

Warrington Local Plan 2021-2038: Examination in Public

Hearing Statement by Peel L&P (Holdings) UK
Ltd (representor no. UPSVLP 0426)

Matter 7a: Site Allocation – Croft

August 2022

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Client

Peel L&P (Holdings) UK Ltd

Our reference

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1. Introduction

- 1.1 This Statement is prepared by Turley on behalf of Peel L&P (Holdings) UK Ltd (hereafter called 'Peel') in respect of the examination of the Warrington Local Plan 2021-2038. It provides Peel's response to the Matters, Issues and Questions ('MIQs')¹ identified by the Inspectors in respect of Matter 7a: Site Allocation – Croft.
- 1.2 The context to Peel's representations, including its development interests in the Borough, is set out in its Matter 1 statement.
- 1.3 This Statement should be read alongside Peel's statements in relation to Matters 1, 3, 4, 6a, b and c, 7b, c and d, 8, 11 and 14. It should also be read alongside statements submitted jointly on behalf of Peel L&P (Holdings) UK Ltd and Peel Ports (representor number UPSVLP 0438) which relate specifically to Peel's land interest at Port Warrington and Warrington Waterfront.
- 1.4 This Statement focusses on the proposed allocation in the Outlying Settlement of Croft.
- 1.5 Peel is promoting a site in Croft ('Land off Lady Lane, Croft') for residential purposes and has made submissions seeking its allocation at previous stages of the Local Plan. It is capable of accommodating around 83 homes during the plan period, with the remainder of the site being designated as safeguarded land to meet development needs beyond.
- 1.6 Peel's representations to the Updated Proposed Submission Version Local Plan ('UPSVLP') demonstrate that the site is capable of accommodating a sustainable residential development and that it performs better than the proposed allocation when assessed against the criteria used by Warrington Borough Council ('WBC') to assess potential allocations and is therefore a more appropriate and sustainable allocation than the Council's proposed allocation.
- 1.7 A Development Prospectus for Peel's site at Lady Lane and an associated technical and environmental evidence base formed part of Peel's representations to the UPSVLP² which demonstrate that the site is developable and can be delivered in an acceptable manner over the plan period or beyond.

¹ ID02

² UPSVLP-0426-P11

2. Matter 7a: Site Allocation – Croft

Q1: What is the background to the site allocation and how was it identified?

- 2.1 Potential development sites have been considered through the evidence base, with OS1 assessed through the Site Assessment Proformas report November 2018, undertaken to inform the Proposed Submission Version Local Plan in 2019 (Site ref. R18/095 & R18/P2/056).
- 2.2 The assessment includes the scoring of the potential sites against numerous criteria. Peel's representations to the UPSVLP demonstrated that the scoring of its site³ (Site ref. R18/127 & R18/P2/96A) understated numerous beneficial aspects and overstated the extent of constraints. Conversely, it underplays constraints relating to OS1. Appendix 7 of Paper 4 submitted as part of Peel's representations⁴ presented a revised assessment and compares it to OS1. It demonstrates that if the performance against a number of criteria is reassessed reflecting up to date information / evidence and a more objective assessment approach, Peel's site performs better in relation to a number of assessment criteria and therefore better overall.
- 2.3 In addition, Peel's site makes provision for safeguarded land for future development needs beyond the plan period. This was not considered as part of the site assessment process. The proposed allocation does not make such provision and therefore is fundamentally deficient to Peel's site in terms of its ability to contribute to future development needs, having regard to the need to define Green Belt boundaries that will endure beyond the plan period. This matter is considered further below.

Q2: 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?

- 2.4 The proposed site forms c.15% of a larger Green Belt Parcel (CR4) defined and assessed through the Council's Green Belt Assessment (Additional Site Assessments of Call for Sites Responses and SHLAA Green Belt Sites) (2017) ('GBA'). It is identified as making an overall moderate contribution to the Green Belt through the GBA. The proposed allocation comprises an area within the western part of Parcel CR4.
- 2.5 The Council's assessment however considers that the site makes a weak overall contribution to the Green Belt.
- 2.6 The site has a limited interface with the urban area to the west. It is bound on three sides (north, south and east) by open expanses of Green Belt. All three boundaries with the wider Green Belt are non-durable, in accordance with the definition provided in Table 3 of the Council's 2016 Green Belt Assessment. This contrasts with the Council's site assessment which indicates that the southern boundary is durable. The site

³ Contained within the Site Assessment Proformas report November 2018

⁴ UPSVLP-426-P4

assessment of the draft allocated site, from a Green Belt point of view, is therefore inconsistent and in error.

- 2.7 The assessment also overstates the extent to which the site's openness has already been compromised by the presence of built development within it, so as to downplay the effect on openness from its development in error.
- 2.8 As set out below, Peel considers that the impact on the Green Belt is understated and that the overall conclusion is not justified or supported by evidence.

Q3: What would be the effect of developing the site on the purposes of the Green Belt?

- 2.9 As nearly half of a parcel which Peel demonstrates through its representations⁵ to make a strong contribution to the Green Belt, development of the site has the potential to substantial harm to the Green Belt and have a greater impact than other potential sites, notably Peel's site.
- 2.10 In light of the conclusions on the contribution of the Parcel and the weakness of the proposed boundaries, it is considered that the release of this site will result in substantial harm to the Green Belt. It also introduces a significant risk of the outward spread of development into the wider parcel.
- 2.11 In contrast, Peel is promoting a site which makes a weak Green Belt contribution and is capable of accommodating a sustainable residential development of c. 75 dwellings during the plan period. Strong, durable boundaries define the outer extent of the site, offering the potential to provide an area of safeguarded land for development beyond the plan period.

Q4: Are there exceptional circumstances to alter the Green Belt in this particular case? If so, what are they?

- 2.12 Peel supports the Council's position that exceptional circumstances exist to justify the release of land from the Green Belt including around the Outlying Settlements.
- 2.13 The Council has demonstrated that this is necessary in order to meet the Borough's housing and employment needs and has sought to maximise the use of land outside the Green Belt as a first priority.
- 2.14 In doing so it has demonstrated that this need cannot be met in full through land outside of the Green Belt.
- 2.15 Exceptional circumstances are therefore considered to exist and warrant a Green Belt boundary review in order that the Borough's full plan period housing and employment needs can be met.

⁵ UPSVLP-426-P4

Q5: What is the basis for the scale of development proposed and is this justified?

- 2.16 The UPSVLP proposes to allocate a site (OS1) with a capacity of 75 dwellings. This is reflective of the minimum of 75 homes, as set out in Policy DEV1. It is Peel's view that this is consistent with the proposed strategy of 'incremental growth' within Croft and the other Outlying Settlements of the Borough. Croft is also of a sufficient size and scale to offer a range of services and facilities to contribute towards the sustainability of development.
- 2.17 Peel's position, however, is that Croft's development requirement would be more sustainably met through the release of land at Lady Lane as proposed by Peel.

Q9: Is the Council satisfied that safe access to the site can be secured, and that Croft has the appropriate transport infrastructure required to support the development?

- 2.18 Paper 4 of Peel's representations⁶ to the UPSVLP identify access constraints, which are acknowledged in the Council's site assessment proforma. Widening of the access is required which necessitates the use of land within the curtilages of adjacent properties.
- 2.19 The additional land take involving the use of third part land, and encroachment into the gardens of 16 and 18 Deacons Close is of significance. The site has only a single access, therefore access constraints pose a fundamental risk to the delivery of the site.

Q11: Is the development proposed viable and deliverable within the period envisaged, noting that it is anticipated that first homes would be completed in 2024/5?

- 2.20 See also response to Q9 above, in relation to the access constraints and the implications for delivery.

Q12: What is the situation in relation to land ownership and developer interest?

- 2.21 See also response to Q9 above, in relation to the access constraints and the implications for delivery.

Q14: Are any main modifications necessary for soundness?

- 2.22 Peel considers that the proposed allocation in Croft is unsound as the approach to selecting it as a potential allocation is unsound as it is:
- not justified by evidence, with the Council's site assessment identifying access constraints and the Green Belt evidence underplaying the contribution of the site;

⁶ UPSVLP-426-P4

- not positively prepared – failing to capitalise the advantages offered by the Land at Lady Lane, in respect of making provision for development needs beyond the plan period; and
- contrary to national planning policy in respect of ensuring that new Green Belt boundaries endure beyond the plan period.

2.23 These issues could be remedied by allocating the land promoted by Peel at Lady Lane.

2.24 Peel's Matter 3 statement has also set out the need for the allocation of Safeguarded Land within the Outlying Settlements in order to satisfy paragraph 140 of the NPPF. Peel's land at Lady Lane would be suitable for such an allocation in this context, given the evidence base submitted by Peel which demonstrates that the site is developable in an acceptable and sustainable manner.



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