



Blacon Neighbourhood Alliance Neighbourhood Forum



Mr A Freeman  
C/o Intelligent Plans and  
Examinations Ltd  
5 Argyle Street  
Bath  
BA2 4BA

Dear Mr Freeman

**Blacon Neighbourhood Plan and Blacon Community Neighbourhood Development Order – Examination**

Thank you for your procedural letters dated 19 February 2026 in relation to the independent examination of the Blacon Neighbourhood Plan and the Blacon Community Neighbourhood Development Order, and for the questions set out in the respective annexes.

Firstly, please accept our sincere apologies for the delay in providing our written response.

As explained in correspondence sent previously on behalf of the Blacon Neighbourhood Alliance Neighbourhood Forum, the Forum recently experienced the very sad passing of our Chairman, Brian McManus. Brian had been closely managing much of the Forum's correspondence and coordination with our planning adviser, and the Executive Committee has been in the process of taking on those responsibilities during what has been a difficult period for the Forum.

Unfortunately, during this transition the original response deadline was inadvertently overlooked. The Executive Committee met shortly afterwards to review the responses prepared with assistance from our planning adviser so that we could provide a considered and accurate reply to your questions.

Please therefore find attached our responses to the questions raised in your letters. The **response to the Examiner's questions relating to the Blacon Neighbourhood Plan and Development Order** is provided in **Appendix 1**.

The responses address matters relating to both the Neighbourhood Plan and the Neighbourhood Development Order, including clarification on policy interpretation, site



provision, and procedural matters raised during the Regulation 16 and Regulation 23 consultation stages.

In addition, there is one further matter we would like to raise with you at this stage of the examination.

We have been made aware by our professional advisor that your examination may need to take into account the change to the basic conditions for both neighbourhood plans and neighbourhood development orders that will take effect very shortly.

In his opinion, those changes may be significant, particularly given the local planning authority's views on certain matters relating to the general conformity of the Neighbourhood Plan and Neighbourhood Development Order with the strategic policies of the development plan.

We would therefore welcome your advice on how you intend to address these changes as part of your examination, especially if they are likely to prompt any additional queries or clarification requests from the Forum.

We hope the attached responses assist your examination and we would of course be happy to provide any further clarification if required.

Thank you for your understanding and for the careful consideration you are giving to the examination of the Blacon Neighbourhood Plan and Neighbourhood Development Order.

Yours sincerely,

Marc  
Marc Hallows  
Vice-Chair  
Blacon Neighbourhood Alliance



## APPENDIX I

### **BLACON COMMUNITY NEIGHBOURHOOD PLAN & DEVELOPMENT ORDER EXAMINATION: RESPONSE TO EXAMINER QUESTIONS MARCH 2026**

Blacon Neighbourhood Alliance (BNA), with help from its professional planning consultants, ONH Planning for Good, has reviewed the questions raised by the examiner on the submitted neighbourhood plan (NP) and neighbourhood development order (NDO) and the representations made during the recent Regulation 16 and 23 periods respectively.

It can reply to those questions as follows:

#### **Neighbourhood Plan**

Whilst the BNA is especially heartened to see the restated support of many local community groups (including those most directly affected) and local residents to the NP, it has had to pay special attention to the comments made by the LPA. It is unfortunate that the LPA struggles to generate an enthusiasm for the vision and drive of these proposals, notably for the Sports & Community Hub of policy BLACON1.

As set out in the Basic Conditions Statement, the BNA considers that the NP is in general conformity with the strategic policies of the development as a whole (our emphasis). Case law (Crownhall, Kebell etc) has firmly established in the early days of NPs that this condition cannot be interpreted to mean 'slavish adherence' to a specific strategic policy (in this case, SOC6) and must instead be a collective conclusion by the plan maker using their planning judgement taking into account all relevant strategic policies.

In this regard, the LPA seems to want the BNA to provide a disproportionate and unnecessary burden of proof for the NP (and NDO, see later) to demonstrate that the conditions have been met, which is inconsistent with national policy and contrary to the case law. As also noted below this is one of a number of indications that the LPA has not understood the intended relationship between the NP and NDO.

#### **4. Is the Alliance satisfied that the Plan does not breach Human Rights (within the meaning of the Human Rights Act 1998)?**

The BNA has complied with its consultation obligations under the respective NP and NDO regulations and therefore has no reason to consider any breach has been made.

#### **5. Local Plan Policy SOC 6 and net loss of playing fields: In the draft Plan (and Order), the Green Spaces report and the representations of the Council, there are conflicting descriptions of the existing playing field provision on the site. Please provide an accurate description of the present on-site provision. Please accurately**

describe the playing field provision that it is envisaged will be in place following the development. What pitch provision is it envisaged will be provided within the building and would this be of the appropriate standard? Will the availability of the internal provision be permanent or temporary?

See response to NDO Q6 below.

6. Policy BLACON1 refers to “*any necessary repositioning*” of “*The two existing full size football pitches*”. Is this an accurate description of the pitches and will not repositioning be inevitable?

The policy allows for a maximum developable area on the site, which would require the positioning of the two (accurately described) full-sized pitches (see also NDO Q6 below). However, the business plan and building specification may conclude that only a small building is required, either permanently or as the first phase of a project that may be extended at a later date. In which case it is possible that there may be no need to re-position the pitches.

7. Policy BLACON1 - use for both indoor sports and community use: Is it envisaged that both uses will take place in (approximately) equal proportions or is the Alliance seeking a policy that would, potentially, allow 100% occupation by one or other use?

The BNA expectation is that the building will accommodate both types of use, operating together at some times and separately at others. The policy and NDO will help set the brief for the business plan, which will also be informed by further community and user demand surveys. The policy wording, reflected in the NDO description, provides flexibility for that work.

8. Policy BLACON1 – changing rooms of the “*required standard*”: What is the required standard? Please provide a link to the standards envisaged.

See NDO Condition 7.

9. Policy BLACON1 – sufficient parking: Has the Alliance looked into the amount of vehicular and cycle parking that would be appropriate and is it satisfied that sufficient provision can be provided on site? Please give details.

The Feasibility Study sought to identify the optimum balance between the building dimensions and car parking provision, acknowledging the need to re-provide the children’s play space on that part of the site. The provision of 64 car parking spaces, although lower than the maximum number advised (not required) by strategic policy, is considered sufficient given the excellent location of the site at the centre of south Blacon, within easy walking distance of where the vast majority of its expected users live.



10. Policy BLACON1 – foul water drainage: Bearing in mind the representations of Welsh Water, is the Alliance satisfied that foul water can be satisfactorily drained from the development? Please describe the circumstances.

11. Policy BLACON1: Is the Alliance satisfied that there is sufficient space within the site to provide a satisfactory sustainable drainage system? Please describe the circumstances.

See NDO introduction and answer to NDO Q8 below.

12. Policy BLACON2: For the benefit of both applicants and decision takers (and for my site visit), the extent of the sites to which the policy would apply needs to be clear; also, the identification/numbering of the sites on the Policies Map. Please supply a plan or plans showing the community facilities at a scale that enables clear identification of their boundaries.

The Policies Map is a PDF version of the digital, GIS-based map, the shape files for which will be supplied to the LPA to incorporate into its interactive Policies Map. That version, which is included on the [NP website](#) allows for the map to be zoomed in and out and shows the precise site boundaries. The PDF version is considered sufficiently accurate for the presentation purpose of the submitted NP document; decision takers will benefit from access to the GIS version in due course and will therefore not be put to any disadvantage. The examiner should use the website version for the site visit.

13. Policy BLACON2: Please specify the policies in the development plan that relate to culture and community facilities.

14. Policy BLACON2: Cultural facilities are included within Local Plan Policy DM39 but not in Policy BLACON2. Should the reference to culture be removed from the final paragraph of the policy?

Some of the facilities listed in the policy are considered to have a cultural value. The policy cross refers to (rather than repeats) development plan policy and NP §3.13 states that at present that policy is set out in LP Policies STRAT11 and DM39.

15. Policy BLACON2: Should JH Godwin Primary School and Stepping Stones Pre School be identified as separate facilities?

The facilities are closely related but may be identified separately in a modification to the policy.

16. Policy BLACON3: For the benefit of both applicants and decision takers (and for my site visit), the extent of the Western Avenue Local Retail Centre needs to be clear.



Please supply a plan showing the boundary of the centre at a scale that enables clear identification.

See response to Q12 above.

17. Policy BLACON3: Please specify the policies in the development plan that relate to local retail centres.

The policy cross refers to (rather than repeats) development plan policy and NP §3.16 states that at present that policy is set out in LP Policy DM15. It could also reference policy STRAT11 for completeness as a modification.

18. Policy BLACON4: For the benefit of both applicants and decision takers (and for my site visit), the extent of the sites to which the policy would apply needs to be clear. Please supply a plan or plans showing the Local Green Spaces at a scale that enables clear identification of their boundaries.

See response to Q12 above.

19. Policy BLACON4: Are any of the sites located within the Green Belt? If so, what additional local benefit would be gained by designation as Local Green Space?

None of the LGSs lie in the Green Belt.

20. Policy BLACON4: Were the owners of the proposed Local Green Spaces specifically notified about proposed designation? Please provide details including details of any representations that were received.

The LGS land is owned either by CWaC or Avenue Services Ltd. As both were statutory consultees there was no need for a specific consultation on the LGS proposals. No objections have been received in respect of the proposals.

21. Policy BLACON4: Please comment on the justification for the proposed allocation of Local Green Space 12, Kipling Road, given that the site is not publicly accessible at the current time.

It is not a requirement of NPPF §107 that an LGS must be publicly accessible. The land has been of public benefit in the past and has considerable potential to do so again for the local community, as explained in the NP.

22. In Appendix A, the description of Site 6, Cranleigh Crescent Green Space, seems to be a description applying to Graham Road Playing Field; and yet this is different from the description of Graham Road Playing Field as applied to Site 7. Please advise on what should be the correct description in regard to both these sites.



This is an error. Please find below the description for Site 6. Cranleigh Crescent Green Space and Site 7, Graham Road, Green Space.

### **Site 6, Cranleigh Crescent Green Space**

Cranleigh Crescent Green Space is a vital amenity, providing residents with a nearby open area that supports informal recreation, children's play and everyday relaxation. Surrounded by residential housing, the site enables families to access greenery without the need to travel. Locally the green space offers a safe and accessible setting for children's kicking-about, dog walking, meeting neighbours and enjoying fresh air. Retaining and designating Cranleigh Crescent Green Space as a Local Green Space will secure its value for outdoor activity, community cohesion and mental wellbeing, safeguarding it from future development pressures and ensuring it remains a shared asset for current and future residents.

### **Site 7, Graham Road Playing Field Green Space**

Graham Road Playing Field is a well-used and valued green space in the heart of a residential area in Blacon. In 2018, the site benefited from a significant upgrade to its play area, with new equipment installed through a partnership between Avenue Services and Cheshire West and Chester Council. This investment created a more stimulating and inclusive environment for children, enhancing the play value and safety of the space for families in the area.

Alongside the formal play area, the field provides a large, open grassed space used informally for games, picnics, dog walking, and community gatherings. Surrounded by housing, the playing field is especially important for those without access to private gardens and offers a safe, traffic-free location for outdoor recreation and social interaction.

The green space also contributes positively to the environmental quality of the neighbourhood, acting as a green lung within the urban landscape. Its continued popularity and the community-led improvements made in recent years highlight its importance to residents.

Designating Graham Road Playing Field as a Local Green Space will safeguard this vital community asset from future development, ensuring that it remains a place for play, relaxation, and neighbourhood connection for generations to come.

### **Neighbourhood Development Order**

The BNA is mindful that many of these questions relate to the level of detail provided in the NDP. As explained in the submitted documentation, the NDO is the equivalent of an outline planning application to enable the principles of land use and development parameters to be established.



This will enable the BNA and its partners to secure the funds to undertake the necessary business planning and building specification work to bring forward detailed proposals to discharge the NDO conditions. The NDO and the NP Policy BLACON 1, which the NDO is intended to implement, have been informed by a Feasibility Study, which identified all the relevant policy matters to set the key land use and design parameters.

It is unfortunate that the LPA continues to misunderstand this approach in its Regulation 16/23 comments, despite the BNA going to considerable lengths to explain it, both at meetings and in various places in the submitted documentation. BNA accepts that NDOs are not as well understood as planning applications but this is NDO is well-suited to this purpose and well-related to the NP.

The BNA also notes that the LPA states in its Section 7 table that no conditions have been agreed. This is misleading as the BNA has encouraged the LPA to advise it on these matters from early in the process. To that end, the proposed conditions were sent to the LPA for comment in draft form prior to the Regulation 21 consultation and further iterations during that consultation and prior to submission. Some comments were received and have been incorporated into the final list. The BNA notes that the LPA's proposed conditions in Appendix 4 of its response appear very similar to those proposed in that list and it has no objection to these modifications.

1. [Is the Alliance satisfied that the Order does not breach Human Rights \(within the meaning of the Human Rights Act 1998\)?](#)

The BNA has complied with its consultation obligations under the respective NP and NDO regulations and therefore has no reason to consider any breach has been made.

2. [Local Plan Policy SOC 6 and net loss of playing fields: In the draft Order \(and Neighbourhood Plan\), the Green Spaces report and the representations of the Council, there are conflicting descriptions of the existing playing field provision on the site. Please provide an accurate description of the present on-site provision. Please accurately describe the playing field provision that it is envisaged will be in place following the development. What pitch provision is envisaged within the building and would this be of the appropriate standard? Will the availability of the internal provision be permanent or temporary?](#)

The present arrangement comprises two full-sized football pitches located at right angles to each other and a mini pitch adjoining them in the eastern corner of the site. The NDO proposes shifting the northern full-sized pitch in a NW direction to enable the southern full-sized pitch to be moved in a NE direction to create the developable area for the new buildings. The mini pitch, which is in a poor condition and is not well used throughout the year, will be removed to allow the re-positioning of the southern pitch.



The full-sized pitches will continue to meet the necessary standards, hence the proposal has the full support of the local football club users. The loss of land within the gross site area relates only to land that is ancillary to the operation of the pitches; there will be no loss of operational area.

The user data in the 2025 strategy on the mini pitch is incomplete and misleading and it is the club's clear reference to have access to a new indoor space, knowing that Blacon High School is planning to create new outdoor mini pitches on its land shortly. Those new pitches relate to the school completing the implementation of the planning permission for the redevelopment of the whole schools site, for which there is an outstanding condition requiring that provision. However, the BNA makes clear that this is just context and the NP and NDO are not dependent on that provision. Instead, that changing context illustrates how quickly occasional survey data in documents like Playing Pitch Strategies can become out of date.

The building will provide a permanent, main internal space of a standard that will be suitable for a range of indoor sports uses, including five-a-side football. To be clear, it is not intended to be a like-for-like replacement of the mini pitch and nor is it being argued as such.

3. [In its representations, Cheshire West and Chester Council comments on the proposed Order. In the third paragraph under section 7 of those representations \(Detailed comments on the submission version of Blacon Community Development Order\), the Council highlights a number of anomalies in the proposal. Please provide a detailed explanation to the points raised.](#)

The only inconsistency is that between the dimensions set out in the NDO description and context on its §3.20, which are consistent and correct, and the Plan D and E illustrative plans. These plans were from the draft NDO and minor modifications were made to the submitted NDO, including those dimensions. As they are illustrative plans only, and as the dimension changes were considered minor, it was not considered necessary to produce new plans.

4. [Is the Alliance satisfied that there is sufficient space within the site to provide a satisfactory sustainable drainage system? Please describe the circumstances.](#)

The Feasibility Study identified the flood risks associated with the land and indicated there is no obvious reason why a satisfactory sustainable drainage system (and foul water system) cannot be delivered. The precise arrangements will be determined once the business plan and detailed building specification have been agreed as part of discharging Condition 5.

5. [Existing youth building and storage building: Are these buildings to be replaced on site/is space to be provided within the new building by way of replacement?](#)



Yes, the functions of these buildings will be re-provided in the new building as required by NP Policy BLACON 1 (bullets 1 and 2) and as proposed in the NDO description. Both current users of those buildings are fully supportive of the proposals. The precise arrangements will be determined once the business plan and detailed building specification have been agreed as part of discharging Condition 17.

6. Hours of use condition: Please state the days and hours during which the Hub building will be open to the public.

The precise arrangements will be determined once the business plan and detailed building specification have been agreed as part of discharging Condition 15. However, BNA notes the LPA wishes to set maximum opening times in its proposed Condition 13, and it would be happy to agree such as part of this examination.

7. Paragraph 2.4: The “approved plans” are stated to include the four plans listed; but would it be fair to say that Plan D (and Plan E) are for illustrative purposes only? What do you consider to be the status of Plan C: Site Layout Plan.

The ‘approved plans’ list is incorrect and should comprise plans A, B and C only. Plan C establishes the fullest extent of the developable area as a parameter for the NDO and the discharge of conditions. It is correct that Plans D and E are for illustrative purposes, per an outline planning application equivalent.