



Groves Town

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Document Title	Opening Submissions on Behalf on of Rule 6 Party John Groves
Application reference	2019/34799
PINS reference	APP/0655/V/22/3311877
	Appeal by Langtree PP & Panattoni

1. I appear before you today on behalf of the South Warrington Parish Councils Local Planning Working Group (SWP). There are number of things you should know about this group.
2. As apparent from its title the formation of the Group represented an unprecedented decision to co-ordinate response to the issue of consultation in 2017 relating to the production of the Warrington Local Plan. Such was the concern of the six parish Councils of Appleton, Grappenhall and Thelwall, Hatton, Lymm, Stretton and Walton that SWP was formed to operate with the sanction of the individual parishes to provide a cross parish boundary, apolitical and managed response.
3. This approach has never been intended to remove scope for individual Parishes or Parish Councillors to make known their own parish specific concerns known but to ensure that issues of strategic significance were comprehensively addressed where necessary with professional advice.
4. Consequently SWP have been able to present representations throughout the plan making process since 2017. As planning applications relating to major, strategically significant developments in South Warrington have subsequently emerged the Parish Councils have enabled the SWP to take a role in making representations through the development management process.

5. Sir, you will be aware from submissions, that SWP has made representations at each stage of the Local Plan process, has been represented at the Examination into the Local Plan, as well as appearing at the Public Local Inquiry into a proposed National Distribution Centre on Land at Barleycastle Lane Appleton Thorn (The Stobart site).
6. In many respects it has only been through the actions of the SWP, the constituent Parishes and those they represent that there has been a clear and present challenge to test emerging planning policy and to raise issue over the consideration of related strategic planning applications.
7. In this context I have to note the consternation of those I represent and many local residents that the Council has made planning decisions and then stepped aside from participation at Public Inquiries which might challenge and test the process of reaching those decisions. In a local authority which does not have a Chief Planning Officer role, contrary to the ambitions of the RTPI and where planning decisions are made in the name of the Director of Growth it remains a concern for my client's that the approach to planning in Warrington is determined by ambitions for growth with planning seen as an inconvenient fetter to those ambitions.
8. In terms of the specific basis for the SWP objection to this proposal reference will be made to two key areas of concern. Firstly, that the determination of the application to which the Inquiry relates would be premature and would clearly prejudice the outcome of the plan making process. Secondly, that the requirement

to show that very special circumstances clearly outweigh harm by reason of inappropriateness and any other harm resulting from the proposal.

9. On the prematurity point my proof of evidence, together with guidance from Counsel considers whether the limited circumstances where justification for refusal on the grounds of prematurity can be justified. The position of this case falls so squarely in line with the limited circumstances stated within the NPPF, that I struggle to understand what would otherwise be necessary for a prematurity argument to succeed.
10. I am privileged to engage with many of the individual borough and parish councillors within SWP, and the residents they represent, discussing the expectation that the planning process should be plan led. They struggle to understand how, in this context it is possible that a process to prepare a plan which has taken more than 5 years, probably hundreds of thousands of public money spent on consultants and four weeks of examination in front of senior planning inspectors can possibly be undermined by the determination of an application for planning permission, which is effectively attempting to reopen the conclusion of that extended period of plan formulation.
11. This confusion is compounded by the Council's decision to accept modifications proposed by the Local Plan Inspector's and yet to continue to support their resolution that the application should be approved.

12. The one certain thing that this Inquiry cannot become is an opportunity to review the evidence and outcomes of the local plan examination. The applicants have been promoting the application site for a decade or more. They have had an application in place since 2019 with Environmental Assessments in place prior to submission. They have been party to and active participants in the evolution of the local plan, clearly collaborating with the Council in presenting the case for the allocation of the South East Warrington Employment Area. To now be critical of the process is perverse.
13. The burden is on the applicant to show not only that very special circumstances exist to justify development in the Green Belt, but also that the impact on highways, biodiversity, air quality, heritage, landscape and visual amenity is acceptable in planning terms. The starting point is that this proposal is inappropriate development in the Green Belt.
14. The overarching question for the Inquiry and for the Secretary of State is whether harm (both to the Green Belt and any other harm) is clearly outweighed but considerations sufficient to justify a conclusion that very special circumstances exist.
15. There would seem to be no contention that the proposal would, without doubt, constitute a very significant development in the Green Belt.
16. The development provides for
- 98 hectares of development

- 287909m² of new building
- Buildings up to 30m (98.4ft) in height
- 2400 car parking spaces
- LGV, Tractor and trailer parking
- 148 HGV movements per hour
- An unspecified amount LGV movements
- Significant land take for new highway infrastructure

17. The parameters plans and related visualisations provided ample evidence of the scale and impact of the proposed development, prompting adverse comment from consultants appointed to advise the Council. This would have a substantial detrimental impact on the Green Belt. That is without including activities such as the 148 HGV movements per hour that would operate 24/7 for 365 days a year.

18. It is the contention of SWP that the harm caused by the development in this part of the Green Belt – recognised as having a strong contribution to Green Belt purposes, to openness and permanence would be very substantial.

19. The applicant relies on assertions relating to the need for the development and economic benefits. This is the heart of the very special circumstances case. It is questioned whether that need is overstated as a consequence of unrealistic expectations for growth and the extent to which benefits will actually arise. There is at the very least a range of opinions and views from “specialists” about the scale of need and economic benefit which results in uncertainty over a position presented as the based for this massive development and land take within the

Green Belt. Are the benefits special enough to constitute very special circumstances?

20. The scheme appears not to be presented with claims that development brings other significant benefits. Highway improvements are presented as mitigating impact of the development not of wider public benefit.

21. There are of number of other harms that should be explored and taken into account. The visual impact of the proposal on landscape, the effect of the proposal on heritage assets, the impact on ecology and biodiversity are all matters where it would appear to be accepted that there will be some degree of detrimental impact from the development need to be considered in this context.

22. It is considered that harm to the Green Belt has been underplayed, whilst over emphasising the economic benefit.

23. On the two issues highlighted it will the SWP's contention that planning permission should not be granted.