering accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being**”

Further section of the NPPF emphasise the need for adequate school places, particularly para 100 that states to ensure availability of school places, Local Authorities should be “proactive”, through plans or “decisions on application” and “identifying key planning issues” .

100. It is important that a sufficient choice of early years, school and post-16 places are available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- 1. a) give great weight to the need to create, expand or alter early years, schools and post-16 facilities through the preparation of plans and decisions on applications; and*
- 2. b) work with early years, school and post-16 promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.*

Therefore the current wave of growth cannot proceed without the Local Authority mitigating the impact on the short and medium term provision of school places.

Schools generally can only expand after housing has been built, which is when the need for places is evident and the finance available. Kelsall Primary School is at capacity now (most classes have above 30 pupils, 34 in Key Stage 2). The 500 dwellings estimated by the CWAC draft Local Plan (Issues & Options Consultations, all options), will bring 125 primary age children. The LAA actually shows potential development sites for over 700 dwellings around Kelsall.

This situation is replicated around many rural villages outside the Green Belt, so children in Kelsall will not find places in other nearby schools. As it is, many local pupils already attend Delamere, Duddon and Tarvin schools (depending on over-subscription in some year groups) themselves at or nearing capacity.

The applicant's argument that it is not "reasonable nor proportionate" for an application this size to provide land for a new school, misses the point. Namely that it is the only site under application and in the LAA where land can be allocated for a new school without prejudice to the applicant, and without relocating the school to a totally unsuitable site further out.

The applicant owns a further parcel of land (shown in blue in all maps) measuring 3.2 ha.

Their application could be submitted on the northern half of the whole land, leaving 3.20 ha in the southern half for a potential school expansion. The current school site is 1.36 ha, therefore this would offer ample space for growth.

In the next few years, the need for school expansion across Cheshire will become clear and acute. If the school chose to relocate entirely, the southern parcel could be sold to the Cheshire Academies Trust, and the applicant could then acquire their current site for re-development.

In addition, there are many issues with the proposed design of the site, including layout, density, design of houses, location of green spaces within the site, circulation and parking provision, community consultation and management of green spaces.

3 Overall design & layout

The net built density is 32, which is well in excess of the NP density of 24 and also the CWAC standard density of 30 for developments in rural areas. This creates a number of related problems as outlined in the rest of the document.

The high density, together with the unsympathetic, block-like layout and the uniform height of the buildings, do nothing to soften the impact of such a large development on the edge of the settlement, with a high visual impact due to the slopes (of the site, sloping up) and of the village (sloping down towards the site).

This produces excessive massing of the dwellings in the built part of the site.

Reducing density would allow the applicant to address problems including the urban, linear layout; more practical layout of parking and provision of visitors' parking; planting of larger trees on site roads; avoiding parking courts; better space around the units of flats; improved pedestrian & cycle circulation, and better design around the smallest units.

3.1 Excessive Density

We strongly dispute the applicant's unsubstantiated statement (in their "Statement of Community Involvement") that

4.50 The density is considered wholly appropriate for this edge of settlement location and strikes the right balance between making an efficient use of land and respecting the transition between the built-up area and the countryside.

4.51 Being a landscape-led development means that there is significantly more open space etc. in the scheme than might be found on a typical infill site within the village.

These statements are unrelated to the actual built form of Kelsall, where densities are lower everywhere, other than Applewood Green. The design of this site is not 'landscape led', since the inclusion of open space on the development obviously results from policy requirements.

The applicants state that the NP Density policy should be waived aside due to pressure brought on by housing targets, however policy allows this characteristic to be nuanced with regards to location. Higher densities would indeed be appropriate in more urban locations where the urban density provides a great many facilities in closer proximity, and also those places with better connectivity. Kelsall has a poor bus

service, few shops or employment, therefore overwhelming majority of residents travel out by car. This will worsen with the primary school being at capacity.

The quoted difference between density policy G1 of the KWNP and that of DM3 of the CWAC Local Plan does not invalidate the first one (C.S.I. 4.52). It is a feature of NPs that they can differ from LPs where necessary and supported by local evidence, and the KWNP has been duly examined and confirmed by a Planning Inspector, therefore policy G1 should take precedence (as long as they are consistent with the NPPF, as per para 232).

This is confirmed by the wording of NPPF setting out guidelines for appropriate densities, which expressly allows for varying density guidelines depending on the characteristics of an area, specifically:

- 130... *Where there is an **existing or anticipated shortage of land** *for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities*
- (a) *minimum density standards for city and town centres and other locations that are **well served by public transport** *. These standards should seek a significant uplift in the average density of residential development within these areas*

Neither applies to Kelsall where the bus service is poor and the LAA shows enough land put forward for well over 700 dwellings!

- (b) *the use of minimum density standards should also be considered for other parts of the plan area. **It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range;** and*

- 129 [...] “c. the **availability and capacity of infrastructure and services** (see school)– both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) *the desirability of **maintaining an area’s prevailing character and setting** (including residential gardens), [...]; and*
- e) *the importance of securing well-designed, attractive and healthy places.*

3.2 Housing Design & Layout

The houses and flats are arranged in four straight lines. This layout is poor and unimaginative and will create a very uniform view down a long line of buildings, along the front, middle and back. This is totally out of character for the area, where the majority of roads and building lines are curving. The site is large enough to adopt a more varied layout throughout – with a better distribution of open space.

Some of the applications documents are misleading: for ex, none of the ‘Street Views’ provided shows a view down the line of houses, for example looking from the furthest D along the spine road towards line C or B, as the view that will actually be seen by

people moving along the roads.

The views provided, E to E for example are not views that people will ever have. In addition, including the large trees in the background gives a misleading impression of space and green character of the development – as no such trees are present on the site. A more realistic view would include sight of the rows of houses further back.

Within the national design guidelines, there is scope to introduce a more sympathetic design without contradicting the guidelines for road layout and legibility.

The spine road should adopt a gentle curve without “being disorientatingly curvilinear” (BHL Easy to find your way around; Green Flag allows for “nearly straight”). The perfectly straight street going the length of the site is a very urban feature, and doesn’t meet the National Design Guide (NDG) Context advice on identity in existing built development (inc. layout). The prevailing patterns of streets in Kelsall and its area is of gently bending roads that still follow the same directions.

3.3 Integration of Green Spaces in Layout

The application documents talk of a “landscape-led” approach, but the green space is poorly distributed and doesn’t achieve its full potential.

The position of green space is not ‘central’ as per the applicant’s Planning Statement (5.31) (it would only be if/after Anwyl develop the other portion of the site they own – blue line on plans). All the open space is in a wide band at the back of the site, reducing its amenity. Only residents on the far road will have countryside views - where there are mostly larger house types or 4 and 5 bedrooms. This layout increases the massing of the built part of the site.

It also makes the open space of much lesser value to other residents of Kelsall, who will only see a wall of houses and no opening or green space. Obviously, they can still access the path on the rear of the site, but this design does nothing to soften the considerable impact of the site on the character of the village and the open countryside – whereas the total amount of open space on the site could easily allow for this.

The large amount of open space could be an opportunity to introduce a better, more sympathetic layout, instead of the proposed square grid of blocks. It should be possible to site some of the green space (including a SUDS pond) into the middle of the housing, in the area of the small LAP – bringing more benefits to a greater number of site residents. Locating some of the housing currently in the awkward cul-de-sacs towards the west edge of the site would keep the same number of dwellings with open country views.

Equally, green spaces and their associated planting (including larger trees)

- provide health and climate mitigation benefits by providing greenery and shade around the houses themselves.

- Soften the impact of on street parking and improve privacy for houses
- Innovative green features such as rain gardens, contribute to drainage

Not meeting: NPPF para 135.

LP Policy ENV2 , NP Policy E2, views, view 11 from the school frontage, and E3, views from within development.

Contrary to NP Pol. D1 and Local Plan SOC6 (easy access to Open Space for all inc disabled people), ENV2 on *“development site, its relationship with its surroundings and where appropriate views into, over and out of the site; Recognise, retain and incorporate features of landscape quality into the design”*

National Design U3 Social Inclusion and P3 on Green Spaces

Red Flag under BHL Facilities & Services *“recreational facilities hidden away in developments rather than... encouraging new and existing residents to share a space”*.

4 Housing Design

4.1 Lack of variety

We’ve already mentioned the unimaginative, linear and block layout. The Design & Access statement mentions many worthy design principles, but they are not carried out to any recognisable extent:

For example *“The massing and positioning of the buildings create view channels to the surrounding public open space “ and “sight lines are available channelled through existing landscaping “*. However, there is no evidence of this in the actual scheme, with the only views for most residents being along the narrow transversal streets.

In our view, the design is contrary to the LP policy ENV6 on high quality design, respecting local character and landscape, and NP policies D1, D3 and D5.

It is striking to see that all buildings are of a very uniform design, being two-story, brick faced, with steep roofs. Some house types have slanted roof lines on several aspects which does reduce the ‘solid wall’ aspect of some streets where all the houses have full height gables and the ridge of the roof extends the full width of the house (as here on Street Scene D).

Apart from that, the only variety introduced is some first-floor white renders, and the colour of window frames. This hardly makes for ‘different character areas’ as claimed by the applicant.

It’s obvious from the street scenes provided that Street A in the ‘Spine’ character area is identical to Street C on the ‘Fringe’ area.

Many ‘local design cues’ listed in the applicant’s statement are the most basic, uniform examples of housing found in the vicinity, chosen to match the house types proposed. Many other buildings in Kelsall feature full render, wood cladding,

balconies and glass features, larger porches etc., and several well-liked examples are very modern in appearance.

This is a red flag in the BHL Memorable Character section, “*referencing generic or forgettable development to justify more of the same*” “*No meaningful variation between street types*”

The BHL guidelines on Distinctive Places state that “*greenfield or edge of settlement locations often require more creativity to avoid creating places that lack a sense of local or otherwise distinctive character.*” – Yet this proposal would create exactly that.

The Neighbourhood Plan made it clear that the character of Kelsall lies in its variety and that residents would not welcome bland, identikit development styles.

The high density and excessive massing have particularly poor result in the design of the smaller units. For example, the access to, and outdoor spaces for the four block of flats is impractical and offers very poor amenity to the residents. Those small fenced areas behind another garden are typically found in urban areas for flats and maisonettes, and completely out of place in a rural area. Several appear no bigger than a parking space! This contradicts NDG point 130 that external private spaces should be “fit for purpose”.

It would be more appropriate to have balconies as outdoor space for the first floor flats, as recommended both in the NDG (135) and BFL guidelines.

The design of the housing on site contradicts NP policy D3, LP ENV6, DM2 and DM3 on high quality design and amenity, and many of the BHL quotes in the Design and Access Statement.

In particular, DM3 **Design, character and visual amenity** provisions not applied are:

2. respect and where appropriate enhance the prevailing layout, urban grain, landscape, density and mix of uses, scale and height, massing, appearance and materials;

(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;

And (5) respect and where possible enhance local distinctiveness through the use of building layout, design, materials, architectural detailing, public realm and boundary treatment;

4.2 Boundaries

We disagree with the Design & Access Statement’ assertion that “*1.8m high brick walls soften the transition to the public open space*”. More in keeping would be half-height walls topped by a short fence, or with hedge growing behind to provide the required privacy. Within the local area, there are very few tall brick walls or close-board fences facing areas.

Within the blocks, the gardens are due to be enclosed by 1.2m high timber post and rail fencing (See Boundary Plan, D&A p 36).

This is not a suitable boundary between gardens and will give residents no privacy. These are very likely to be replaced by residents soon after moving in. If the intention is to avoid the look of a series of small enclosures created by too many closed-board fencing, a more realistic solution would be a mixture of higher 'hit & miss' fencing, and hedges running along the back of gardens.

The plans don't show any boundary to the proposed school car park.

4.3 Lack of Innovation

The applicant's Statement of Community Involvement dismisses the NP's density policy as something that would "stifle innovation". However, the proposal shows little evidence of any innovation, either in building style and features, layout, grouping, green space uses (see below).

The National Design Guide and BHL illustrations show many examples of contemporary features and styles in buildings, including modern materials, glazing, balconies, design of public space and integrated drainage features, public furniture. These are absent from the proposal.

A rural site doesn't imply backwardness, and planning policy has long recognised architectural merit as a reason for exceptions. Without asking for so much, some decent design and modernity would help towards making the appearance of the built development more acceptable!

5 Circulation and parking

5.1 Interaction with existing village fabric

Flat Lane frontage

Even though several houses have their front towards Flat Lane, this does not adequately make the development integrate into the road network, or overlook the road, since they are separated by a parallel side road, and above all the hedgerow. Together with the similar design on the other side of Flat Lane, this will cut off the existing road from the housing, turning it into a village version of a "distributor road" (red flag under BHL Well Defined Streets & Spaces, and contrary to National Design Guide Context section "*a well designed development is integrated within its surroundings*").

We suggest using some driveways onto Flat Lane itself, modelled on nearby patterns on Church Street or Chester Road. These combine green space, planting, private drives and a footpath without interference between them – as the vehicle movements from a single dwelling are very few!



5.2 Pedestrian movements

We welcome the creation of a pavement on the portion of Flat Lane between the Rookery Farm site and Chester Road, north of the application site proper. It could be improved by linking it to the footpath created on the site.

Similarly, at the south end of the site, the on-site footpath should link to the pavement in front of Rookery Close. All recent developments fronting existing roads have created pavements (eg The Paddocks, Rookery Close). The pedestrian circulation around the proposed school car park is convoluted and requires more thought.

The connection between the footpaths where they cross the central footpath could be improved,, to make them meet - as people will cut across the grass and create 'desire lines'.

Some of the pavements have been replaced by "adoptable green verges". This is not a benefit to many residents, including the elderly and parents with young children and/or pushchairs (as young children often use scooters and bikes to speed up local trips).

(this does not meet the BHL Green Flag "Pavements and cycleways that continue across side streets" quoted by the applicant's D& A Statement)

5.3 Road pattern & connections

Using only one access point for a site with 120 dwellings of elongated shape creates a much longer estate road than necessary, increasing the traffic going past dwellings within the site, without reducing the number of vehicle movements on Flat Lane.

The proposed road layout does not follow the advice of the national design guidelines (BHL and National Design Guide), to have connected roads and avoid excessive cul-de-sacs, and would qualify for several BHL red flags.

The branching, unconnected design adopted introduces a large number of dead-end streets- presented as 'shared driveways', serving between four and six dwellings. This is a red flag under the BHL Connections p19.. These create several areas with a very roundabout access and very awkward circulation (and extra areas of hardstanding). For eg units 111-114 (1-bed flats), 98,99 & 100, and also 25 – 36. These last are very close to Flat Lane and a direct non-car access should be provided ("anticipating desire lines" as per BHL Healthy Street green flag p.65).

This layout does not follow the design principle in NPPF para 117(a) give priority first to pedestrian and cycle movements or b. address the needs of people with disabilities and reduced mobility; or the BHL Natural Connections section ("connected street pattern"; Red flags include "extensive of private drives" and "indirect or unconnected internal streets and paths".

The many dead-ends will also be poor for deliveries, visitors and service access. This poor circulation is confirmed by the need to include separate bin collection bays for the cul-de-sacs, as collection vehicles will not be able to access the end of those roads.

NPPF para 117d. specifically mentions 'ease of delivery and service access'.

The cul de sac nearest the school car park including units 25 to 34, will be particularly poor. This could be improved by returning to the perimeter block pattern recommended by design guidelines.

5.4 Parking

There is excessive use of tandem parking, requiring residents to move their cars around to access the 2nd one. Their use is justified by aesthetic reasons, so "cars don't dominate the street", but they are impractical, and lead to vehicles being left elsewhere. With the proposed density, there is no spare room for manoeuvre on the estate roads, and this will lead to parking on the roads and the pavements. This is poor amenity for residents and can lead to poor relations between them where conflicts arise because of inconsiderate parking.

National design guidelines include many alternative ways of integrating parking into streets, using planting, widening streets, varying layout & building line etc. In addition, parking in front of the property increases privacy to the residents (NDG para 132). Car parking on the side may hide cars from public view but exposes residents' front rooms instead.

Several units have three in-line spaces, which is totally impractical and should NOT be allowed. This is for 4- and 5-bed properties, which should instead benefit from sufficient frontage and space to avoid this.

The parking spaces of units 4, 13, 97 and 77 are both 3 inline and at the rear of the property, with no direct access to the back garden (and required stepping onto the

road or in the grass). This is very poor for users, especially families with young children, ugly in appearance, creating a narrow space enclosed by fences.

Some parking at the side of property may be needed for variety but should be of adequate width and access. Where bound by walls, fences or directly adjoining that of the neighbouring house, should be wide enough so that the car doors can be properly opened when both spaces are in use. A space 2.4m wide is not adequate in those cases – imagine your driveway being the total width of a space in a multi-storey car park!

Residents of the nearby Applewood Green estate with similar drives have complained that it is difficult to open the doors wide enough to get young children or shopping out of the car, when the neighbours' vehicles are parked.

These parking features should earn several red flags in the BHL standards (*tandem parking, failing to anticipate to is placed parking, spaces too narrow*) and NDGG H3. *Attention to Detail* – as many narrow tandem spaces will make it hard to take bins out – leading to them being put in the front .

Where landscaping is included within front parking, the trees included should be within the public space to ensure their survival.

There are no spaces provided for occasional parking for visitors, deliveries or tradesmen. The site is too large to expect any weekend or evening visitors to park elsewhere.

This shows a poor understanding of the circumstances of residents of rural communities who need to drive to many facilities and activities, and often car- share for schools and other activities, for children of all ages.

Such spaces should be provided, and made of permeable paving with grass over, so as not to increase the amount of hard standing.

5.5 Rear parking courts

The design includes two **rear parking courts** serving units 31 to 33 and 37 to 40. Similar parking courts created on other recent developments tend not to be used as intended, as people prefer to park near their front door. Cars are left instead on the road or on pavements, where there is little space for this, since developments of this density are not spacious enough.

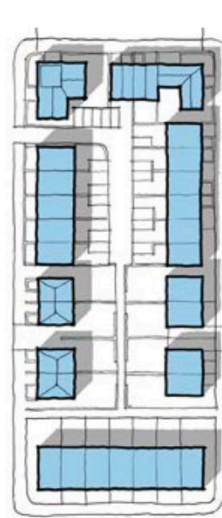
Removing the parking courts and their access drives would provide space for a better layout, for ex. units 37 and 40 to park next to the house and 31, 32, 38 & 39 in front of the dwellings.

We do not agree with the applicant's statement in their "Statement of Community Involvement" that "*the scheme includes just **one small parking court** to the rear of 4 dwellings (Plots 37 - 40). This enables the public open space (which includes a Local Area of Play for young children) to the front of these homes to be overlooked for passive surveillance, rather than being dedicated to parking. Given that the small parking court which is to be*

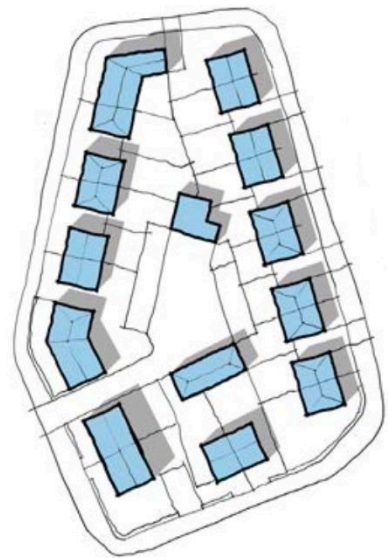
landscaped (and which also secures the retention of an existing tree within communal open space rather than a private dwelling's curtilage) will also be overlooked by the proposed dwellings (thereby securing passive surveillance), is located between the proposed dwellings and existing dwellings off Pasture

Close it is considered to be an entirely appropriate design response which does not conflict with rural character. Consequently there is no conflict with Policy D8 of the Neighbourhood Plan. “

Locating individual parking spaces for each dwelling in front of the houses would in no way ‘dedicate the POS to parking’, since the dwellings & private gardens themselves could move back to occupy the space of the parking court. One parking space at the front does not stop a property overlooking the public space beyond. Instead, the 1.8m fences and sheds at the rear of plots 37 to 40 will not allow them to overlook the parking spaces, as argued.



Urban neighbourhood perimeter blocks



Suburban informal blocks

The parking court for 37-40 also affects amenity of residents of Rookery Close and Pasture Close, who could experience anti-social behaviour from the parking court, located as it is out of sight, tucked into a corner. This contradicts the ‘Sensitive edge to neighbouring development’ shown in the Design & Access Statement. Constraints plan (Fig13).

Instead it fails to meet the advice of BHL for “interlocking back gardens – with existing gardens at site boundary (Making the most of what is there p41).

Guidelines on creating safe public spaces recommend that such spaces should be overlooked (NDG para 86) , BHL “*Street routes should be at the front of properties and not the back p20” and red flag for parking courts enclosed by fencing ”*

This contradicts LP policy DM3, particularly point 7, to *create safe environments and reduce the fear of crime in the area .*

Several parking spaces in these courts are not adjacent to the properties they serve, with a very impractical and unsightly access to it. We note that parking sections of the National Design Guide (p.19) show rear parking immediately behind private gardens, or gated parking courts, again with direct access for residents through the rear garden.

6 Surfaces & Drainage

Where the pavements have been replaced by “adoptable green verges, conditions should specify that paving grids are used under the grass to ensure that these are suitable for walking on all year around.

The Hard Surfacing Plan shows that most hard surfaces will be Bitmac. We suggest that **permeable bitmac** is used. In the south half of the site, these surfaces, ie shared and private driveways and roadways, must be made of permeable, open-graded bitmac in order to drain directly into the ground. The Drainage Strategy specifies that surface water from this half of the site will discharge to Salters Brook.

The brook is culverted in Oscroft, and we know that in wet weather, the combination of the volume of water in the brook, surface water flowing into the foul drains at various points, overwhelm the culvert and the septic tanks of Oscroft properties, and in turn, the United Utilities pumping stations, resulting in foul flooding.

7 Housing Mix

The mix of property sizes includes few larger 5-bed properties, but there are many 4-bed properties. In total, the larger properties exceed the housing needs documented both at NP and LP levels.

		%
5 bed houses.	3	
4- and 5- bed houses	44	33%
3 bed	42	35%
2 bed	24	20%
1 bed, all flats	6	5%
Total	120	

The NP’s preferred housing mix (Policy H1), based on local housing needs would include more smaller properties and fewer 4-beds. In the NP’s housing needs survey, very few residents (5%) expressed a need for a 4 bed property. This is confirmed by borough level housing needs assessments that consistently find that 3-bed properties are the most in demand.

It is good that there are smaller units available for sale, for first time buyers who are not on the Council’s housing register. This includes one set of four flats. And that the M(4)2 (Building Regulations) compliant dwellings include a range of sizes.

However, there is no consideration of the housing requirements for older residents, specifically the need for properties suitable for downsizing. In the NP’s housing needs survey, a large proportion of respondents (60%) wanted to move to a 2-bed property, This is mostly driven by the need to downsize – shown clearly by the underoccupancy

rates. As of the 2021 Census 60% of households had 2 or more excess bedrooms, compared to 35.6% nationally – and 63% of households are single or two-person households.

The applicant dismissed the need for bungalows as specified in the Kelsall & Willington Neighbourhood Plan pol. H2, due to the policy wording, whereas this is a common form of wording in planning documents and in no way makes the policy optional.

The ground floor flats have only one bedroom, and with their tiny ‘garden’ enclosure are unlikely to meet the needs of local residents downsizing from larger family homes. In addition, the access to parking and outdoor space for some of these is very awkward – eg units 78/79, 106 / 107, 111 – and not suitable for an older person with mobility problems (for access and also taking out bins!).

For some properties the access from the parking space to the door is through an “adoptable grass service verge” (is that a ‘pavement’ that is grassed over?) – or using the road. For others a very roundabout, narrow path.
(Red flag BHL Well Defined Streets & Places “apartments buildings accessed away from the street)

This falls short of policies on meeting the needs for all sections of the community: NPPF para 63, Local Plan SOC3 (downsizing and longer term needs), STRAT10 on accessibility (“that...*measures have been incorporated to improve physical accessibility and remove barriers to mobility, especially for disabled and older people*”), NDG U2, & para 124.

7.1 Affordable housing layout

A large proportion of the affordable housing on site is grouped together and tucked away at the back of a cul-de-sac. This includes the properties served by both parking courts.

This doesn’t meet the requirements of many planning policies to integrate the different tenures, NDG para 115 and section U3, BHL Homes for Everyone, red flags for grouping affordable homes and having different access / car parking, and Making the most of what is there “*Not being sensitive to neighbouring properties re. layout arrangements, typologies ...*”

8 Open Spaces

The total area of green spaces planned within the site, at over 2ha, is well in excess of the requirement.

It is worth noting that the figure for amenity grass includes the front gardens, and that a good part of the open spaces is required for drainage, as it includes four large SUDS ponds. Together with the large areas of wildflower meadows (6,400sqm), these will reduce the surface area of green space actually useable by residents – as grass and meadows plants are kept long for most of the year, this is not an area for walking or playing.

Even though wildflower meadows are great for wildlife the layout should be reviewed to ensure that there is a sizeable area of amenity grass to allow for informal ball games, picnics or throwing balls for dogs – which is the very purpose of ‘Amenity Green Space’. In the current layout ‘useable’ amenity grass areas are mostly small strips on the side of paths and a wider one along the central E/W footpath.

It is not clear whether there will be benches along paths and within the green spaces, as required by BHL (p29).

8.1 Allotment provision

The small planting area provided is too small to be used as allotments: it includes only two half-plots. It is also in the worst location on the site for gardening, being adjacent to a large badger sett (badgers are not stopped by fences since they tunnel and climb).

This is also the portion of the site with the worst drainage and the least productive soil, as evidenced by the applicant’s report and Natural England documents.

KPC’s preference would be for a contribution to be made for allotments instead. This would allow us to provide more allotments for all residents of Kelsall, and to keep a single waiting list and fair charging schedule.

8.2 Community green space

Before the applicant’s community information exercise, Kelsall Parish Council had contacted and met with them, and asked that some of the new amenity space on the site be conditioned to be useable by community groups for social & health purposes (community gardening and orchards, skills sharing, collaborating on wildlife-friendly planting etc.). This was also confirmed in writing into their consultation.

However, their Statement of Community Involvement states categorically that “no open space will offer any involvement to residents or community groups”. This is very disappointing. Without any condition or obligation placed on the management company, it is very unlikely that it will in turn engage with the community, since such companies are run for a profit and their model is to charge a fee for the limited amenity they provide.

The value of green spaces run by such companies can be very poor, since they have no local link or interest – For example on the adjacent Applewood Green development,

none of the trees at the top of the site are thriving, and several have recently died for the second or third time.

The applicant is misrepresenting the request made by KPC. We were not asking for the “land to be transferred to community group”, rather that the Parish Council or a properly constituted group be allowed to manage a specified area, instead of the management company, but with a clear mutually agreed description of the expected operation and results.

This request is made necessary by the unusual planning situation, combining a wave of building without any plan-making opportunity. Kelsall, like many rural villages, almost all edge of settlement sites are being considered or submitted for building. As a result, public bodies like the Parish Council will not be able to allocate, or afford, any well-located sites to create the POS needed for sustainable growth. The only green spaces created will be those mandated on the larger development. However, handing them completely to a management company does not deliver actual quality Public Open Space.

This arrangement is provided for in the National Design Guide’s guidelines, for ex in the Lifespan section, which describes management of spaces and community management systems (point 155 p47) and fostering a sense of ownership.

Obviously, a footpath will still be available for walking, but the needs of community with regards to green spaces extend much beyond just walking the dog...

NPPF 96 a. (social inclusion) and c. Healthy lives .. provision of green infrastructure, access to healthier food

National Design Guide Public Spaces should provide “*reason for people to enter the space , support social interaction, combat loneliness, accessible to all communities*”; Lifespan section includes provision for community management.

8.3 Community Engagement

The planning framework and guidance places emphasis on ‘front loading ‘ and community engagement as a way of shaping and accepting development. This is absent in this case. The applicant informed the community of their plan (as opposed to consulting them), and the comments submitted are summarised in the Statement of Community Consultation only to be dismissed.

Many of the objections listed here have been raised by residents in that feedback. A proper community involvement could have yielded much more innovation than is evident in the scheme.

The planning framework makes frequent references to the value of community involvement and ownership in good design, from NPPF para 98 ‘*provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*

- a) plan positively for the provision and use of shared spaces, community facilities (inc ..., meeting places, ..., open spaces.... to enhance the sustainability of communities and residential environments;*
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community “*

and 137 “ ... Applicants should, where applicable, provide sufficient information to demonstrate how their proposals will meet the design expectations set out in local and national policy, and should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot. “

to the ‘Lifespan’ and “sense of Ownership’ sections of the National Design Guide mentions community management systems, designed and agreed upfront with users (para L1. 155, L3).

8.4 Youth Contribution

The scheme will make a required S106 contribution for Youth Play. We would ask that the condition is phrased more widely than suggested by the applicant’s Open Space Assessment. There is a project within the community to provide more amenity for teenagers, this is in its early stages, and may end up providing something else than a cycle/skate track (aka pump track).

The ‘LEAP’ play area on the development is unlikely to satisfy the wants of teenagers, who, together with some of their parents, often express boredom with the much larger, well-equipped playground on the Green.

9 Landscaping; natural environment

9.1 Trees & Planting

The plans for the site include a large number of new trees to be planted, as well as hedges. We like that many trees are due to be planting on public spaces and road sides, where they can be maintained and protected.

Most of the potentially large tree species are planted on the outside of the site, on the north and west boundaries, and by the planned school car park. Within the housing rows, the trees are small or medium types. Even when grown these will not provide much shade to the public realm or be able to break up the appearance of massed housing.

The detail of the planting plans contradicts the Design & Access statement (character area, Spine road, “*large street trees to frame and guide the movement corridor*” and the Planning Statement para.5.44. “*the planting breaks up the built form*”).

The overall site design should be altered to allow space on the spine and side roads for some of the larger trees, this would help meet the requirements of the NPPF (para 138), CWAC LP policy ENV3 on green Infrastructure mitigating the effects of climate change and improving health and quality of life for residents, and NDG point 148 p 44

NPPF para. 161 and 162. Require taking “*into account all climate impacts including overheating*”;

LP Policy ENV 3 “*Individual trees, groups of trees and hedgerows make a significant contribution to both the built and rural environment. Their visual amenity helps define the character of the borough, and their presence ameliorates the adverse environmental and climatic effects of the urban environment; helps to humanise space and; provides important habitats for wildlife*”

The majority of hedges are ‘Ornamental Hedges’ – which can’t be described as hedgerows, as they will be made of few varieties of evergreen shrubs, several of them non-native (Griselinia and Photinia). The visual and wildlife value of this extensive planting could be improved with more variety and by using native shrubs (as per LP (2) policy DM45).

Many properties fronting the ‘avenue’ and spine road will have such hedges planted, These will be an attractive feature but appear to be on the curtilage of the private properties. There should be a condition in the property deeds protecting these hedges, to stop them being replaced by fences or walls.

The Native Hedgerow planting at the north of the site is important to provide a wildlife corridor between Kelsall and the wider landscape to the west. The maintenance of the hedgerow should be conditioned to let it achieve a proper width for a countryside hedgerow.

9.2 Wildlife

There is a major breeding badger sett on land adjacent to the site. The proposal to close accesses to the sett in order to fully develop the southmost part of the site is not acceptable.

It’s worth noting that the badger sett’s other boundaries are residential gardens and Salters Brook on its southern edge. The applicant suggests closing off its main access to open countryside. This would likely result in more damage to the neighbouring gardens and those in the south part of the site itself – and certainly to the proposed ‘Growing Area’. Badgers climb and tunnel and are hard to contain!

Against: NPPF 193

BHL Natural Connections p 17 “*connecting ... habitats, safeguarding existing or creating new movement corridors for nature*”