

# Warrington Local Plan Examination

## Matters Statements

### MATTER 6e - MAIN DEVELOPMENT AREA: THELWALL HEYS

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July 2022



## **MATTER 6e – MAIN DEVELOPMENT AREA: THELWALL HEYS**

### **Issue**

Whether the Thelwall Heys Main Development Area (Policy MD5) is justified, effective and consistent with national policy.

(NB. Examination Library reference numbers are provided in brackets after each document referred to in the Matters Statement)

### **Questions**

#### **1. What is the background to the Main Development Area and how was it identified?**

- 1.1 The site was submitted as part of the Call for Sites as a site for residential development (SAP4 Page 15) in 2017. The site was not allocated in the draft 2019 PSVLP however the Council received a number of representations to the 2019 PSVLP consultation which stated that additional sites were required in the early years of the Plan Period to offset longer lead in times and risks associated with larger urban extensions. In response these representations, the Council has undertaken a review of all sites immediately adjacent to the main urban area judged to be weak in terms of Green Belt performance. This included the Thelwall Heys site.
- 1.2 The site formed a component of the options assessment for development adjacent to the main urban area (Local Plan Option 01 page 20) and was considered viable and deliverable following discussions with the promoter and preparation of a Heritage Impact Assessment in liaison with Historic England.

#### **2. What is the basis for the scale of development proposed and is this justified?**

- 2.1 The Council reconsidered the site in 2021, reviewing ownership; relationship to the existing urban area; highways access; and whether existing the social infrastructure in the vicinity of the site could accommodate the development. Consideration was also given to the broader sustainability factors as set out in the Council's Sustainability Appraisal SA Report August 2021(SP3) and Development Options and Site Technical Report 2021 (O1), including Green Belt requirements; the natural environment of the site; and heritage issues. Having undertaken this process the Council identified the potential for development of 310 homes at Thelwall Heys and

around 40 additional homes at two other smaller sites, which would logically be removed from the Green Belt if Thelwall Heys was to be allocated.

- 2.2 The Council has worked closely with the land owner and in their written representation UPSVLP 1435 they confirm that they can deliver the site as per the policy requirements.

**3. What are the conclusions of the Green Belt Assessment in relation to the contribution of the land in question to the purposes of the Green Belt and the potential to alter the Green Belt in this location?**

- 3.1 The site was assessed in the Green Belt Assessment 2021 (GB3) as having a weak contribution to Green Belt purposes.
- 3.2 The new Green Belt boundary would be recognisable and permanent being strongly defined to the south, east and north by the Bridgewater Canal, Cliff Lane, All Saints Drive, and the Trans Pennine Trail respectively.

**4. What would be the effect of developing the site on the purposes of the Green Belt?**

- 4.1 The Green Belt Site Selection – Implications of Green Belt Release 2021 report (GB3) concluded development of the site would result in some encroachment into the countryside however development would not represent unrestricted sprawl as it would be reasonably contained and well defined along strong permanent boundaries to the south, east and north (Bridgewater Canal, Cliff Lane, All Saints Drive, and the Trans Pennine Trail). Given the pattern of the built-up area, development could constitute ‘rounding off’ of the settlement pattern. The removal of this site from the Green Belt will not harm the overall function and integrity of the Warrington Green Belt.
- 4.2 Full details of the effect of developing the site on the five purposes of the Green Belt are detailed in the Green Belt Site Selection – Implications of Green Belt Release 2021 (GB3) document.

**5. Are there exceptional circumstances to alter the Green Belt in this particular case? If so, what are they?**

- 5.1 The site performed well in terms of the assessment against the objectives of the Local Plan, the requirements of the Government’s National Planning Policy Framework and the Local Plan Sustainability Appraisal. The Local Plan Green Belt

Assessment concluded that the site only makes a weak contribution to the overall purposes of Green Belt.

- 5.2 The Allocation Policy and relatively unconstrained nature of the land will enable the site to be delivered at an early stage of the Plan period meeting identified housing needs in the shorter term.

**6. What is the approach towards Green Belt compensatory improvements? Is this sufficiently clear?**

- 6.1 The Council acknowledges that the approach to Compensatory Green Belt improvements could be clearer in the Policy. As such the Council is proposing a modification to clarify that in the first instance improvements should be made in the immediate vicinity of the site and delivered by the developer. The Council will then consider improvements in the wider area where it can be demonstrated that the improvements cannot be delivered in the immediate vicinity of the site or where this will provide greater benefits. Financial contributions will only be considered where this would help to ensure that the benefits of compensatory improvements can be maximised by providing them in a more appropriate location.
- 6.2 The proposed wording for the modification is detailed at paragraph 12.1
- 6.3 It is anticipated that in the case of Thelwall Heys that compensatory Green Belt improvements will be provided in the vicinity of the site as the land promoter has control of land in the vicinity of the proposed allocation site.

**7. What is the background to the specific policy requirements in Policy MD5? Are they justified and consistent with national policy? Do they provide clear and effective guidance on constraints and suitable mitigation?**

- 7.1 The specific policy requirements either relate to the Local Plan objectives including the type and tenure of homes to be delivered, or to ensure appropriate mitigation in bringing the site forward for development and addressing site constraints. The requirements have been established taking into account the Council's evidence base and site assessment work, engagement with the principal landowner, engagement through the Duty to Cooperate and feedback from previous rounds of consultation. The Council considers the requirements are clear, justified and consistent with national policy.
- 7.2 The policy provides clear guidance on what the Council expects will be delivered as part of the development including any special considerations concerning heritage, Green Belt, climate change and the natural environment.

**8. Does Policy MD5 identify all appropriate and necessary infrastructure requirements? How will these be provided and funded? Is this sufficiently clear?**

- 8.1 The Council has established infrastructure requirements for the allocation and associated costs through ongoing engagement with infrastructure providers (United Utilities, CCG/NHS); internal Council services; partner services and the site promoter. Given objections received from the public relating to infrastructure concerns, it has

been essential to ensure that the necessary infrastructure will be delivered to mitigate the impact of development.

8.2 The Policy sets out the requirements of any on site provision of infrastructure that is to be provided by the developer and where there is an expectation that s106 funding will be necessary for the Local Authority and other public partners to provide the infrastructure. This will enable the developer to move forward with the site early in the Plan period.

8.3 All infrastructure identified is to be funded by the developer of the site. The Local Plan Viability Assessment August (V2) demonstrates this is viable.

9. **Are there potential adverse effects not covered above, if so, what are they and how would they be addressed and mitigated? N.B. The Council's response should address key issues raised in representations.**

9.1 **The issue was raised that the additional traffic resulting from the development would result in more air pollution.** The Local Plan Air Quality Modelling Report undertaken for the previous PSVLP (2019) concluded that the burden of poor air quality on people's health is expected to reduce in Warrington considerably in the future, as emissions are reduced, largely due to improvements in vehicle emissions outweighing increases in the number of vehicle journeys. However, the Report highlights the health threat posed by particulate matter. As such the Council is committed to implementing the actions of its Air Quality Action Plan, to ensure that opportunities to improve air quality are fully realised. The Council has not undertaken a full review of the Local Plan Air Quality Modelling report given the UPSVLP (2021) is proposing a lower level of development. The existing report is therefore considered to assess a 'worst case' scenario. Updated air quality modelling has however informed the Updated Habitats Regulation Assessment 2021 (SP12). The policy contains a range of measures to promote active transport, including walking and cycling, and improve public transport serving the allocation and surrounding area together. Together these measures will have a positive impact on air quality.

9.2 **A further concern relates to lack of details with regard to additional canal crossings, referring to both the Manchester Ship Canal and the Bridgewater Canal.** Whilst transport modelling shows that a further Ship Canal Crossing is not critical to support development in the Plan Period, it is acknowledged that north-south connectivity does need to be improved in the longer term. This is identified in the Local Transport Plan which also commits the Council to start work to test the feasibility of a new mass transit system for the Borough. Whilst specific details of a connection across the Bridgewater Canal and/or Ship Canal have not yet been identified, Policy MD2 requires that contributions are made towards this so that it can be utilised when the Council is in a position to take this forward. This position will continue to be monitored.

9.3 **Concerns were raised that that the site is high quality agricultural land. It is acknowledged that the site is graded 2 and 3 in the Agricultural Land Classification.** The quality of agricultural land was taken into account in the Council's spatial option and site assessment processes and in the Plan's Sustainability Appraisal. The Council

has sought to minimise the loss of the best and most versatile agricultural land. The sites were assessed in detail against a consistent set of criteria relating to performance against the Plan's objectives and SA/SEA site assessment criteria to establish that the sites were 'suitable'. The agricultural quality of the land was just one the criteria that were used to assess the sites. Since the majority of the borough is covered by similar quality agricultural land this has little impact on the overall assessment of sites.

- 9.4 **It was raised that the site was identified as having Special Landscape Status in 2004.** The site has been assessed in terms of its Green Belt performance. The site's landscape character has been taken into account in the site assessment process by reference to the Council's Landscape Character Assessment. There is no designation of the site in the current adopted Local Plan of Special Landscape Status.
- 9.5 **It was raised that the development will cause flooding.** The Council has undertaken a Strategic Flood Risk Assessment in considering potential development allocations in the updated PSVLP. The allocation policy requires a site-wide foul and surface water strategy incorporating appropriate Sustainable Drainage Systems (SUDS) and flood alleviation measures. The surface water strategy will be required to improve on greenfield run-off rates.
- 9.6 **Cheshire Constabulary considers that the impact of this site upon Police and other Emergency services is not recognised or accounted for. The needs of all other services/infrastructure is addressed in the policy and therefore it is requested that the policy be amended to address this additional specific need.** The Council will engage with the Cheshire Constabulary to consider their future needs but there is no evidence to demonstrate that any specific provision needs to be made as part of this allocation.
- 9.7 **Cheshire Wildlife Trust recommend a minimum undeveloped buffer of 15m from the Bridgewater Canal as an important wildlife corridor inside the allocation red line boundary is secured.** A Green Infrastructure Strategy is required for the site and the Bridgewater Canal is identified as an area where environmental benefits of the area should be enhanced. All relevant Local and national policy requirements will be met on development of the site.
- 9.8 **Thelwall Heys Lane is used for horses and is not wide enough for 1 car.** The policy requires a package of Transport improvements to support the development. This includes ensuring appropriate access arrangement, provision of walking and cycling routes and other network improvements or travel plan measures identified through an appropriate Transport Assessment.
10. **Is the development proposed viable and deliverable as anticipated within the plan period? What is the situation in relation to land ownership and developer interest?**
- 10.1 The site is one ownership and it is green field and the relatively unconstrained nature of the land will enable the site to be delivered in the early part of the Plan

period. The Local Plan Viability Assessment August (V2) confirms that the site can provide all infrastructure in line with the policy requirements.

10.2 The site's promoters propose to commence pre- application discussions with the Council after the Local Plan Examination.

**11. How is it intended to bring the site forward for development? What mechanisms will there be to ensure a comprehensive and co-ordinated approach to development, ensuring that infrastructure requirements are provided?**

11.1 The policy sets out all the requirements for the comprehensive development of the site. This includes all infrastructure including community facilities; open space and recreation; transport and accessibility; and utilities and environmental protection.

11.2 In their written representation UPSVLP 1435 the site owners confirm that they can deliver the site as per the policy requirements.

**12. Are any main modifications necessary for soundness?**

12.1 The Council acknowledges that the approach to Compensatory Green Belt improvements could be clearer within the Policy. As such the Council is proposing the following modification to Part 15 of Policy MD5:

A scheme of compensatory improvements to the environmental quality and accessibility of land remaining in the Green Belt will be required. **In the first instance, the improvements should be made in the immediate vicinity of the site and delivered by the developer. The Council will consider improvements in the wider area where it can be demonstrated that the improvements cannot be delivered in the immediate vicinity of the site or where this will provide greater benefits.** Financial contributions will **only** be considered where this would help to ensure that the benefits of compensatory improvements can be maximised by providing them in ~~the most~~ **a more** appropriate location.

12.2 As a result of concerns expressed by Natural England regarding the potential in-combination impact of the Local Plan on Holcroft Moss within the Manchester Mosses Special Area of Conservation, the Council is currently working with Greater Manchester Combined Authority (GMCA) on potential mitigation measures for the moss. The Council is therefore proposing a modification to the Plan, and specifically a modification to Part 22 of Policy MD5, which will require a project level HRA to be undertaken and, if required, provide a financial contribution towards appropriate mitigation measures. The mechanism for establishing any required contribution from individual developments and how this will be used to undertake the mitigation could then be set out in an SPD and therefore an addition to the supporting text will need to be made referring to this.