

Barton Willmore, now Stantec on behalf of Miller Homes (Respondent No. 0435)

Examination into the Warrington Local Plan 2021-2038

Hearing Statement

Matter 7d – Site Allocations - Lymm

Issue - Whether the site allocations at Lymm (Policies OS4 and OS5) are justified, effective and consistent with national policy.

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

1. No response provided.

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?

OS4

2. It is noted that there is a difference between the assessments of the proposed OS4 allocation between the October 2016 version of the Green Belt Assessment (Examination Reference GB5) and the September 2021 version (Examination Reference GB4). The parcels that make up the allocation are assessed separately as part of the report and the tables below summarise the position.

Northern Parcel

Green Belt Assessment Iteration	Purpose 1	Purpose 2	Purpose 3	Purpose 4	Purpose 5	Overall Assessment
October 2016 – Site LY2	No contribution	Weak	Strong	No contribution	Moderate	Moderate
September 2021 – Site 1622	No contribution	Weak	Moderate	No contribution	Moderate	Weak

Information taken from Table G1 of October 2016 Green Belt Assessment (Examination Reference GB5) and Appendix C of September 2021 Green Belt Site Assessments (Examination Reference GB4)

- Given that the context of the site has not changed in terms of the situation in relation to the boundaries present, it is unclear why the view of the assessor is that the performance against purpose 3 has moved from strong to moderate, thus making the overall assessment as weak.

Southern Parcel

Green Belt Assessment Iteration	Purpose 1	Purpose 2	Purpose 3	Purpose 4	Purpose 5	Overall Assessment
October 2016 – As part of LY3	No contribution	Weak	Strong	No contribution	Moderate	Strong
September 2021 – Site 1528	No contribution	Weak	Strong	No contribution	Moderate	Moderate

Information taken from Table G1 of October 2016 Green Belt Assessment (Examination Reference GB5) and Appendix C of September 2021 Green Belt Site Assessments (Examination Reference GB4)

- As with the northern parcel it is unclear why the assessment has changed. While it is noted that the 2021 report assessed only the area proposed for allocation, rather than a wider parcel, the same overriding context applied.
- What is more confusing is how the land could be assessed as performing at the same level in terms of the individual purposes, but the overall assessment be strong in 2016 and moderate in 2021.
- For a consistent analysis the overall assessment in 2021 should mirror that of 2016 if the conclusion of the Green Belt Assessment is to be seen as credible. This conclusion would mean that the land currently allocated as part of OS4 should have been discounted from consideration based on a strong performance against Green Belt purposes.

7. The treatment of other assessed sites suggests further inconsistency in terms of the approach taken in the 2021 assessment. A good example of this is Miller’s land at Cherry Tree Lane (Omission Site Profile 28 in CD03).
8. The below table compares the assessment of the southern part of the proposed allocation with Miller’s land.

Green Belt Assessment Iteration	Purpose 1	Purpose 2	Purpose 3	Purpose 4	Purpose 5	Overall Assessment
September 2021 – Site 1528	No contribution	Weak	Strong	No contribution	Moderate	Moderate
September 2021 – Site 2683 (Cherry Tree Lane)	No contribution	No contribution	Strong	No contribution	Moderate	Strong

Information taken from Appendix C of September 2021 Green Belt Site Assessments (Examination Reference GB4)

9. It is not clear based on the methodology deployed as part of the Green Belt Assessment, nor the application of professional judgement, how land that makes no contribution to 3 purposes of the Green Belt and scores the same against the other 2 purposes can be deemed to have a stronger overall performance.
10. It is therefore clear that the overall assessment of Miller’s land should have been **moderate**. As such, it would be suitable for consideration as a residential allocation due to having a lesser impact on Green Belt purposes than the proposed allocation; thereby calling into question the justification for site OS4.

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

11. As discussed in relation to Q2, the development of OS4 would have a negative impact on the Green Belt because the southern part should have been assessed as currently having a strong performance.
12. Alternative sites available for allocation would have less of an impact. For example, Miller’s land at Cherry Tree Lane (Omission Site Profile 28 in CD03) which has a moderate overall performance against the Green Belt purposes as discussed in relation to Q2 above.

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

13. Exceptional circumstances exist in general terms in Warrington because Green Belt release is required to meet the Borough's housing needs in a balanced and deliverable way, including through the release of land at sustainable settlements such as Lymm. This is covered in more detail in our Matter 3 Hearing Statement.
14. In this case the Council has chosen to allocate a site where the development would have a more pronounced negative impact on the Green Belt than other alternatives. This weakens the exceptional circumstances case in relation to this site specifically.
15. The allocation of a site that contributed less in terms of the Green Belt purposes, such as Cherry Tree Lane, would certainly meet the exceptional circumstances case.

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

16. There are constraints in terms of OS4, as discussed at Q10, that will impact on the capacity of the land to deliver 170 homes.

Q6. 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?

17. No response provided.

Q7. Does the policy identify appropriate and necessary infrastructure requirements? How will these be provided and funded? Is this sufficiently clear?

18. No response provided.

Q8. Is the requirement for Green Belt compensatory improvements justified and appropriate?

19. Green Belt compensatory improvements are a requirement of paragraph 142 of the NPPF and therefore the WLP is correct to set this out as a requirement.

Q9. 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?

20. It is considered that the cumulative traffic impact from the allocation of a minimum of 170 homes from OS4 has been understated.
21. All traffic from these proposed allocations, not bound for Warrington, will be required to travel through the centre of Lymm to reach destinations to the east and south. This will increase peak hour traffic movements, lead to greater congestion and delays, with access to the centre of Lymm being via Star Lane/Barsbank Lane to the A56 or via Whitbarrow Road.
22. The traffic from OS4 will also increase peak hour traffic movements in the vicinity of Statham Community Primary School, where on-street parking associated with the School is already known to be an issue.
23. It is noted that while the promoter of OS4 states that the highways impact will be acceptable, it has not published any technical evidence concerning the suitability of the proposed allocation in highways terms as part of its representation on the Regulation 19 draft (UPSVLP-1401).

Q10. 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

24. The OS4 allocation lies in proximity to the Grade II listed Stratham Lodge. The Heritage Impact Assessment (HIA) for the Outlying Settlements dated August 2021 (HIA7) states that the development would have an impact on the listed building. While the HIA states that the impact may be able to be mitigated, no specific evidence of how this can be achieved in terms of a delivery framework appears to be available.
25. The proposed allocation is also stated to have a moderate impact on the locally listed Star Inn Public House. Again, while mitigation measures are listed within the HIA, we have not seen appropriate evidence of how these can be incorporated in a scheme or the impact that this may have on capacity.
26. Further evidence is therefore required in order to demonstrate that the allocation is deliverable in the form anticipated by the Local Plan and that the minimum number of units is indeed achievable.

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?

27. No response provided.

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

28. No response provided.

Q13. 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?

29. No response provided.

Q14. Are any main modifications necessary for soundness?

30. Given the points raised in relation of the proposed allocation's impact on the Green Belt and other constraints, the land should be deleted and replaced by Miller's interest at land at Cherry Tree Lane (Omission Site Profile 28 in CD03). Representations have demonstrated that this will have a lesser impact on the Green Belt and is less constrained generally.