

APPEAL REF. APP/M0655/W/25/3367247

APPENDIX TO DANIEL MATTHEWMAN
PROOF OF EVIDENCE

APPENDIX R6 – K
PLANNING POLICY SUMMARY

MATTER: APPEAL AGAINST REFUSAL OF APPLICATION 2024/00668/FUL

OUR REF: SLR01/1

DATE: OCTOBER 2025

(ON BEHALF OF SPRING LANE & NEW LANE RESIDENTS GROUP)

1.1 It is not necessary to repeat the LP policies verbatim; I summarise the main points below:

GB1 (Green Belt) relates to the green belt. It sets out the presumption of protecting the green belt from inappropriate development and read alongside LP DC1, it defines the inset settlements where development is not inappropriate. In this case, the Site is outside the designated Croft Village boundary and it is therefore within the adopted green belt.

GB Criterion 10 explains that permission for inappropriate development will not be approved other than in Very Special Circumstances (VSC).

GB Criterion 11 explains that a scheme of compensatory improvements to the environmental quality and accessibility of land remaining in the Green Belt will be required to be provided. 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.

GB Criterion 12 defines that where proposals comply with the exceptions to inappropriateness that are set out in the Framework, permission will be approved. This is a form of a 'deference test'¹ being that the LPA has taken a purposive approach to defer to government policies on the green belt, within which government has set out the relevant green belt exceptions...in effect, it transposes the NPPF into the Local Plan.

DEV3 (Gypsy & Traveller Provision) refers to the provision of Gypsy and Traveller sites. Alongside the consideration of need, it sets out five specific criteria a) to g) that must also be satisfied for a proposal to be policy compliant. These criteria relate to the suitability of the site; physical and environmental constraints; residential amenity; highways access; infrastructure / utilities provision and accessibility considerations.

It is pertinent to the appeal that criteria 5. a), b) and d) require further assessment:

- a) The proposed site must be suitable for use as a Gypsy, Traveller or Travelling Showpersons site and can provide an acceptable living environment for future occupiers;
- b) The site must not be subject to physical constraints or other environmental issues that cannot be mitigated to an acceptable level, or that would impact upon the health, safety or general wellbeing of residents on the site;
- d) The Site must be compatible with surrounding land uses particularly with regards to residential amenity;

¹ Deference tests allow local government bodies (or the courts) to defer to policies made by national government where it believes that government will or has already set out i) legitimate objectives; ii) a rational connection to the subject matter and iii) undertaken an overall balancing of competing interests.

INF1 (Sustainable Travel and Transport) aims to ensure that development proposals are located in sustainable and accessible locations that give priority to sustainable modes of transport and reduce carbon emissions by reducing the need to travel by car.

DC4 (Ecological Network) relates to ecology and biodiversity. This policy is additional to the statutory effect of the Biodiversity Net Gain (BNG) requirements found within the Environment Act 2021. It requires that harm to ecological sites and protected species is avoided through assessment and harm avoidance / mitigation measures are provided.

DC6 (Quality of Place) seeks high-standards of design, function and quality in new developments. It seeks good layout, appropriate materials and for applications to have regard to movement/accessibility, energy efficiency, security, and design.

ENV2 (Flood Risk and Water Management) aims to direct development to the areas of lowest risk of flooding and ensure that planning permission is only approved “*where the risk of flooding has been fully assessed, understood and justified, with the implementation of appropriate mitigation measures where necessary.*” It mandates that applicants must provide a Site-Specific Flood Risk Assessment (FRA) for proposals for all new development (inc. minor development and change of use) in Flood Zones 2 & 3.

Policy ENV8 (Environmental and Amenity Protection) gives effect to national policy and aims to ensure that development proposals demonstrate that all relevant environmental risks have been evaluated. It defines that permission will only be approved where appropriate measures have been taken to minimise and prevent users becoming at risk of adverse impacts due to air, land and water quality, vibration, light and noise pollution.

INF5 (Delivering Infrastructure) seeks to ensure that demand and implications for infrastructure are identified and provided for in a timely manner, including transport, healthcare, education and utilities; in order to take account of current and future needs.

Supplementary Planning Documents

- 1.2 The [Warrington Design Guide SPD](#) (July 2024) aims to assist designers and decision makers when applying policies that relate to design issues. It discusses expected standards of design and appropriate selection of materials.
- 1.3 The Environmental Protection SPD (July 2024) aims to assist the implementation of policies DC6 and ENV8 in particular. It sets out the Council's approach to assessing planning applications for their impacts on Environmental Protection matters for human health and amenity relating to air quality; contaminated land; light pollution; and noise.
- 1.4 Lastly, Warrington has a joint evidence base document with three other neighbouring local authorities - the [Gypsy, Traveller and Travelling Showpeople Accommodation Assessment](#) (GTAA, 2018). It aims to provide up-to-date evidence about accommodation needs for the 15 year period 2017 until 2032. This is to be read alongside Policy DEV3.