

Cheshire West & Chester Council

# Local Plan

(Part Two) Land Allocations  
and Detailed Policies



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Cheshire West  
and Chester

**14.37** Public access and the recreational use of the waterways as defined in Local Plan (Part Two) policy **DM 37** is supported. The Habitats Regulations Assessment (HRA) highlighted that any adverse effects on internationally designated sites of ecological value arising from recreational pressure must be avoided and a project-level HRA may be required on a case by case basis, in line with Local plan (Part One) policy [ENV 4](#) and Local Plan (Part Two) policy **DM 44**.

**14.38** The Manchester Ship Canal is an important part of the canal network within Cheshire West and Chester however this is a commercial waterway and a Statutory Harbour Authority with restricted public access.

**14.39** Inland waterways are an important form of infrastructure that can potentially be affected by all scales and forms of development located near the waterway. Local planning authorities are required to consult navigation authorities before granting planning permission for development likely to affect specified rivers, canals, reservoirs, canal feeder channels, watercourses, let offs and culverts. The TCPA Policy Advice Note: Inland Waterways sets out additional guidelines for safeguarding inland waterways from inappropriate development.

**14.40** The policy supports proposals that provide regeneration benefits alongside the waterways, particularly in urban areas. In line with other Local Plan (Part Two) policies, there is an opportunity to upgrade industrial areas of Ellesmere Port along the M53/Shropshire Union Canal corridor, recreational schemes around Chester Castle and Riverside linked to historic assets, the regeneration of industrial areas of Northwich, and Winsford alongside the Rivers Dane and Weaver. This will support economic development, tourism and recreational development along the waterways and at associated tourism attractions alongside the waterways such as the National Waterways Museum, Lion Salt Works and Anderton Boat Lift. The Winsford Neighbourhood Plan aims to promote and diversify the use of the Flashes and Weaver Valley.

## **DM 39 - Culture and community facilities**

### **Policy DM 39**

Proposals for new or improved community facilities and local services within urban areas, key service centres and local service centres will be supported where they are of an appropriate scale to serve the local community. Proposals for clearly justified healthcare facilities in the local community will be supported. The Council will support neighbourhood plans and Neighbourhood Development Orders that seek to plan for new community facilities.

Proposals for the development of new cultural attractions and supporting facilities, particularly where they contribute to regeneration initiatives, will be supported subject to meeting the requirements of other relevant development plan policies. The temporary use of vacant buildings for cultural uses will be supported.

Schools (and other community facilities) should, where appropriate, secure pay and play community access for sport and recreation through a community use agreement.

Development involving the loss of existing community facilities, cultural or local services will be supported where:

1. it is demonstrated that the facility is surplus to the needs of the local community;
2. it is demonstrated that the facility is not capable of continued use for the existing purpose and cannot be used for other community uses in an economic and sensitive manner;
3. the loss of the land/property forms part of a larger scheme for the development of community facilities serving the needs of the locality; or
4. compensatory facilities of equivalent community benefit are provided within the catchment of the existing facility.

In addition to the above criteria, the loss of a local shop will need to demonstrate that there is an alternative and equally accessible facility and reasonable attempts have been made to let or sell the premises for continued community use for a minimum of 12 months, including to the local community.

Buildings and land that has been defined as an Asset of Community Value (ACV) will be a material consideration in determining planning applications.

### **Public art**

Where appropriate, significant development should contribute to the provision of locally distinctive public art especially within town centres, on key sites and as part of regeneration schemes. In line with Local Plan (Part One) policy [ENV 6](#), proposals for new public art in both urban and rural areas should reflect and respond to local character, contribute to a high quality environment and create a sense place.

## **Explanation**

**14.41** Local Plan (Part One) policy [SOC 5](#) supports new and improved health facilities, with improved links to healthcare in the rural area and strengthen the boroughs cultural, recreation and leisure offer. Within new developments, especially residential, community facilities can contribute to the social well-being of the community and bringing people together, whilst contributing to the local infrastructure in line with Local Plan (Part One) policy [STRAT 11](#). There is a wide range of different types of community facilities and services that meets the day to day needs of the local area. For the purposes of the policy, community facilities and services could include: education, libraries, social services, fire, police, health, public houses, local shops, places of worship and community centres.

**14.42** With a growing and ageing population there is an increasing pressure on health services, particularly Accident and Emergency departments. Improved services and facilities will need to meet changing healthcare needs. Increasing the level of care in the community will ease some of this pressure, whilst providing a sustainable option that reduces the need to travel and will particularly benefit the elderly population. Neighbourhood planning groups experience pressures on the health services and other community development such as education first hand and are best placed to understand the needs of the local community.

**14.43** Culture makes an important contribution to the social, economic and cultural wellbeing of the borough and are therefore safeguarded and new proposals supported where appropriate. They can contribute to social wellbeing of our residents and contribute to the local economy. Many cultural facilities are considered main town centre uses and should be directed to town and district centres in line with Local Plan (Part One) policy [ECON 2](#). Applications that promote tourism should meet the criteria set out in Local Plan (Part One) policy [ECON 3](#).

**14.44** The Department for Digital, Culture, Media and Sport definition of 'culture' is generally taken to include the following areas: arts (including visual arts, literature, music, theatre and dance), architecture, crafts, creative industries, design, heritage, historic environment, museums and galleries, libraries, archives, film, broadcasting and media. Cultural development will be expected to be aligned with the Cheshire West and Chester Cultural Strategy and action plans.

**14.45** The Draft Sports Facilities Strategy states that where possible, opportunities should be taken to secure community use agreements in new build education sites (and other community facilities) by planning condition or other legal agreement. It was identified that many of these facilities have the opportunity to increase activity in the community, but are not available to the general public on a pay and play basis. Increase in pay and play accessibility for sports halls and swimming pools will be welcomed and supported in new and existing facilities.

**14.46** The policy protects existing community facilities and cultural assets with a view to helping them to adapt to new challenges and uses. Where proposals involve the loss of an existing community facility or building used for cultural purposes, the Council will require demonstration that there is no longer a need for the facility, either now or in the foreseeable future. The possibility of using the premises for any other community facilities for which there is an identified need in the locality should be fully investigated by the applicants and evidence of this provided to the Council. Capability of continued or other community uses could relate to the economic viability or physical condition of the building.

**14.47** When considering proposals for demolition or change of use, the Council will also take into consideration the role of that facility within the community and existing alternative facilities in the surrounding area. Local shops are important for meeting the day to day needs of a community and the loss of such a facility can be very damaging, especially to members of the community that are less mobile. It is therefore important to protect these uses, especially if this is the only shop in an area.

**14.48** ACVs have been identified by the local community as important to their social well-being. Therefore, every opportunity to retain such a use should be made. Locally important community facilities and services may also be identified at a local level, through neighbourhood plans, parish plans and village plans.

**14.49** There are a number of social, economic and environmental benefits that can be achieved by including public art in a scheme in both the urban and rural area, these include:

- contribute to local distinctiveness and a sense of place
- create a stimulating environment to live, work, invest or visit

- encourage people to value their surroundings, contributing to a reduction in vandalism and fear of crime and creating a healthier, safer and sustainable environment
- create a sense of local identity and community pride
- providing a focus and stimulus for tourism

**14.50** Public art involves the commissioning of artists and craftspeople to make new site specific work that can be permanent, temporary, internal or external. Public art includes work that is integrated into a scheme; this could range from bespoke street furniture, lighting, boundaries and landscaping through to internal details of a building - its furniture, flooring, ceramics and textiles. It can also be sculpture, photography, performance, moving image and events. Significant development could include major regeneration schemes and key sites.

**14.51** Public art does not have to be within public spaces, but has to be accessible to the public realm or available in the semi-public areas of completed developments. Early engagement in public art will maximise the benefits and embed the creative process into the development as recommended in the Public Art Strategic Framework.

## Accessing Cheshire West and Chester Council information and services

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