

# Warrington Local Plan Examination

## Matters Statements

### MATTER 7D(i) – SITE ALLOCATION - LYMM

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August 2022



## **MATTER 7D(i) – SITE ALLOCATIONS - LYMM**

### **Issue**

**Whether the site allocations at Lymm (Policies OS4 and OS5) are 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)

### **Policy OS4 – Pool Lane/Warrington Road**

#### **Questions**

#### **1. What is the background to the site allocation and how was it identified?**

1.1 The assessment for the high level spatial distribution of options is outlined in Section 2 of the Development Options and Site Assessment Technical Report Sept 2021 (O1) and has been fully documented in response to Matter 3.

1.2 The sites were submitted as part of the Call for Sites as sites for residential development (SAP2 -, 483-485, 486-488) in 2019. Section 3 of the Development Options and Site Assessment Technical Report Sept 2021 (O1) outlines the process for how each settlement site was identified. It should be noted that in the Previous PSVLP 2019 (PVL1) Pool Lane and Warrington Road were two separate allocations. Given that both sites are under the control of the same site promoter, providing the opportunity to secure comprehensive development across both sites, the sites were combined into a single allocation in the Updated PSVLP 2021 (SP1). The site assessment process concluded that:

**Pool Lane site** - The site is adjacent to the settlement of Lymm, located to the west of the settlement off of Warrington Road. The site is located in Flood Zone 1. The site is considered to be in a sustainable location and is available being free from ownership issues and having been promoted by the site owner. The site is considered to be achievable as there are no known abnormal development costs and the site is in a location of high viability. In addition, it has been judged to be suitable - unlikely to have a major impact on trends. 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.

**Warrington Road site** - The site is adjacent to the settlement of Lymm, located to the west of the settlement off of Warrington Road. The site is considered to be in a sustainable location and is available being free from ownership issues and having been promoted by the site owner. The site is located in Flood Zone 1. The site is considered to be achievable as there are no known abnormal development costs and

the site is in a location of high viability. In addition, it has been judged to be suitable and unlikely to have a major impact on trends. 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. 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?**
  - 2.1 **Pool Lane site** - The site was assessed in the Green Belt Site Selection – Implications for Green Belt Release - August 2021 Report (GB3) as making a weak contribution to Green Belt purposes.
  - 2.2 **Warrington Road site** - The site was assessed in the Green Belt Site Selection – Implications for Green Belt Release - August 2021 Report (GB3) as making a moderate contribution to Green Belt purposes.
  - 2.3 For both sites the assessment concluded that whilst development would entail small incursions into undeveloped countryside, the removal of the sites from the Green Belt will not harm the overall function and integrity of the Green Belt around Lymm. A new recognisable and permanent Green Belt boundary would be created by strengthening the existing boundaries.
- 3. What would be the effect of developing the site on the purposes of the Green Belt?**
  - 3.1 The Green Belt Site Selection – Implications for Green Belt Release August 2021 Report (GB3) concluded that the removal of the sites from the Green Belt will not harm the overall function and integrity of the Green Belt around Lymm.
  - 3.2 **Pool Lane site** – The site currently makes a weak contribution to Green Belt purposes. Whilst development of the site would lead to a small incursion into undeveloped countryside it would not lead to the merging of the settlements of Warrington and Lymm. The site is not near the Lymm Conservation Area or crosses the view of the Parish Church. The new Green Belt boundary would be defined by Oldfield Road to the north and part of Pool Lane to the west which are recognisable permanent boundaries. Overall the function and integrity of the Green Belt will not be harmed.
  - 3.3 **Warrington Road site** – The site currently makes a moderate contribution to Green Belt purposes. Development of the site would represent a small incursion into the Green Belt however it would not lead to unrestricted urban sprawl and the merging of Warrington and Lymm. The new Green Belt boundary would be defined by the Trans Pennine Trail to the south which would create a recognisable and permanent Green Belt boundary. Overall the function and integrity of the Green Belt would not be harmed.

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

- 4.1 This site will increase housing choice, provide affordable housing and support the vitality and viability of local services in Lymm. The green field and relatively unconstrained nature of the land will enable the site to be delivered in the early period of the Plan meeting identified housing needs in the shorter term.
- 4.2 This allocation also forms part of a wider spatial strategy that will ensure that sufficient land is provided to meet Warrington's development needs, that housing affordability is addressed and new sustainable communities are created, in a manner that will support the delivery of strategic infrastructure that will also unlock major brownfield development sites.
- 4.3 These are considered to constitute 'Exceptional Circumstances'.

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

- 5.1 The Council considers that the scale of housing growth is consistent with the Plan's Spatial Strategy of 'incremental growth' in each of the outlying settlements. The outlying settlements were reconsidered in the Development Options Report 2021 (O1) with consideration given to suitability, and achievability of the sites' development. The broader sustainability factors as set out in the Council's Sustainability Appraisal SA Report August 2021(SP3) were also assessed including Green Belt issues, flooding, natural environment and local facilities.
- 5.2 The developer of the site in their representation UVLSP 01401 have confirmed that the sites can deliver a wide range of market and affordable homes to meet the borough's general and specialist housing needs. Also, the developer confirms the sites can be built to a minimum density of 30 dph reflecting their edge of settlement location.

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

- 6.1 The specific requirements within Policy OS4 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.
- 6.2 The policies provide clear guidance on what the Council expects will be delivered as part of the development including any special considerations concerning Green Belt, climate change and the natural environment.

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

7.1 The Council considers that the level of development proposed in the outlying settlements, including that proposed in Lymm can be accommodated by existing infrastructure provision, with some limited infrastructure enhancements.

7.2 For Lymm this may require the expansion of one of Lymm's primary schools and contributions towards secondary school provision and to expanding and enhancing existing or planned built leisure facilities and playing pitches. The planning of these additional facilities will be undertaken by the Council in collaboration with relevant providers and will be programmed to meet needs as they arise and increase.

7.3 The provision and support of additional health facilities is identified within the allocation policies for Lymm as it has been identified that current GP provision is at capacity. Policy OS5 (Rushgreen Road) requires the provision of a new Health Facility on this site. The owner of the site has engaged with the NHS Clinical Commissioning Group, the Council and GP Practices on the delivery of this facility, which is seen as key to the development of housing sites in Lymm. This allocation at OS4 Lymm Pool Lane/ Warrington Road identifies that there will be a requirement to make a contribution to additional primary care capacity.

**8. Is the requirement for Green Belt compensatory improvements justified and appropriate?**

8.1 Paragraph 142 of the NPPF requires that where it has been concluded that it is necessary to release Green Belt land for development, local authorities should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.

8.2 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.

8.3 The proposed wording for the modification is detailed at paragraph 14.1.

**9. Is the Council satisfied that safe access to the site can be secured, and that Lymm has the appropriate transport infrastructure required to support the development?**

9.1. Through the site assessment process, the Council's Highways Officers confirmed that appropriate vehicular access can be provided to the site and that the level of

development proposed in Lymm can be supported. This is subject to Parts 15 and 16 of the policy which require a Transport Assessment and associated package of transport improvement measures to support the development. These include requirements for connections into the wider footway network around the site providing connectivity with the existing community.

- 9.2 The Council considers that the level of development proposed in the outlying settlements, including that proposed in Lymm, can be accommodated by existing infrastructure provision, with some limited infrastructure enhancements.
- 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**
- 10.1 **It has been raised that development could damage the character of Lymm.** The Council considers that the allocations proposed in the outlying settlements, including in Lymm, are of a relatively limited scale which together with the safeguards in the allocations policies will mean that they will not impact on their respective characters. An average minimum density of 30 dph across the whole of the site is considered to be appropriate. The policy at part 2 states the development should be in accordance with the emerging Lymm Neighbourhood Plan and take into account the Lymm Heritage and Character Assessment.
- 10.2 **There are concerns over environmental damage and loss of biodiversity. The area to the south of Warrington Lane is open grassland with a pleasant outlook, a public footpath and unspoiled wildlife rich pond and wooded area to the southern end. The draft plan suggests this must be preserved but that is unlikely to be possible in practice.** Part 11 of the Policy provides protection for any existing habitats on the site, whilst Part 12 of the Policy requires the development to provide biodiversity net gain.
- 10.3 **It has been raised that the area is prone to flooding and development is likely to increase flood risk.** The Updated PSVLP reflects the revised Environment Agency Flood mapping issued in 2021 and this was taken into account in the Additional Site Assessment Proformas 2021 document (SAP 1). This is supported by a Level 1 (E2) & Level 2 (E3) Strategic Flood Risk Assessment (SFRA) taking into account all sources of flooding across the whole of the Borough. The proposed allocation is predominantly within Flood Zone 1. A small element of the northern part of the allocation is within Flood Zone 2 but this is not considered to be a constraint in respect of the development of the site. Additionally, Parts 18 and 19 of the policy require the site to put in appropriate drainage provision, improve water and sewage networks and ensure that the development mitigates against climate change.
- 10.4 **Development is not justified, does not meet the needs of the area and is unlikely to deliver affordable housing.** The development will provide a range of housing tenures, types and sizes 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. 30% of homes will be affordable. Policy DEV2 includes specific safeguards to ensure that affordable housing in south Warrington is genuinely affordable. These safeguards will apply to the allocation sites in Lymm.

- 10.5 **It has been raised that the northern site area is close to the Grade 2 listed Statham Lodge and development could impact on this heritage asset.** Part 23 of the policy requires development to take account of the proposed mitigation and enhancement measures outlined in the Heritage Impact Assessment for the site. This has been prepared working closely with Historic England.
- 10.6 **There is concern for the proximity of the site to the motorway with regards to air and noise 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. Additionally, policy ENV8 at points 11 sets out a requirement for mitigation of noise in the design and layout of development. Noise levels from vehicles on roads are expected to reduce over time as electric cars become more prevalent.
- 10.7 **Issue has been raised that the site is prominent when approaching Lymm from the west and would lessen the gap with Thelwall.** The potential implications of releasing the 'selected sites' from the Green Belt (in terms of any harm to the function and integrity of the Green Belt) and the resultant Green Belt boundary are addressed in the Council's Implications of Green Belt Release Report (August 2021). In respect of the sites around Lymm the conclusion is that their removal from the Green Belt will not harm the overall function and integrity of the Warrington Green Belt.
- 10.8 **Cheshire Wildlife Trust states that all areas of priority habitats should be excluded from the allocations in order to avoid harm to biodiversity.** Part 11 of the Policy provides protection for any existing habitats on the site, whilst Part 12 of the Policy requires the development to provide biodiversity net gain.
- 10.9 **Cheshire Constabulary requests the addition of text under community facilities of 'Appropriate emergency services infrastructure'.** 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.
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?**

11.1 The site promoter has confirmed that the sites can be delivered in the short term to contribute to Warrington's housing needs. The site promoter also confirms that they would provide proportionate developer contributions to the delivery of community infrastructure that meet the requirements of paragraph 57 of the Framework and CIL regulations 122 and 123. The Local Plan Viability Assessment August (V2) demonstrates the allocation is viable and all contributions can be met.

**12. What is the situation in relation to land ownership and developer interest?**

12.1 **Pool Lane Site** – The site was promoted by the owner and is not in active use. There are no known ownership issues. The site is in a location of high viability. The site is being actively promoted by Gladman Developments.

12.2 **Warrington Road Site** – The site was promoted by the owner and there are no known ownership issues. The site is in a location of high viability. The site is being actively promoted by Gladman Developments.

**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?**

13.1 The policy sets out all the requirements for the comprehensive development of the site. This includes on-site requirements and contributions to offsite infrastructure improvements including community facilities; open space and recreation; transport and accessibility; and utilities.

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

14.1 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:

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.