



Representations

Warrington Borough Council Local Plan Review:
Regulation 18 Consultation

For: Majornet Ltd

16-453

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1. Introduction

- 1.1 Emery Planning are instructed by Majornet Ltd to prepare and submit representations to the Regulation 18 Consultation currently being conducted by Warrington Borough Council.
- 1.2 The representations are submitted in the form of this statement, which assesses the strategic element of the consultation before going on to promote our client's specific interests in the borough as part of the call for sites exercise. The formal response forms are also submitted.
- 1.3 We address each relevant question as set out in the Regulation 18 Consultation Standard Response Form in turn. Many of the questions are intrinsically linked which results in some overlapping in our responses. We have only responded to questions relevant to our client's interests.

2. Regulation 18 Consultation

- 2.1 As stated above, this section of the statement addresses the questions as set out in the Regulation 18 Standard Response Form. Each relevant question is addressed below.

Question 1 - Do you have any comments to make about the Council's evidence base?

- 2.2 We do not provide a full response to this question, as the evidence base is integrally linked to our response to the topic specific questions below.

Question 2 - Do you consider the assessment of Housing Needs to be appropriate?

- 2.3 In broad terms we consider that the assessment broadly takes into account the components of OAN required by the PPG.
- 2.4 We would have had significant concerns about certain elements of the Mid Mersey SHMA had a requirement in the order of 839 per annum been taken forward, as it failed to fully take account of several components of the OAN, in particular the alignment with economic growth and insufficient uplift to address affordability. However the addendum SHMA paper seeks to properly align the OAN with employment growth, and therefore in principle we consider that

the approach is reasonable. We do however have some issues over how the OAN has been aligned with economic growth. We address these in our response to Question 4.

- 2.5 We note that a more comprehensive update of the SHMA is to be undertaken 'in due course'. The 2014-based household projections have been available since July 2016, and we would therefore urge the Council to update the SHMA as soon as possible. Nevertheless although the 2014-based projections will change the starting point, it will still be necessary to take into account all of the other components of the OAN, and critically align the OAN with economic growth.

Question 4 - Do you consider the alignment of Housing Needs and Job's Growth to be appropriate?

- 2.6 We broadly welcome the council's revised approach and acknowledgement that there is an acute need for housing to accommodate future growth in the borough. However, whilst the revised identified requirement of 984 as set out in the published SHMA Addendum document is a welcome update to the previous SHMA, the OAN identified may still insufficient to meet the needs of the borough over the plan period. It is considered that there are potential flaws in the methodology, particularly relating to the relationship between the proposed jobs growth and the amount of housing required to deliver it.
- 2.7 Our client's main concern is that the chosen jobs growth figure is extremely conservative. The Review of Economic Forecasts and Housing paper prepared by Mickledor provides information on how the projected employment growth figure of 27,280 as identified in the preferred Devolution Deal policy trend has been reached. If past trend data between 1992 and 2014 continues throughout the plan period, it indicates an increase of 36,175 jobs between 2016 and 2037. Considering that past data is inclusive of the worst economic recession since records began, it is unrealistic to expect future growth to be below past trends.
- 2.8 We note that the Economic and Development Needs Study considers different scenarios to establish the OAN for employment land. The report considers the amount of land required to meet the jobs growth projected from the Devolution Bid, but discounts this approach in favour of projecting forward past take-up rates:

*However, the market assessment and a review of the historic trends in employment change and land take up (see Section 8.0) suggest that these forecasts underestimate land needs significantly. **The preferred forecasting***

method is therefore a projection forward of past take-up rates that considers both strategic and local needs.

- 2.9 It is therefore apparent that the Economic and Development Needs Study considers that land for significantly more than 31,000 jobs needs to be provided in Warrington.
- 2.10 Notwithstanding, even if the Devolution Bid is accepted as the basis for determining the OAN, it is apparent that Warrington has significantly outperformed other parts of the region in terms of delivering employment land and jobs growth. This reflects the strategically significant location of Warrington, in particular having regard to its connections to the M6, M56 and M62. This adds further weight to the trend based growth figures, which in our view could actually be exceeded through the Devolution Bid and Northern Powerhouse projects.
- 2.11 The Northern Powerhouse jobs growth figure put forward in the Mickledor report is plainly not realistic. The increase in jobs growth suggested in the Northern Powerhouse Independent Economic Review is for the entire Northern Powerhouse area, and has been taken completely out of context in applying that figure for Warrington. However the reality is that despite the context of the Northern Powerhouse, Warrington is seeking a jobs growth figure substantially lower than past trends.
- 2.12 We therefore consider that the chosen jobs growth figure is too low and does not meet the Government's requirement to 'plan positively'.
- 2.13 The Mickledor paper continues to apply a series of calculations to the jobs growth figure to each a housing requirement. In our view there are a number of issues with the approach taken that should be resolved before the plan is progressed any further.
- 2.14 The first calculation is to take account of net in-commuting. The paper states:
- "The commuting statistics for Warrington (Census 2011) show net in-commuting to Warrington and that total employment in the town only represents 88% of the total workforce size of the town. As a result, to maintain the commuting rates at the same level the total employment growth can be multiplied by 0.88."*
- 2.15 In principle, we consider that it is correct to assume that commuting ratios will remain constant throughout the plan period. However, if Warrington is to continue to rely on a significant amount of in-commuting to meet its jobs growth, there needs to be a greater understanding of

which neighbouring authorities are over-providing housing (and therefore a surplus of workers) against its own projected jobs growth figures. The duty to co-operate must be fulfilled, and cross boundary working should be fully documented so that it can be understood how this issue is being addressed.

2.16 The next calculation reduces the number of required workers by assuming that 3% will be filled by people working two jobs. The paper states:

“The number of people with two jobs in Warrington is estimated by GL Hearn at 3.1%. Therefore 96.9% of the employment growth should be counted for the purposes of calculating the required change in the workforce.”

2.17 This calculation appears to assume that every person holding two jobs in the borough is filling two full-time roles. This is highly unlikely. It is possible that a number would hold one full time and one part time position, but it seems more likely that the vast majority of this 3.1% would hold two part time positions. It is therefore not clear how this would translate to a full time equivalent figure. Furthermore, it is possible that there is some double counting with the changes accounted for to the economic activity rates, as discussed below.

2.18 The paper assumes that there will be an increase in economic activity of 10.55% from the existing employment base, which has resulted in a further discounting of projected number of employees needed to fill the jobs growth. However we consider that this proposed increase in economic activity is flawed. We have been involved in numerous Local Plan examinations in recent years where economic activity has been considered, but this is usually in the context of a small section of the population; for example the Cheshire East Local Plan Inspector rejected the Council's proposed reliance on an increase in economic activity rates in persons aged over 65.

2.19 A breakdown by age groups is provided at table 1 of the SHMA addendum:

Table 1: Changing Economic Activity Rates

	Age	Warrington	
		2014	2037
Males	16-24	56.7%	61.5%
	25-34	85.0%	92.5%
	35-49	88.8%	97.2%
	50-64	76.0%	86.2%
	65+	14.0%	16.5%
Females	16-24	61.2%	66.4%
	25-34	84.1%	96.0%
	35-49	86.5%	98.4%
	50-64	67.5%	81.2%
	65+	9.6%	11.7%

Source: GLH eam

2.20 It is clear that the Council is relying upon a very significant increase in economic activity rates across a number of different groups. This depresses the need for new employees and thus dwellings. For example, the economic activity rates for males and females in the 35-49 age group is expected to rise from 88.8% and 86.5% to 97.2% and 98.4% respectively. Similar increases are seen in the 25-34 category. This is a staggering increase, especially when it is considered that many persons in these categories will be having children, and it is reasonable to expect that at least one parent may stop working. The age 50-64 category is also expecting increases above 10%. It is not clear what the evidential basis for this is, whether it has been accepted in other Local Plan examinations, and whether this has been sense-checked. But notwithstanding, even if the figures are accepted, it is not clear how they translate into a full time equivalent figure such that 10.55% of future jobs growth will be met from this source.

2.21 In summary, we have serious concerns over the selection of the jobs growth figure, and the methodology used for aligning this with the OAN. We consider that the methodology used seriously under-estimates the number of workers required to fill the projected jobs growth. As a consequence the OAN may be significantly higher than the figure of 984 per annum as identified in the SHMA addendum.

Question 5 - Do you consider the assessment of Land Supply to be appropriate?

2.22 No.

2.23 The Urban Capacity Study states that the recent SHLAA exercise has confirmed a capacity of 15,226 new homes, which is disaggregated as follows:

- 10,806 units identified through the SHLAA exercise.
- 7,176 units within identified 'Masterplanned' regeneration areas within Warrington Town Centre and Inner Warrington (-3,715 units that had been identified through the SHLAA process).
- 960 windfall allowance.

2.24 In the first instance, the capacity assessment confirms our points made elsewhere within this Statement that a substantial amount Green Belt will need to be released in order for the Council to meet their objectively assessed development needs in accordance with the Framework.

2.25 Almost half of the urban capacity confirmed by the Council relates to land identified within the inner areas of Warrington for regeneration. Although we welcome the delivery of such regeneration areas, which the Council has envisaged coming forward for development for many years, there is no indication within the Urban Capacity Study of the very significant risks that such sites may fail to deliver over the plan-period and other adverse consequences of reliance upon such sites.

2.26 The delivery of sites within the 'Masterplanned Areas' of inner Warrington is very challenging and this reflected in the fact that many of the sites identified have been allocated for development in previous iterations of the local plan (e.g. Arpley Meadows in the UDP 2006). For such large sites, complex land ownership issues need to be addressed with potential referral to compulsory purchase order legislation, and substantial initial outlay required in terms of new infrastructure requirements.

2.27 There is no indication that any detailed feasibility or viability work has been carried out into the vast majority of the sites listed as 'Warrington Waterfront Development Agency', which equates to 7,176 dwellings. The draft masterplan drawing at Appendix 1 is not accompanied by any supporting detailed evidence or analysis, and it is not clear whether this masterplan has been formally endorsed by the Council. Certain sites within the inner 'Masterplan Area' have been assessed by the Council through the SHLAA process. However, this exercise has only highlighted the very significant challenges in delivering such sites with a number being noted as undevelopable over the plan-period at this time. For instance, we would draw attention to the

Arpley Meadows and Central Park areas of the 'Masterplan Area', which are collectively identified for 2,263 dwellings as follows:

- SHLAA 1541: 646 houses (first houses delivered 2027/28)
- SHLAA 1633: 1,105 houses (first houses delivered 2027/28)
- SHLAA 1715: 250 houses (first houses delivered 2020/21)

2.28 The SHLAA assessments for each of these three sites confirms that there are fundamental delivery issues with further investigatory works required in terms of ground conditions, site access, hazardous installations, infrastructure, amenity issues in terms of surrounding land uses and ownership and tenancy. Parts of the sites in question fall within Flood Zones 2/3 meaning that residential development, which is particularly vulnerable to flooding, may not be compatible on large parts. This raises serious question marks over the suitability of including any of the sites within the Land Capacity Study in the first instance. Notwithstanding our concern about the very risk of non-delivery or slippage, none of these three sites could be delivered within the short-term.

2.29 The site with the earliest anticipated delivery timescale is '1715' relating to Spectra Building and Drivetime Golf Range. Notwithstanding the general deliverability issues summarised above, this specific site is wholly dependent upon the delivery of a new bridge over the River Mersey. Although it is understood that funding may be forthcoming for the bridge, there remain very complex land ownership issues to resolve. It is understood from a recent Warrington Council Executive Board meeting (October 2016) that initial discussions with the relevant landowners are only now taking place and that it is likely that the Council will need to utilise its Compulsory Purchase powers with the potential for very lengthy delays. There has already been significant slippage in the delivery of this scheme with planning permission for the bridge in question having initially been anticipated for January 2016 with full acquisition of all of the necessary land by December 2016.

2.30 The delivery of the two remaining sites at Arpley Meadows identified above is reliant upon the delivery of further, uncommitted bridges over the River Mersey. It is understood that the costs associated with the delivery of the necessary bridges would exceed £100m. Aside from the unknown nature of the bridge infrastructure required, the delivery of these sites is even made complex by the significant number of landowners involved and the site being intersected by the West Coast Mainline and the Arpley Chord.

2.31 Even on the basis of the Council's optimistic assumptions, the SHLAA confirms the following number of houses over the plan-period up to 2037:

- SHLAA 1541: 522 houses 2027/28 – 2036/37
- SHLAA 1633: 522 houses 2027/28 – 2036/37
- SHLAA 1715: 250 houses 2020/21 – 2024/25

2.32 Notwithstanding the Council's optimistic assumptions about delivery rates, the above totals 1,294 dwellings over the plan-period meaning that the urban land capacity for Warrington identified by the Council should be reduced by 969 across these three sites alone. It is also highly unlikely that multiple housebuilders would be delivered such high numbers of houses on sites adjacent to one another within this part of the housing market.

2.33 We have general concerns about a lack of critical analysis of the sites within the SHLAA anticipated to come forward for development. There remain optimistic and unjustified lead-in times and build rates, in terms of past rates identified at Appendix 4 of the SHLAA, and there does not appear to be allowance for demolitions/clearance based upon historic trends.

2.34 The Urban Capacity Study must acknowledge that the reliance upon sites within the inner areas of the Borough, many of which have fundamentally deliverability issues, risks: a) significant slippage or non-delivery over the plan-period; b) not enough sites cannot be delivered within the short-term in order to boost housing land supply in accordance with the Framework; c) such a strategy would fail to meet the Borough's housing and economic needs generally as discussed elsewhere. The number of dwellings that must be identified within the Green Belt is therefore much greater than that suggested through the Urban Capacity Study.

Question 6 - Do you consider that Green Belt land will need to be released to deliver the identified growth?

2.35 Yes.

2.36 It is apparent from the evidence base that a significant amount of Green Belt will now need to be released in order to meet the objectively assessed housing and employment needs. This need provides the exceptional circumstances required for Green Belt release.

- 2.37 The Green Belt in Warrington has not been reviewed in full for a significant period of time, during which development needs have not been met and adverse housing market signals have been allowed to perpetuate.
- 2.38 Paragraph 84 of the Framework requires that when drawing up or reviewing Green Belt boundaries, local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.
- 2.39 In the case of Warrington, there would be very significant adverse social and economic consequences of not providing sufficient land to meet the objectively assessed needs. Warrington's neighbours (such as Cheshire East and Cheshire West) have recently prepared their own Local Plans, including Green Belt release, and are unlikely to be in a position to meet any of Warrington's need. Therefore it is apparent that the Green Belt around Warrington will need to be comprehensively reviewed and redrawn to provide land for development.
- 2.40 It appears that our view above is aligned with the Council. However where we take issue with the consultation paper is the quantum of Green Belt release required. The Scope and Contents document indicates that land for approximately 5,000 dwellings will need to be found in the Green Belt. For reasons set out elsewhere within these submissions, we consider that this figure substantially under-estimates the amount of land that will need to be released from the Green Belt.

Question 7 - Do you consider the three identified Strategic matters being the appropriate initial focus of the Local Plan review?

- 2.41 Whilst we agree that the matters identified are the main issues, we consider that they necessitate a full review of the Local Plan. The amount of land required for housing and employment goes to the very heart of the Local Plan, and has wide ranging implications for the vast majority of its policies.

Question 8 - Do you agree that further land will need to be removed from the Green Belt and safeguarded for future development needs beyond the plan period?

2.42 Yes.

2.43 Paragraph 83 of the Framework requires that when Green Belt boundaries are established or reviewed, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.

2.44 Paragraph 85 states that when defining boundaries, local planning authorities should where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period. They should also satisfy themselves that Green Belt boundaries will not need to be reviewed at the end of the plan period.

2.45 Therefore national policy is clear on the need to provide for safeguarded land. In Warrington, it is clear that the borough will continue to be a focus for development, and it is therefore critical that sufficient safeguarded land is provided to meet needs stretching well beyond the period.

2.46 How much safeguarded land is needed in practice was considered in detail at the Cheshire East Local Plan examination, which is now reaching its final stages. In summary, sufficient safeguarded land should be provided to ensure that the current requirement could be carried forward to the next plan period (i.e. 2037 to 2057) without the need for Green Belt release. In practice the minimum requirement is to provide a similar amount of safeguarded land to the amount of Green Belt being released for development in this plan period. Ideally more should be provided, to allow flexibility for higher growth and to increase the permanence of the Green Belt.

Question 9 - Do you consider it appropriate to include Minerals and Waste and Gypsy and Traveller needs in the scope of the proposed Local Plan review?

2.47 Yes.

2.48 These matters are integral to the plan and should be considered together. For example, there may be conflict between mineral protection policies and releasing land for development. Furthermore, if Green Belt land needs to be released to meet the needs for housing and employment land, it is entirely possible that Green Belt land will also be needed to meet the needs of gypsies and travellers. It would be inappropriate to review the Green Belt now, and potentially have to release further Green Belt land in the future.

Question 11 - Do you consider the Spatial Distribution and Site Assessment Process at Appendix 2 to be appropriate?

2.49 No.

2.50 It is considered that there should be further stages and options in the event of the answer to *“has sufficient additional capacity been identified within the existing urban area and green field sites outside of the Green Belt to meet development needs?”* being ‘yes’. The key question of *“are there exceptional circumstances to justify the release of Green Belt land?”* should be considered even if the answer is yes. There is an overarching need to provide the right housing type and distribution of housing for the borough, and the distribution should not be completely led by the supply.

2.51 In order to achieve the best possible outcomes, the process should be changed from the current iterative process to a more responsive model that takes the need to deliver the right type of housing in the right locations into consideration throughout the entire process. A key example of why the suggested methodology does not work can be seen in the relationship between the boxes entitled *“confirm preferred spatial distribution”* and *“assessment of individual site”*. These issues should be interrelated, as an assessment of individual sites could lead to a further review of spatial distribution once all constraints are identified. The proposed methodology does not allow for this.

Question 12 - Do you agree with the assessment of Local Plan Policies at Appendix 1?

2.52 We consider that a full review of the Local Plan is required. The amount of land required for housing and employment goes to the very heart of the Local Plan, and has wide ranging implications for the vast majority of its policies.

Question 13 - Do you consider the proposed 20 year Local Plan period to be appropriate?

- 2.53 We consider the proposed 20 year plan period to be appropriate in this instance. There may be significant slippage in the preparation and adoption of this plan. It is therefore prudent for the authority to extend the usual timeframe of 15 years to 20.

Question 14 - Having read this document, is there anything else you feel we should include within the 'Preferred Option' consultation draft, which you will be able to comment on at the next stage of consultation?

- 2.54 We consider that details of the housing land supply and trajectory should be included. It will be critical that the plan can deliver a 5 year supply, and a supply of housing land across the plan period. The plan will also need to have flexibility built in, which in practice means allocating significantly more land than the minimum requirement.
- 2.55 This completes our representations from a strategic perspective. We now submit specific sites for consideration as part of the call for sites exercise.

3. Call for Sites submissions

- 3.1 Emery Planning is instructed to promote a number of parcels of land for development around the settlement of Lymm. These parcels are described in detail below. The completed 'Call for Sites' forms are also enclosed with these representations.
- 3.2 Our client has land interests in four parcels of land to the eastern part of Lymm; two are located to the north of the Bridgwater Canal (Parcel A and Parcel B) and two are located to the south of the Bridgwater Canal.

Parcel A (Land known as Tanyard)

- 3.3 This site equates to an area 4.38ha in size. The location plan is appended at **EP1**. There is a masterplan drawing showing the delivery of 52 houses at **EP2**.

The site context and relevant planning history

- 3.4 The site is located immediately to the south of Rushgreen Road. It is bounded by a Sainsbury's Local Retail Store and Rushgreen Road to the northern boundary, a greenfield site within our client's ownership to the western boundary and the settlement boundary for Lymm beyond, the Bridgewater Canal to the southern boundary and a planted line of trees/hedgerow and fields beyond to the eastern boundary.
- 3.5 Although the site historically accommodated a horticultural nursery/garden centre, it is now wholly utilised for commercial purposes and has been used as such for many years. There are a wide range of commercial operators on the site including builders yard, storage and distribution uses, workshop, office and gymnasium uses. Much of the site benefits from the grant of planning permission or a certificate of lawfulness for commercial use, including the following:
- 2012/20834 - Certificate of lawful use or development re: buildings/polytunnels/glasshouses (lawfulness of the buildings only rather than uses) - Approved 20/12/2012.
 - 2012/20833 - Retrospective change of use of redundant horticultural building to storage of vehicles – Approved 06/03/2012.
 - 2012/20832 - Retrospective change of use of redundant horticultural building to storage and distribution of stone/marble tiles - Approved 06/03/2013.
 - 2012/20831 - Retrospective change of use of horticultural building to mixed use consisting of storage, gym and dog training facility - Approved 06/03/2013.
 - 2010/17069 – Certificate of lawful use or development for 1) Builders-yard, hardstanding and building; 2) B1/B8 Industrial units x 3; 3) Caravan storage; 4) Horticultural building with ancillary retail – Approved 14/04/2011.
- 3.6 The image below shows the range of commercial uses on the site and the extent of the previously-developed land (highlighted blue). The existing buildings are of poor quality with unsightly areas of open storage and extensive areas of hardstanding. The unsightly nature of the site as it presently exists was acknowledged by the Council through the Committee report for planning application 2014/24228 (see further below):



- 3.7 Access to the site is via Rushgreen Road and comprises a 6m wide access road, 6m junction radii and achievable visibility splays of 2.4m x 90m to the right and 2.4m x 76m to the left. The existing access was granted planning permission by the Council in 2003 (LPA ref: 2003/00375) and it was assessed through the Transport Statement prepared by SCP for planning application 2014/24228. The assessment carried out SCP demonstrated that the access is capable of accommodating vehicle movements equivalent to 56 two-way flows at peak hour as a minimum without any junction improvements necessary.
- 3.8 The Council granted planning permission for a substantially sized commercial building, equating to over 2,000sqm floorspace, and associated large car park for 56 vehicles and the retention of existing commercial buildings on the site in 2014 (LPA ref: 2014/24228). This permission remains extant. The grant of this planning permission established that there are no technical constraints to the redevelopment of the site (e.g. contaminated land, highways, drainage and flooding all found to be acceptable). The approved site layout drawing is at **EP3**.
- 3.9 Our client has been in pre-application discussions with the local planning authority for many months for bringing a residential scheme forwards on this site and discussions are ongoing (LPA ref: PR2016/03448). This further indicates the availability and deliverability of this site for residential development.

Landscape impact and ecology

3.10 Tyler Grange, landscape architects, were instructed by our client in 2014 to prepare an Overview Landscape & Visual Assessment of the site for planning application 2014/24228. Although prepared two years ago, their assessment is summarised as follows:

- the site does not feel particularly rural;
- much of the site is enclosed by mature, well-established hedgerows and tall conifer belts;
- the site is relatively flat and does not conform with a 'Rolling Landscape' characteristic as noted in the relevant Warrington BC Landscape Character Assessment (LCA) and it displays very few characteristics of the 'Lymm & Red Sandstone Escarpment' LCA;
- the existing boundary vegetation restricts views beyond the site and towards the open countryside;
- the site is not considered to be of particularly high landscape quality;
- the site is located to the periphery of an existing settlement and has a developed use defining its character;
- the local landscape in this area has evolved with a mixture of uses making it more susceptible to change;
- the site and local landscape sensitivity is assessed as being Minor.

3.11 See the Tyler Grange assessment at **EP4**.

3.12 Our client also recently instructed new ecology surveys to be carried out on the site, which demonstrate that there are no ecological constraints to the redevelopment of the site. See the Amphibian Survey Report and Ecological Appraisal Report, both prepared by Ascerta last year, at **EP5**. These reports are suitable for the submission of a planning application with immediate effect.

Green Belt assessment

3.13 We provide a summary Green Belt assessment with due regard for the main purposes of including land within the Green Belt as set out at paragraph 80 of the Framework below:

Main purpose	Summary assessment
To check unrestricted urban	The site comprises a number of poor quality buildings and unsightly areas of hardstanding and open storage. It is enclosed by existing built

<p>sprawl</p>	<p>development to the north with a large Sainsbury's Local development and housing, the defensible and readily recognisable Bridgewater Canal to the south, a field within our client's ownership to the western boundary (also being promoted for residential/commercial development and referred to as 'Area 2') and a field to the eastern boundary.</p> <p>The development would be considered as a logical extension of the urban area. It is contained by defensible and readily identifiable features to the northern and southern boundaries and is well enclosed by existing planting, which could be supplemented.</p> <p>The impacts would be no greater than presently is the case with the site being previously developed and in operation for commercial purposes.</p>
<p>To prevent neighbouring towns merging into one another</p>	<p>The site is both physically and visually contained with limited inter-visibility across the wider open countryside by virtue of the existing boundary treatment.</p> <p>The redevelopment of the previously developed site for housing would have no perceptible impact on the surrounding landscape or views across the Green Belt.</p> <p>Lymm and Oughtrington are already seen within the context of the continuous form of built development along the Rushgreen Road frontage. The degree of perceived merging of the two settlements would be no greater than it presently is.</p> <p>The impacts would be no greater than presently is the case with the site being previously developed and in operation for commercial purposes.</p>
<p>Safeguarding the countryside from encroachment</p>	<p>Any visual encroachment into the wider countryside would be negligible with the retention of the strong framework of vegetation.</p> <p>Again, the site is contained by defensible and readily identifiable features to the northern and southern boundaries and is well enclosed by existing planting, which could be supplemented.</p> <p>The impacts would be no greater than presently is the case with the site being previously developed and in operation for commercial purposes.</p>
<p>Preserve the setting and special character of historic towns</p>	<p>The site does not play any role in providing an important setting or approach for either Lymm or Oughtrington.</p>

3.14 The release of our client's area of land for housing would comprise a logical small-scale residential development that would relate well to the existing built-up area of Lymm and Oughtrington.

3.15 The Green Belt review undertaken by AECOM on behalf of the Council assesses Parcel A as part of a much wider parcel of land (ref: LY16). Given the very specific characteristics our client's site, which is previously developed and in use for commercial purposes, Parcel A should be assessed on a standalone basis. There is no indication through the AECOM assessment that it has had due regard for the precise nature of Parcel A e.g. there is no recognition of the site being previously developed and the existing strong vegetation framework. The remainder of parcel LY16 is fundamentally different to our client's land interest in character and contribution to the Green Belt. Even on such a wide scale, the AECOM assessment summarises that development would be well contained and the openness and permanence of the Green Belt would not be threatened.

3.16 Paragraph 84 of the Framework states that when drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. We undertake an assessment below of our client's land with regard to the three roles of sustainable development as set out at paragraph 7 of the Framework:

- Economic: New housing development is required across the Borough to include areas of the designated Green Belt in order to ensure that the Borough has a stable workforce in terms of ability and age profile. The construction of new houses would also create construction jobs in the short term, and once occupied, new residents would boost householder spending on goods and services within the surrounding area. New housing development would also generate a New Homes Bonus for the Council.
- Social: Paragraph 7 of the Framework states that one of the requirements is the supply of housing to meet the needs of present and future generations. The release of our client's site for new housing development would help to ensure that the identified housing needs of the Borough in terms of market and affordable housing are met.
- Environmental: The site is highly locationally sustainable with easy and convenient access to a wide range of local services and public transport options (e.g. bus services along Rushgreen Road, walking distance to Lymm centre, immediately adjacent to a Sainsbury's Local). The site is located at the edge of Lymm, which is suitable for major new housing developments in terms of infrastructure requirements. The site as it presently exists is unsightly with poor quality buildings and extensive areas of hardstanding and open storage. The release of our client's site for housing would relieve the development pressure on more environmentally sensitive greenfield and Green Belt land across the Borough.

3.17 The release of our client's site from the Green Belt for new housing development as part of the Local Plan Review is considered to be fully justified with due regard for paragraphs 82 to 85 of the Framework. The substantial housing needs of the Borough comprise the 'exceptional circumstances' necessary to justify the release of our client's land for residential development.

- 3.18 Furthermore, the same landowner owns land immediately to the west (see Parcel B below). The two sites could come forward as a comprehensive and masterplanned manner in order to meet housing needs with Parcel A being 'Phase 1' and Parcel B being 'Phase 2'.
- 3.19 Finally, in terms of employment land it is noted that the site has been assessed through the Warrington Economic Development Needs Study 2016. Tanyard is not noted as being a potential 'Key Site' for employment purposes. Although the site benefits from extant planning permission (LPA ref: 2014/24228), the purpose of this planning application was to amalgamate the existing unsightly buildings with no increase in employment floorspace as acknowledged through the report; this approved scheme has not proven to be viable/feasible for a number of reasons. The Local Plan Review represents an opportunity to redevelop such poorly performing sites for alternative uses whilst protecting and expanding identified 'Key Sites' and other much better located sites across the Borough.

Local Plan Inspector's Report 1998

- 3.20 The Local Plan Inspector's Report for the Warrington Local Plan assessed Parcels A and B (see below for Parcel B) as part of 'Area of Search 15' (ref: PINSM/Q0640/429/1 – see **EP6** for the relevant sections). The Inspector recommended that the site be 'safeguarded' for future development needs on the basis of the limited contribution that the land makes to the main purposes of including land within the Green Belt, which would be outweighed by the benefits of meeting future development needs. Although the Council did not pursue the Inspector's recommendation, the same points made in the report remain relevant and we copy certain paragraphs below:

Para. 3.AS15.3 - The northern side is surrounded on 3 sides by housing and associated development; it is gently undulating and is virtually all at a noticeably lower level than the canal.

Para. 3.AS15.4 - The extent and depth of development around the northern section creates a noticeable sense of containment; the low-lying nature of the ground and the various belts of trees within and around this part of the site enhance this effect. From many public vantage points this section is seen against the backdrop of buildings which has a marked urbanising influence on these immediate surroundings.

*Para. 3.AS15.5 - On this basis there seems to be no compelling reason why the northern section needs to be kept permanently open; **certainly any limited Green Belt value, which by virtue of its openness, it may be deemed to***

possess is far outweighed by the advantages of its allocation for safeguarding for possible longer-term development purposes (our emphasis).

Para. 3.AS15.6 - It would be well integrated with the surrounding area of it particularly along the southern bank. Development to the east and west already extends along the canalside; what I am proposing would be entirely consistent with this established pattern.

Para. 3.AS15.11 - Yet along the southern side of Rushgreen Road there is virtually continuous development and visually there is no impression of any significant gap...In my opinion Oughtrington has the appearance of, and functions as, an outlying part of Lymm with which it is linked physical, and apparently, socially.

Deliverability

- 3.21 Our client's land falls within single ownership with no third party agreement necessary in order to bring residential development forward on the site. Subject to the land being released from the Green Belt, our client's site is 'deliverable' within the short-term for new housing development for the purposes of paragraph 47 of the Framework.

The submitted masterplan

- 3.22 Our client has instructed their architects to prepare the enclosed masterplan for how this site could come forward for residential development for approximately 52 dwellings. See the drawing at **EP2**.
- 3.23 The number of houses totals approximately 19,000 cubic metres in terms of volume, which roughly equates to the existing built form on the site on a like-for-like basis. The impacts on the openness of the Green Belt would therefore be no greater than the site as it presently exists. The submitted plan also shows the following:
- an attractive central area of public open space and a canalside area of public open space;
 - areas of greenspace, gardens and public open space resulting in a substantial decrease in the extent of hardstanding across the site;
 - the removal of the existing unsightly buildings and the rationalisation of the existing site through the provision of well-designed new houses;
 - the existing pond and broadleaved woodland to the northern part of the site would be retained as part of the public open space provided;

- the housing density would be graduated such that it is at a lower density as you move away from Rushgreen Road and towards the canal;
- the potential for an attractive green corridor walkway linking the canal towpath to the north with Rushgreen Road to the south with benefits for existing residents within the wider area;
- retention and strengthening of existing boundary screening vegetation; and
- a potential link to the adjacent land, which also falls within our client's ownership and is being promoted for development as a logical extension to the existing urban area of Lymm.

3.24 The quantum of residential development shown on the enclosed masterplan shows a scheme pursuant to the sixth bullet point of paragraph 89 of the Framework (i.e. the redevelopment of previously developed land). A higher quantum of residential development could potentially be delivered on the site through the proposed allocation in the Local Plan Review.

Parcel B (Land adjacent to Mardale Crescent (west) and Tanyard (east))

3.25 This site equates to an area 3.53ha in size. The location plan is appended at **EP7**.

3.26 The site falls wholly within our client's ownership and there is no requirement for any third party agreements to bring the site forwards for residential development. Vehicular access could be gained to the site via the existing established access road serving the adjacent commercial site to the east, which is wholly within our client's ownership and control (Parcel A above - Tanyard).

3.27 The site could either come forward for residential development in isolation and utilising the existing access off Rushgreen Road, or otherwise come forward alongside our client's other site at Parcel A (Tanyard). We have referred to Parcel A effectively being 'Phase 1' given that pre-application discussions are advanced for a residential development on that site and Parcel A could be redeveloped pursuant to the sixth bullet point of paragraph 89 of the Framework regardless of a site allocation in the emerging local plan.

3.28 Given the very specific characteristics our client's site, which is previously developed and in use for commercial purposes, Parcel A should be assessed on a standalone basis. There is no indication through the AECOM assessment that it has had due regard for the precise nature of Parcel A e.g. there is no recognition of the site being previously developed and the existing strong vegetation framework. The remainder of parcel LY16 is fundamentally different to our

client's land interest in character and contribution to the Green Belt. Even on such a wide scale, the AECOM assessment summarises that development would be well contained and the openness and permanence of the Green Belt would not be threatened.

3.29 We provide a summary Green Belt assessment with due regard for the main purposes of including land within the Green Belt as set out at paragraph 80 of the Framework below:

Main purpose	Summary assessment
<p>To check unrestricted urban sprawl</p>	<p>The development would be considered as a logical extension of the urban area.</p> <p>The site is contained by defensible and readily identifiable features to all boundaries with the existing settlement boundaries and residential development to the northern and western boundaries, the commercial previously developed site known as Tanyard to the east (see Parcel A above) and the canal to the south.</p>
<p>To prevent neighbouring towns merging into one another</p>	<p>The site is both physically and visually contained with limited inter-visibility across the wider open countryside by virtue of the existing boundary treatment and the enclosure of the site by built development and the Bridgewater Canal.</p> <p>Lymm and Oughtrington are already seen within the context of the continuous form of built development along the Rushgreen Road frontage. The degree of perceived merging of the two settlements would be no greater than it presently is.</p> <p>Furthermore, the residential development of this site would be seen as infilling between extensive areas of built development to the side boundaries.</p>
<p>Safeguarding the countryside from encroachment</p>	<p>Any visual encroachment into the wider countryside would be negligible with the retention of the strong framework of vegetation.</p> <p>Again, the site is contained by defensible and readily identifiable features to all site boundaries.</p>
<p>Preserve the setting and special character of historic towns</p>	<p>The site does not play any role in providing an important setting or approach for either Lymm or Oughtrington.</p>

3.30 The release of our client's area of land for housing would comprise a logical small-scale urban extension that would relate well to the existing built-up area of Lymm and Oughtrington.

- 3.31 Similar to the points made above, the Council's scale of assessment for parcel 'LY16' through the AECOM assessment is considered to be much too large and does not consider the site-specific nature of our client's site, which is fundamentally different to the remainder of the parcel of land in question. Our client's land is wholly enclosed by residential development to the north and west, commercial development at Tanyard to the east and the defensible boundary of the Bridgewater Canal to the south. Even on such a wide scale, the AECOM assessment summarises that development would be well contained and the openness and permanence of the Green Belt would not be threatened.
- 3.32 The same comments as those made earlier with respect to Parcel A and paragraphs 82-85 of the Framework again apply to Parcel B. The release of our client's site from the Green Belt for new housing development as part of the emerging local plan is considered to be fully justified. The substantial housing needs of the Borough comprise the 'exceptional circumstances' necessary to justify the release of our client's land for residential development.
- 3.33 Again, see the same comments made earlier for Parcel A with respect to the Local Plan Inspector's Report 1998; the same points apply for Parcel B as the two parcels of land were assessed by the Inspector together as part of 'Area of Search 15'. This further emphasises the suitability of this site to be released from the Green Belt in order to meet unmet and future development needs. See **EP6**.

Parcel C (Land off Pepper Street and Sutch Lane)

- 3.34 See the location plan at **EP8**.
- 3.35 This site is approximately 1.7ha, and is capable of supporting approximately 50 units. It forms a logical urban extension to Lymm. It is well contained by the Bridgewater Canal to the north, residential development to the west and Ravensbrook School and a caravan storage site to the south. The site is not constrained by flood risk.
- 3.36 The site is highly sustainable, and is well related to local infrastructure and amenities, including highway networks, schools and convenience stores.
- 3.37 We acknowledge that the site is greenfield land within the Green Belt, and on that basis it is not currently deliverable. It is our view that the site serves no purposeful Green Belt function. On this basis it is our view that the site should be removed from the Green Belt. Furthermore, paragraph

84 of the Framework states that when “reviewing Green Belt boundaries, local authorities should take account of the need to promote sustainable patterns of development”. It is our view that this site should be allocated in the Local Plan Review due to its sustainable attributes.

3.38 The Green Belt review undertaken by AECOM on behalf of the Council assesses Parcel C as part of parcel of land ref: 'LY17' and is noted as making a strong contribution to the Green Belt, primarily on the basis of the site being well connected on three sides by the countryside. However, the assessment makes no reference to the extensive commercial caravan storage to the southern boundary of the site and this adds to a sense of containment. We cannot agree that the southern boundary enjoys a strong affinity to the countryside and consider that the final assessment of the site making a 'strong' contribution to the Green Belt is not based on a thorough assessment of the site's characteristics.

Parcel D (Land south of Sutch Lane)

3.39 See the location plan at **EP9**.

3.40 This site is approximately 9ha in area and is capable of supporting up to 270 dwellings. The site is bounded to the north by the Bridgewater Canal, to the east by Oughttrington Lane, to the south by open fields and to the west by residential and commercial development. We are proposing this site for consideration on the same basis as Parcel C, as it shares many of the same characteristics and is adjacent. Whilst it is not as well contained as Parcel C, it is in a sustainable location despite its current open countryside location.

3.41 The Green Belt review undertaken by AECOM on behalf of the Council assesses Parcel C as part of parcel of land ref: 'LY19' and is noted as making a strong contribution to the Green Belt. However, our client's parcel represents a small part of the much wider parcel of land assessed by AECOM. The residential development of this site would relate well to the overall pattern of built development and it would not extend further eastwards than the existing settlement boundaries with residential development to the north at Rushgreen and to the south beyond Lymm High School.

4. Summary and conclusions

- 4.1 There is an acknowledged need to release Green Belt in the borough. However we consider that the Council has underestimated the amount of housing that needs to be delivered on Green Belt sites. Notwithstanding, the Council will need to ensure that the plan is flexible. In practice this means identifying a supply of housing significantly in excess of the minimum requirement, in order to provide sufficient contingency for the plan to deal with rapid change.
- 4.2 Our client has put forward a number of Green Belt parcels around Lymm for development. These sites are deliverable subject to a policy change, and it is considered that their allocation for development would represent sustainable development in accordance with the Framework.

5. Appendices

EP1 – Location Plan and completed Call for Sites Form (Parcel A).

EP2 – Masterplan (Maybin Architects) drawing showing the delivery of 52 houses (Parcel A).

EP3 – Approved site layout drawing for planning application 2014/24228) (Parcel A) N.B. This drawing will be sent separately to this Statement.

EP4 – Tyler Grange Overview Landscape and Visual Impact Assessment (Parcel A). N.B. This document will be sent separately to this Statement.

EP5 – Ascerta Amphibian Survey Report and Ecological Appraisal Report (Parcel A). N.B. These documents will be sent separately to this Statement.

EP6 – Local Plan Inspector's Report 1998 relating to Parcels A and B and recommending that both parcels be 'safeguarded' for future development needs.

EP7 – Location Plan and completed Call for Sites Form (Parcel B).

EP8 – Location Plan and completed Call for Sites Form (Parcel C).

EP9 – Location Plan and completed Call for Sites Form (Parcel D).