

COMMENTS LOCAL PLAN 2017

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
24th September, 2017

Dear Sir/Madam

COMMENTS – 1ST DRAFT 2017 LOCAL PLAN

[REDACTED]
[REDACTED] My interest is the overall “Local Plan”, green belt infringement, Penketh and the multiple fields of Penketh Hall Farm.

The author(s) repeatedly state the 2017 Local Plan is comprehensive. That may be true with regard to the framework and concept, but in my view, it currently possesses Planning “wriggle room”, exploitable “loopholes” from Developer’s expensive lawyers, immediate erosion of the Green Belt, unsatisfactory transfer of powers to the Local Authority Planning Department, overdevelopment and incompleteness.

To protect the existing and loyal Borough residents and because of the sheer scale of the development being proposed, the 2017 Local Plan must be exact, fair to the public as well as encouraging controlled development and growth and free from legal challenge from Developers.

As you are applying for approval of the 2017 Local Plan in its entirety, I am of the view it would be detrimental to health and wellbeing of existing and loyal residents and council tax payers and therefore oppose its implementation in its current format.

I do accept that WBC are required legally by Government to submit a Local Plan illustrating expansion of growth and housing and failure to do so can mean that an alternative proposal can be enforced upon the Borough.

With reference to an exchanged e-mail questions and answers [REDACTED] and to the paragraphs (unless otherwise stated) of the proposed “Warrington Borough Council Local Plan Preferred Development Option Regulation 18 Consultation July 2017” (to be referred to as “2017 Local Plan”), and the National Planning Policy Framework (NPPF) paragraphs 79-92 – “Protecting the Green Belt”, I would like to place on record the following comments for consideration.

1. Green Belt Release – Removal of Public Protection re “Inappropriate Development”

There is a MAJOR unstated “Strategic Objective” (para 4.37) excluded from this section that has MASSIVE implications both in the short and long term.

As part of the planning application documentation relating to Green Belt land, the Developer must prove that “exceptional circumstances” occur whereby the proposed construction does NOT fall into the category of “inappropriate development” (NPPF para 87-89 inclusive)

WBC are applying for the legal onus of removing “exceptional circumstances” to be proven by the Developer, thus making the Developers Planning Application far easier to approve. It removes any objection that refers to “inappropriate development” and thus “waters down” the public’s legitimate rights.

The Green Belt release that is being applied for by WBC is not only the requirements to satisfy the 20 year plan (24000 houses and massive swathes of land for commercial purposes))but also for “safeguarding” (2038 to 2047) and housing objectives such as “gypsy traveller sites”.

The sheer scale and delegated authority being awarded to the Planning Department is completely unreasonable, prone to abuse if unchecked and is an unparalleled, undemocratic power and land grab. It also is not consistent with other similar projects in the North West area such as Wilmslow, Rochdale etc.

2. Green Belt Release - “Safeguarding”

Whilst the media headlines have been regarding the proposed Green Belt release for 20 years of houses and commercial development, it appears to have gone completely unnoticed that the application of green belt release does not stop there.

Via “safeguarding”, WBC is requesting green belt release to cover the period 2038 to 2047, covering a further 8595 homes and significant “employment” land. (para’s 4.20 and 4.21)

“4.21 The calculation for safeguarding land is based on the further building of 8595 homes (9 years) on 137.52 ha of land and supplying a further 76.20ha completing a total of 213.72 ha of further Green Belt to be released.””

Whilst there may be a planning legislative requirement to provide details of “safeguarding”, under no circumstances must this additional green belt land be included in any approved proposal which removes its protection from “inappropriate development”.

3. Outlying Development Sites and Green Belt Boundaries – Incomplete

The Public is being requested to comment on a Local Plan where outlying development sites have yet to be identified and Green Belt boundaries have yet to be restated.

“At this stage the Council has not allocated individual sites or identified definitive boundaries. This level of detail will be included in the submission version of the Local Plan” (para 5.6 Local Plan)

What is the point of engaging people in a full consultation process, when WBC have yet to set out their new proposed boundaries for “Green Belt”? These boundaries are so important that, should the Local Plan, be approved, in theory they set out the areas protected from future “inappropriate development”.

It is perfectly understandable that residents’ priority is that of being a “NIMBY”, considering they pay high annual Council Tax rates.

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4. Call To Sites – Report Commissioned by WBC

You have instructed a third party contractor to evaluate pocket(s) of Green Belt land (submitted by landowners) based on WBC written instruction and payment. This has formed a major part in evaluating your 1st draft “Preferred Development Option”.

I believe there are 2 MAJOR problems for Borough residents created by your collaboration:

Firstly, each pocket of land should have been appraised NOT only with regard to its soil, land and environmental constituent parts but also reflecting all legitimate categories that could be used as “objection” by the Public if a Planning Application was submitted. Such categories ignored are visual amenity, the preferred use of land (agriculture, leisure etc) as stated in previous WBC policies and documentation of previous years, noise etc etc

How can you apply for the transfer of green belt from “inappropriate development” to “appropriate development” without speaking to the potential residents affected and considering ALL legitimate “objection” categories?

Secondly, for landowners, developers and their highly skilled lawyers who have their land excluded from development under proposed Local Plan, you are creating a legitimate basis of legal precedent by which they can challenge your decisions. If their excluded parcel of land has been evaluated with a similar appraisal to an included parcel of land, I can foresee a Planning Application being submitted, rejected by WBC as it does NOT form part of the Local Plan, appealed to the Planning Inspectorate with the decision reversed.

Policy and boundaries must be clearly defined, concise and legally protective for the general public from the planning lawyers that developers will use to exploit “loopholes”.

I believe there are examples whereby the failure by WBC to institute exact policies.

5. WBC Local Authority Planning Department Have Previously Allowed Housing Development Without A Borough Policy – “Back Land” Development.

Within the Local Plan, WBC promote their achievements in development and growth as a benchmark for achieving their future Borough aspirations.

Therefore, it is only fair to balance the argument. WBC have promoted housing construction in compact spaces without a Council policy. This is called “back land” development for which the WBC Planning Dept have “no policy”

Often to the detriment and misery of existing residents, back land development is the construction of single or multi dwellings in between existing and well defined housing. There are examples throughout the Borough, but, in Penketh, there are multiple examples along Chapel Road, Farnworth Road etc

For many years, this convenient “loophole” has been exploited by Developers in co-operation and conjunction with WBC Planning in meeting their housing construction targets.

Using this as an example of their past “track record”, therefore, this Pro-Developer stance exhibited by WBC begs the question whether major delegated additional powers relating to Green Belt that are being applied for, as part of the adoption of the Local Plan, should be trusted upon WBC Planning.

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6. WBC Planning – Are They Competent or Trustworthy To Manage 20 Years+ of Green Belt Release?

The BBC widely reported on 26th April, 2011 that the Local Government Ombudsmen criticised WBC for wrongly destroying planning applications. They reported as follows:

“Warrington council has been criticised by the Local Government Ombudsman for wrongly destroying planning applications.

The ombudsman said the destruction of approved applications and plans prior to 1996 was "an extraordinary and inexcusable act of maladministration".

Planning authorities have had a statutory duty to hold them on record, for people to view, since 1947.

Warrington council said it did not dispute the ombudsman's findings.

The Ombudsman has grave concerns that this represents a significant and very serious failure of corporate governance”

To release 20 years + of green belt land, which is irreversible both to the Borough and its people, completely changing the fabric of the “Town” requires trust and confidence in the stewardship of WBC.

WBC have requested that they be judged on their past “track record” and his MAJOR RECENT incident does NOT support that application.

7. Western Link Road and Waterways

There can be no argument that Warrington requires an improved road infrastructure. This has been required for a number of years and is required NOW!

The proposal to create a Western Link Road is a financial justification as part of a 20 year plus plan for building 24000 (rising to 33000) houses and over developed commercial infrastructure.

I do not propose to comment too much on the Western Link Road proposal as a separate consultation has been adopted. In addition I have the utmost respect for the residents who are totally affected by this ill-thought out proposal.

Suffice to say that WBC have been asleep for a number of years whilst Widnes expanded their bridge structure. Within the Local Plan, the commentary keeps referring to how WBC works with other Councils.

This non-tolled proposal is an environmental disaster waiting to happen. It is direct competition to Widnes and will not support the huge volume of increased traffic caused by increased housing, commercial development and the “free” “short cut” car brigade. It also seems in direct contradiction to any health, wellbeing and environmental policies promoted by WBC.

I must confess to also being extremely sceptical regarding the linking of waterways and the prospect of future flooding due to diverse weather conditions.

Warrington is predominately at sea-level and attached areas along the River Mersey and Manchester Ship Canal have multiple examples of being flooded over many years. The sheer scale of development, some of which is on flood plains, is very questionable and I can foresee a situation of similar to York, for example.

8. “Warrington City Centre?”

I support the theoretical concept of controlled development in the Warrington Urban infrastructure, specifically of a brownfield nature of the urban regeneration and modernisation of Warrington Town Centre and Arpley as part of the Warrington Waterfront. Though not to the detriment of existing residents living or attached to those areas.

The “Warrington City Centre” status is an aesthetic irrelevance. Most of the existing residents I have spoken to could not care less as to whether Warrington is a “town” or “city”, they merely want an infrastructure that is not over-developed and supports their wellbeing and health.

If this is a commercial decision, then as I have clarified with the Policy Team, there is NO “Cost/Benefit” analysis which outlines the financial facts of this proposal and nor is there is any statement that suggests the financial increments required within “Council Tax” to support these plans. Maybe WBC are using Preston as a benchmark for this, who have previously stated that their transition from town to city has added value. Yet, of course, Preston also have provided NO INDEPENDENT PUBLIC EVIDENCE of any such benefits.

9. Penketh and Fiddlers Ferry

No part of Penketh forms part of the “Preferred Development Option”, either in being attached to the Urban proposal or through the concept of “outlying sites”.

I believe that Penketh also possesses a very strong case for exclusion also, at this stage and for the Green Belt boundaries to be firmly restored to their original positions. It offers a semi-rural nature supported by agriculture and the Trans Pennine Trail whereby health and wellbeing can be encouraged through abatement of noise, leisure pursuits (cycling, horse riding, running, walking etc) and has established stables. Particularly towards the River Mersey and Daresbury, and across Penketh Hall Farm., the visual amenity is complemented by all visitors and contractors. The infrastructure is already full and there are potentially significant development options available on brownfield sites in the future.

As identified within the 2017 Local Plan, the brownfield site of Fiddlers Ferry may come online as the Government policy is to close coal fired power stations (effective 2021). I understand that “Local Plans”, as part of best Government practice, are required to be updated at undefined intervals, generally around 5 years.

Similar to Arpley, the sheer scale of the site will allow significant housebuilding supplemented by park landscaping to enhance the Borough further and meet the circa 24000 housing target.

Because of major housing projects are unlikely to be completed until between 5-10 years of 2017 Local Plan adoption, it would be futile to prioritise Green Belt housing, even in other Borough outlying locations, without considering this option.

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10. Penketh Hall Farm

As part of the "Call To Sites", the landowner of the multiple fields of Penketh Hall Farm quite reasonably submitted a request for consideration.

This has not been included in the "Preferred Development Option" at this stage and therefore needs no detailed response.

However, I would draw your attention to REFUSED Planning Application 2015/25801 for a proposed Solar Farm on one of the aforementioned fields.

The Delegated Officers Report, as constructed by [REDACTED] [REDACTED] is quite clear on its findings. Firstly, it considers that it is "inappropriate development" of the "Green Belt". Should your "Local Plan" be adopted by implementing wide scale Green Belt release, it will undermine completely the protection afforded to NOT only land transferred to outside of the boundaries but also (as has been mentioned earlier) through possible legal precedent to land remaining within the boundaries.

(A position ignored in the land appraisal carried out by your third-party land consultants)

Secondly, it is also worth bearing in mind, that this farm is agricultural land and as BREXIT continues, it will become vital that the country becomes more self-sufficient with its own resources and any pressure to complete a change of use must be discouraged.

(A position ignored in the land appraisal carried out by your third-party land consultants)

Thirdly, the WBC Character Assessment of 2007 and Warrington Landscape Assessment (pages 21-22/33) makes it crystal clear of how the role of Penketh Hall Farm acts as a buffer between Warrington and Widnes and in addition, recommends that any change of use from agriculture should be for leisure only. This has been the widely held belief amongst the residents for many decades and is highly likely to lie within land deeds.

(A position ignored in the land appraisal carried out by your third-party land consultants)

11. Incomplete – Hospitals and Care Homes

Whilst there remains many other social subjects that could be reflected upon, it is abundantly that the increases of population will create limited resources within all aspects of the age spectrum. Whilst the Local Plan seems, in theory, to deal with the increment in schools required, it fails abysmally to outline the requirements of social care required for the sick and elderly through additional hospitals and care homes.

12. Incomplete – Upgrading the Existing Borough Infrastructure

Over the recent decades, WBC certainly invest in new their time and money in new commercial and housing locations such as Omega and Chapelford, for example.

However, what about the neighbouring parishes who formed part of the original Warrington New Town? I am sure many residents around the Borough will ask – "when was my road last resurfaced or when were the pavements made safe?" I do NOT recall my own road, [REDACTED] ever having the pavements or surface upgraded in [REDACTED] yet equal Council Tax is submitted.

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[REDACTED]

This Local Plan makes no representation of how you intend to maintain parishes that are not to be developed for the next 20 years

Yours Faithfully

[REDACTED]

[REDACTED]

[REDACTED]