

EiP Statement

Warrington Updated Proposed Submission Version Local Plan 2021-2038 (September 2021) Bellway Homes (Manchester) Representor ID UPSVLP 0434

Our ref 64788/02/SPM

Date August 2022

Subject Matter 7a – Site Allocation – Croft

1.0 Introduction

- 1.1 This Hearing Statement has been prepared by Lichfields on behalf of Bellway Homes (Manchester) [Bellway] (Respondent No: 0434) in relation to Matter 7a (Site Allocation – Croft). This Statement has been written in support of the allocation of Bellway’s interest in land at Deacons Close, Croft in the Warrington Updated Proposed Submission Version Local Plan 2021-2038 (September 2021) [WUPSVLP] (Policy OS1 – Croft).
- 1.2 This Statement has been prepared in response to the Matters, Issues and Questions raised by the Inspector for the Matter 7a Examination in Public [EiP] hearing sessions concerning the Site Allocation in Croft (Policy OS1).
- 1.3 Bellway has previously submitted representations in relation to WUPSVLP call for sites, Regulation 18 and 19 consultation stages of the Plan in support of the site and concerning the overall strategy and other proposed policies.
- 1.4 Separate statements have been submitted in respect of the following matters:
- 1 Matter 3 – The Spatial Strategy; and,
 - 2 Matter 8 – Housing land supply.
- 1.5 This Statement expands upon Bellway’s previous representations made on the WUPSVLP and focuses on the Inspector’s specific issues and questions. Where relevant, the comments made are assessed against the tests of soundness established by the National Planning Policy Framework [NPPF] and the National Planning Practice Guidance [Practice Guidance].
- 1.6 Alongside the land at Deacons Close, Croft, Bellway is also promoting additional land at Tanyard Farm, Lymm (Policy OS5 – Rushgreen Road) and land at Golborne Road (Policy OS6 – Land to the north of Winwick) to contribute towards the council’s requirement for new homes in the Borough. Bellway supports these allocations within the WUPSVLP.

2.0 Questions: Site Allocation – Croft

Question 1: What is the background to the site allocation and how was it identified?

- 2.1 The proposed site allocation is to the north east of Croft, adjacent to Deacons Close and comprises land at Heathcroft Stud (SHLAA Ref: 3155 / Site Ref: R18/095 / Site Ref: R18/P2/056). This is a commercial use of the land and buildings.
- 2.2 The Council undertook a Call for Sites exercise in October-December 2016. Bellway submitted representations to this consultation. Bellway then submitted representations to the Council's Preferred Development Option [PDO] Regulation 18 Consultation Document in September 2017.
- 2.3 The allocation was identified through a site selection methodology and accords with the Council's preferred spatial strategy of 'incremental growth' in outlying settlements. The methodology initially discounted sites that made a strong contribution to the Green Belt and those located within Flood Zone 3b. The remaining sites were then assessed against a set of criteria relating to performance against the Plan's Objectives and Sustainability Appraisal [SA] / Strategic Environmental Assessment [SEA]. This established the sites were 'suitable.' Additional criteria were included to assess whether the sites were 'available' and development was 'achievable.' The assessment was based on a 'traffic light' assessment against key criteria with more detailed consideration given to potential site access arrangements.¹
- 2.4 Contender sites were identified and then compared for each settlement, taking into account their relative performance against the assessment criteria. This enabled confirmation of the final site(s) to be allocated for each settlement.
- 2.5 The site was assessed in detail in November 2018 where it was determined to be suitable for development.² The Site Assessment Proforma concluded that:
- “The site is adjacent to the settlement of Croft being located to the east of Deacons Close and Croft Primary School. The site is considered to be in a sustainable location and is free from ownership issues, having been promoted by the site owner. There are no known abnormal development costs and the site is in a location of moderate viability. The site is considered to be suitable – unlikely to have a major impact on trends. The Council's highways officer states that an appropriate access can be provided. As such, the site would be in accordance with the objectives set out in the draft Warrington Local Plan including objective W1 to strengthen existing neighbourhoods, W2 to facilitate the sensitive release of Green Belt, W4 to promote sustainable modes of transport, and W6 to minimise the impact of development on the environment.”*
- 2.6 The assessment concluded that the site should be included as an allocation for new homes within Warrington's emerging Local Plan.

¹ Development Options and Site Assessment Technical Report (September 2021)

² Proposed Submission Version Local Plan Site Assessment Proformas (2019)

Question 2: 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?

- 2.7 The site comprises a commercial use of land and buildings in the Green Belt. The southern part of the site contains the buildings and stables associated with Heathcroft Stud (equestrian use). The northern part of the site comprises paddocks and enclosures with paraphernalia associated with the commercial use.
- 2.8 The Council published its original Green Belt Assessment in 2016, which provided an assessment of general areas and land parcels across the Borough. The site allocation fell within the assessment of a wider land parcel (ref. CR4), which concluded that the parcel made a moderate overall contribution to the Green Belt:
- “The parcel has been judged to make a moderate overall contribution as although it supports a strong-moderate degree of openness and the boundaries between the parcel and the settlement are non-durable, there are durable boundaries between the parcel and the countryside. Thus any development would be contained and would therefore not threaten the openness and permanence of the Green Belt. The parcel makes a moderate contribution in assisting in urban regeneration.”*
- 2.9 In July 2017, the Council published the first of its Green Belt site assessments covering Regulation 18 Part 1 sites and SHLAA sites. The site was assessment within the report as having a weak overall contribution to the Green Belt:
- “In line with the methodology, the site has been judged to make a weak overall contribution. The site supports a moderate-weak degree of openness due to the built form however it has non-durable boundaries and therefore makes a moderate contribution to safeguarding the countryside from encroachment. The site makes a moderate contribution to assisting in urban regeneration and a weak contribution to preventing towns form merging.”*
- 2.10 The Council’s Green Belt Site Selection – Implications of Green Belt Release Report (August 2021) also states that the parcel makes a weak overall contribution to the Green Belt purposes. Bellway agrees with the Council’s 2017 and 2021 Green Belt assessments and supports the removal of the site from the Green Belt.

Question 3: What would be the effect of developing the site on the purposes of the Green Belt?

- 2.11 The Council’s evidence³⁴⁵ concludes that the proposed site allocation makes a moderate contribution to two purposes, a weak contribution to one, and no contribution to two.
- 2.12 Development of the site would have no impact on Purpose 1 of the Green Belt, given that the site is not connected to the large built-up area of Warrington.

³ Green Belt Assessment (Additional Site Assessments of Call for Sites Responses and SHLAA Green Belt Sites)

⁴ Green Belt Site Selection – Implications of Green Belt Release Report (August 2021)

⁵ Green Belt Site Assessments Collated Report (September 2021)

- 2.13 The development of the site would have a weak contribution on Purpose 2. The Assessment (August 2021) states that:
- “Developing the site would slightly reduce the gap between the Warrington urban area and Culcheth, however, given the size of the site and the gap, this would only represent a minimal decrease in the separation of towns and would not result in neighbouring towns merging.”*
- 2.14 The assessments conclude that the site makes a moderate contribution to safeguarding the countryside from encroachment. The site has a moderate-weak degree of openness given that the majority of the site is currently in use as Heathcroft Stud (equestrian use) therefore on the whole development would not represent encroachment into the countryside. However, the northern section of the site consists of open countryside and development of this part would represent a small localised incursion into undeveloped countryside.
- 2.15 The site is not adjacent to a historic town, nor does it cross the viewpoint of the Parish Church. Consequently, purpose 4 would not be adversely impacted by the development of the site.
- 2.16 The Mid Mersey Housing Market Area only has 2.08% brownfield urban capacity to bring forward potential development in accordance with Purpose 5. The NPPF encourages the re-use of brownfield sites. This includes the proposed allocation which is in commercial use. The Council accepts that the development of greenfield sites is essential to meet Warrington’s housing requirements. Bearing in mind the brownfield nature of this site its allocation for development is logical. The effect of the development on the Green Belt is mitigated to some degree by the loss of the existing commercial use. Its impact is therefore lower than alternative greenfield sites.
- 2.17 The Green Belt Site Selection Implications of Green Belt Release concludes:
- “Overall, development of the site would not represent encroachment into the countryside as the majority of the site is currently in use as Heathcroft Stud (equestrian use) therefore the removal of the site from the Green Belt will not harm the overall function and integrity of the Green Belt around Croft. A new recognisable and permanent Green Belt boundary would be created by strengthening the existing boundaries.”*
- 2.18 Bellway agrees with these conclusions. The development of the site would have a minimal impact on the purposes of the green belt and therefore the site allocation should continue to be supported to bring forward much-needed housing within the borough.
- Question 4: Are there exceptional circumstances to alter the Green Belt in this particular case? If so, what are they?*
- 2.19 Bellway agrees that an exceptional circumstances case has been demonstrated for the release of Green Belt land around the outlying settlements, including Croft. The WUPSVLP [§3.4.1 to §3.4.16] sets out the exceptional circumstances sought by the NPPF [§140] to justify the release of Green Belt land. This includes a demonstration of the exceptional circumstances for each area, including the outlying settlements, the purpose of which is to

meet identified needs for housing in this part of the Borough, increase housing choice, and supporting the vitality and viability of local services.

Question 5: What is the basis for the scale of development proposed and is this justified?

- 2.20 Policy OS1 allocates land to the north east of Croft for a minimum of 75 homes. Part 5 of the policy states that the development should be constructed to an average minimum density of 30dph to reflect the site's location adjacent to the open countryside. The scale of development proposed is based on the site's net developable area (2.63ha)⁶, inclusive of the infrastructure requirements on-site, including public open space.
- 2.21 The initial feasibility studies undertaken by Bellway indicate that the site can comfortably accommodate between 90 and 100 houses. This would ensure efficient use of land and contribute towards the identified housing needs of the borough in accordance with the NPPF [§124], whilst achieving the minimum density requirements evident in Policy DEV1 and Policy OS1.

Question 6: What is the background to the specific requirements of Policy OS1? Are they justified and consistent with national policy? Does this provide clear and effective guidance on constraints and suitable mitigation?

- 2.22 Part 2 of Policy OS1 requires a range of housing tenures, types and sizes to be provided in order to ensure development contributes to meeting the Borough's general and specialist housing needs, including family homes with gardens, specific provision for older people and for younger people looking to purchase their first home. It is not clear what is meant by generalist and specialist housing needs and the how the applicant and decision-maker should interpret this. Proposed amendments to Part 2 are shown in our response to Question 14
- 2.23 Part 4 of Policy OS1 requires specific provision to be made for self-build/custom build plots, subject to local demand as demonstrated by the Council's self-build register. This requirement is not clear or effective because it would not guarantee the delivery of self and custom build housing. The Council already has a legal obligation to grant sufficient planning permissions to meet the demand for self-build and custom housebuilding. As local demand for such plots across the Borough is unknown, the Council cannot rely on this allocation as a source of supply. We note that the Council's commitment to delivering of self-build plots is set out in Policy DEV2, so there would still be a mechanism in place for the Council to secure self and custom build plots if the requirement is removed from Policy OS1.
- 2.24 Additionally, there is a need for smaller housing allocations, such as Land at Heathcroft Stud, to deliver housing quickly to help to contribute to the Borough's 5-year housing land supply. Therefore, self-build / custom build provision should be a requirement of more appropriate, strategic sites, not smaller proposed allocations such as this.
- 2.25 Bellway considers that Part 9 of this policy (in relation to Open Space and Recreation) does not accord with national policy as it is currently worded. The need for leisure facilities and

⁶ SHLAA (2021)

playing pitch provision needs to be demonstrated through the appropriate evidence, including an assessment of existing provision. We have therefore suggested an amendment in our response to Question 14 below to ensure soundness.

- 2.26 Part 16 of Policy OS1 sets out that a site-wide surface water strategy is required to incorporate SUDS and flood alleviation measures. As mentioned in previous representations⁷, the requirement to deliver ‘flood alleviation measures’ is not an appropriate term. The site is in Flood Zone 1 and has a low risk of flooding. Any future application will be accompanied by a site-specific flood risk assessment that considers surface water and overland flow routes, and the conclusions of this will inform the required surface water strategy. There are other relevant policies of the draft plan relating to these matters and we would suggest that this part of the draft policy is deleted. Proposed amendments to the wording of Part 14 are shown in our response to Question 14.
- 2.27 Part 17 of the policy currently states that “improvements to the water supply and sewerage network will be required....” Bellway does not object to the principle of these improvements if they are required. However, it is Bellway’s understanding that there are no utilities constraints at the site and therefore requiring such improvements is not justified. Amendments to Part 17 are shown below.

Question 7: Does the policy identify appropriate and necessary infrastructure requirements? How will these be provided and funded? Is this sufficiently clear?

- 2.28 Bellway has some concerns over the clarity of Part 7 of Policy OS1, which currently states that development will be required to contribute towards the provision of additional primary care capacity. Bellway have no issues with providing a contribution towards primary healthcare provision if it is necessary to make the development acceptable, related to the development and fair and reasonable. However, there is no clarification in the policy or the explanatory text as to why such a contribution is required and no evidence is presented to justify the requirement. We request that the policy wording is amended to set out that a contribution will be provided where this has been evidenced and meets the CIL tests. Proposed wording is shown in the response to question 14.

Question 8: Is the requirement for Green Belt compensatory improvements justified and appropriate?

- 2.29 Part 13 of the policy requires a scheme of compensatory improvements to the environmental quality and accessibility of land remaining in the Green Belt to be provided. It advises that financial contributions will be considered where this would help to ensure that the benefits of compensatory improvements can be maximised by providing them in the most appropriate location.
- 2.30 Bellway do not object to the requirement for Green Belt compensation in principle. However, as currently worded, the requirement for Green Belt compensatory improvements to be delivered on land remaining in the Green Belt could become onerous

⁷ Bellway Homes – Representations to the WUPSVLP for the Land at Heathcroft Stud, Croft (UPSVLP 0434) (November 2021)

for developers whose option agreements are likely to be contained to the specific site allocation/s to be removed from the Green Belt. This approach could risk the creation of ransom situations with landowners with unallocated sites within the Green Belt.

- 2.31 Bellway requests 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 (Appendix A). 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.⁸
- 2.32 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.
- 2.33 Amendments to the wording of Part 13 of the policy are detailed in the response to question 14.
- Question 9: 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?*
- 2.34 Bellway instructed Croft Transport Solutions to undertake a detailed appraisal of the highways network and access options to demonstrate that the site can accommodate the necessary highway infrastructure associated with development. This demonstrated that vehicular access to the allocation can be achieved via an extension to Deacons Close and would utilise the existing access to the stud, which would be improved. There are no particular capacity constraints to the local highway network would provide an issue for the additional traffic generation resulting from the development. Instead, the development will remove the existing traffic and HGV movements generated by its existing use as a commercial livery and stud farm, to the benefit of the local highway network.
- 2.35 The detailed appraisal has been reviewed by the Council's Highways Development Control team and no fundamental objections were raised to the principles outlined within the technical note.
- 2.36 A Transport Assessment will be submitted in support of any future planning application to fully demonstrate that the local highway network can accommodate the scale of residential development proposed.

⁸ Report on the examination of the St Helens Borough Local Plan (May 2022)

Question 10: 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

2.37 No.

Question 11: 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?

2.38 There are no legal or ownership constraints to the delivery of housing on the site. The site is suitable, available and achievable⁹ and Bellway is fully committed to progressing a residential scheme as soon as the site is allocated. The site is therefore fully deliverable and will help to contribute to the Borough's 5-year housing land supply position by delivering much-needed new homes early in the Plan period.

Question 12: What is the situation in relation to land ownership and developer interest?

2.39 Bellway has secured a legal contract with the site's landowners to bring forward the site for residential development.

Question 13: 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?

2.40 It is Bellway's intention to submit an application for residential development at the earliest opportunity. Much of the technical work to support an application has been undertaken and there are no ownership constraints, nor technical or environmental constraints, that will prevent the delivery of a fully comprehensive scheme that accords with the requirements of Policy OS1.

Question 14: Are any main modifications necessary for soundness?

2.41 Bellway advises that the following modifications should be made to Policy OS1 before adoption of the WUPSVLP:

1 Part 2 should be amended as follows:

A range of housing tenures, types and sizes will be required in order to ensure development contributes to meeting the Borough's ~~general and specialist~~ housing needs, ~~including family homes with gardens, specific provision for older people and for younger people looking to purchase their first home.~~

2 The requirement in Part 4 for provision to be made for self-build/custom build plots should be deleted.

3 The following text should be added to the end of Part 7
"where it is evidenced"

4 The following text should be added to the end of Part 9:

⁹ Development Options and Site Assessment Technical Report (September 2021)

“...assessment of existing provision demonstrates that existing facilities have insufficient capacity to service the increase in population arising from the development.”

- 5 Clarification in the policy or the explanatory text is required as to why a contribution towards primary care is required (including relevant evidence to justify it). If this evidence cannot be provided, Part 7 of the policy should be removed.
- 6 Part 13 should be amended as follows:

“Delivery of compensatory improvement measures will be sought. Such measures should enhance the environmental quality and accessibility of the remaining Green Belt land, amongst other improvements.”
- 7 Part 16 should be amended to remove reference to flood alleviation measures:

“A site-wide surface water strategy is required to incorporate appropriate Sustainable Urban Drainage Systems (SUDS).”
- 8 Part 17 should be amended to remove the requirement to deliver improvements to the water supply and sewerage network:

“Improvements to the water supply and sewerage network will be considered to ensure that surface water drainage is not combined with foul discharge”

Appendix A: St Helens Borough Local Plan 2020-2035 Submission Draft – Schedule of Proposed Main Modifications (November 2021) relating to Green Belt Compensation

23	Reasoned Justification Paragraph 4.6.11	<p><u>whom are likely to be reliant on public transport to access employment.</u></p> <p><u>4.6.13 For all of these reasons, there are considered to be exceptional circumstances at the strategic level to justify the release of Green Belt land to meet identified development needs.</u></p> <p><i>Renumber subsequent paragraph to account for the new paragraphs</i></p> <p>“4.6.10<u>4.6.14</u> The sites that have been removed from the Green Belt”</p> <p>“4.6.11 <u>4.6.15</u> New employment development falling within use classes B1, B2 and B8 <u>and for light industrial, offices and research and development uses</u> will be primarily”</p>	Class B1 uses are now subsumed into the new Class E. Policy wording changed to reflect this and ensure policy effectiveness.
	Reasoned Justification New Paragraph after current 4.6.15 (to be renumbered to 4.6.19 following on from modifications above)	<p>“4.6.15 <u>4.6.19</u> ... Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.</p> <p><u>4.6.20 In addition, the Council aims to protect and enhance remaining areas of Green Belt by seeking the delivery of</u></p>	For clarity in terms of consistency with the NPPF.

compensatory improvement measures. In accordance with paragraph 138 of the NPPF, delivery of compensatory improvement measures will be sought when sites are released from the Green Belt for development as part of this plan. Such measures should enhance the environmental quality and accessibility of the remaining Green Belt land, amongst other improvements. Further guidance is provided within the National Planning Practice Guidance (Green Belt Land).

4.6.21 The delivery of compensatory improvements will be supported by a number of policies within this Plan. For example, policies LPA09, LPC05-10 and LPC12 all have an environmental focus, which will support the delivery of Green Belt compensatory measures. Additionally, development management focussed policies, including LPD01-03 and LPD09 will support this.

4.6.22 Beyond the policy framework in this Plan to support the delivery of Green Belt compensatory measures, as well as other development plan documents, such as the Bold Forest Park AAP, the Council will continue to build on project improvements

delivered to date. Improvements include those at the strategic level, such as at Bold Forest Park, for example the expansion of tree cover and the delivery of improved recreational facilities. A further strategic level project is the Sankey Valley Corridor Nature Improvement Area (NIA), which is focussed on enhancing the aquatic environment as well as the surrounding natural environment within the catchment, and improvements in environmental management practices. Improvements in this location have included accessibility enhancements, including walking and cycling infrastructure and new signage, enabling increased access to the Green Belt for residents and visitors. It is expected that further improvements can be delivered at these two strategic projects as part of Green Belt compensatory measures.

4.6.23 There are further sites around the Borough that could be improved as part of Green Belt compensatory measures including those which form part of the Knowsley and St Helens Mosslands Nature Improvement Area (NIA), comprising three sites in the north of the Borough, near Rainford, one by Parr and one by Newton-le-Willows (see Appendix 9). In addition, there

		<p><u>are many Local Wildlife Sites (LWS) in the Borough, which are identified on the Policies Map, and Appendix 8 of this Plan shows that there are several LWS in each ward of the Borough, with many of these wards having LWS in the Green Belt. There are also three Local Nature Reserves located within the Green Belt. Compensatory measures can also occur at non-designated sites within the Green Belt, for example, initiatives related to alleviating the effects of flooding events, such as those implemented previously in the settlement of King’s Moss. Therefore, there are clear opportunities for localised Green Belt compensatory measures to be delivered on such designated and non-designated sites across the entire Borough through the delivery of environmental improvements, in addition to the two identified strategic sites referred to above.”</u></p> <p>Paragraph 4.6.17 (to be renumbered 4.6.25)</p>	
24		<p>“4.6.174.6.25 ... Open spaces and landscaping, including those provided within development sites also provide opportunities to adapt to climate change by storing flood water, reducing urban heat islands, capturing carbon and improving air quality, and therefore support the Council’s Climate Change Emergency declaration. Whilst public funding</p>	<p>For clarity, and to show link to the Council’s Climate Change Emergency Declaration.</p>