

# Response 614

## Respondent Details

Information	
[REDACTED]	[REDACTED]

## PART A - About You

1. Please complete the following: Please note the email address (if provided below) will be sent a full copy of the submitted response and a unique ID number for future reference (pdf attachment).

Name of person completing the form: Murray Graham

Email address: [REDACTED]

2. What type of respondent are you? Please select all that apply.

An agent

3. Please complete the following:

Contact details	
Organisation name (if applicable)	Urban Roots Consulting Limited
Agent name (if applicable)	Murray Graham
Address 1	24 Marlston Avenue
Address 2	Chester
Postcode	CH4 8HF
Telephone number	[REDACTED]

## PART B - Representation Form 1

1. To which part of the Local Plan does this representation relate? From the drop down list please select one option.

Policy GB1 Warrington's Green Belt

2. Does your comment relate to a specific paragraph (s) or policy sub-number (s)? Please select one option.

A policy sub-number (s)

If a paragraph or policy sub-number then please use the box below to list:  
GB1 (9) and the Propsals Map

3. Do you consider the Draft Local Plan is: Please select one option in each row.

	Yes	No
Legally Compliant	X	
Sound		X
Compliant with the Duty to Co-operate	X	

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

we don't feel that the plan has considered our clients site based on the evidence provided

5. If you answered 'Yes' to any of the options in question 3 then please give details in the box below the reasons why you support the legal compliance or soundness of the Draft Local Plan or its compliance with the duty to co-operate. Please be as precise as possible.

The Draft Local Plan is positively prepared and based on a strategy which seeks to meet objectively assessed development and infrastructure requirements and consistent with achieving sustainable development;

With the inclusion of the site it is effective and can be delivered over its period and based on effective joint working on cross-boundary strategic priorities and is consistent with national policy

6. Please set out what modification(s) you consider necessary to make the Draft Local Plan legally compliant or sound, having regard to the test you have identified above where this relates to soundness. (NB please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Amendment of Green Belt boundary on the Proposals Map to include the site

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? Please select one option.

No, I do not wish to participate at the oral examination

8. If you wish to upload documents to support your representation form then please select 'choose file' below. You can upload a max number of 2 files (up to 25MB each). If you are submitting more than one representation form please note: If this file upload supports more than one representation form then please do not attempt to upload the same file on subsequent forms. On additional representation forms please use the comments/file description box to type in the 'name of the file', or 'see previous form'. If the file upload is a different document for additional representation forms then please continue to upload the file as normal.

- File: [redacted] WLP 0619.pdf [redacted]

**Comments/file description**

Justification for inclusion of the site within the settlement boundary of Lymm

You have just completed a Representation Form for Policy GB1 Warrington's Green Belt. What would you like to do now? Please select one option.

Complete the rest of the survey (Part C)

## Customer 'About You' Questionnaire

**Warrington Draft Local Plan  
Regulation 19 Representation**

**On Behalf of** [REDACTED]

**Land Adjacent to Cherry Lane Barns, Lymm**

**June 2019**

## 1.0 Introduction

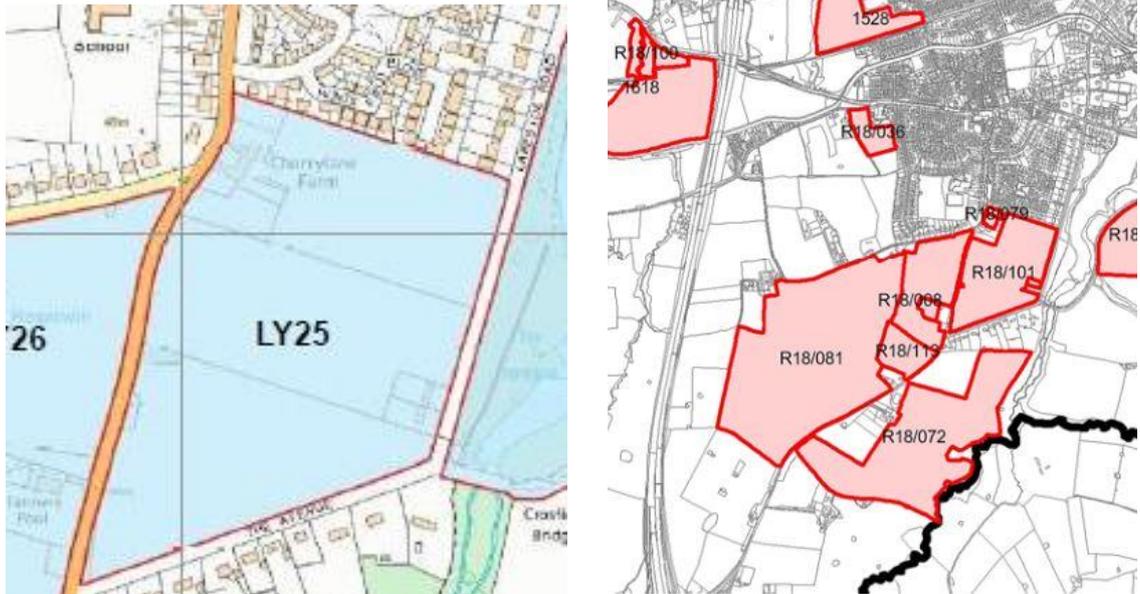
- 1.01 The 2095m<sup>2</sup> site is situated in Lymm and lies sandwiched between the recently converted Cherry Lane Barns to the south, the relatively modern housing off Lady Acre Close and Hunts Filed Close, to the north, Cherry Lane (B5158) to the West and established hedgerow to the east. It is in the ownership of [REDACTED] who Live in one of the recently converted barns.
- 1.02 The site is currently vacant 'waste' land and has been for many years. It's last known use was as a paddock associated with Cherry Lane Farm but the site has not been used for agricultural purposes since at least 1976.
- 1.03 [REDACTED] prepared representations which were submitted at the Call for Sites (November 2015) Issues and Options (December 2016) and Preferred Development Options (PDO) (September 2017) stages. The representations supported the removal of the site from the Green Belt and inclusion within the settlement boundary of Lymm. At that stage the representations made it clear that [REDACTED] disagreed strongly with the Assessment carried out by Arups in 2016.

## 2. Need to Amend the Green Belt Boundary in this Location

- 2.01 Policy DEV1 – *Housing Delivery* which indicates in Policy DEV1 (4) that:

### *Lymm – minimum of 430 homes*

- 2.02 As a small site the contribution to the overall figure is insignificant however, the process for removing land from the Green Belt and amending the Green Belt boundary for the settlement of Lymm has been flawed in its assessment.
- 2.03 The Green Belt Assessment (2016) carried by Arups looked at the whole of the Borough and applied the five tests of Green Belt as the mechanism for assessing each area. The area of south Lymm was
- 2.04 The Green Belt Study (2016) distinguished Green Belt functionality into four categories:
- No contribution;
  - Weak contribution;
  - Moderate contribution; and
  - Strong contribution.
- 2.05 The Study assessed the land off Cherry Lane and identified it within Character Area 8 which is assessed as serving a strong contribution to Green Belt purposes. The Study then went on to assess the individual parcels within the defined character areas. Land off Cherry Lane, including [REDACTED] site is identified as reference LY25 and is assessed as providing an **overall strong** contribution to the function of the Green Belt.



**Figure 1: Green Belt Assessment 2016**

2.06 LY25 is assessed against the five purposes of Green Belt as set out in the National Planning Policy Framework 2019 (NPPF) as the following:

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

2.07 As stated in the previous representations, we disagree with the interpretation and would hazard a guess that the consultants never visited the site. In respect of Purpose 3 it states that the parcel is well connected with the countryside along three sides. As Figure 2 clearly show, the northern boundary is the gardens of existing dwellings on Lady Acre Close, Cherry Lane to the west and the converted Cherry Lane Farm to the south. The eastern boundary is clearly defined by the existing hedge line.

2.08 We strongly disagree with the statement that the existing land use consists mainly of open countryside and there is little vegetation. In particular, it is factually incorrect to state that there is an active farm in the north-west corner of the parcel and that the parcel helps to prevent further encroachment particularly given the residential properties on the Avenue. There is no long line views to the west and it serves no purpose of maintaining a strong degree of openness.



**Figure 2: Plan of site**

2.09 The site has been given the reference R18/079 but there is no assessment no acknowledgement of the site throughout the Plan preparation. This is despite the following in order of plans listed.

1. R18/079 Cherry Lane Barn ( [REDACTED] plot)
2. Shlaa Reference 2705 (R18/101) - Field to the rear of our plot - Constrained

3. Shlaa Reference 2615 - Cherry Lane Barn - Suitable, available and achievable

4. Shlaa Reference 2229 - 57 Cherry Lane - Suitable, available and achievable

2.10 Items 2, 3, and 4 all have concluding recommendations allocated to them as suitable, available and achievable with the exception of plot R18/079 has not been given a SHLAA Reference or recommendation.

2.11 Given the location of the site along Cherry Lane and between the various housing and residential developments as described above, and the fact that it is not in agricultural use, the site no longer meets the criteria for Green Belt designation and is now part of the built up area of Lymm it is clear that the Council's response in an email 23.03.2019 to [REDACTED] still showed a complete misunderstanding and inconsistency in terms of the Plan.

2.12 The council stated that in a response to a query about the assessment of the site that:

*"A large number of sites in proximity of the outlying settlements were submitted as part of the Local Plan 'call for sites' and during the Preferred Development Option consultation. The submitted sites had many times the capacity of the number of homes required to support the Plan's proposed spatial development strategy of 'incremental growth' in the outlying settlements. The Council therefore adopted a site selection methodology to confirm the sites proposed to be allocated in the Proposed Submission Draft Local Plan.*

*The Council **discounted sites making a strong contribution to the Green Belt.** This was to ensure that the impact on Warrington's Green Belt was minimised. Based on the Council's Green Belt Assessment, Site R18/079 was a site that made a strong contribution to the Green Belt, and was therefore, in line with the site selection methodology, excluded as a potential development site.*

*Therefore, whilst I can appreciate the comments you highlighted in your e-mail are considered to be an inaccurate reflection of your site, and the Council duly noted the comments in its schedule of responses, it would have had no bearing on the site's potential for development, as it did not progress past the first criteria of the site selection methodology due to its Green Belt contribution.*

*With regards to the missing SHLAA comments and reference, due to its size, the site is not in the SHLAA, as it would be deemed to be what we call a site that would count towards a 'small site allowance'. However, it would be considered to be a 'constrained' site and not suitable for residential development as it is still in the Green Belt and would therefore be contrary to planning policy.*

2.13 However, the **Green Belt Assessment (Additional Site Assessments of Call for Sites Responses and SHLAA Green Belt Sites) Settlements - Lymm South and West, July 2017** assessed all sites that had been submitted as part of the 2016 Call for Sites consultation. This time the site was assessed as performing a **weak** contribution to Green Belt purposes there is there a contradiction in the assessment of the site.

2.14 The 2017 Addendum is the most up-to-date assessment and should have been taken into account when drawing up the Draft Local Plan. There is however, a contradiction in the Evidence Base. The site was submitted via the Call for Sites in November 2015 and December 2016 (Reference **R18/079**). It was assessed in the 2015, 2017 and 2018 SHLAA's as part of the ongoing process to identify the Borough's 'deliverable' and 'developable' supply of housing land. It has been assessed within the 2017 and 2018 SHLAA's as being '**constrained**' due to its designation as Green Belt.

R18/079	No contribution: The site is not adjacent to the Warrington urban area and therefore does not contribute to this purpose.	No contribution: The site does not contribute to preventing towns from merging.	Weak contribution: The site is adjacent to the settlement along the northern boundary and western boundaries. The northern boundary is formed from the rear of residential development and field boundaries which is not a durable boundary that is able to prevent encroachment into the site. The western boundary also links the site to the settlement and is formed by Cherry Lane which is a durable boundary able to prevent encroachment into the site. The boundaries with the countryside are not durable. The southern and eastern boundaries are defined by field boundaries which are not durable or able to prevent encroachment beyond the site if the site were developed. However, the site is currently being developed for use as one large dwelling set in a garden and therefore there has already been encroachment into the site. The site is reasonably well connected to the countryside along two boundaries. As the site is currently being developed, this will result in over 30% built form and therefore will prevent any long line views, resulting in the site having no degree of openness. Overall the site makes a weak contribution to safeguarding the countryside from encroachment due to its existing land use and presence of built form.	Weak contribution: Lymm is a historic town. The site does not cross an important viewpoint of the Parish Church. The eastern section of the site is located within the 250m buffer area around Lymm Conservation Area however it is on the very edge of the buffer. Therefore the site makes a weak contribution to preserving the setting and special character of historic towns.	Moderate contribution: The Mid Mersey Housing Market Area has 2.08% brownfield urban capacity for potential development, therefore the site makes a moderate contribution to this purpose.	The site makes a moderate contribution to one purpose, a weak contribution to two, and no contribution to two purposes. In line with the methodology, the site has been judged to make a weak overall contribution. There is existing encroachment as the site is currently being developed as a dwelling. Given the level of development within the site, the site has no degree of openness and makes a weak contribution to safeguarding from encroachment. The site makes a weak contribution to preserving the setting and special character of Lymm. The site makes a moderate contribution to assisting in urban regeneration.	Weak contribution
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**Figure 3: Green Belt Study Addendum 2017 page 12**

2.15 We would suggest that consistency is key to ensuring that the Plan is found to be "sound". The site is small infill plot in the continuous built up area and it should be included within the settlement boundary of Lymm. The adjoining site at Cherry Lane Barns and Cherry Lane Farm clearly extend the built-up area of the settlement to immediately opposite Booth's Lane.

### **3.0 Recommendation for Modification to Draft Local Plan**

3.01 It would therefore make the Plan more consistent if the red line indicating the settlement boundary of Lymm is amended on the proposals map Warrington Borough Council to take account the reviewed assessment of the site into consideration.

