

# **Warrington Local Plan Main Modifications 2023 Bellway Homes Limited (Manchester Division) Representor ID UPSVLP 2460, 0434 and 2297**

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**Our ref** [REDACTED]

**Date** 26 April 2023

## **Subject Main Modification Representations**

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### **1.0 Introduction**

- 1.1 These representations have been prepared by Nathaniel Lichfield & Partners [Lichfields] on behalf of Bellway Homes Limited (Manchester Division) [Bellway] (Respondent IDs: UPSVLP 2460, 0434 and 2297) in response to the consultation on the Main Modifications recommended by the Inspectors to the Warrington Updated Proposed Submission Version Local Plan 2021-2038 (September 2021) [UPSVLP].
- 1.2 These representations have been written in respect of Bellway's land assets that are allocated in the UPSVLP, specifically Land at Deacons Close, Croft (Policy OS1 – Croft); Land at Rushgreen Road (Policy OS5 – Lymm – Rushgreen Road) and Land at Golborne Road, Winwick (Policy OS6 – Winwick) to avoid duplication of arguments. They expand upon Bellway's previous representations made on the UPSVLP and the comments made are assessed against the tests of soundness established by the National Planning Policy Framework [NPPF].

### **2.0 Proposed Amendments to Green Belt Boundaries**

- 2.1 PMM 06, as set out in Warrington Borough Council's [the Council] Schedule of amendments to the Policies Map of the UPSVLP, seeks to retain land to the east of the OS5 allocation boundary in the Green Belt and amend the site allocation and settlement boundaries to reflect the changes contained in Council Document CD51.
- 2.2 Consequently, the land directly east of the amended site allocation boundary and adjacent and south of Bellway's approved residential development at Tanyard Farm (Phase 1) (ref. 2017/31816) which was approved on appeal (ref. APP/M0655/W/181) and is currently under construction, will remain within the Green Belt.
- 2.3 This parcel of land (referred to as Parcel B and shown in Appendix A for visual purposes (albeit we are aware the site allocation has subsequently been amended to include 78 Rushgreen Road)) was intended to be removed from the Green Belt in the UPSVLP (September 2021). However, subsequently, as set out in their Matter 7d(ii) Statement submitted for consideration as part of the Local Plan's Examination in Public [EiP], the Council proposed a modification to Policy GB1 to amend the Green Belt boundary to match the eastern extent of the site allocation (policy OS5).

- 2.4 As mentioned in our previously submitted EiP statements to Matter 3 (Spatial Strategy) and Matter 7d(ii) (Site Allocations – Lymm (Policy OS5 – Rushgreen Road)), Bellway considers that the proposed amendment to the green belt boundary in this location is unjustified.
- 2.5 As identified in the Warrington Local Housing Needs Assessment Update (August 2021), which forms part of the Council’s evidence base, the strength of demand for housing in Lymm is high, particularly for larger sized market dwellings and affordable homes. Removing Parcel B from the green belt would help to enable the delivery of an additional c.40-50 houses in a sustainable location adjacent to the urban area, making most efficient and effective use of land in accordance with NPPF §124 whilst helping to meet Lymm’s identified housing needs, increasing housing choice in the area and supporting the vitality and viability of local services in Lymm.
- 2.6 Parcel B (ref. B18/117) was considered as part of the 2017 Green Belt Assessment as having a weak overall contribution to the Green Belt. Furthermore, Bellway’s land interests (comprising the majority of the proposed site allocation (Policy OS5) and their adjacent land interests, including Phase 1 and Phase B) (ref. (ref. R18/P2/085 and P18/P2/132) were assessed within the Council’s 2018 Green Belt Assessment. The report concluded that the site made a weak overall contribution to the Green Belt.
- 2.7 These Green Belt Assessments formed the evidence base for the Council’s Reg. 18 Proposed Submission Version Local Plan [PSVLP] 2019, which included Parcel B within the site allocation (Policy OS7 – Rushgreen Road/Tanyard Farm). Arup’s previous assessments are robust and there is no basis for Parcel B to have been removed from the allocation in the WUPSVLP. Nor should the Green Belt boundary be amended to retain Parcel B, as suggested within the Council’s Matter Statement, given that the parcel makes a weak overall contribution to the Green Belt. Additionally, Arup’s latest Green Belt Assessment<sup>1</sup> also concludes that the site as a whole makes a weak contribution to Green Belt purposes.
- 2.8 The Council, in their Matter Statement, considered that there were no exceptional circumstances to remove Parcel B of the appeal site from the Green Belt and evidenced the appeal inspector’s specific references to the parcel’s open character and its role in maintaining a gap between Oughtrighton and Lymm. However, the S78 Inspector was considering a proposal to consolidate what was a major developed brownfield site in the Green Belt. They were not considering the identification of logical long term Green Belt boundaries based on the findings of the Council’s Green Belt Assessments. Additionally, as set out in our previous representations, Bellway considers there are exceptional circumstances in this instance to amend the Green Belt boundary, particularly given the significant need for housing across the borough and specifically in Lymm, and the benefits that will arise from its delivery.
- 2.9 Therefore, given the findings of the Council’s own evidence base, the retention of this weakly performing parcel within the Green Belt is unjustified. Bellway’s Phase 1 residential development directly to the north further weakens Parcel B’s contribution to the Green Belt purposes. Removing the parcel from the Green Belt (as previously proposed in the UPSVLP Policies Map (September 2021)) would create a logical, defensible and permanent western

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<sup>1</sup> Green belt Site Selection Implications of Green Belt Release (August 2021)

boundary that follows the linear boundary of built development created through the erection of Phase 1. Consequently, any future residential development to come forward on Parcel B would be contained, protruding no further east than Bellway's existing Phase 1 development and no further south than the natural boundary created by the Bridgewater Canal.

### **3.0 Proposed Amendments to Green Belt Policy**

- 3.1 The Council's Schedule of Proposed Main Modifications (MM 01) proposes to amend the Introduction paragraph 1.2.12, by reducing the amount of land proposed to be removed from the Green Belt from 580 hectares to 390 hectares. This equates to 3.4% of the total amount of Green Belt land in the borough (rather than the 5% proposed originally in the WUPSVLP).
- 3.2 Given that part of this reduction is due to the proposed amendments to the Policies Map that will result in Parcel B remaining within the Green Belt, Bellway considers this main modification to be unjustified.

### **4.0 Green Belt Compensation**

- 4.1 Bellway does not object to the requirement for the proposed site allocations to deliver a scheme of compensatory improvements to the environmental quality and accessibility of land remaining in the Green Belt as set out in Part 13 of Policy OS1, Part 14 of Policy OS5 and Part 13 of Policy OS6. However, the main modifications proposed to these parts of the policies (set out in MM 025, MM 029 and MM 030 respectively) require, in the first instance, the improvements to be in the immediate vicinity of the sites and delivered by the developer. Although greater clarity is proposed as part of the main modifications as to how these compensation measures should be provided, the improvements that are required on remaining Green Belt land, as set out in Bellway's previous representations, do not prevent potential ransom situations between the developer of the site allocation and landowners with unallocated sites within the Green Belt.
- 4.2 Bellway does not consider this approach to be effective and continues to request that the Council considers the approach taken by St Helens Borough Council. St Helens proposed supporting text to Policy LPA02 (Development Principles) to provide greater clarity on the expectations to deliver compensatory improvements to offset the release of Green Belt land for development. The Plan does not specifically refer to compensatory improvements, albeit it is acknowledged that areas such as the Bold Forest Park have the potential to be enhanced through improved access and infrastructure. This approach was found sound by the Inspector, who concluded that this would ensure that the Plan is consistent with national policy.
- 4.3 A similar, less prescriptive approach should be sought by the Council, with the policy's supporting text detailing potential projects and schemes where Green Belt compensation could take place. Bellway requests that the Council considers setting out a mechanism for calculating contributions, which should be proportionate to the scale of development proposed within the Green Belt.

## **5.0 Holcroft Moss Contribution**

- 5.1 The proposed main modifications to Part 18 of Policy OS1 (MM 025) and Part 19 of Policy OS6 (MM 030) require the site allocations to provide a financial contribution towards appropriate mitigation measures at Holcroft Moss. As set out in the new paragraph 10.6.7 (MM 025), the basis for defining the level of contribution towards restoration works at Holcroft Moss will be confirmed through an update to the Council's Planning Obligations SPD. Bellway supports the provision of this financial contribution in principle; however, this requirement would be unjustified on sites where viability concerns may be an issue. Therefore, this contribution should be subject to the schemes' viability.
- 5.2 The requirement for the main allocations and smaller settlement allocations which line the M62 corridor (to include Policy OS1 and Policy OS6) to provide this financial contribution to be put towards appropriate air quality mitigation measures at Holcroft Moss is set out in greater detail in the additional wording proposed for Part 4 of Policy ENV8 (MM 018). Again, Bellway considers that this should be subject to the viability of these schemes.

## **6.0 Self-Build Provision**

- 6.1 Bellway's previous representations raised concerns over the requirement within the site allocation policies (specifically Policies OS1, OS5 and OS6) to make specific provision for self-build/custom build plots, subject to demand as demonstrated by the Council's self-build register.
- 6.2 It is understood that the Council's self-build register shows limited need for such plots. As local demand for such plots across the Borough is unknown, the Council cannot rely on these allocations as a source of supply. Furthermore, the Council has not taken into consideration how such plots will be brought forward as part of these residential allocations.
- 6.3 Unlike Warrington, the St Helens Local Plan does not require specific residential allocations to make a provision for self- and custom-build housing. Instead, it supports "*the delivery of suitably designed and located self-build and custom-build schemes in the Borough where they would conform with all relevant local and national policies.*" Bellway recommends that such an approach is taken within the Warrington Local Plan.

## **7.0 M4(3) Provision**

- 7.1 Bellway appreciates the needs of groups with specific needs (including those with disabilities or mobility issues) should be provided for as part of new housing developments to support the creation of inclusive communities. However, previous requirements, as set out in the PSVLP (March 2019) set a 5% optional requirement for dwellings to accord with Part M4(3), which has subsequently increased to 10% in Policy DEV2 (Meeting Housing Needs) of the UPSVLP. However, Bellway considers there to be no specific evidence to justify new housing meeting this optional requirement, given that the Local Housing Needs Assessment Update (August 2021) only includes information relating to UK-wide data, raising questions over its validity. The Assessment does not evidence a particularly high proportion of wheelchair users in Warrington and instead, assumes that 25% of those

wheelchair households will wish to move to a new build home. Additionally, paragraph 10.119 suggests that the need for wheelchair accessible dwellings is much higher for social rented properties than for owner occupier units.

- 7.2 Therefore, the Council's evidence base does not support the optional M4(3) requirement given that the higher optional standards are not justified. Bellway considers that any requirements should be determined on a site-by-site basis, taking into consideration site-specific requirements and the level of demand for such properties in the area.
- 7.3 However, should the optional requirements be brought forward in the Local Plan, Bellway request that, as a minimum, a 12-month transition period should be allowed, to enable developers time to factor in the cost of such changes. This was found to be reasonable by the Inspector during the adoption of the St Helens Local Plan. A similar approach should therefore be taken in Warrington.

## **8.0 Conclusions**

- 8.1 Overall, Bellway considers that the majority of main modifications to the UPSVLP meet the soundness tests as set out in the NPPF [§35]. However, they consider that the amendments to the borough's Green Belt boundaries, which will now result in Parcel B being retained in the Green Belt, is unjustified. Bellway considers that there are exceptional circumstances to remove this parcel from the Green Belt, as previously shown the UPSVLP Policies Map, and therefore the previous wording of UPSVLP Policy GB1 was justified, effective and consistent with national policy. The main modifications (PMM 06 and (MM 01) should consequently be disregarded. Additionally, the proposed modifications to the wording of Policies OS1 and OS6, to require a contribution towards mitigation measures at Holcroft Moss, should be subject to the schemes' viability. Finally, in considering Green Belt compensation measures, the requirement to ensure such improvements are delivered on remaining Green Belt land could result in ransom situations with other landowners who have unallocated sites within the Green Belt, unless the intention is that the improvements would be delivered on Council land, which isn't currently stated within the policy.
- 8.2 Bellway also continue to request that a 12-month transitional period for the optional provision of M4(3) dwellings is incorporated into the accompanying text for Policy DEV2 and the requirement for the residential site allocations to make provision for self- and custom-build dwellings to be removed.
- 8.3 With the amendments set out above, Bellway requests that the Local Plan is finalised and adopted without delay.

**Appendix A – Tanyard Farm, Lymm Site Location Plan**


**Disclaimer:**  
 All contractors must visit the site and be responsible for taking and checking dimensions.  
 All construction information should be taken from figured dimensions only.  
 Any discrepancies between drawings, specifications and site conditions must be brought to the attention of the supervising officer.  
 This drawing is for planning purposes only. It is not intended to be used for construction purposes. Whilst all reasonable efforts are used to ensure drawings are accurate, Aspley Planning and Design Ltd accept no responsibility or liability for any reliance placed on, or use made of, this plan by anyone for purposes other than those stated above.

# FORMER TANYARD FARM, LYMM

## LOCATION PLAN

**General Notes**  
 This drawing needs to be read in conjunction with the following plans:

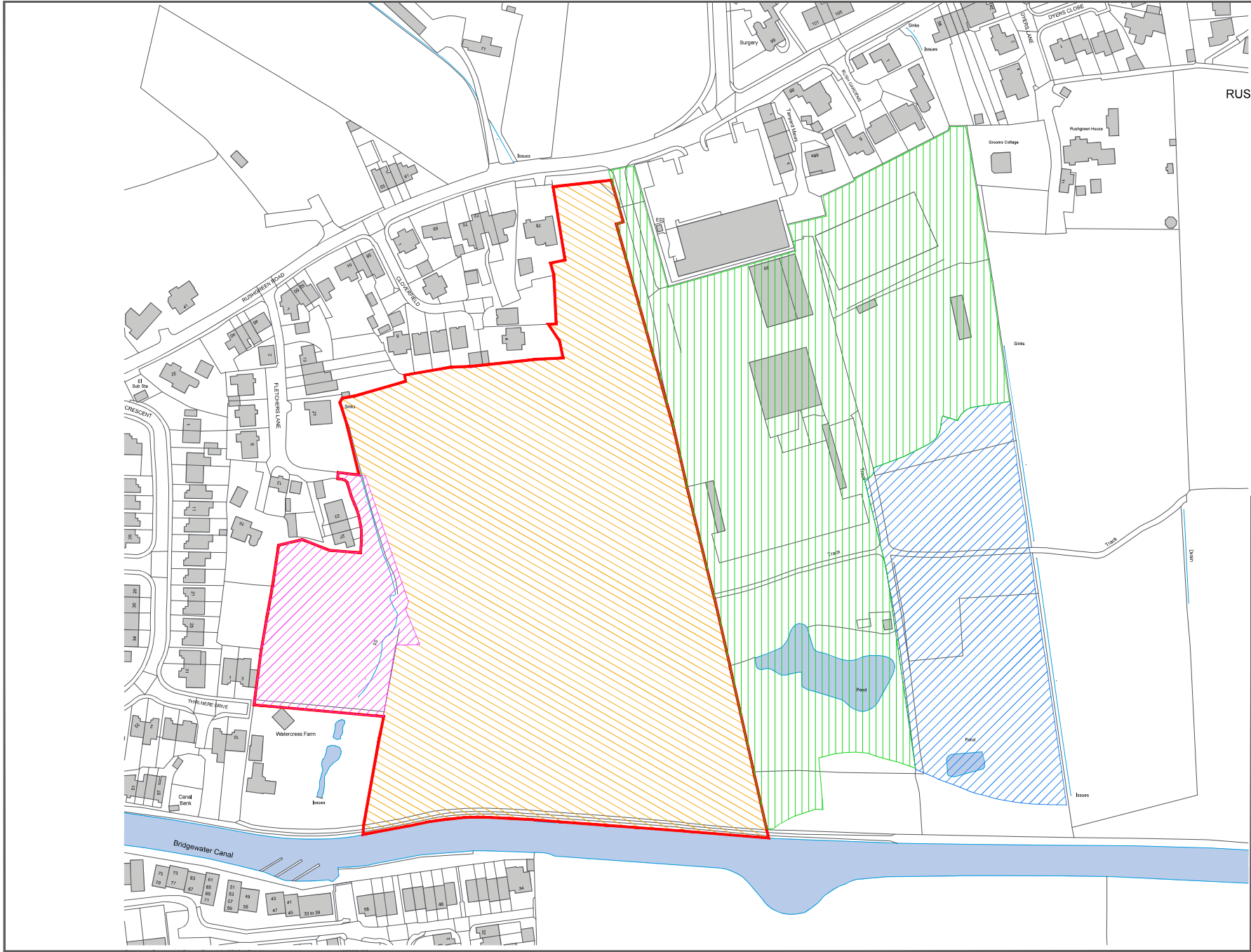
- Landmarking Layout
- Boundary Treatment Plan
- Mainland Layout
- Flood Defence Plan



1:1250 0 12.5 25 37.5 62.5m

**Key**

- Current Site Allocation
- Separate Land Owner
- Parcel A (Phase 2)
- Parcel B (Phase 2)
- Phase 1



Rev.	Date	Description	By	Chd
Client				
<b>Bellway</b>				
Project				
<b>FORMER TANYARD FARM LYMM</b>				
Drawing Title				
<b>LOCATION PLAN</b>				

