

Our Ref: FC/KN0118/17

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Dear Sir/Madam

Warrington Local Plan Review – Preferred Development Option Regulation 18 Consultation July 2017

Following a detailed consideration to the Regulation 18 Consultation on the Warrington Local Plan Review, we wish to make a number of comments on behalf of our clients; the freehold owners of the six Bradley Hall Cottages and the owner of Bradley View. Names and addresses of the owners are supplied in Appendix I.

Our clients wish to make these representations with reference to the consultation on the proposal to remove Green Belt land for employment as part of the Council's Preferred Development Option for the Garden City Suburb.

In addition, our clients are deeply concerned that their freehold properties have not been recognised in the Masterplan within the Preferred Development Option document.

These representations will make the case why it is considered that this site should not be released from the Green Belt.

Local Plan Review

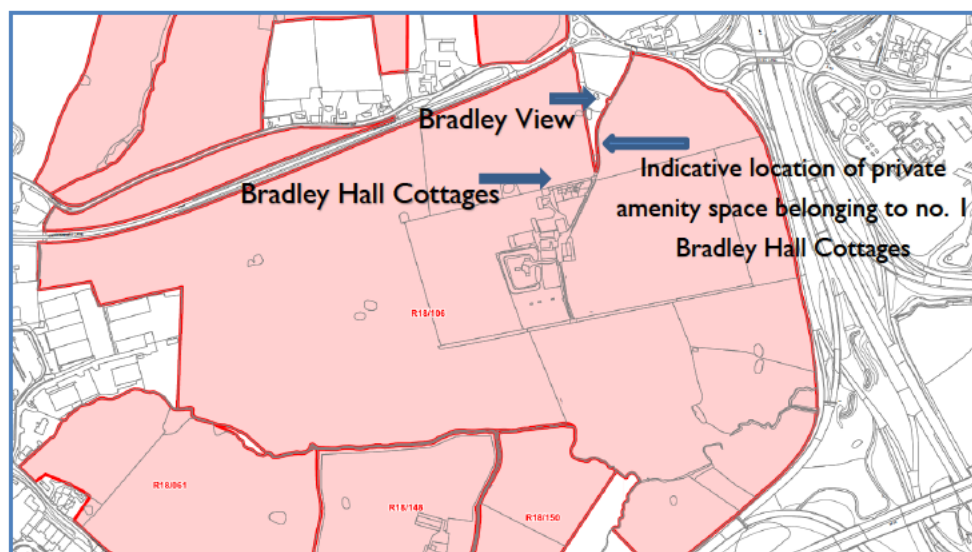
Warrington Borough Council have confirmed the level of future development requirements and the need for Green Belt release. The Council have considered 3 high level spatial options to achieving this growth as follows:

- Option 1 – Green Belt release only in the proximity to the main Warrington urban area;
- Option 2 – Majority of Green Belt release adjacent to the main urban area with incremental growth in outlying settlements; and
- Option 3 – Settlement extension in one or more settlement with remainder of growth adjacent to the main urban area.



Option 2 has been confirmed by the Council as the preferred option. This is to be achieved with the creation of a Garden City Suburb which incorporates the release of 117ha of Green Belt land for development as employment land.

A Call for Sites representation was submitted as part of Warrington Borough Council's process in December 2016 by Langtree Property Partners acting on behalf of a subsidiary of John Lewis Partnership Pension Trust (JLPPT). The site is described as 'Land at M56 Junction 9' and covers 92ha of the 117ha identified as employment land as part of the Garden City Suburb. The Call for Sites representation has been given the reference number R18/106 by the Council which covers an area including our clients at Bradley Hall Cottages but does not include our client at Bradley View which lies adjacent. In addition, private amenity space belonging to number 1 Bradley Hall Cottages has been left out of the red line and therefore splitting the curtilage of this property. The below map illustrates the location of our client's properties overlaid on the Council's Call for Sites map for the Barleycastle area.



Source: Warrington Borough Council

Green Belt Assessment

Paragraphs 79 and 80 of the NPPF set out the role and purpose of the Green Belt in England, as follows:

“79. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are openness and permanence.

80 Green Belt serves five purposes:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;

- To preserve the setting and specialist character of historic towns; and
- To assist in urban regeneration by encouraging the recycling of derelict and other urban land.”

The site R18/106 was assessed by Warrington Borough Council (WBC) and results produced as part of their Green Belt Assessment (Additional Site Assessments of Call for Sites Responses and SHLAA Green Belt Sites) July 2017. This follows a report written for WBC by Arup - Green Belt Assessment Final Report in October 2016, which sets out the methodology for assessing the sites.

The WBC report follows the methodology of the Arup report which uses the five purposes of the Green Belt, as above, defined by the NPPF in paragraph 80.

Each of these purposes was assessed and through the assessment it is determined the level of contribution the site makes to that particular purpose of Green Belt.

The site in question was determined to make the following contributions to the five purposes:-

1. To check the unrestricted sprawl of large built-up areas - **No contribution**
2. To prevent neighbouring towns merging into one another - **Weak contribution**
3. To assist in safeguarding the countryside from encroachment - **Strong contribution**
4. To preserve the setting and specialist character of historic towns - **No contribution**
5. To assist in urban regeneration by encouraging the recycling of derelict and other urban land – **Moderate contribution.**

The assessor must then make an overall assessment of the outcomes of each of the five purposes and then make a judgement on the overall contribution the parcel makes to the Green Belt.

The site was assessed by WBC to have an overall **moderate** contribution to the purposes of the Green Belt.

As set out in the Arup report, in order to ensure a consistent and transparent approach, where two purposes are the same and the remaining three are all different, an application of professional judgement would be required. As stated on p44 of the Arup document:-

“Whilst all five Green Belt purposes should be given equal weighting, the overall assessment is not intended to be a numbers balancing exercise and a certain level of professional judgement must be applied to all of the above rules and particularly where one of the purposes is assessed as ‘strong’. In order to do this it is necessary to refer back to the overall aim and purpose of Green Belt as set out in paragraph 79 of the NPPF:

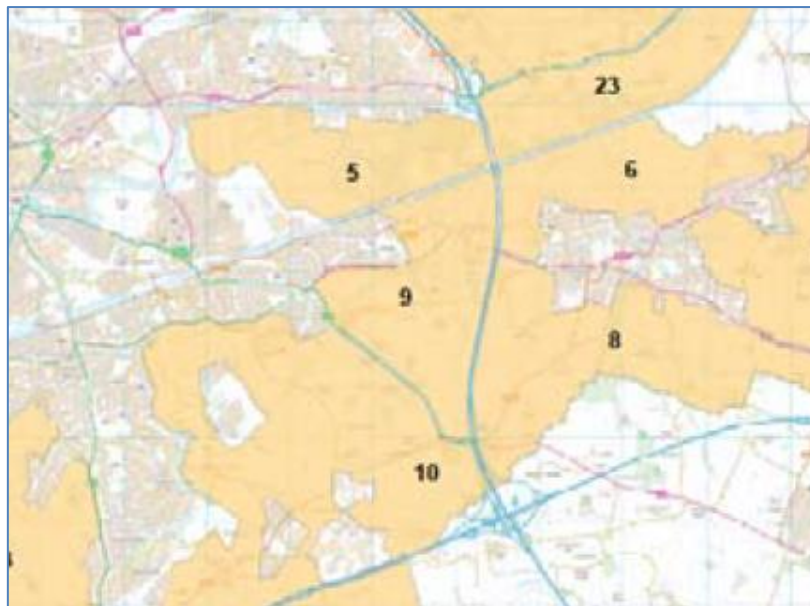
The fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics of Green Belt are their openness and permanence.”



The Arup report refers to paragraph 79 of the NPPF regarding the prevention of ‘urban sprawl’ and keeping land permanently open. The report states:-

“These aims are fundamentally subsumed within Purposes 1, 2 and 3 and thus where the development of a parcel would particularly threaten these purposes additional weight should be applied to its contribution to Green Belt purposes. This is a matter for the professional judgement of the assessor however the justification for the assessment should provide a transparent explanation behind their reasoning” (para 142).

The first purpose relates to the checking of unrestricted sprawl of large built up areas. The site has been assessed by WBC to make no contribution to this purpose because the site is not adjacent to the large built up area defined as the Warrington urban area. However, it is considered that this is misleading as WBC’s Preferred Option of the Garden City Suburb is proposed on an area of Green Belt which stretches from the Warrington urban area to the motorway junctions. Therefore, the site R18/10 should be considered as part of the whole Garden City Suburb proposal and therefore as part of the Green Belt area adjacent to the Warrington urban area. The original 2016 report by Arup assessed the Green Belt around the Warrington urban area as General Areas (GA). The part of the Green Belt relating to site R18/106 was GA10. The map from the Arup report relating to GA10 has been inserted below:



Source: Arup

GA10 incorporates the majority of the proposed Garden City Suburb and lies adjacent to the Warrington Urban Area to the north. With regard to the first purpose – to check the unrestricted



sprawl of large built up areas, GA10 was assessed as making a **weak contribution**. It is appreciated that when the Council assessed R18/106 to make no contribution to the prevention of urban sprawl that the assessor was following the methodology which stated that if the parcel was not adjacent to the large built up area, then the conclusion is automatically that the parcel makes no contribution to the first purpose. It is appreciated that the methodology is an attempt to achieve consistency. However, in reality site R18/106 is highly unlikely to ever be considered for Green Belt release unless part of a larger area of land that adjoins Warrington. Therefore, a more accurate assessment of R18/106 would be to consider it in the context of GA10 and agree that it does make a contribution to the original purpose of the Warrington Green Belt in restricting the outward expansion of Warrington; albeit a weak contribution in the opinion of Arup.

The third purpose of the five purposes relates to safeguarding the countryside from encroachment. With regard to site R18/106 it was judged by WBC to make a strong contribution. As Arup have stated when applying professional judgement, additional weight should be applied with regard to purposes 1, 2 and 3. The third purpose of this site has been judged by WBC to have a strong contribution, however despite the first and third purpose being allowed additional weight, the overall contribution has been judged as moderate by WBC.

In contrast, in our professional judgement, we consider that the site makes an overall **strong** contribution to the Green Belt due to the importance of the third purpose making a strong contribution in addition to the first purpose making a weak contribution rather than no contribution.

The table below sets out the difference in professional judgement with regard to the overall assessment.

Table 1. Comparison of comments in relation to the justification for overall assessment of the purposes of the Green Belt.

Warrington Borough Green Belt Assessment July 2017 site R18/106	Our comments with regard to site R18/106
<p>The site makes a strong contribution to one purpose, a moderate contribution to one, a weak contribution to one and no contribution to two. In line with the methodology, professional judgement has been applied to evaluate the overall contribution. The site has been judged to make a moderate overall contribution. Whilst the site supports a strong degree of openness and has some non-durable boundaries, the eastern and northern boundaries are particularly durable motorway and road boundaries and could contain development and prevent it from</p>	<p>The site makes a strong contribution to one purpose, a moderate contribution to one, a weak contribution to two and no contribution to one. In accordance with the Arup statement, purposes 1, 2 and 3 deserve additional weight. When viewed within the context of the whole area of Green Belt to which it belongs, the site makes a contribution, albeit weak, to preventing urban sprawl and to preventing towns merging into one another. The site makes a strong contribution to safeguarding from encroachment due to its openness and the non-durable western and southern boundaries. The site therefore makes a strong contribution to fulfilling the fundamental aim of the Green Belt under</p>



threatening the overall openness and permanence of the Green Belt. The site makes a moderate contribution to assisting in urban regeneration and a weak contribution to preventing towns from merging.

paragraph 79 of the NPPF in protecting the openness of the Green Belt. **Therefore, the site has been judged to make a strong contribution overall.**

With less than 10% of the land being built form and only a low level of vegetation, the openness of the land is retained, which concurs with paragraph 79 of the NPPF and the fundamental aim to keep land open with the essential characteristic of Green Belts being their openness.

While these representations do not seek to comment on the need for the amount of employment land proposed, or the need to release land from the Green Belt to meet the spatial requirements of the Plan, we do consider that the land in this location makes a strong contribution to the purposes of Green Belt and as a consequence should not be removed from the Green Belt.

Inclusion of the Bradley Hall Cottages and Bradley View in the Employment Area.

The owners of the 6 Bradley Hall Cottages and Bradley View are very concerned that there has been no acknowledgement of the existence of their properties as part of the Council's Preferred Development Option Consultation. Figure 7 of the document illustrates a potential Masterplan for the Warrington Garden City Suburb. The dwellings do not appear to exist in the employment area. It is understandable that the residents remain worried about their future. It is acknowledged that the existence of the Cottages has been mentioned in the Council's Green Belt Assessment document but this appears to be the only place.

We have seen the Call for Sites Document which was submitted as part of the Warrington Borough Council Local Plan Review in December 2016 by Langtree acting on behalf of JLPPT Holdco 7 Ltd which promotes site R18/106 for employment. The area where the Cottages stand has been included in the Masterplan and their houses have been erased and replaced with soft landscaping.

The owners of the Cottages would like to draw to the attention of the Council that it is factually incorrect for the promoter to state on p8 of the Call for Sites submission that:

"There are no ownership constraints to the delivery of this land, therefore the site is available for development".

The submission by Langtree states that the landowners own the site edged red on the plan included at Section 2. Section 2 identifies the Cottages as being in the red line of ownership when the properties are freehold and therefore should not be included.

The indicative plan illustrates the intention for large scale industrial units surrounding the Cottages which we consider totally incompatible with residential use. Our client at Bradley View has not been included in the red-line in site R18/106, however, the case remains the same that according to the Call for Sites indicative Masterplan, the dwelling would be surrounded by large warehouses. In addition,



private amenity space belonging to no.1 Bradley Hall Cottages has been left outside the red-line of the Call for Sites and therefore the residential curtilage has been divided into two parts.

The visual amenity would be detrimental to the residents. In addition noise and disturbance from frequent traffic movements associated with a B8 use, which is likely to be 24 hours, would be totally incompatible with a residential use.

To be surrounded by large B8 units would engulf the existing residential development and the uses would be totally incompatible with each other. We would like to highlight to Warrington Borough Council in its considerations of the Local Plan and the Call for Sites submissions the existence of the residential dwellings in these locations and the incompatibility with large scale employment use.

Conclusion

Given the quality of this area of Green Belt it is considered that it is not a suitable area for development. The site makes a strong contribution to the purposes of the Green Belt and would not warrant the very special circumstances for releasing the land from the Green Belt as part of the Local Plan.

Further, the draft Plan fails to recognise the existence and ownership of a number of residential properties within the area proposed to be allocated for employment. This creates a very clear land use incompatibility and irrespective of whether the land is removed from the Green Belt, the allocation of land for employment purposes must be removed from the Plan in the interests of good planning.

Yours faithfully,



Faye Cass BA (Hons) MA MRTPI
Consultant



APPENDIX I

NAME	ADDRESS
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED]





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