

Proposed Submission Version Local Plan

PART A - About You

1. Please complete the following:

Please note the email address (if provided below) will be sent a full copy of the submitted response and a unique reference number.

Name of person completing the form: Marc Hourigan

Email address: [REDACTED]

2. What type of respondent are you? Please select one option only.
If you are an agent please select the type of client you are representing.

Other (please specify):

Agent on behalf of land promoter the Strategic Land Group.

3. Please provide your contact details:

	Contact details
Organisation name (if applicable)	The Strategic Land Group
Agent name (if applicable)	Hourigan Connolly
Address 1	[REDACTED]
Address 2	[REDACTED]
Postal Town	[REDACTED]
Postcode	[REDACTED]
Telephone number	[REDACTED]

PART B - Representation Form 1

1. To which part of the Local Plan does this representation relate?

From the drop down list please select one option.

Vision and Spatial Strategy

3. Do you consider the Draft Local Plan to be: Please select one option in each row.

	Yes	No
Legally Compliant	<input type="checkbox"/>	<input type="checkbox"/>
Sound	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Compliant with the Duty to Co-operate	<input type="checkbox"/>	<input type="checkbox"/>

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

Please be as precise as possible.

See enclosed submissions.

6. Please set out what modification(s) you consider necessary to make the Draft Local Plan legally compliant or sound, having regard to the test you have identified above where this relates to soundness. (NB please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

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Please be as precise as possible.

See enclosed submissions.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? Please select one option.

Yes, I wish to participate at the oral examination

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

We wish to participate in the Examination because we have significant objections to the Local Plan including objections to the components of supply the Council relies upon to achieve the housing requirement. Our client controls a site at Reddish Lane/Reddish Crescent, Lymm which is considered preferable to other sites in Lymm which the Council proposes to allocate. Having regard to the foregoing we wish the Inspector to consider our objections via an oral hearing. We also wish to have the opportunity to address any topic papers and Hearing Statements produced by the Council in response to our objections.

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- File: 2021-11-12 FINAL Warrington Local Plan Reg 19 The Strategic Land Group Combined.pdf - [REDACTED]

Comments/file description

The attached document deals with our objections in relation to: the Vision, Policy DEV1, Policy GB1, Allocations Policies MD1, MD2, MD3 MD4 & OS4. The attached document also deals with our objection to land at Reddish Crescent/Rushgreen Road being designated as Green Belt. That land should be removed from the Green Belt and allocated for about 60 homes or if our submission in that respect are not successful the land should be removed from the Green Belt and safeguarded for longer term housing development.

You have just completed a Representation Form for Vision and Spatial Strategy.

Please select what you would you like to do now?

Complete another Representation Form on a different policy or part of the plan (**Part B**)

PART B - Representation Form 2

1. To which part of the Local Plan does this representation relate?

From the drop down list please select one option.

DEV1 Housing Delivery

2. What does your comment relate to? Please select one option.

Both of the above

If a paragraph or policy sub-number then please use the box below to list. (For example - Policy MD2.1 part 3 or paragraph 10.2.13 etc as applicable).

See enclosed submissions.

3. Do you consider the Draft Local Plan to be: Please select one option in each row.

	Yes	No
Legally Compliant	<input type="checkbox"/>	<input type="checkbox"/>
Sound	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Compliant with the Duty to Co-operate	<input type="checkbox"/>	<input type="checkbox"/>

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Please be as precise as possible.

See enclosed submissions.

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Please be as precise as possible.

See enclosed submissions.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? Please select one option.

Yes, I wish to participate at the oral examination

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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Comments/file description

We attached a document in our response to the vision. That document deals with our objections in relation to: the Vision, Policy DEV1, Policy GB1, Allocations Policies MD1, MD2, MD3 MD4 & OS4. The attached document also deals with our objection to land at Reddish Crescent/Rushgreen Road being designated as Green Belt. That land should be removed from the Green Belt and allocated for about 60 homes or if our submission in that respect are not successful the land should be removed from the Green Belt and safeguarded for longer term housing development.

You have just completed a Representation Form for DEV1 Housing Delivery.

Please select what you would you like to do now?

Complete another Representation Form on a different policy or part of the plan (**Part B**)

PART B - Representation Form 3

1. To which part of the Local Plan does this representation relate?

From the drop down list please select one option.

GB1 Warrington's Green Belt

2. What does your comment relate to? Please select one option.

Both of the above

If a paragraph or policy sub-number then please use the box below to list. (For example - Policy MD2.1 part 3 or paragraph 10.2.13 etc as applicable).

See enclosed submissions.

3. Do you consider the Draft Local Plan to be: Please select one option in each row.

	Yes	No
Legally Compliant		
Sound		X
Compliant with the Duty to Co-operate		

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

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See enclosed submissions.

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Yes, I wish to participate at the oral examination

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You have just completed a Representation Form for GB1 Warrington's Green Belt

Please select what you would you like to do now?

Complete another Representation Form on a different policy or part of the plan (**Part B**)

PART B - Representation Form 4

1. To which part of the Local Plan does this representation relate?

From the drop down list please select one option.

MD1 Warrington Waterfront

2. What does your comment relate to? Please select one option.

Both of the above

If a paragraph or policy sub-number then please use the box below to list. (For example - Policy MD2.1 part 3 or paragraph 10.2.13 etc as applicable).

See enclosed submissions.

3. Do you consider the Draft Local Plan to be: Please select one option in each row.

	Yes	No
Legally Compliant		
Sound		X
Compliant with the Duty to Co-operate		

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

Please be as precise as possible.

See enclosed submissions.

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Please be as precise as possible.

See enclosed submissions.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? Please select one option.

Yes, I wish to participate at the oral examination

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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Comments/file description

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You have just completed a Representation Form for MD1 Warrington Waterfront.

Please select what you would you like to do now?

Complete another Representation Form on a different policy or part of the plan (**Part B**)

PART B - Representation Form 5

1. To which part of the Local Plan does this representation relate?

From the drop down list please select one option.

MD2 South East Warrington Urban Extension

2. What does your comment relate to? Please select one option.

Both of the above

If a paragraph or policy sub-number then please use the box below to list. (For example - Policy MD2.1 part 3 or paragraph 10.2.13 etc as applicable).

See enclosed submissions.

3. Do you consider the Draft Local Plan to be: Please select one option in each row.

	Yes	No
Legally Compliant	<input type="checkbox"/>	<input type="checkbox"/>
Sound	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Compliant with the Duty to Co-operate	<input type="checkbox"/>	<input type="checkbox"/>

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

Please be as precise as possible.

See enclosed submissions.

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Please be as precise as possible.

See enclosed submissions.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? Please select one option.

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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Comments/file description

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You have just completed a Representation Form for MD2 South East Warrington Urban Extension.

Please select what you would you like to do now?

Complete another Representation Form on a different policy or part of the plan (**Part B**)

PART B - Representation Form 6

1. To which part of the Local Plan does this representation relate?

From the drop down list please select one option.

MD3 Fiddlers Ferry

2. What does your comment relate to? Please select one option.

None of the above

If a paragraph or policy sub-number then please use the box below to list. (For example - Policy MD2.1 part 3 or paragraph 10.2.13 etc as applicable).

See enclosed submissions.

3. Do you consider the Draft Local Plan to be: Please select one option in each row.

	Yes	No
Legally Compliant	<input type="checkbox"/>	<input type="checkbox"/>
Sound	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Compliant with the Duty to Co-operate	<input type="checkbox"/>	<input type="checkbox"/>

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

Please be as precise as possible.

See enclosed submissions.

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See enclosed submissions.

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You have just completed a Representation Form for MD3 Fiddlers Ferry.

Please select what you would you like to do now?

Complete another Representation Form on a different policy or part of the plan (**Part B**)

PART B - Representation Form 7

1. To which part of the Local Plan does this representation relate?

From the drop down list please select one option.

MD4 Peel Hall

2. What does your comment relate to? Please select one option.

Both of the above

If a paragraph or policy sub-number then please use the box below to list. (For example - Policy MD2.1 part 3 or paragraph 10.2.13 etc as applicable).

See enclosed submissions.

3. Do you consider the Draft Local Plan to be: Please select one option in each row.

	Yes	No
Legally Compliant		
Sound		X
Compliant with the Duty to Co-operate		

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

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See enclosed submissions.

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Comments/file description

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You have just completed a Representation Form for MD4 Peel Hall.

Please select what you would you like to do now?

Complete another Representation Form on a different policy or part of the plan (**Part B**)

PART B - Representation Form 8

1. To which part of the Local Plan does this representation relate?

From the drop down list please select one option.

OS4 Lymm – Pool Lane/Warrington Road

2. What does your comment relate to? Please select one option.

Both of the above

If a paragraph or policy sub-number then please use the box below to list. (For example - Policy MD2.1 part 3 or paragraph 10.2.13 etc as applicable).

See enclosed submissions.

3. Do you consider the Draft Local Plan to be: Please select one option in each row.

	Yes	No
Legally Compliant	<input type="checkbox"/>	<input type="checkbox"/>
Sound	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Compliant with the Duty to Co-operate	<input type="checkbox"/>	<input type="checkbox"/>

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

Please be as precise as possible.

See enclosed submissions.

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Please be as precise as possible.

See enclosed submissions.

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Yes, I wish to participate at the oral examination

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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You have just completed a Representation Form for OS4 Lymm – Pool Lane/Warrington Road.

Please select what you would you like to do now?

Complete another Representation Form on a different policy or part of the plan (**Part B**)

PART B - Representation Form 9

1. To which part of the Local Plan does this representation relate?

From the drop down list please select one option.

Plan as a whole

2. What does your comment relate to? Please select one option.

Both of the above

If a paragraph or policy sub-number then please use the box below to list. (For example - Policy MD2.1 part 3 or paragraph 10.2.13 etc as applicable).

There does not appear to be an option from your drop down menu online for objecting to the designation of a specific parcel of land as Green Belt. Whilst we have submitted an objection in respect of Policy GB1 to ensure our clients objections are accurately recorded this form relates to the designation of land at Rushgreen Road/Reddish Crescent as Green Belt and its proposed allocation by our client for housing (about 60 new homes).

3. Do you consider the Draft Local Plan to be: Please select one option in each row.

	Yes	No
Legally Compliant		
Sound		X
Compliant with the Duty to Co-operate		

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

Please be as precise as possible.

See enclosed submissions.

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Yes, I wish to participate at the oral examination

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You have just completed a Representation Form for Plan as a whole.

Please select what you would you like to do now?

Complete the final part of the form, Customer 'About You' questions and submit response **(Part C)**

WARRINGTON BOROUGH COUNCIL

REGULATION 19 UPDATED PROPOSED SUBMISSION VERSION LOCAL PLAN 2021 -2038

OBJECTIONS TO: THE VISION POLICIES: DEV1 & GB1 ALLOCATION POLICIES: MD1 – 4 & OS4 LAND AT RUSHGREEN ROAD/REDDISH CRESCENT, LYMM

CLIENT:
The Strategic Land Group

DATE:
12 November 2021

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1. INTRODUCTION

BRIEF

- 1.1 Hourigan Connolly is instructed by The Strategic Land Group (hereafter referred to as SLG) to make submissions to Warrington Borough Council (hereafter referred to as the Council) in respect of the Updated Proposed Submission Version¹ of the Warrington Local Plan. Our submissions are made in the context of SLG's land interests in the village of Lymm. The land in question is identified in Figure 1.1 below. The site is known as land at Rushgreen Road and Reddish Crescent, Lymm, Warrington².



Figure 1.1 – Land at Rushgreen Road and Reddish Crescent, Lymm, Warrington – not to scale.

¹ In accordance with Regulation 19 of The Town & Country Planning (Local Planning) (England) Regulations 2012.

² The site is mapped in the Council's 2020 Strategic Housing Land Availability Assessment (SHLAA) under Reference 1565. The reference numbers given in the Council's Development Options & Site Assessment Technical Report include the SHLAA reference number and the following: Site Reference: R18/014 / Site Reference: R18/P2/118 (see Pages 64 and 65).

BACKGROUND

- 1.2 SLG has responded to all of the previous stages of consultation on the emerging Local Plan. The submissions contained herein should therefore be read in the context of previous comprehensive representations submitted to the Council in November 2016, 30 August 2017 and June 2019³.
- 1.3 In passing it is also worth stating that we have repeatedly asked the Council to meet with us to discuss SLG's site and on all occasions our request has been denied. That is disappointing because in the context of these representations it is submitted that an opportunity has been lost to discuss a site which is clearly deliverable (subject to the land being removed from the Green Belt and allocated for housing), and one which is preferable in planning terms to some of the land the Council has proposed to allocate for residential purposes in Lymm in the Submission Version of the Local Plan.

SOUNDNESS

- 1.4 Our submissions are made having regard to the provisions of Section 35 of the National Planning Policy Framework (July 2021) (hereafter referred to as the Framework) regarding the tests of soundness. These tests are considered further throughout the submission but at the outset it is considered that the Regulation 19 - Updated Proposed Submission Version Local Plan 2021 – 2038 is unsound.
- 1.5 In summary terms our client's objections to the Regulation 19 Local Plan are:
- The Local Plan should state clearly that the Plan period ends on 31 March 2039.
 - The Vision fails to acknowledge the need to remove land from the Green Belt and safeguard it for development needs beyond the Plan period.
- 1.6 In terms of Policy DEV1 our client's objections are as follows:
- 2021/2022 completions are likely to be significantly less than illustrated in the Council's housing trajectory resulting in the need to remove land from the Green Belt and allocate it for housing.
 - The average annual rates of planned delivery are not at all realistic having regard to past performance, the reliance on SHLAA sites and large scale strategic sites and their expected rate of delivery.
 - The Plan over-relies on the provision of housing via large SHLAA sites which are unlikely to deliver as expected.

³ It should be noted the previous submissions have also contained various technical assessments in addition to planning submissions.

- With regard to small SHLAA sites, the Council's historic data is based on gross rather than net past completions (i.e. the data fails to take account of demolitions) and there is a lack of evidence regarding future trends to substantiate reliance on this source of supply over the Plan period.
- There are specific lead-in time and delivery issues with the large scale strategic sites proposed to be allocated for housing development and as a consequence they are unlikely to deliver the number of dwellings anticipated by the Council over the Plan period.
- The Plan fails to adequately remove land from the Green Belt and safeguard it to meet development needs beyond the Plan period.
- Further land needs to be allocated for housing and further land needs to be safeguarded for future needs.
- Land at Reddish Crescent/Rushgreen Road should be removed from the Green Belt and allocated for housing for around 60 new homes. Alternatively, the land should be removed from the Green Belt and safeguarded for future housing needs.
- If further allocations are deemed unnecessary. in light of site specific objections to Allocation Policy OS4 the southern section of that proposed allocation may need to be deleted and replaced by our client's site.

1.7 Objections are also raised in respect of Policy GB1 regarding safeguarded land and the allocation of our client's site for housing.

1.8 Due to concerns over lead in times and delivery rates objections are raised in respect of:

- Allocation Policy MD1 – Warrington Waterfront.
- Allocation Policy MD2 – South East Warrington Urban Extension.
- Allocation Policy MD3 – Fiddlers Ferry.
- Allocation Policy MD4 – Peel Hall.

1.9 A site specific objection is raised in respect of Allocation Policy OS4, Lymm (Pool Lane/Warrington Road). Our client's site is preferable to allocation of this site.

1.10 Our clients' objections could be satisfied by removing its land from the Green Belt and allocating it for housing. Alternatively, the site should be removed from the Green Belt and safeguarded for longer term needs beyond the Plan period.

2. NATIONAL PLANNING POLICY FRAMEWORK (NPPF) (2021) CONTEXT

2.1 A revised version of the National Planning Policy Framework (hereafter referred to as the Framework) was published on 20 July 2021 and is referred to throughout our representations. The following extracts are relevant to our representations and are reproduced below for ease of reference together with commentary where necessary:

SECTION 3 - PLAN MAKING

2.2 Paragraph 15 of the Framework states that:

“The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings”.

2.3 Paragraphs 16 a) and 16 b) of the Framework state that Plans should:

“a) be prepared with the objective of contributing to the achievement of sustainable development;

“b) be prepared positively, in a way that is aspirational but deliverable;”

2.4 Paragraph 20 states that inter alia:

“Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for:

a) housing (including affordable housing), employment, retail, leisure and other commercial development;”

2.5 Paragraph 22 states that:

“Strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery”.

2.6 Paragraph 22 is subject to Footnotes 15 and 16 although only the latter is relevant to these submissions and directs the reader to transitional arrangements at Annex 1. In that respect the transitional arrangements set out in Paragraph 221 are relevant here:

“For the purposes of the policy on larger-scale development in paragraph 22, this applies only to plans that have not reached Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (pre-submission) stage at the point this version is published (for Spatial Development Strategies this would refer to consultation under section 335(2) of the Greater London Authority Act 1999)”.

2.7 The Regulation 19 Local Plan was published in September 2021 and the revised Framework was published on 20 July 2021 hence the second sentence of Paragraph 22 of the Framework applies to the Examination of the Local Plan.

2.8 Paragraph 31 states that:

“The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals”.

2.9 The Examination of Plans is dealt with in Paragraph 35 of the Framework:

“Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are ‘sound’ if they are:

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
- c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant”.*

2.10 Paragraph 35 a) of the Framework is also subject to Footnote 21 which states that:

“Where this relates to housing, such needs should be assessed using a clear and justified method, as set out in paragraph 61 of this Framework”.

2.11 It should be noted that to be found sound a Plan must meet all four tests of soundness.

SECTION 5 – DELIVERING A SUFFICIENT SUPPLY OF HOMES

2.12 Paragraph 61 of the Framework states that:

“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”.

2.13 Paragraph 68 is important here in the context of identifying land for homes:

“Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:

- a) specific, deliverable sites for years one to five of the plan period; and*
- b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan”.*

2.14 Criterion a is subject to Footnote 34 and states that:

“With an appropriate buffer, as set out in paragraph 74. See Glossary for definitions of deliverable and developable”.

2.15 The important contribution small and medium sites can make to meet the housing requirement of the area is emphasised by Paragraph 69 of the Framework.

2.16 The terms deliverable and developable are defined in the Glossary to the Framework:

*“**Deliverable:** To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years”.

“Developable: *To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged”.*

2.17 Paragraph 71 is relevant to these submissions in respect of windfall development:

“Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area”.

2.18 Paragraph 73 of the Framework is of particular relevance to these submissions in respect of the large scale development proposed in the Local Plan:

“The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes). Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. In doing so, they should:

a) consider the opportunities presented by existing or planned investment in infrastructure, the area’s economic potential and the scope for net environmental gains;

b) ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself (without expecting an unrealistic level of self-containment), or in larger towns to which there is good access;

c) set clear expectations for the quality of the places to be created and how this can be maintained (such as by following Garden City principles); and ensure that appropriate tools such as masterplans and design guides or codes are used to secure a variety of well-designed and beautiful homes to meet the needs of different groups in the community;

d) make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites, and identify opportunities for supporting rapid implementation (such as through joint ventures or locally-led development corporations); and

e) consider whether it is appropriate to establish Green Belt around or adjoining new developments of significant size”.

2.19 Criterion d) is subject to footnote 37 which states that:

“The delivery of large scale developments may need to extend beyond an individual plan period, and the associated infrastructure requirements may not be capable of being identified fully at the outset. Anticipated rates of delivery and infrastructure requirements should, therefore, be kept under review and reflected as policies are updated”.

2.20 Paragraph 74 of the Framework states:

“Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies³⁸, or against their local housing need where the strategic policies are more than five years old³⁹.

The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

a) 5% to ensure choice and competition in the market for land; or

b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently

*adopted plan⁴⁰, to account for any fluctuations in the market during that year;
or*

c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply⁴¹”.

2.21 Paragraph 74 is subject to Footnotes 38 – 41. Footnote 41 is relevant to these submissions:

“This will be measured against the Housing Delivery Test, where this indicates that delivery was below 85% of the housing requirement”.

SECTION 13 - GREEN BELT

2.22 Paragraph 138 of the Framework establishes that Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

2.23 Paragraph 140 and 141 of the Framework states that:

“Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.

Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

a) makes as much use as possible of suitable brownfield sites and underutilised land;

b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and

c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground”.

2.24 The importance of promoting sustainable patterns of development is a focus for Paragraph 142 of the Framework:

“When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policymaking authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport. They 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”.

2.25 Paragraph 143 sets out considerations when defining Green Belt boundaries:

“When defining Green Belt boundaries, plans should:

a) ensure consistency with the development plan’s strategy for meeting identified requirements for sustainable development;

b) not include land which it is unnecessary to keep permanently open;

c) where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;

d) make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development; and

e) be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and

f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

3. RELEVANT NATIONAL STUDIES – LEAD IN TIMES & DELIVERY RATES

- 3.1 Lead-in times and delivery rates have been the subject of much debate in Planning Inquiries and Development Plan Examinations over recent years. These matters are highly relevant to determining whether a local authority can demonstrate a 5 year supply of deliverable housing sites (plus buffer) and ensuring sufficient homes will be delivered across a Plan period.

LEAD IN TIMES

- 3.2 In February 2014 Hourigan Connolly completed a national study on the delivery of urban extensions. This study considered factors associated with bringing forward major urban extensions of 500+ dwellings before moving on to look at specific case studies from each of the English regions, Scotland and Wales. Based upon the analysis of the results received from Local Authorities, the Study suggest that the delivery of houses from urban extensions takes approximately 9 years from the date upon which work is started on an outline planning application. Whilst there were instances of speedier delivery, these were in the minority whereas there were many more examples of sites that took far longer to deliver houses, with many identified that were yet to deliver any houses.
- 3.3 On 31 October 2014 Savills (on behalf of Barratt) produced a Study looking at delivery rates on urban extensions and concluded that on average across all sites analysed, an urban extension site starts construction on the first phase of housing more than four years after the submission of an outline application. Considering only sites coming forward since 2010, the average time taken to start on site drops to under three years after the submission of an outline application. The Savills work draws heavily on the Hourigan Connolly study but of course does not factor in the time necessary to prepare an outline planning application and all of the negotiations that precede it.
- 3.4 In November 2016 Lichfields published extensive research in relation to “How Quickly Do Large Scale Housing Sites Deliver”. It is notable that the Lichfields research identified that sites of circa 500 dwellings take 5 years to deliver dwellings following validation of a planning application but of course this does not factor in the time necessary to prepare an outline planning application and all of the negotiations that precede it.
- 3.5 More recently Lichfields: “Start to Finish – What Factors affect the build-out rates of large scale housing sites” (second edition, February 2020) assessed the lead-in time on 180 sites, including 97 sites of 500 dwellings or more. The report concluded that the average time taken from gaining outline planning permission to the completion of the first dwelling was around 3 years. The report also concluded that:

- Sites with a capacity of between 1,000 and 1,499 dwellings took on average 6.9 years from the validation of the first application to the completion of the first dwelling on site.
- Sites with a capacity of between 1,500 and 1,999 dwellings took on average 7 years from the validation of the first application to the completion of the first dwelling on site.
- Sites with a capacity of over 2,000 dwellings took on average 8.4 years from the validation of the first application to the completion of the first dwelling on site.

3.6 Of course the above analysis does not account for the time required to prepare an application which is likely to be considerable where major sites are concerned as extensive public and statutory consultee pre-application consultation would be required. Additional time will also be required where Development Frameworks are required to be approved by the Council before planning applications are submitted and that is particularly relevant in the Warrington context as will be shown below.

3.7 The above studies are mentioned to illustrate the point that the delivery of major housing schemes is not at all straightforward and is time consuming. This is highly relevant in the Warrington context where there is a significant reliance on large scale strategic sites to meet the housing requirement.

DELIVERY RATES

RELEVANT BACKGROUND STUDIES

3.8 The Lichfields' 2020 Study mentioned above also considered build out rates on 77 sites of 500 dwellings or more. The report concluded that the average build-out rates were:

- 107 dwellings per annum on sites with a capacity of between 1,000 and 1,499 dwellings.
- 120 dwellings per annum on sites with a capacity of between 1,500 and 1,999 dwellings.
- 160 dwellings per annum on sites with a capacity of over 2,000 dwellings.

4. OBJECTION - VISION

4.1 Paragraph 3.1.3 of the Regulation 19 Local Plan as part of the preamble to the Vision states that:

“Whilst the Plan Period extends over 18 years to 2038, the vision looks further ahead to ensure the Plan provides the basis for Warrington’s long term future growth for at least the next 30 years”.

4.2 Our client **OBJECTS** to the Vision set out on Page 20 onwards of the Regulation 19 Local Plan.

THE JUSTIFICATION FOR THE OBJECTION

PLAN PERIOD

4.3 The main text of the Regulation 19 Local Plan is silent on which month in 2021 the Plan starts. The common approach is for Local Plans to begin on 1 April of a given year and end on 31 March of a given year. Indeed that is the approach adopted in the Council’s housing monitoring data and it is the approach adopted in the Council’s SHLAA.

4.4 It is therefore reasonably assumed that the Regulation 19 Local Plan must have a base date of 1 April 2021 and if it looks ahead 18 years the end date of the Plan should be 31 March 2039. Indeed reference to the housing trajectory shown on page 271 of the Regulation 19 Local Plan shows the final year of completions as being 2038/2039 so presumably the Council must be using an end date of 31 March 2039.

4.5 If the above is correct, then the Vision should refer to Warrington 2039 and beyond and consequential amendments would be required throughout the Plan.

4.6 Paragraph 22 of the Framework states that:

*“Strategic policies should look ahead over a minimum 15 year period **from adoption** (our emphasis added), to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery”.*

4.7 The Council’s web site states that:

“It is proposed that early in 2022, the Plan, all supporting documents and any representations received within the representation period, will be submitted to the Secretary of State for Levelling Up, Housing and Communities. The Plan will be examined by a Government Inspector, with an Examination in Public expected in summer/autumn 2022”.

- 4.8 Taking into account our submissions above, if the end date of the Local Plan should indeed be 31 March 2039, then the Plan would need to be adopted by 31 March 2024 at the latest in order to meet the minimum requirements of Paragraph 22 of the Framework. On the basis of the Council’s expected timetable noted above adoption by 31 March 2024 is considered achievable but if there were any significant delays (that mean that the Plan would not cover a minimum of a 15 year period on adoption) the Council would need to extend the Plan period.

MINIMUM 30 YEAR VISION

- 4.9 The Regulation 19 Local Plan was published on 4 October 2021 and the revised Framework was published on 20 July 2021 hence the second sentence of Paragraph 22 of the Framework applies to the Examination of the Local Plan. In accordance with Paragraph 22 of the Framework policies within the Plan should be set within a Vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery of larger scale development within Warrington.

- 4.10 It is noted that Section 2 of the Vision states that:

“Warrington’s long term growth will be positively planned to ensure that new homes, jobs and businesses are supported by major improvements to the Borough’s infrastructure, to the benefit of existing and new communities alike”.

- 4.11 The Council proposes to remove no land from the Green Belt in order to safeguard it for future development needs and this is the subject of detailed representations at Chapter 5. For the reasons set out in Chapter 5 it is considered that a Vision that does not remove land from the Green Belt to meet needs beyond the end of the Plan period is unsound. In summary terms that is because the Council has already demonstrated exceptional circumstances for the release of Green Belt land in this Plan period and it is highly likely that Green Belt land will also need to be released through a future Local Plan review.

SOUNDNESS ASSESSMENT

- 4.12 The Vision is unsound for the following reasons:

POSITIVELY PREPARED

- 4.13 The Vision is not positively prepared because it incorrectly refers to a Plan end date of 2038 whereas the correct approach would be to refer to 31 March 2039.

- 4.14 The Vision is not positively prepared as it does not provide a strategy which, as a minimum, sets out the future growth strategy for both housing and employment uses for at least a 30-year period. Such an approach would, for the reasons given in Chapter 5, necessitate the removal of land from the Green Belt and safeguarding it for development beyond the Plan period.

CONSISTENT WITH NATIONAL POLICY

- 4.15 The Vision is not consistent with Paragraph 22 of the Framework for the reasons outlined above.
- 4.16 Furthermore the Vision is inconsistent with Paragraph 143 c) as it fails to acknowledge that areas of safeguarded land between the urban area and the Green Belt, need to be identified in order to meet longer-term development needs stretching well beyond the Plan period.

AMENDMENTS SOUGHT

- 4.17 The following amendments are sought:
- The Local Plan needs to clearly set out that the Plan period is from 1 April 2021 to 31 March 2039. This needs to be reflected in the Vision and consequential amendments need to be made to numerous sections of the Plan.
 - The Local Plan Vision needs to acknowledge that land needs to be removed from the Green Belt and safeguarded for longer term needs.

5. OBJECTION – POLICY DEV 1

5.1 Our client **OBJECTS** to Policy DEV 1. In summary terms the objections are that:

- 2021/2022 completions are likely to be significantly less than illustrated in the Council's housing trajectory. To ensure the housing target is delivered there will be a need to remove further land from the Green Belt and allocate it for housing.
- The average annual rates of planned delivery are not at all realistic having regard to past performance, the reliance on both SHLAA sites and large scale strategic sites, and their expected rate of delivery.
- The Plan over-relies on the provision of housing via large SHLAA sites which are unlikely to deliver as expected.
- With regard to small SHLAA sites, the Council's historic data is based on gross rather than net past completions (i.e. the data fails to take account of demolitions) and there is a lack of evidence regarding future trends to substantiate reliance on this source of supply over the Plan period.
- There are specific lead-in time and delivery issues with the large scale strategic sites proposed to be allocated for housing development and as a consequence they are unlikely to deliver the number of dwellings anticipated by the Council over the Plan period.
- The Plan fails to adequately remove land from the Green Belt and safeguard it to meet development needs beyond the Plan period.
- Further land needs to be allocated for housing and further land needs to be safeguarded for future needs.
- Land at Reddish Crescent/Rushgreen Road should be removed from the Green Belt and allocated for housing. Alternatively, the land should be removed from the Green Belt and safeguarded for future housing needs.

HOUSING REQUIREMENT - OVERVIEW

5.2 The housing requirement contained within Policy DEV 1 is for a minimum of 14,688 new homes to be delivered in the 18 year Plan period at an average rate of 816 dwellings per annum. However this is to be stepped as follows:

- 1 April 2021 – 31 March 2025 – (first five years) 678 homes per annum.
- 1 April 2026 – 31 March 2038 (years 6 – 18) 870 homes per annum.

5.3 To provide a buffer the Council has made a 10% flexibility allowance in addition to the housing requirement. This is illustrated in Table 1 that appears on Page 39 of the Regulation 19 Local Plan together with the headline sources of supply that will meet the total requirement:

Table 1 – Land Requirements over the Plan Period

Annual target	816
2021 to 2038 (18 years inclusive)	14,688
Flexibility @ 10%	1,469
Total Requirement	16,157
Urban Capacity	11,785
Green Belt Requirement	4,372

Figure 5.1 – Regulation 19 Local Plan Extract.

5.4 Our submissions on whether the stepped requirement is appropriate are set out later in this Chapter once all relevant matters relating to housing land supply over the Plan period have been examined.

PREVIOUS DELIVERY RATES IN WARRINGTON

5.5 In looking at forecast delivery rates it is also necessary to look at the track record of housing delivery in Warrington. In that respect the Council’s 2020 Annual Monitoring Report contains a helpful table showing actual net completions (blue bars) against forecast completions (orange bars):

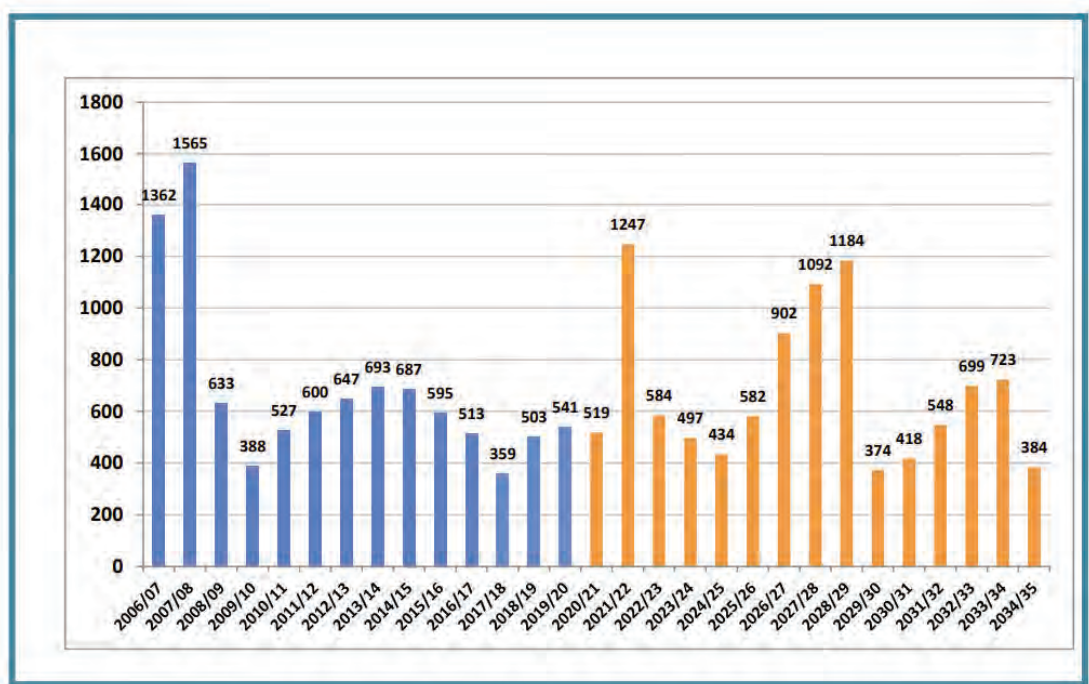


Figure 5.2 – AMR 2020 Extract.

5.6 The total number of net new dwellings delivered between 1 April 2006 and 31 March 2020 was 9,613 dwellings. This equates to an annual average of 687 net new dwellings completed.

5.7 Figure 5.3 below presents the Council’s forecast net completions for the 18 year period 1 April 2021 to 31 March 2039 as set out in the Housing Trajectory that appears on Pages 271/272 of the Regulation 19 Local Plan. This provides for completion of 16,676 net new dwellings over the Plan period. This equates to an annual average of 926 net new dwellings per annum.

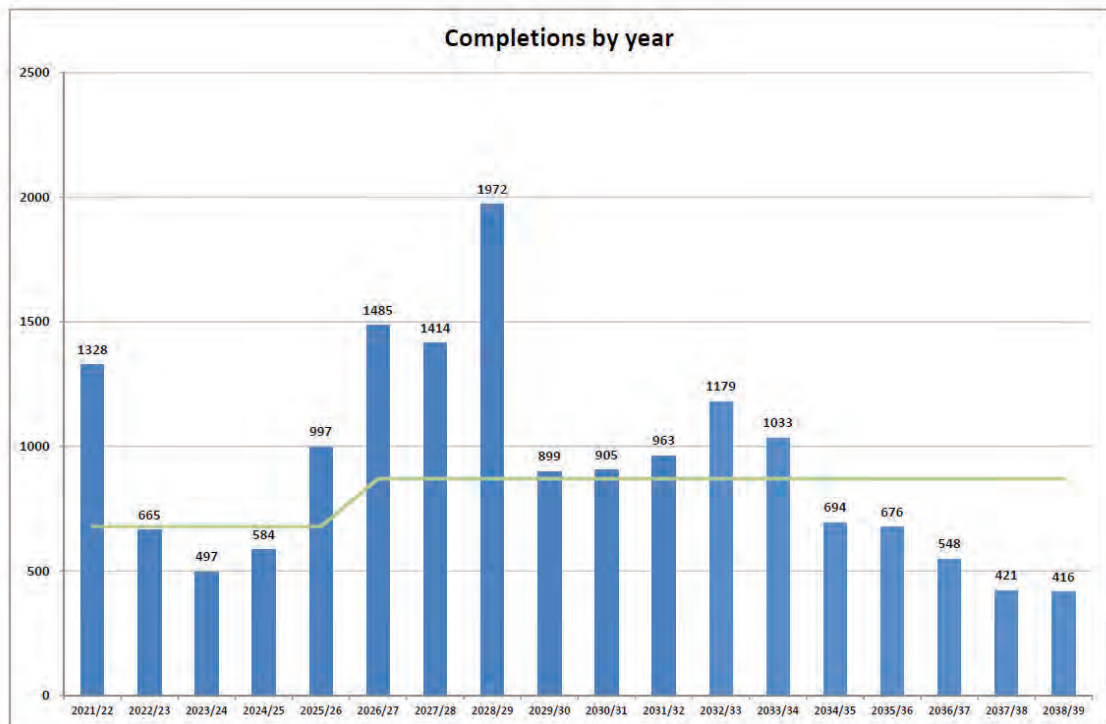


Figure 5.3 – Regulation 19 Local Plan Extract.

- 5.8 The Council’s Housing Trajectory is in stark contrast to pre 31 March 2020 annual average delivery rates for the preceding 14 year period. It envisages an increase in the annual average delivery rate by 239 dwellings which is equivalent to a 35% increase on 2006 – 2020 delivery rates. It is also notable that the Plan starts at 1 April 2021. Completions data for 2020/2021 has not been published by Warrington Council as part of the Local Plan evidence base but according to Figure 5.2 the Council had previously forecast 519 net new homes being delivered that year. The following year (2021/2022) completions are expected to jump to 1,328 dwellings according to the Housing Trajectory contained within the Regulation 19 Local Plan.
- 5.9 Annual average delivery rates of 926 dwellings have not been achieved since 2008/2009. Whilst it is acknowledged that such rates were achieved and exceeded between 2006 – 2008 that was in a very different Development Plan context when there was an abundance of land available for development (including former Commission for the New Towns land which benefited from consent for housing in principle) and which did not require a substantial review of the Green Belt before it could come forward.
- 5.10 It is also relevant to have regard to the government’s Housing Delivery Test (HDT) results in considering past and possible future performance. In that respect the 2020 measurement noted that Warrington had only achieved 57% of its requirement for the preceding 3 years (1,403 dwellings were delivered between 31 March 2017 and 1 April 2020 against a requirement of 2,465 dwellings) resulting in the most drastic mitigation measure being imposed - the presumption in favour of sustainable development (see Paragraph 11 of the Framework). Moreover in calculating its 5 year housing land supply position the Council must use now a 20% buffer due to the

significant under delivery of housing in the three year period and to improve the prospect of delivering the planned supply.

5.11 The effects of the Covid 19 pandemic would have had no effect on the HDT results mentioned above as the first lockdown in England did not come into effect until 26 March 2020 i.e. at the end of the 3 year monitoring period. The HDT results for 2021 are due to be published shortly and it will be interesting to note the effect on the projected number of completions for 2020/2021 as set out in the AMR. However the important data will be for 2021/2022 monitoring year given the significant difference projected between 2020/2021 (519 dwellings previously forecast by the Council) and 2021/2022 (1,328 dwellings forecast by the Council). That rate of increase equates to 809 dwellings over one year or a 156% increase. Given the circumstances that have been prevalent over the past 18 months such a dramatic increase seems highly unlikely but to be fair to the Council it is necessary to await publication of the data.

5.12 In summary we consider the predicted annual delivery rates set out in Policy DEV1 and the housing trajectory are unsound because:

- They are not positively prepared, and do not provide a strategy which, as a minimum, seeks to meet the area's local housing needs. As will be shown below the sources of supply relied upon by the Council are unlikely to deliver the minimum housing requirement.
- They are not effective and will not be deliverable over the Plan period.

HOUSING DISTRIBUTION – OUTLYING SETTLEMENTS

5.13 Policy DEV 1 establishes that a minimum of 801 homes will be delivered on allocated sites to be removed from the Green Belt adjacent to the following Outlying Settlements:

- a. Croft – minimum of 75 homes.
- b. Culcheth – minimum of 200 homes.
- c. Hollins Green – minimum of 90 homes.
- d. Lymm – minimum of 306 homes.
- e. Winwick – minimum of 130 homes.

5.14 Whilst we support the largest proportion of development being directed to Lymm as the largest settlement outside of Warrington the justification for the number of homes proposed is unclear. It appears to be the residual requirement for the Borough once SHLAA sites and the urban extensions have been accounted for and appears to bear no relation to either the settlements'

capacity to absorb future growth or the need for new homes in those settlements. In the case of Lymm it is unclear to us why a perfectly deliverable site such as the SLG land has been discounted particularly given the figures set out in the policy are minimum requirements and, as demonstrated below, other sources of supply will not deliver as expected. Consequently, we consider the approach adopted by the Council to the distribution of new homes is not sound as it is neither positively prepared nor justified.

SOURCES OF SUPPLY

- 5.15 In considering the delivery of houses over the Plan period it is obviously essential to examine the sources of supply and the lead-in time and delivery rate assumptions used to inform the housing trajectory.

SHLAA SITES (0.25 HECTARES & ABOVE)

- 5.16 The Regulation 19 Local Plan relies heavily on SHLAA sites of 0.25 hectares and above. According to the Council's Housing Trajectory this source of supply will account for 6,992 dwellings within the Plan period from within the wider urban area and 198 dwellings from other sources. In total this source is expected to yield **7,190 net new dwellings**.
- 5.17 To put that in context this equates to **49%** (rounded) of the minimum housing requirement (of 14,688 dwellings) or **45%** (rounded) of the overall number of homes (16,157 dwellings) the Council has planned for within the Plan period.
- 5.18 Paragraph 4.1.13 of the Regulation 19 Local Plan states that:

“The Council has carried out a comprehensive review of its SHLAA and incorporated the town centre master planning work that was previously presented as a separate evidence base. This ensures the Council has a single robust assessment of the capacity of the existing urban area, including brownfield sites within the Borough's outlying settlements and a small number of brownfield sites within the Green Belt where the principle of development is established”.

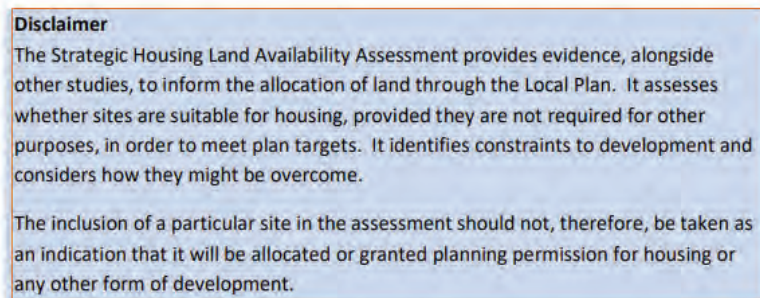
- 5.19 The latest SHLAA was produced in 2020 and the Council's web site states the following about the document:

“This is the tenth SHLAA to be prepared for Warrington. It updates the previous 2019 SHLAA and comprehensively reviewed all conclusions previously reached for sites already within the SHLAA process and assessed new sites. All new sites submitted to us by 31 March 2020 have been considered in this update and conclusions updated on existing sites where new information has come to light”.

5.20 Paragraph 1.1 of the SHLAA confirms that:

“This report presents the findings from Warrington’s 2020 Strategic Housing Land Availability Assessment (SHLAA). It has been prepared from a base date of 1st April 2020. The 2020 SHLAA comprehensively updates the previous 2019 assessment by reviewing the status and conclusions previously reached for sites already within the SHLAA process and assessing new sites which have emerged. This version of the SHLAA has integrated the Council’s urban capacity work into the land supply for the first time and now includes all of the sites contained in the Town Centre Master Plan (2020) that it is considered are/will become available within the next 15 years. However, it does not include the supply beyond 15 years”.

5.21 As with all SHLAAs the Council’s document contains the following disclaimer:



Disclaimer
The Strategic Housing Land Availability Assessment provides evidence, alongside other studies, to inform the allocation of land through the Local Plan. It assesses whether sites are suitable for housing, provided they are not required for other purposes, in order to meet plan targets. It identifies constraints to development and considers how they might be overcome.

The inclusion of a particular site in the assessment should not, therefore, be taken as an indication that it will be allocated or granted planning permission for housing or any other form of development.

Figure 5.4 – SHLAA 2020 Extract.

5.22 It is unclear why the Council has not up-dated the SHLAA to 2021 to tie in with the base date of the Local Plan. Such an approach would have created a consistent base date from which to carry out the Examination and would have allowed the Inspector and representors the opportunity to consider how 2020/2021 completions affect the overall amount of housing to be delivered via SHLAA sites.

5.23 Using Table 3.7 of the SHLAA (see extract below at Figure 5.5) illustrates that SHLAA sites greater than 0.25 hectares with planning permission accounted for 4,686 dwellings (2,656 + 1,248 + 782 = 4,686) at 1 April 2020. The difficulty is that this is one year prior to the base date of the Local Plan hence why the SHLAA should be updated as it is logical to assume that some of these dwellings would have been completed during 2020/2021. Consequently the number of dwellings with planning permission not yet completed would reduce.

5.24 In the absence of an up-date to the SHLAA the only figure available is the 4,686 figure and when this is compared to the total of number of dwellings expected to be delivered over the Plan period on large SHLAA sites (7,190 dwellings as shown in the housing trajectory) suggests that in the order of **2,504** dwellings do not have the benefit of planning permission. We set out below why this figure of around 2,504 dwellings is unreliable and undermines the Plan led approach.

5.25 The overall figure of 4,686 dwellings from large SHLAA sites with planning permission assumes that every site will deliver the number of dwellings it has planning permission for without slippage or planning permissions lapsing. Experience from across the UK suggests that this is seldom the case, and a lapse rate is appropriate to account for sites not delivering as expected.

Period	Composition of sites	Number of dwellings
Deliverable 0-5 years	Large sites – with planning permission	2656
	Large sites – without planning permission	463
	Small sites - allowance (81 x 5)	405
	Sub total	3524
Developable 6-10 years	Large sites – with planning permission	1248
	Large sites - without planning permission	2481
	Small sites - allowance (81 x 5)	405
	Sub total	4134
Developable 11-15 years	Large sites – with planning permission	782
	Large sites - without planning permission	1585
	Small sites - allowance (81 x 5)	405
	Sub total	2772
Total		10,430

Table 3.7: Deliverable and developable housing land supply over the next 15 years

Figure 5.5 – SHLAA 2020 Extract.

ASSUMPTIONS USED IN THE SHLAA

5.26 The Council's SHLAA is also based on a number of assumptions as follows⁴:

Net Developable Area Ratios			
Site Size	Less than 0.4 ha	0.4 ha to 2ha	Over 2ha
Gross to Net Ratios	100%	90%	75%

Table 2.1: Net Developable Area ratios for different scales of development

Lead-in-Times		
Status	Sites below 150 dwellings	Sites over 150 dwellings
Under construction	n/a	n/a
Full Permission/R Matters	1.5 years	1.5 years
Outline Permission	2 years	3 years
Sites without Permission	2.5 years	4 years

Table 2.2: Lead in Time assumptions

Build Rates			
Site Size	Less than 50 dwellings	50 to 150 dwellings	More than 150 dwellings
Build Rate (units per year)	20	35	55

Table 2.3: Build Rate assumptions for different site thresholds

Figure 5.6 – SHLAA 2020 Extract.

5.27 In terms of density assumptions the SHLAA states the following:

⁴ Net developable area ratio testing is contained within Appendix 3 of the SHLAA. Lead in times are based on data contained within Appendix 5 of the SHLAA. It should be noted that the largest site assessed in Appendix 4 of the SHLAA is 424 dwellings. The Build Rates are based upon analysis undertaken for the monitoring period 1 April 2003 – 31 March 2020 (see Appendix 6 to the SHLAA).

Density Assumptions

- 2.51 The Council does not have specific prescribed densities within policies of the adopted Local Plan Core Strategy. However, evidence and sensitivity testing (see Appendix 3) suggests a density range, of between **30-50 dwellings per hectare (dph)** applied to the net developable area of a site is generally appropriate when estimating capacity for sites without planning permission or where a developer/landowner has not offered specific details.
- 2.52 In addition, as a result of comments made in the Local Plan Preferred Development Option (PDO) Consultation, the Council has reviewed the density of previous and recently consented development in the inner area of Warrington compared to the suburban areas. This has revealed that apartment schemes (with the exception of Care Home facilities) are predominantly confined to the Town Centre and Inner Warrington (as defined on the LPCS Policies Map) and that there is a differential between the density of development within these two locations. Whilst, there is a range of densities in both locations, the density of development in the Town Centre and surrounding area is, unsurprisingly, generally higher than in the wider Inner Warrington area. It is considered that taking the average density in these two locations provides a reasonable assumption up on which to calculate the capacity of schemes in these locations, where it is considered likely that apartment development will occur. Consequently, in appropriate locations in the **Town Centre a density of 275dph** has been applied, whilst in appropriate locations outside of the town centre but within **Inner Warrington a density of 130dph** has been applied. The table in Appendix 4 provides the evidence to justify this approach.
- 2.53 However, as previously agreed with stakeholders, some flexibility is applied dependent on the characteristics of the site and the area where it is located. For example, whether a site is brownfield or greenfield; any policy designations (ie. conservation areas); the surrounding land uses and density of development have been used to inform an assumption about the likely density of development that may be achieved on a site.

Figure 5.7 – SHLAA 2020 Extract.

THE INTENTIONS OF OWNERS & OTHER MATTERS UNDERMINES THE RELIANCE ON UNCONSENTED SHLAA SITES

- 5.28 Just because a site without planning permission has been identified in the SHLAA and included in the housing trajectory for the Local Plan does not guarantee that the site will actually be developed for new homes and in that respect, reference should be made to the disclaimer from the SHLAA that appears at Figure 5.4.
- 5.29 Furthermore, many of the SHLAA sites are in active employment or retail use (and some aren't even being promoted for housing by owners); there is therefore no guarantee that the sites will come forward or the Council would grant planning permission for their redevelopment for homes (given the rising costs of such land) and furthermore some of the sites identified may be used for alternative uses. Examples of the above include:

- Causeway Park, Central Avenue, Warrington, WA4 6QS (Page 124 of the Appendices to the SHLAA refers) – 60 dwellings said by the Council to be developable between 2025 and 2030 and yet the site is said to be in existing employment use, includes areas of Flood Zone 2, has contaminated land issues and multiple lease holdings. The land is said not to being promoted by the owner.
- Furnish with Flair, Wilderspool Causeway, Warrington, WA4 6QP (Site reference 1719 as shown on Page 76 of the Appendices to the SHLAA) – 40 dwellings said by the Council to be developable between 2025 and 2030 and yet the site is said to be in existing retail/commercial use, includes areas of Flood Zone 2 and is being promoted by neither the owner nor developer.
- Land enclosed by Hopwood Street, School Brow and Crossley Street, Warrington, WA1 2TA (Site reference 2481 as shown on Page 11 of the Appendices to the SHLAA) – 109 dwellings said by the Council to be developable between 2025 and 2030 and yet the site is said to be an existing retail park which is neither being promoted by the owner or developer.
- Pinners Brow Retail Park, Pinners Brow, Warrington, WA2 7XA (Site reference 2481 as shown on Page 11 of the Appendices to the SHLAA – 109 dwellings said by the Council to be developable between 2025 and 2030 and yet the site is being promoted by neither the owner nor developer.

5.30 There is also local evidence that sites which are included in SHLAAs do not come forward as expected. In that respect having made reference to the Council's 2010 SHLAA it is notable that the Furnish with Flair site mentioned above was said to be neither available or likely to become available (see Appendix 6 – Page 104) and yet 10 years later it is relied upon by the Council to meet housing needs and yet it is still being promoted by neither the owner nor a developer on the Council's own evidence.

5.31 In light of the foregoing significant concern is raised that multiple SHLAA site are not developable in line with the definition set out in the Glossary to the Framework.

SUMMARY – SHLAA SITES (0.25 HECTARES & ABOVE)

5.32 Paragraph 15 of the Framework states that:

“The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings”.

- 5.33 Evidently the Regulation 19 Local Plan is not genuinely Plan-led; if it was significantly more sites would be allocated for development. That is because the Local Plan relies upon 7,109 dwellings from large SHLAA sites as shown in the housing trajectory. The only data available in the SHLAA shows that 1 year before the base date of the Local Plan on 1 April 2020, 4,686 dwellings from large SHLAA sites had planning permission (see Figure 5.5). Notwithstanding the difficulty with the base date this suggests that 2,504 dwellings relied upon in the housing trajectory from large sites did not have planning permission on 1 April 2020. To that end we contend that the Local Plan over relies on large SHLAA sites by at least 2,504 dwellings and the figure is potentially greater when slippage and non-implementation of planning permissions is accounted for. However all of the above could be easily clarified if the SHLAA was up-dated to the base date of the Local Plan (1 April 2021). and It is unclear why the Council did not up-date the SHLAA for the purposes of the Regulation 19 Local Plan. In our view it is essential that the SHLAA is updated prior to Examination of the Local Plan and participants given an opportunity to comment on its implications.
- 5.34 Put simply the significant over reliance on SHLAA sites undermines the Plan-led system and is not at all credible. The approach undermines the ability of the Plan to be effective and is contrary to national planning policy, in Particular Paragraph 15.
- 5.35 Moreover the approach does not make sufficient Plan-led provision for housing and is contrary to Paragraph 20 of the Framework which states that *inter alia*:
- “Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for:*
- a) housing (including affordable housing), employment, retail, leisure and other commercial development;”*
- 5.36 In summary we consider the reliance on SHLAA sites above 0.25 hectares as set out in Policy DEV1, and the housing trajectory unsound because:
- The approach is not positively prepared, and does not provide a strategy which, as a minimum, seeks to meet the area’s local housing needs.
 - The approach is not effective and will not be deliverable over the Plan period.
 - The approach is inconsistent with national policy, notably Paragraph 15 and 20 of the Framework as noted above.

SHLAA (SITES UNDER 0.25 HECTARES)

5.37 The Council's Housing Trajectory assumes that 81 dwellings will come forward per annum over 18 years resulting in 1,458 dwellings being delivered on small sites over the Plan period.

5.38 The Council's SHLAA sets out the justification for the small sites rate on Pages 20 and 21. It is noted that the rate is based on the annual average rate of **gross** completions over the period 1 April 2007 to 31 March 2020.

5.39 There are a number of issues with the Council's approach as follows:

5.40 Firstly the Council has used gross completion figures as the basis of the assessment, in other words no account has been taken of past demolitions. That is important because it is net additions to the housing stock that are important rather than the gross figures.

5.41 Secondly the Council's approach looks at just the historic rate. Paragraph 71 of the Framework states that:

“Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area”.

5.42 Paragraph 71 of the Framework is in effect a two part test considering previous rates and future trends and sets a high bar by requiring **compelling** evidence that windfalls will provide a reliable source of supply. There is no evidence in the SHLAA about future trends contrary to Paragraph 71 of the Framework.

5.43 In summary we consider the SHLAA sites (below 0.25 hectares) rate as set out in Policy DEV1 and the housing trajectory unsound because:

- The approach is not positively prepared, and does not provide a strategy which, as a minimum, seeks to meet the area's local housing needs.
- The approach is not justified with the necessary compelling evidence of future rates.
- The approach is not effective and will not be deliverable over the Plan period.
- The approach is inconsistent with national policy, notably Paragraph 15 and 20 of the Framework as noted above.

PROPOSED ALLOCATIONS

5.44 Turning then to the proposed strategic allocations we have the following objections which concern lead-in times and delivery rates.

POLICY MD1 – WARRINGTON WATERFRONT

5.45 This ambitious project on the edge of the town centre is proposed by the Council to deliver 1,335 new homes of which 1,070 are to be delivered in the Plan period. This is intended to be a high density scheme with an average minimum density of 50 dwellings per hectare and opportunities for higher densities according to Criterion 13 of Policy MD1.3.

5.46 Paragraph 10.1.7 of the Regulation 19 Local Plan notes that:

“Development cannot come forward until the funding and the programme for the delivery of the Western Link have been confirmed. This means the first homes are anticipated to be completed in 2027/28”.

5.47 The above sentiments are re-iterated in Criterion 7 of Policy MD1.2.

5.48 The Council's web site notes that:

“In 2019, the Department for Transport informed us that the scheme had been conditionally awarded £142.5 million. The total estimated build cost is £212 million. Our cabinet agreed to accept this offer in 2019. A major scheme business case is now being prepared and will be submitted in late 2022”.

5.49 The Council's web site also identifies key milestones for the link road:

- *“Statement of Community Involvement / public consultation – late 2020.*
- *Cabinet approval for securing of statutory powers for the scheme – mid 2021.*
- *Submission of planning application - late 2021.*
- *Determination of planning application - early 2022.*
- *Public Inquiry – potentially during 2021/2022.*
- *Outcome of Public Inquiry - mid 2022.*
- *Completion of Full Business Case / Securing of Full Approval - late 2022.*
- *Start of scheme construction - early 2023.*
- *Completion of scheme construction - early 2026.*
- *Project close out and evaluation - mid 2026 to mid-2027”.*

5.50 Given that a planning application for the road scheme has not yet been submitted the above timescales are considered highly unlikely to be achieved. There is also the uncertainty about funding and a Public Inquiry which may affect timescales. These matters would have implications for lead in times and delivery rates of dwellings across the remainder of the Plan period.

5.51 The two parcels within the allocation to be developed for housing are referred to as K5 and K7 in the Council's housing trajectory; their corresponding reference numbers in the SHLAA 2020 are 1633 (western parcel) and 1541 (eastern parcel).

5.52 The SHLAA proforma for parcel 1633 notes that:

"Flood Zone (Highest Risk on site): 3a

Further work needed to clarify ground conditions given historical use as dredging grounds.

Existing access in place but unsure what quantum of development this could support.

Infrastructure Issues: Yes".

5.53 Clearly there is a substantial amount of technical work to complete before a planning application could be submitted for this site. The potential development yield from the land is also uncertain.

5.54 In respect of Parcel 1541 the following is said in the 20220 SHLAA:

"Flood Zone (Highest Risk on site): 3b

Further work needed to clarify ground conditions given historical use as dredging grounds.

Site access is constrained and difficult to overcome owing to river and railway. Further evidence required.

Heavy industrial works directly to the north. West Coast main line forms the sites eastern boundary. Noise and amenity buffers would be required.

Infrastructure Issues: Yes".

5.55 Clearly there is a substantial amount of technical work to complete before a planning application could be submitted for this site. The potential development yield from the land is also uncertain.

5.56 The only feasible way for the above site to be developed is for a new river crossing to be installed from parcel 1633 and that will undoubtedly follow once sufficient development has been undertaken on parcel 1633 as this will be a costly structure to install.

5.57 Criterion 3 of Policy MD1.2 states that:

“Prior to the commencement of any development the Council will require the preparation of a Development Framework for the entire site including a delivery strategy and phasing plan in order to ensure comprehensive and coordinated development”.

5.58 Given the scale of this site and its strategic importance to the Borough the above part of the policy should be amended to require the approval of a Development Framework and delivery strategy for the site prior to planning permission being granted. It would make no sense for such matters to be dealt with post approval. It is noted that in respect of the South East Warrington Urban Extension and Fiddlers Ferry (see below) the Local Plan requirement is for the Development Framework to approved by the Council prior to planning applications being submitted. Given the scale of those developments that seems an entirely logical approach and in the interests of consistency and the proper planning of the area the same requirement should also apply to the Warrington Waterfront.

5.59 In summary terms there appears to be no detailed published evidence to substantiate the housing trajectory and how this important strategic site will deliver dwellings in the Plan period.

5.60 In the current circumstances the only safe conclusion to reach at this stage is that Policy DEV 1 and Policy MD 1 are unsound for the following reasons:

- The approach is not positively prepared, and does not provide a strategy which, as a minimum, seeks to meet the area’s local housing needs.
- The approach is not justified.
- The approach is not effective and will not be deliverable over the Plan period.
- The approach is inconsistent with national policy, notably Paragraph 73 (d) of the Framework which requires the Council to:

“make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites, and identify opportunities for supporting rapid implementation (such as through joint ventures or locally-led development corporations).”

POLICY MD2 – SOUTH EAST WARRINGTON URBAN EXTENSION

- 5.61 The proposed urban extension is said to have a minimum capacity of 4,200 homes of which around of 2,400 homes will be delivered in the Plan Period. This is in addition to the 772 Homes England dwellings within the allocation which already have consent. Effectively then the Council claim that the urban extension will deliver 3,172 dwellings by the end of the Plan period.
- 5.62 Policy MD2 contains multiple requirements and restrictions on the bringing forward of development in advance of infrastructure being delivered. In the interests of brevity there is no need to set them all out here.
- 5.63 Whilst the Housing Trajectory of the Regulation 19 Local Plan sets out how the Council expects the site will deliver housing over the Plan period this does not appear to be based upon any published evidence. In that respect it is noted that the evidence base document entitled “*South East Warrington Urban Extension – A Deliverable proposition – Homes England With Miller Homes (August 2021)*” is silent on the matter of lead-in time and delivery rates.
- 5.64 In the current circumstances the only safe conclusion to reach at this stage is that Policy DEV 1 and Policy MD 2 are unsound for the following reasons:
- The approach is not positively prepared, and does not provide a strategy which, as a minimum, seeks to meet the area’s local housing needs.
 - The approach is not justified.
 - The approach is not effective and will not be deliverable over the Plan period.
 - The approach is inconsistent with national policy, notably Paragraph 73 (d) of the Framework which requires the Council to:

“make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites, and identify opportunities for supporting rapid implementation (such as through joint ventures or locally-led development corporations).”

POLICY MD3 – FIDDLERS FERRY

- 5.65 This former coal fired power station site is expected to deliver 1,760 dwellings of which 1,310 dwellings are to be delivered in the Plan period.
- 5.66 Development is expected to start on the northern parcel with the first delivery of homes in Year 5 of the Plan (2025/2026) and with the parcel delivering a total of 860 dwellings within the Plan period. On the southern parcel the first homes are expected in Year 11 of the Plan (2031/2032) with 450 homes in total being delivered within the Plan period.
- 5.67 Policy MD3 contains multiple requirements and restrictions. In the interests of brevity there is no need to set them all out here other than to highlight that a Development Framework needs to be approved by the Council in advance of planning applications being submitted.
- 5.68 A delivery programme is set out in Section 5 of the Fiddlers Ferry Masterplan document which has been published as part of the Local Plan evidence base:

5.0 Masterplan Delivery Programme

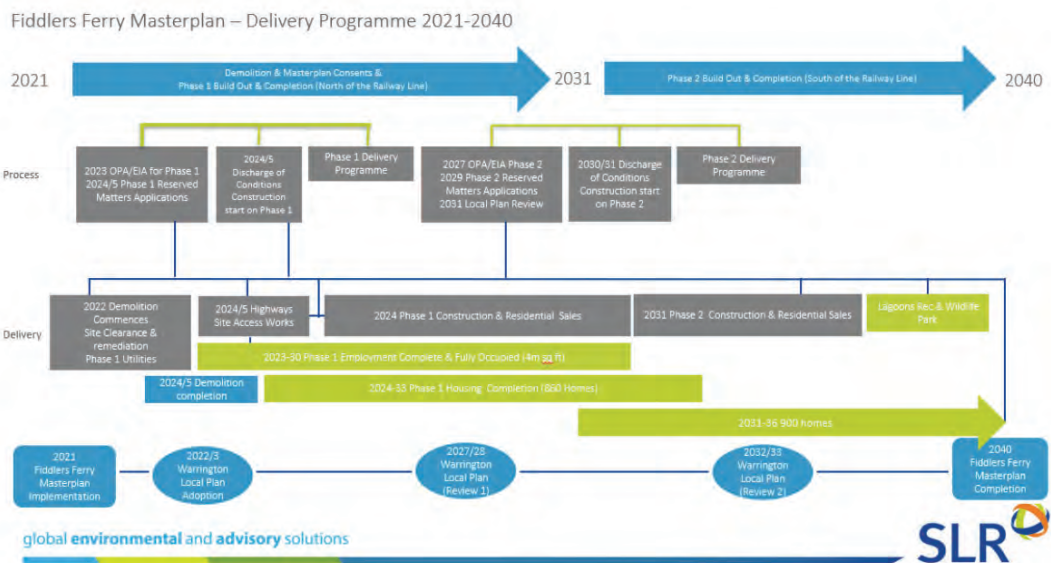


Figure 5.8 – Fiddlers Ferry Masterplan Extract.

- 5.69 The delivery programme is considered wildly optimistic for the following reasons:
 - A Development Framework cannot realistically be adopted by the Council until the Local Plan is adopted and removal of land from the Green Belt is confirmed.

- A negative EIA Screening Opinion for demolition of the power station was issued by the Council on 5 March 2021. According to the Council's website a Prior Notification application for the demolition of the power station has not yet been lodged and hence demolition – which the Delivery Programme anticipates taking place in 2022 - cannot commence until such an application has been determined. If Prior Approval were required for any matters this would delay demolition activities.
- The programme envisages an EIA outline planning application for Phase 1 of the development being approved in 2023; however the Council's website only anticipates adoption of the Local Plan in mid 2023. Given that a Development Framework has to be adopted prior to planning applications being approved there is no prospect that such a large scale application would be approved in 2023.
- As a consequence of the above, the timescales for the submission of reserved matters applications and the discharge of conditions are unrealistic. Moreover, no allowance appears to have been made for site disposal to house builders, a process which can take many months

5.70 In addition, the delivery programme lacks any evidence whatsoever with regard to annual delivery rates and how these will be achieved.

5.71 For such a complex site the lead-in times assumed are much shorter than the 4 year lead in time (validation of a planning application to first completion) for sites of 150 dwelling plus noted in the SHLAA and dramatically shorter than the 7 year lead time for similar sites noted in the Lichfields Study mentioned at Paragraph 3.8.

5.72 To give some context on the redevelopment of power stations it is notable that the Rugeley B Power Station Development Brief was adopted by Cannock Chase District Council and Lichfield District Council in February 2018. An outline planning application was subsequently submitted on 24 May 2019 and permission was granted on 8 April 2021. In that case there was 3 years between approval of the Development Brief and approval of outline planning permission. Clearly it will be some time before the first dwellings are delivered, given the time needed to go through marketing, infrastructure delivery, reserved matters applications and the discharge of precedent conditions.

5.73 Based on the foregoing there is clearly no prospect of Fiddlers Ferry delivering any dwellings in Years 1 – 5 of the Plan period and it is very unlikely that many dwellings will be delivered in Years 6 – 10 of the Plan period either.

5.74 In the current circumstances the only safe conclusion to reach at this stage is that Policy DEV 1 and Policy MD 3 are unsound for the following reasons:

- The approach is not positively prepared, and does not provide a strategy which, as a minimum, seeks to meet the area's local housing needs.
- The approach is not justified.
- The approach is not effective and will not be deliverable over the Plan period.
- The approach is inconsistent with national policy, notably Paragraph 73 (d) of the Framework which requires the Council to:

“make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites, and identify opportunities for supporting rapid implementation (such as through joint ventures or locally-led development corporations).”

POLICY MD4 – LAND AT PEEL HALL

5.75 This site is expected to deliver 1,200 dwellings in the Plan period starting in the 2026/2027 monitoring year at a rate of 60 dwellings per annum (dpa) and then increasing to 120 dpa for 9 years before falling back to 60 dpa in 2036/2037 when the scheme is scheduled to be completed.

5.76 Notably Paragraph 10.4.6 of the Regulation 19 Local Plan states that:

“The existing road network cannot accommodate the level of growth proposed for the site without significant mitigation measures. This means that no development will come forward until such a time as a scheme of highway mitigation measures and timetable for implementation have been agreed by the Council and Highways England”.

5.77 Whilst writing this submission an outline planning application that was subject to a recovered appeal was allowed by the Secretary of State by Decision Letter dated 9 November 2021 (PINS Reference: APP/M0655/W/17/3178530RD – LPA Reference: 2016/28492). The outline planning permission is restricted to a maximum of 1,200 dwellings. According to reports in the local press the Council has not yet decided whether it will challenge the decision in the High Court but by the time the Local Plan is submitted for Examination the legal challenge period would have passed and so more will be known at that point.

5.78 The outline planning permission issued by the Secretary of State contains 53 conditions.

5.79 Multiple matters have to be submitted to and agreed with the Council prior to reserved matters applications being submitted these include: a masterplan, design code, phasing plan, sports strategy (in relation to replacement playing fields), surveys of the land for the replacement playing fields and specifications of the replacement facilities, a public open space scheme for the whole site, the mix of market housing, secured by design principles and noise.

- 5.80 As would be expected for a development of this scale there are also a plethora of pre-commencement conditions that have to be satisfied before development can commence, these include *inter alia* major off-site highway improvements.
- 5.81 Additionally local highway works are required to be completed before occupation of the 300th dwelling on the site.
- 5.82 Further strategic highway improvement works are required to be completed at the M62/A49 junction prior to the occupation of the 600th dwelling.
- 5.83 To be fair to the Council if it is not going to challenge the Secretary of State's decision then it will need time to work out how the site will be delivered having regard to conditions imposed by the Secretary of State, lead in times and delivery rates. In that respect it is noted that the Appellant in the appeal case is not a house builder.
- 5.84 It is noted that there was no lead-in time and delivery rate justification provided for this site in the Regulation 19 Local Plan.
- 5.85 In the current circumstances the only safe conclusion to reach at this stage is that Policy DEV 1 and Policy MD 4 are unsound for the following reasons:
- The approach is not positively prepared, and does not provide a strategy which, as a minimum, seeks to meet the area's local housing needs.
 - The approach is not justified.
 - The approach is not effective and will not be deliverable over the Plan period.
 - The approach is inconsistent with national policy, notably Paragraph 73 (d) of the Framework which requires the Council to:

“make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites, and identify opportunities for supporting rapid implementation (such as through joint ventures or locally-led development corporations).”

LYMM SITE ALLOCATIONS

- 5.86 As noted in Chapter 1 and following Chapters we are seeking the removal of our client's site from the Green Belt and its allocation for housing.
- 5.87 All that need be said in respect of Policy DEV1 is that if our objections on housing land supply are successful and the subject site is allocated for housing then consequential amendments are required in respect of the overall number of homes to be delivered in Lymm and the Outlying Settlements.

- 5.88 As noted in Chapter 11 if our housing land supply arguments are not successful then our client's site is considered preferable in Green Belt terms to the southern parcel of Allocation Policy OS4. If further allocations are deemed unnecessary then we consider that the aforementioned allocation should be deleted, and our clients site allocated for around 60 new homes.

IS THE STEPPED HOUSING REQUIREMENT SOUND?

- 5.89 Having regard to the points set out above on past completions, forecast completions for 2021/2022 and the sources of supply it is evident that the stepped requirement has been proposed to reflect anticipated low delivery rates in the first 5 years of the Plan period due to the reliance on strategic sites. One result of that adjustment to the housing requirement is that new homes which are needed right now will not be delivered until much later in the Plan period.
- 5.90 It is evident that had more, easy to deliver sites (such as the SLG site at Lymm) been allocated it would assist the Council in making greater efforts to meet the housing requirement early in the Plan period.
- 5.91 Moreover from a 5 year supply perspective the Council could well be facing a significant backlog in the early years of the Plan if 1,328 dwellings are not completed in the 2021/2022 monitoring period. By the time the Plan is examined that data will be available for scrutiny. Furthermore taken together with the 20% buffer required suggests that the Council may not be able to demonstrate a 5 year supply of deliverable housing sites on adoption of the Plan.
- 5.92 The full text of Paragraph 21 of the PPG is set out below as the Council relies on this as its justification for the stepped housing requirement:

“A stepped housing requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and / or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period. In reviewing and revising policies, strategic policy-makers should ensure there is not continued delay in meeting identified development needs.

Where there is evidence to support a prioritisation of sites, local authorities may wish to identify priority sites which can be delivered earlier in the plan period, such as those on brownfield land and where there is supporting infrastructure in place e.g. transport hubs. These sites will provide additional flexibility and more certainty that authorities will be able to demonstrate a sufficient supply of deliverable sites against the housing requirement.

Paragraph: 021 Reference ID: 68-021-20190722.

Revision date: 22 July 2019”.

- 5.93 It is noteworthy that the PPG uses the words “may be appropriate”.
- 5.94 The stepped approach is a consequence of the sites the Council have chosen to allocate for development – there are sufficient deliverable sites from which the Council could choose to make allocations to render unnecessary the need for stepped requirement. Consequently, we consider the approach adopted by the Council will – to quote the PPG - “unnecessarily delay meeting identified development needs.” The approach is not sound as it is not positively prepared or justified when the alternative of a non-stepped approach would deliver more housing in the early years of the Plan when coupled with the release of smaller sites for housing through Plan led allocations. That would also mitigate some of the concerns raised earlier in this submission in respect of delivery rates form those strategic allocations.

SAFEGUARDED LAND

- 5.95 Paragraphs 4.1.24 to 4.1.33 of the Regulation 19 Local Plan contains the Council’s justification for not removing any land from the Green Belt and safeguarding it for development needs well beyond the Plan period.
- 5.96 Given that exceptional circumstances have been demonstrated for this Plan period to justify removal of land from the Green Belt - and in light of the fact that the evidence clearly points to SHLAA sites not delivering as expected and that strategic sites are unlikely to deliver as expected - there may well be affordability issues in Warrington in coming years contrary to what the Council assert based on the Plan delivering as expected and which forms part of the justification for not safeguarding land.
- 5.97 It is noted that in the very recent Peel Hall appeal Decision Letter (9 November 2021) the Secretary of State agreed with his Inspector that:

“524. The proposal also includes a 30% policy compliant level of affordable housing. In a Borough where the rate of delivery relative to need is poor by any standards and is getting worse year on year, the affordable housing from the appeal scheme should also be given very substantial weight”.

- 5.98 Clearly there is an acute need for affordable housing in the Borough which is getting worse year on year. The Council needs to take action to resolve this now by allocating smaller deliverable sites and also needs to safeguard land for the future to ensure that affordable needs and open market needs are addressed for the period beyond the end of the Plan period.

- 5.99 Moreover the above points go the heart of ensuring the permanence of Green Belt boundaries beyond the Plan period (Paragraph 140 of the Framework refers). Put simply given the above points the Council is highly likely to need to review the Green Belt boundaries again if it does not safeguard land for development now. That is the whole purpose of Paragraph 143 c) of the Framework.
- 5.100 In the context of the above matters it is considered that the failure to identify safeguarded land is unsound as it is not positively prepared as it will not as a minimum meet the areas local housing needs. Moreover it is not justified in light of the reasonable alternative approach which involves safeguarding land. Furthermore the approach is not consistent with national policy specifically Paragraph 143 c) of the Framework.

SUMMARY OF CLARIFICATIONS SOUGHT; POSITIONS TAKEN & AMENDMENTS SOUGHT

5.101 In summary:

- 2021/2022 completions are likely to be significantly lower than illustrated in the Council's housing trajectory resulting in the need to remove land from the Green Belt and allocate it for housing. The Council must ensure that 2021/2022 completions data is available for Examination of the Plan.
- The average annual rates of planned delivery are not at all realistic having regard to past performance, the reliance on large sites and their expected rate of delivery.
- The distribution of housing is not justified and outlying settlements appear to simply have been allocated the residual supply once other sources have been taken account of. As noted below such sources are unlikely to deliver as expected.
- The Plan over-relies on the provision of housing via large SHLAA sites which are unlikely to deliver as expected. That is because many are not developable and are unlikely to come forward. The approach of relying on so many unconsented SHLAA sites undermines the Plan led approach. The contribution from SHLAA sites (remaining to be built where development has commenced, consented and unconsented) needs to be clarified and the SHLAA needs to be rebased to take into account completions achieved during 2020/2021 so that it has a consistent base date with the Local Plan.
- With regard to small SHLAA sites, the data is based on gross rather than net past completions and there is a lack of evidence regarding future trends to substantiate reliance on this source of supply.

- There are specific delivery issues with the large strategic sites proposed to be allocated for housing development and as a consequence they are unlikely to deliver the number of dwellings anticipated by the Council over the Plan period. The Council must publish clear and transparent lead in time and delivery rates evidence for these sites as they are critical to the delivery of the Plan.
- The stepped housing requirement is simply a product of the sites the Council has chosen to allocate but which will not deliver as expected. The Council could have chosen from a raft of smaller sites which would have been deliverable on adoption of the Local Plan. The stepped housing requirement is not appropriate here.
- There is a real risk that in the early years of the Plan the Council will be unable to demonstrate a 5 year supply of deliverable housing sites.
- The Plan fails to adequately remove land from the Green Belt and safeguard it to meet development needs beyond the Plan period.
- Further land needs to be removed from the Green Belt allocated for housing and further land needs to be safeguarded for future needs.
- Land at Reddish Crescent/Rushgreen Road should be removed from the Green Belt and allocated for housing for around 60 new homes. Consequential amendments to the housing numbers for Lymm and the Outlying Settlements are required. Alternatively, the land should be removed from the Green Belt and safeguarded for future housing needs.
- If it is found that no further sites need to be allocated for development in Lymm then in accordance with our submissions in Chapter 11 and 12 the proposed allocation at Pool Lane Warrington Road, Lymm (Policy OS4) should either be deleted or significantly scaled back so as to allow for the allocation of our clients site for around 60 new homes.

6. OBJECTION – POLICY GB1 – GREEN BELT

6.1 Our clients OBJECTION to Policy GB1 is based on the submissions contained in Chapter 5. In the interests of brevity those points are not repeated again here. Consequently Policy GB5 and Figure 6 needs to be amended to:

- Provide for safeguarded land.
- Provide for the removal of our client's site from the Green Belt and its allocation for housing or, alternatively, its safeguarding for future development.

7. OBJECTION – POLICY MD1 – WARRINGTON WATERFRONT

- 7.1 Our clients **OBJECTION** to Policy MD1 is based on lead-in times and delivery rates – refer to Chapter 5.

8. OBJECTION – POLICY MD2 – SOUTH EAST WARRINGTON URBAN EXTENSION

- 8.1 Our clients **OBJECTION** to Policy MD2 is based on lead-in times and delivery rates – refer to Chapter 5.

9. OBJECTION – POLICY MD3 – FIDDLERS FERRY

- 9.1 Our clients **OBJECTION** to Policy MD3 is based on lead-in times and delivery rates – refer to Chapter 5.

10. OBJECTION – POLICY MD4 – PEEL HALL

- 10.1 Our clients **OBJECTION** to Policy MD4 is based on lead-in times and delivery rates – refer to Chapter 5.

11. PROPOSED RESIDENTIAL ALLOCATION – LAND AT RUSGREEN ROAD/REDDISH CRESCENT, LYMM

SITE LOCATION

11.1 The site's general location is denoted by a red dot at Figure 11.1 below:



Fig 11.1 – Land at Rushgreen Road and Reddish Crescent, Lymm, Warrington – red dot indicates the site's general location – not to scale.

11.2 The site boundaries are identified in Figure 1.1.

11.3 The site is located to the north of Rushgreen Road (A6144) and to the west of Reddish Crescent.

11.4 As is evident from the aerial image above the site has a close physical relationship with the existing built up part of the settlement.

SITE DESCRIPTION

11.5 Photographs of the site appear at **Appendix 2**.

11.6 We are instructed that the land is not part of a tenanted agricultural holding.

11.7 The site extends to circa 2.5 hectares (6.3 acres) and is currently in arable use. However in 2017 full planning permission was granted for the change of use to equestrian uses and associated works (application reference: 2017/29906).

11.8 The topography of the site is broadly flat.

- 11.9 An existing agricultural open-sided shippon lies in the north-western portion of the site together with two storage containers which are lawfully present on the land⁵ and were permitted to be reused as part of the recent equestrian planning permission. These structures are prominent in the local landscape and are accessed via a farm track off Reddish Lane to the west.
- 11.10 Bridleway Number 46 runs alongside the northern boundary of the land in an east west direction providing a link from Reddish Crescent to Reddish Lane (via the farm track mentioned above) further to the west.
- 11.11 An underground surface water drain crosses the site from east to west and there are a number of manhole covers located on the route of the drain. The route of the surface water drain is illustrated below:

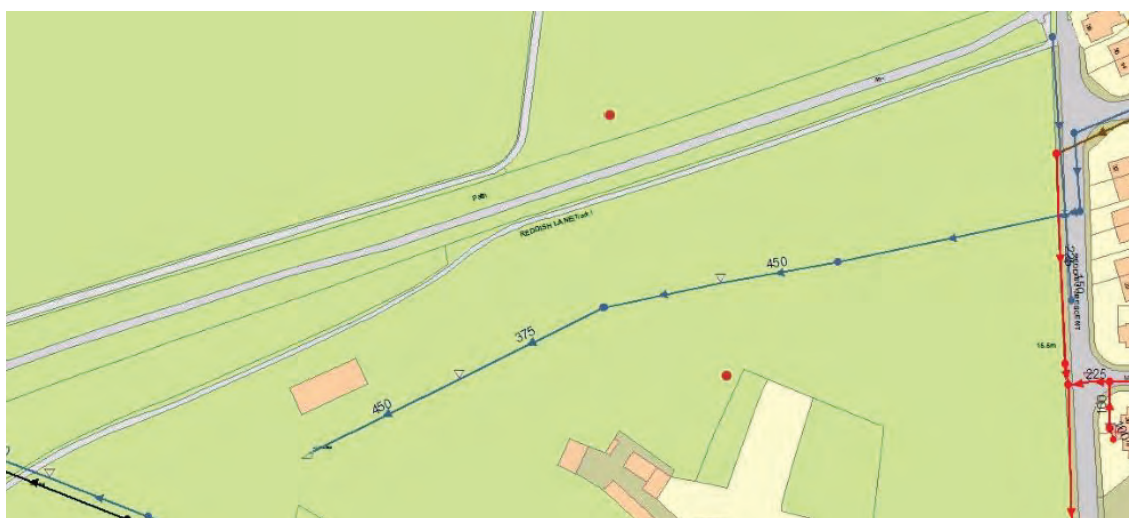


Figure 11.2 – Surface water drain crossing the site shown as blue line. Existing foul sewer shown as red line – source United Utilities searches.

- 11.12 All necessary utilities required to service a residential development are available close to the site as evidenced by the utility searches contained within **Appendix 3**.
- 11.13 The northern boundary of the site is made up of a number of semi-mature trees and hedgerows and a very limited number of mature trees. The northern boundary also has post and rail fencing in places. Along the northern boundary and in close proximity to the shippon mentioned above are two beech trees that are the subject of a Tree Preservation Order⁶.
- 11.14 The eastern boundary is not enclosed and is open to Reddish Crescent.
- 11.15 The southern boundary is also not enclosed and is open to Rushgreen Road.

⁵ LPA Reference: ENF/8/92.

⁶ TPO No. 519 - Old Reddish Lane, Lymm: TPO confirmed on 21 April 2016.

- 11.16 The western boundary of the site mainly comprises a mature native hedgerow (with some hedgerow trees) forming the boundary between the site and “Willoways”, a detached dwelling which lies in extensive grounds to the west.
- 11.17 Further along the western boundary (and in the vicinity of the agricultural building mentioned above) the land is open with the boundary being marked by an open watercourse⁷. An outfall to the watercourse for the underground surface water drain mentioned above is present on this boundary.

SURROUNDING AREA

- 11.18 To the north of the site lies the Trans Pennine Trail, the northern and southern boundary of which comprises mature trees and hedgerows. These features effectively screen out views of the countryside further to the north and vice versa. It should also be noted that the former waste water treatment works to the north of the Trans Pennine Trail has had the benefit of planning permission for an equestrian centre with a 2,212 sq. ft. (205 sq. m.) three bedroom house, stabling, office, manège and paddocks - in all about 6 acres.
- 11.19 To the east lies an established residential area accessed from Reddish Crescent (which has street lighting and pavements on both sides of the highway); here the dwellings comprise a mix of dormer bungalows and traditional two storey houses. Along Reddish Crescent some dwellings overlook the site. Reddish Crescent is subject to a 20 mph speed limit.
- 11.20 To the south of the junction of Reddish Crescent and Rushgreen Road lies a mix of commercial and residential properties. A Sainsburys supermarket is located on the south side of Rushgreen Road and it should be noted that dropped kerbs and new tactile paving has been installed on Rushgreen Road to facilitate safe access to the supermarket from Reddish Crescent and vice versa. To the rear of the supermarket is a new residential development built by Bellway known as Sandstone Brook.
- 11.21 Rushgreen Road is well lit, has pavements and is subject to a 30 mph speed limit.
- 11.22 Residential properties located along Rushgreen Road are generally two storeys in height.
- 11.23 To the west Willoways is a detached dwelling which lies in extensive grounds with numerous outbuildings and paddocks. The subject site effectively wraps around the northern and eastern boundary of Willoways. Beyond Willoways is further agricultural land (which runs up to Reddish Lane (westwards) and which then continues westwards up to the rear boundaries of residential properties on Dane Bank Road East and Lymmhay Lane. There are also some two storey

⁷ According to the Council’s on-line mapping system this is classed as a main river by the Environment Agency.

terraced and detached dwellings which front on to Rushgreen Road with agricultural land to the rear.

- 11.24 This unremarkable site has a close physical relationship with the existing settlement. It is surrounded by development to the east, south and west and to the north existing planting and landscaping associated with the Trans Pennine Trail screens views of the site from the countryside further to the north and vice versa. In summary terms, it is evident that this site is closely associated with the existing settlement and it does not relate to the wider countryside which is located beyond the Trans Pennine Trail to the north.

ECOLOGY

- 11.25 The site lies within a Site of Special Scientific Interest (SSSI) Impact Risk Zone (as indicated on a search of www.magic.gov.uk). This relates to the Woolston Eyes SSSI which lies 1.4km to the north west. The Impact Risk Zone therefore covers the majority of the village, while every site proposed to be allocated for development falls in either the same Impact Zone as the SLG site or – on most cases – a close one. Any future development proposals here would be preceded by consultations with Natural England to ensure no adverse impacts result from dealing with waste water discharge from the site. However, in that respect it should be noted that an existing foul water system exists in Reddish Crescent and Rushgreen Road which development could be connected to.
- 11.26 There are no locally, nationally or internationally designated ecologically significant sites close to the site. As well as Woolston Eyes SSSI, Rixton Clay Pits SSSI is also to the north west but further still at 2 km, with Dunham Park SSSI to the east but this is well in excess of 2 km away.
- 11.27 This submission is accompanied by a Preliminary Ecological Appraisal (see **Appendix 4**) which confirms the above points and that development could commence without any harm to statutory protected species. Indeed, given the past (and current) intensive agricultural use of the land a residential development here could well have biodiversity benefits through new tree and hedgerow planting and the creation of new areas of habitat that would be appropriately managed as part of a high quality scheme.

FLOOD RISK

- 11.28 Figure 11.3 shows that the part of the site to be developed for housing as per the illustrative masterplan at **Appendix 6** lies entirely within Flood Zone 1 (land assessed as having a less than 1 in 1,000 annual risk of flooding from rivers of the sea). The Environment Agency's flood map for planning suggests some flood risk in a very small area adjacent to Rushgreen Road which can be safeguarded from any future development if this high level mapping proves to be accurate once a detailed Flood Risk Assessment is undertaken to support future development proposals.

The illustrative layout previously submitted to the Council, and reproduced at **Appendix 6**, proposes to leave that area of the site undeveloped.

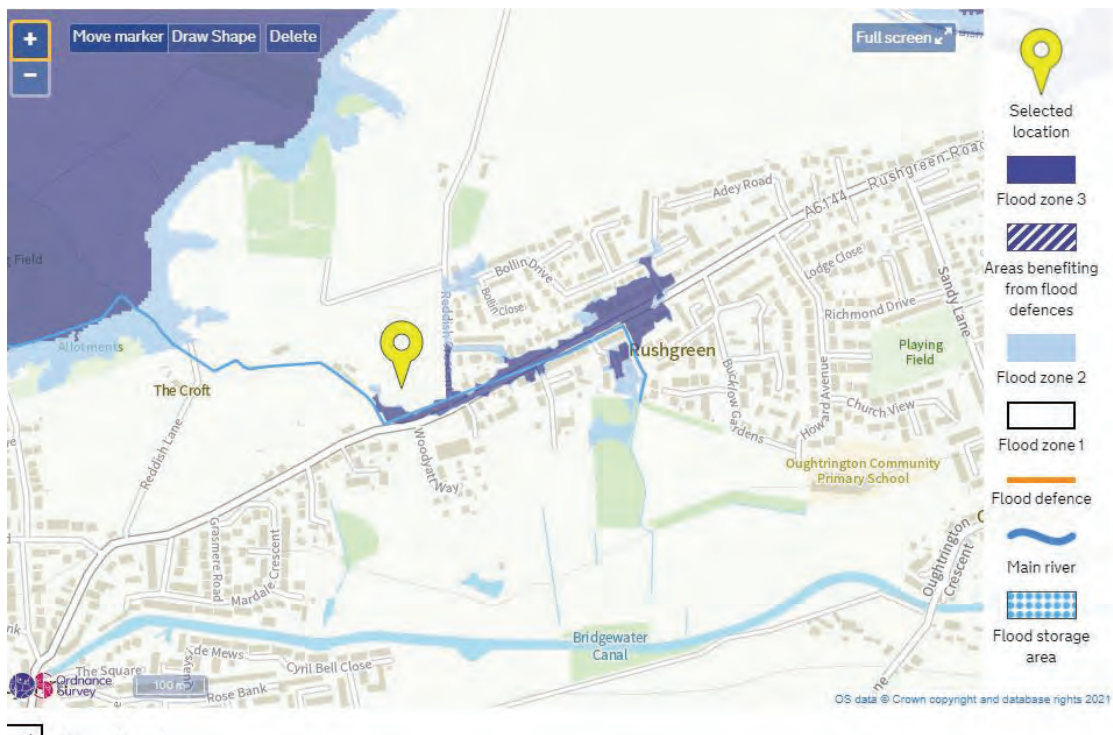


Figure 11.3: Areas at risk from flooding – Source: Flood Map for Planning.

11.29 Flood risk is dealt with in more detail in the Technical Note produced by LK Consulting at **Appendix 1**.

LANDSCAPE

11.30 The Council carried out a Landscape Character Assessment in 2007. Within this document, Lymm and its environs are defined as falling into ‘Character Area 3.C: Lymm (Red Sandstone Escarpment)’. Whilst the document notes that the need for housing development around Lymm has altered the landscape, broadly speaking, *‘the nature of the landscape, with its luxuriance of hedgerows and hedgerow trees and more intimate landform, creates a less sensitive environment in which to absorb small scale development.’*

11.31 The topography of the site, the existing screening to the north and the presence of existing development immediately to the east, south and west (in part) means that the development of this site would have a minimal impact upon local landscape character.

AGRICULTURAL LAND QUALITY

- 11.32 High level data obtained from Natural England suggest that large tracts of land around the existing built up part of Lymm are likely to be Grade 2 (see Figure 11.4 below), although site specific surveys would be required to determine if this is indeed correct. In the context of Paragraph 174 b) and 175 and Footnote 58 of the Framework the amount of land proposed to be developed here is not significant and is well below the 10 hectares widely accepted as being the threshold in determining significance.
- 11.33 Furthermore, the site has recently been the subject of planning permission for the change of use to equestrian uses and associated works which allowed for the site to come out of agricultural use.

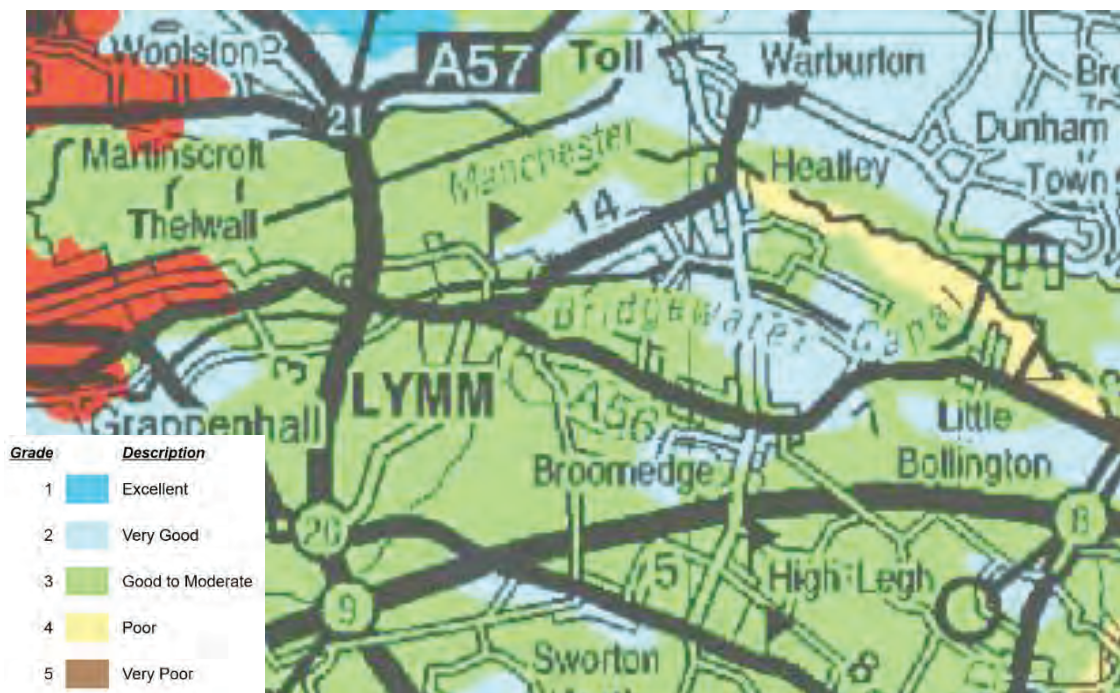


Figure 11.4 Agricultural Land Classification – Source: Natural England – 1:250,000 Agricultural Land Classification.

HERITAGE

- 11.34 The only listed building close to the site is the Grade II listed Tanyard Farmhouse (located at 88 Rushgreen Road, Lymm) which lies on the opposite side of Rushgreen Road to the south and within an existing residential and commercial area. The setting of this listed building is dealt with at **Appendix 7**. The assessment by Nexus Heritage concludes that development of the site would

alter the setting of the listed building, but this would not equate to harm to the setting, nor would it harm that portion of the significance of the Farmhouse which derives from its setting.

- 11.35 In terms of Conservation Areas, Lymm's historic nature means that there are 3 Conservation Areas within the settlement as a whole. One of these, the New Road Conservation Area (designated in 1973), lies circa 400 metres to the south west of the Rushgreen Road frontage of the site although development of the site would not affect the setting of the Conservation Area and neither would it affect views into and out of the Conservation Area.

PUBLIC RIGHTS OF WAY

- 11.36 Bridleway Number 46 is illustrated below and the Trans Pennine Trail can be seen to the north:



Figure 11.5 – Bridleway Number 46 – denoted by bright green line – source Warrington Borough Council on-line mapping.

TREE PRESERVATION ORDERS

- 11.37 The Tree Preservation Order affecting the two beech trees on the northern boundary of the site is identified below although the trees could easily be retained if the site was developed, as the Illustrative Masterplan demonstrates.



Figure 11.6 – TPO 519 – 2 no. beech trees identified by red circles - source Warrington Borough Council on-line mapping.

PLANNING HISTORY

PLANNING APPLICATIONS

- 11.38 The site has a limited planning history. As mentioned earlier the two existing storage containers have the benefit of planning permission⁸.
- 11.39 Furthermore, application 2017/29906 was approved on 5th June 2017 for the change of use of the site and existing buildings to equestrian use with associated works including the conversion of existing barn to stables and tackroom and new gate and fences.

PREVIOUS DEVELOPMENT PLAN CONSIDERATION

- 11.40 Of further relevance is the consideration of the site and the undeveloped area between Reddish Crescent and the rear of properties on Lymmhay Lane in previous Development Plans as described below.
- 11.41 The points made below are of relevance to the consideration of release of our client's site from the Green Belt at a time when there is an acknowledged need by the Council to release such land for development in order to meet the needs of the Borough going forward.

⁸ LPA Reference: ENF/8/92.

WARRINGTON LOCAL PLAN

- 11.42 Inspector Collyer was appointed by the then Secretary of State for the Environment to hold a Public Inquiry into objections to the Deposit Draft of the Warrington Borough Local Plan. The Inquiry opened on 23 January 1996, sat for 48 days, and finally closed on 31 January 1997.
- 11.43 The subject site and the wider area were considered by the Inspector and relevant extracts from the Inspector's report are reproduced below. The site specific conclusions reached by Inspector Collyer are material to consideration of the release of the site from the Green Belt at this time and in the context that Green Belt release is necessary to meet the Borough's housing needs going forward.
- 11.44 This Plan was not formally adopted and the Council resolved to stop work on it to begin work on a Borough wide Unitary Development Plan (UDP) in June 1999 due to the Council gaining Unitary status in 1998 which would legally prohibit adoption of the Local Plan.

AREA OF SEARCH 14

- 11.45 Land to the west of Reddish Lane, Lymm was identified as Area of Search 14 in the Deposit Draft Local Plan – see below.

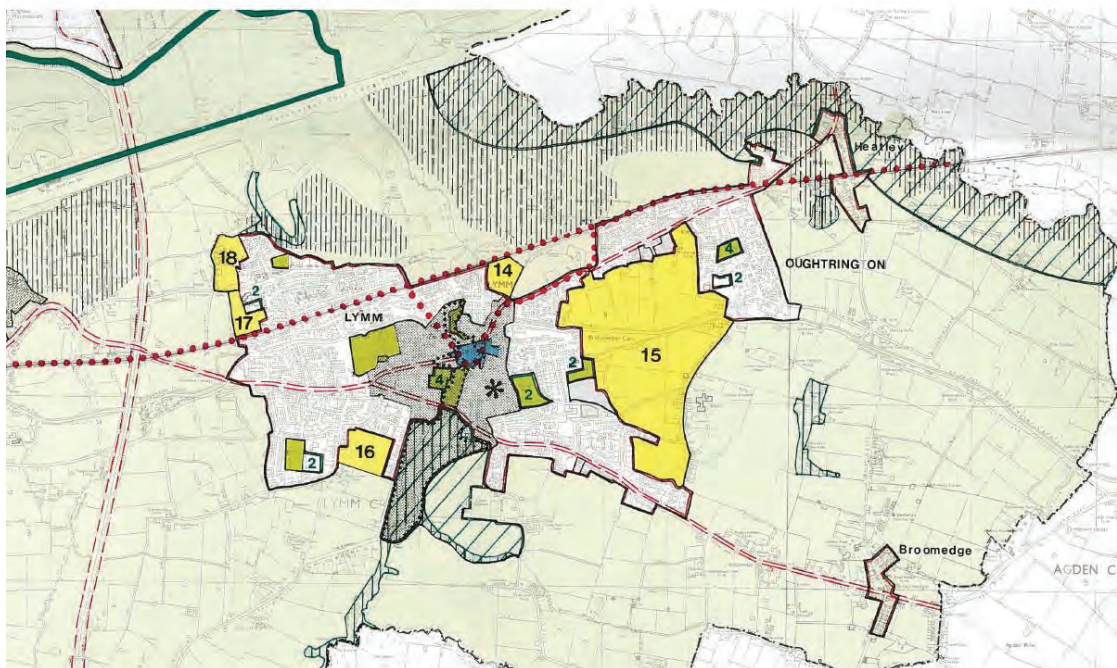


Figure 11.7 – Warrington Deposit Draft Local Plan – Lymm Proposals Map Extract 2 December 1994. Area of Search 14 highlighted in yellow and the subject site shown as Green Belt (light green).

11.46 In consideration of duly made objections in respect of Area of Search 14 the Inspector commented as follows (relevant sections in relation to consideration of our client's site are underlined in bold):

*“3.AS14.2 In regard to the first primary issue, this is a large arable field situated on the northern side of the village of Lymm. To the west and south there is housing. To the east, beyond Reddish Lane, is an area consisting mostly of farmland with further housing to its south and east. **On the northern side the allocation site is bordered by an embankment carrying the Trans-Pennine Trail which is a major pedestrian/cycle way occupying the route of a former railway; beyond that is open countryside.***

3.AS14.3 This site is in itself open in nature and, together with the series of fields directly to the east, it gives clear definition to the built-up edge of the village. However it does not, in my opinion, have the appearance of open countryside. From several vantage points it is seen against the backdrop of residential properties to the west and south; the housing to the south-east, on the far side of Rushgreen Road, adds to this urbanising influence since it is separated from the allocation site by only a narrow segment of farmland. And, significantly, along the northern boundary the embankment represents an appreciable visual and physical barrier. These features, in combination, create a noticeable measure of containment around the allocation land. As such there is a distinct contrast, in terms of character and appearance, between this Area of Search and the extensive stretch of open countryside beyond the former railway.

*3.AS14.4 A major point argued by most Objectors is that this site should be protected as part of the open gap which they say must be maintained between the communities of Lymm and Oughtrington. I examine the role and value of this entire gap in more detail later when considering the merits of another proposal [see paras 3.AS15.10 - 12]. **For the reasons explained there I do not believe that, in relation to this particular function, Area of Search 14 serves a purpose of any Green Belt significance. Nor is there any other reason why this site should be designated as Green Belt. If development were eventually to be permitted here it would be well contained by the northern boundary feature and would not represent an encroachment into open countryside; close integration with the established built-up area could easily be achieved. I recognise that the rest of the open land directly south of the Trans-Pennine Trail could be vulnerable to the further spread of development since it compares favourably with the allocation site in terms of character and appearance and the boundary between these 2 areas is not especially strong, comprising as it does only a very narrow***

lane. However the additional land in question is not countryside as such, nor is it vital that it should be kept permanently open as I shall explain later [see paras 3.5.132 - 138]; moreover any such development would be contained within well-established confines and accordingly would not have the appearance of an unrestricted sprawl.

3.AS14.5 Overall, given the foregoing circumstances and my earlier comments generally about the need to identify certain sites for safeguarding notwithstanding their Green Belt potential [see paras 3.AS2.3 + 4], the Council's decision not to designate the Reddish Lane land as part of the proposed Green Belt is entirely justified.

3.AS14.6 As to the second issue, most Objectors are concerned about the impact which any future development of this site would have on the character of Lymm, particularly when considering the number of other Areas of Search which the Local Plan identifies around the periphery of this village. I have already concluded that the Council's overall approach regarding the distribution of the various Areas of Search around the Borough is soundly based [see paras 3.3.4 + 5]. **As for Lymm, this is a substantial and fairly widespread settlement. It has a sizeable centre providing a relatively wide range of shops and services and elsewhere within its confines there are educational, recreational, social and other such facilities as well as numerous business premises. Also, communications with the surrounding major highway network, including the motorway system, are good. It is therefore not surprising that in general terms this should be regarded by the Local Plan as an appropriate focus for possible longer-term development opportunities.**

3.AS14.7 Regarding Area of Search 14, if this were eventually released for development it would represent only a very small-scale addition to the present built form of this village. I have already explained how well contained any such development would be and am confident that a scheme could easily be designed to fit in with the general pattern of existing housing hereabouts. Hence no material harm to the character and appearance of these immediate surroundings should necessarily arise, nor should Lymm in general terms suffer any loss of identity. Furthermore there is no evidence of inadequacies in the social infrastructure to suggest that the resultant extra population could not be satisfactorily accommodated within the community.

3.AS14.8 As for agricultural land considerations, this site is classified as Grade 2 and therefore of the best and most versatile quality which national guidance aims to protect from development. My general comments about this matter are

reported elsewhere [see paras 3.AS1.8 - 11]. These are relevant in the present case. Moreover I have already concluded that there are no sound Green Belt reasons for resisting the Local Plan allocation and my analysis of the second primary issue demonstrates that no other cogent objections to the possible future development of this site apply. Thus the "agricultural land quality" argument, which I observe is not raised by MAFF, stands alone on this occasion. Yet against this is compelling evidence of a need to identify a considerable reserve of land for safeguarding purposes as my conclusions on Policy LPS3 confirm. This, in the circumstances, is the overwhelming consideration here.

3.AS14.9 While many Objectors express fears about the likelihood of highway safety problems arising, no technical evidence is presented to verify this argument. The Council's assessment is that although there are limitations in the immediate surrounding road system, these could be overcome with suitable highway improvements. Thus there appears to be nothing in principle to preclude the development of the allocation land.

3.AS14.10 Turning to the third primary issue, Mr Morris proposes that Area of Search 14 should be allocated for housing purposes immediately. His case is based largely on the need to address the shortfall which there is in such provision during the remainder of the Local Plan period and on the particular need which he says there is for additional development land in Lymm.

3.AS14.11 From my examination under Policy LPS2 of the Borough-wide development land supply position during the period to 2001 and in the immediate short term beyond I am convinced that while there is a shortfall in housing provision against strategic requirements, this can be satisfactorily remedied without the need to bring the present site forward at this stage. There are other more acceptable sources of additional supply which I am recommending for adoption.

3.AS14.12 Nor is there a compelling case for extra provision in Lymm. The Local Plan cannot reasonably address the question of housing land supply from such a narrow perspective. There is no firm evidence to suggest that Lymm is a self-contained housing market area and no reliable means by which an appropriate or "required" level of provision could be established. As the Council says, this is a dormitory settlement whose population depends to a noticeable degree on employment opportunities elsewhere. Given the form and content of CSP Policy H1 which sets out the strategic opportunities elsewhere. Given the form and content of CSP Policy H1 which sets out the strategic requirement for Warrington and the guidance in PPG3 about translating such policies in Local

Plans and ensuring adequate land availability, I consider that this matter must be approached on a Borough-wide basis.

3.AS14.13 I acknowledge that Lymm is one of the 2 largest villages in this Borough and have already explained why it is logical to expect that a comparatively greater proportion of the total future development provision should be made here rather than in the smaller settlements [see para 3.3.5]. However the fact that in terms of the percentage increase in housing stock Lymm will not, based on current figures, have experienced the same level of growth over the CSP term as Appleton Thorn or in particular Culcheth (the other of the largest villages) is not, contrary to Mr Morris' belief, too significant. And to imply that the Local Plan should now seek to rectify this situation by increasing Lymm's contribution to the short-term land supply so as to compare more favourably with, say, Culcheth is wrong; this would be to ignore, or at least give insufficient weight to, other material factors such as environmental and infrastructure constraints which necessarily must influence appreciably the site-selection process.

3.AS14.14 Also, although it is clear from the information presented by the Objector and from the Council's housing land availability statement that housebuilding opportunities in Lymm during the remaining years of the Plan can be expected to be limited, there is no cause for concern. While unintentional, my recommendations for improving the Borough-wide housing land supply will, if adopted, have the effect of enhancing prospects in Lymm since 2 of the 4 Areas of Search (nos 16 and 21) which I say should be brought forward immediately for development lie within this settlement as does a further newly-allocated site (Millers Lane, Oughtrington). Consequently the Objector's anxiety about what he sees as Lymm's disadvantaged position due to a marked imbalance in the distribution and variety of sites which are available within the Plan period should be comfortably overcome.

3.AS14.15 In terms of the site-specific factors (such as accessibility, proximity to shops/services, absence of environmental harm and availability of infrastructure) to which Mr Morris refers, I accept that these generally indicate the suitability of the allocation land for housing development purposes. However equally they demonstrate its suitability for safeguarding under the provisions of Policy LPS3 as my conclusions on the second primary issue confirm.

3.AS14.16 In all the circumstances and bearing in mind my conclusions under Policy LPS3 on the longer-term land supply position, I find no reason to question the Local Plan allocation for this site. Not only is this Area of Search entirely

appropriate in its own right but also it is further justified by reason of its relationship with the land to the east which, as I explain later in this report [see paras 3.5.132 -138], has similar potential”.

LAND AT REDDISH CRESCENT

11.47 In response to duly made objections from the owner of the site the subject of these submissions the Inspector concluded that (our emphasis added):

“3.5.132 This site is part of an area of mainly open farmland situated between Rushgreen Road and the Trans-Pennine Trail, a major pedestrian and cycle way on the route of a former railway. The westernmost section of this open stretch of land is allocated in the Plan as Area of Search 14; this is adjoined by the built-up area of Lymm extending to the south and west. Beyond the former railway, much of which consists of an embankment, is open countryside. To the east of the present site is a substantial area of housing, while the southern side of Rushgreen Road is also well built-up, mostly in depth.

*3.5.133 I consider it appropriate and necessary to take this entire stretch of open land into account at this stage because in land-use planning terms the present site, by reason of its nature, appearance and configuration and the absence of any significant physical features along most of its west and south-west facing field boundaries, is indistinguishable from the adjoining farmland. The objection site itself is open in nature and, together with the fields to its west, clearly gives definition to the existing built-up edge of the settlement. **However none of this stretch can realistically be regarded as open countryside. From most vantage points it is seen against the backdrop of residential properties to the east, south and west and this has a noticeable urbanising influence on these immediate surroundings. There are also a few dwellings within the subject area close to the present site which help reduce any sense of openness still more. Also, significantly, along the northern boundary the Trans-Pennine Trail establishes a clear division between this stretch of land and the extensive area of open countryside beyond; and even though in the vicinity of the objection site the embankment gradually flattens out to natural ground level the contrast in character between the areas on either side is still quite distinct. These surrounding features combine to create a noticeable measure of enclosure around this entire stretch of land and as such it has a far greater affinity with the surrounding built-up area than with the open countryside beyond the former railway.***

3.5.134 A major argument raised by the Council is the need to maintain an open gap between Lymm and Oughtrington which, it is claimed, are physically separate settlements. This is the same point as made by Objectors to the Areas of Search 14 and 15 allocations. For the reasons explained earlier [see paras 3.AS14.4 and 3.AS15.10 - 12] I do not regard these as separate settlements in recognised land-use planning terms; and accordingly any open space, such as the stretch of land here, which does exist between these 2 communities cannot reasonably be regarded as a "gap" in the sense described by PPG2. **On that understanding, and given the particular circumstances of the farmland between Rushgreen Road and the Trans-Pennine Trail as described above, in my judgement this area does not serve any significant Green Belt purpose and there is no compelling reason why it should be kept permanently open.**

3.5.135 If this land were safeguarded, and in the longer-term developed, in no sense would there be any measure of uncontrolled urban sprawl or encroachment into open countryside; development here would be well contained by the former railway line which represents an entirely logical and defensible Green Belt boundary. Indeed this feature already marks the designated boundary (and hence the settlement limit) for a noticeable distance in both directions.

3.5.136 As for other considerations arising from the guidance in PPG2 on the identification of land for safeguarding, in broad terms my conclusions about the acceptability of Areas of Search 14 and 15 (north sector) [see paras 3.AS14.6 + 7 and 3.AS15.16 + 19] in relation to development impact, both locally and settlement-wide, and social infrastructure apply equally here. **Furthermore I note the Council raises no arguments in this case on technical infrastructure, landscape, ecological or agricultural land quality grounds.**

3.5.137 I have also taken into account the longer-term development land supply position. My views on the Council's general approach regarding the need to safeguard certain land notwithstanding its Green Belt potential are set out earlier in this report [see paras 3.AS2.3 + 4]. Additionally, it is clear from my examination of the objections to Policy LPS3 that yet further sites must be identified as Areas of Search in this Plan. The potential contribution which the present objection site and adjoining land could make in this regard is considerable, both in terms of extending the overall scale of provision and adding more variety to the range of sizes and general distribution of the Areas of Search.

3.5.138 In all the circumstances I am convinced that for present Plan purposes this land has a much more valuable role to play as part of the reserve of safeguarded sites than as Green Belt. I am mindful however that a formal objection (by Mr Walley) has been made only in respect of the more easterly section of this stretch of land; accordingly my recommendation to modify the Local Plan must be confined to that specified site. As for the remainder, I would urge the Council to give serious consideration to the foregoing conclusions with a view to treating this entire stretch of land in exactly the same way, as the circumstances dictate it should be, namely as an Area of Search. In this connection I would confirm that, in anticipation of the Council's agreement to this course of action, I have included in my calculations of the estimated longer-term land supply (under Policy LPS3) the full area north of Rushgreen Road (between Reddish Crescent and Area of Search 14) which appears to measure in the order of 9 ha”.

WARRINGTON UNITARY DEVELOPMENT PLAN (UDP)

11.48 In his report of 1 March 2005 Inspector Graham concluded that against the background of the spatial strategy contained in RPG13, which looked to direct development towards the central areas of the Liverpool and Manchester/Salford conurbations in particular, and in the light of conclusions on the lack of need for specific land allocations through the Development Plan process, he was satisfied that the Council had correctly identified 2026 as being the earliest date by which any review of the Green Belt in the area would need to be implemented. The Inspector also concluded that the tight drawing of Green Belt boundaries around Warrington and the larger villages was (at that time) the correct approach to take and that the safeguarding of land within the Plan would not be needed or appropriate.

11.49 Land bounded by Reddish Lane, Rushgreen Lane & Reddish Crescent, Lymm was considered by Inspector Graham and his brief comments are reproduced below for ease of reference:

“1.236 I conclude earlier that there is no need to allocate additional land or to designate land as safeguarded through the UDP (GRN1). Any site specific matters in support of allocation or safeguarding such as its proximity to existing services, potentially beneficial transport links or other sustainability advantages, do not therefore require examination.

1.237 Turning to the second issue, this site is immediately to the east of the “Reddish Lane” site safeguarded in the FUDP and dealt with below at GRN2.10. Also, the land on its northern and eastern sides (but within this objection site) is the subject of a separate objection referred to below (O/GRN1/2915/12850). In character this objection site is broadly similar to the land to the west. It is

predominantly open farmland, and is located between, to the north, the Trans Pennine Trail, much of this length of which is on an embankment, and Rushgreen Lane to the south. To the east is Reddish Crescent. Both roads are built up along their opposite sides to the objection site and there is also a scattering of residential development within the site itself.

1.238 Whilst therefore this area is – in the language of PPG2 – open, it does have a strong sense of enclosure, and the backdrop of residential development in views from the west and the north tend to give it a rather urbanised feel. In terms of countryside protection and preventing the outward sprawl of existing settlements I therefore understand how the WBDLP Inspector, when considering this area, found that it does not serve any significant Green Belt purpose. However, not unsurprisingly bearing in mind the policy background against which he was working, he did not address in his report the impact that leaving this site without the Green Belt would have upon urban regeneration. I have considered this point against the current regional policy regime in many places, not least in addressing Policy GRN1, where I concur with the approach taken in the RUDP of tightly drawn Green Belt boundaries around existing urban areas in support of the RPG13's spatial strategy that promotes urban renaissance. To release this area of open land would therefore be harmful to a Green Belt purpose, in that it could significantly damage those urban regeneration objectives”.

11.50 In consideration of land west of Reddish Lane the Inspector also stated:

“1.374 I have concluded earlier that the need to allocate additional land or to designate land as safeguarded through the UDP does not exist (GRN1). In common with the other sites originally put forward in the FUDP for safeguarding, site specific matters in support of allocation or safeguarding such as proximity to existing services, potentially beneficial transport links and other sustainability advantages, do not need to be addressed.

1.375 This site is bounded to the east for the most part by farmland, to the south and west by housing, and to the north by the Trans-Pennine Trail which at this point sits atop an embankment. There is further housing on the far side of Rushgreen Road a little beyond the site boundary to the south east. Thus, whilst the site is clearly open in the sense intended by PPG2, it does have a distinctly urban character which limits the impact its designation would have upon the safeguarding of the countryside. Furthermore, the site would not serve to prevent what are expressed to be the separate settlements of Lymm and Oughtrington from merging, as the latter is, as was found by my colleague in

his report on objections to the WBDLP, clearly in all respects an outlying part of the former.

1.376 The WBDLP Inspector could find no reason to designate the site as Green Belt. However in his report he addressed only the two Green Belt purposes referred to above. Perhaps not surprisingly, bearing in mind the then current planning policy framework, he did not appear to have considered whether designation would assist urban regeneration. As the situation now stands, and as I have concluded in considering Policy GRN1, the tight drawing of Green Belt boundaries around the larger settlements of the Borough is an important part of a wider strategy aimed at an urban renaissance in the NWMA; and failure to designate this site could, for the reasons I have previously given, significantly prejudice that aim.

1.377 The site should therefore be designated as Green Belt. The boundary proposed in the RUDP is robust and requires no amendment.

- 11.51 Consequently, no modification was made to the Plan, but this is explained simply by the spatial planning objectives relevant at the time and of course the Council finds itself in a very different position now.

WARRINGTON LOCAL PLAN CORE STRATEGY (2014)

- 11.52 By way of context the Warrington Local Plan Core Strategy was adopted by the Council on 21 July 2014.
- 11.53 There were no proposals to review the Green Belt status of the site when the Local Plan Core Strategy was submitted (September 2012) for Examination (as a result of regional policy restrictions contained within the Regional Strategy (RS)⁹ that was in force at the time of submission of the Plan for Examination, but which was thereafter revoked); therefore the site is currently designated as Green Belt in the adopted Local Plan Core Strategy.
- 11.54 The Local Plan Core Strategy is the overarching strategic policy document in the Council's Local Planning Framework. It set out the planning framework for guiding the location and level of development in the borough up to 2027.

⁹ Policy RDF4 stated that there was no need for any exceptional substantial strategic change to the Green Belt and its boundaries in Warrington before 2021. However the RS was revoked by an Order that came into force on 23 May 2013. The position in Warrington is now that Green Belt release is required to meet the housing needs of the Borough.

11.55 However, a High Court Challenge to the adoption of parts of the Warrington Local Plan Core Strategy was heard on 3 and 4 February 2015 with Judgement given on 19 February by Mr Justice Stewart. Consequently, parts of the Plan were quashed as follows:

- The housing target of 10,500 new homes (equating to 500 per year) between 2006 and 2027.
- References to 1,100 new homes at the Omega Strategic Proposal

WARRINGTON BOROUGH COUNCIL - GREEN BELT ASSESSMENTS

11.56 In January 2016, Ove Arup and Partners was appointed by the Council to undertake a Green Belt Assessment. An addendum to this assessment was subsequently produced (Green Belt Assessment, Additional Site Assessments of Call for Sites Responses and SHLAA Green Belt Sites, July 2017). Additionally further work was undertaken in respect of the Call for Sites and SHLAA sites (May 2018, and November 2018).

11.57 Additional Green Belt work undertaken includes:

- Green Belt Assessment – Fiddlers Ferry (April 2021).
- Green Belt Assessment – Garden Suburb Options (April 2021).

11.58 The latest evidence base document to be published is the Green Belt Site Selection – Implications of Green Belt Release (26 August 2021) which deals with proposed allocations only. The report notes that the Council will be combining all of the previous assessment work into a Green Belt Site Assessments Collated Report, to be published as part of the consultation on the updated Proposed Submission Version Local Plan; however such a document does not appear on the Council's website at the time of writing.

11.59 The initial Green Belt work was originally commissioned as it had become increasingly apparent that the Council was not able to identify sufficient land to meet its likely housing need in accordance with the requirements of the Framework.

11.60 We have considered the Council's Green Belt Assessment and the latest addendums and the analysis of our client's site. Our response is detailed below. We do acknowledge and welcome that the Council have amended their assessment in relation to our client's land interests and have considered this site in isolation from the land to the west in the 2017 document. It should be noted that the land within our client's interests can come forward independently of any land around it and is well contained and enclosed. It has no physical or visual links to the wider countryside beyond it and therefore should be considered in isolation as is now the case.

11.61 Taking the methodology used in the Green Belt Assessment and Addendum and applying it to our client's land the following conclusions are reached (for ease of reference the site is referred to as R18/014):

PURPOSE 1: TO CHECK THE UNRESTRICTED SPRAWL OF LARGE BUILT UP AREA

11.62 It is agreed that the subject site makes no contribution to this purpose. Given its containment within physical and natural boundaries it is evident that the subject site would not result in unrestricted sprawl. Again, it is worth referring back to previous Inspector's conclusions on this point and in that respect development of the subject site would not result in unrestricted sprawl.

11.63 **Result: No contribution and the Council's assessment is agreed.**

PURPOSE 2: TO PREVENT NEIGHBOURING TOWNS MERGING INTO ONE ANOTHER

11.64 Clearly development of the subject site would not result in the merging of towns as a matter of fact as the site does not lie between two towns and is visually well contained. The Council's conclusion that the site does not play a role in preventing towns from emerging is agreed.

11.65 **Result: No contribution and the Council's assessment is agreed.**

PURPOSE 3: TO ASSIST IN SAFEGUARDING THE COUNTRYSIDE FROM ENCROACHMENT

11.66 In our view the site does not assist in safeguarding the countryside from encroachment warranting a strong contribution rating as set out in the Council's Green Belt Assessment. Indeed, that was the view of two previous Development Plan Inspectors who concluded the wider countryside begins beyond the Trans Pennine Trail to the north and that the subject site has a close physical relationship with the built up part of the settlement. There is no need to repeat previous Inspector's conclusions again here as they were set out earlier in this chapter, but there is no basis for the Council or its consultant concluding that our client's site makes a strong contribution¹⁰ to this Green Belt purpose. Such a conclusion in light of previous Inspector's conclusions is frankly unreasonable.

11.67 The site is enclosed and viewed from a number of vantage points in the context of existing residential development. The site is contained by the Trans Pennine Trail to the north and therefore has strong defensible boundaries which would safeguard the countryside from encroachment.

11.68 **Result: No contribution and the Council's assessment is not agreed.**

¹⁰ A strong contribution is defined in the Green Belt Assessment as: "on the whole the parcel contributes to the purpose in a strong and undeniable way, whereby the removal of the parcel from the Green Belt would detrimentally undermine this purpose".

PURPOSE 4: TO PRESERVE THE SETTING & SPECIAL CHARACTER OF HISTORIC TOWNS

11.69 The analysis in the Green Belt Assessment Addendum considers our client's site to make no contribution to this purpose. Our client's land is beyond the 250 metre buffer to the Conservation Area. Accordingly, in line with the Addendum assessment, for this purpose the site should be regarded as having no contribution.

11.70 **Result: No contribution and the Council's assessment is agreed.**

PURPOSE 5: TO ASSIST IN URBAN REGENERATION BY ENCOURAGING THE RECYCLING OF DERELICT & OTHER URBAN LAND

11.71 It is noted that in line with the methodology all sites have been classed as having a moderate contribution.

11.72 **Result: Moderate contribution.**

OVERALL ASSESSMENT – GREEN BELT

11.73 The Council's assessment of our client's site is that it makes an overall moderate contribution to including land in the Green Belt; as set out above, we consider this assessment to be fundamentally flawed and ignores previous consideration by Development Plan Inspectors.

11.74 We advocate that our client's land makes **no contribution to four of the purposes of including land in the Green Belt and a moderate contribution to one of the purposes but in that respect all of the sites in Lymm are given this weighting in terms of the latter purpose.**

11.75 In line with the Council's methodology **the overall assessment for our client's site should therefore be weak.**

COMPARISON TO POOL LANE/WARRINGTON ROAD ALLOCATION (POLICY OS4)

11.76 Our conclusion on our client's site therefore places it on an equal footing with the northern part of the Pool Lane/Warrington Road allocation (north of Warrington Road) (Policy OS4) which has been classified as having an overall weak contribution to Green Belt purposes in the Council's 2021 Assessment.

11.77 In Green Belt terms release of our client's site is clearly preferable to the southern half (south of Warrington Road) of the Pool Lane/Warrington Road allocation (Policy OS4) which has been classified as having an overall moderate contribution to Green Belt purposes in the Council's 2021 Assessment. However the Council's conclusion is predicated on a position that this part of the allocation would only entail a small incursion into open countryside; the reality of the situation is that to the west of Statham County Primary School (and south of Warrington Road) the proposed allocation forms part of the wider countryside and is clearly related to it. In fact if developed the allocation would extend built development into the open countryside by circa 140 metres along Warrington Road and by some 340 metres from the rear of Turnberry Close to the western boundary of the site. These points are illustrated in the extract from the Council's web site below which shows the extent of existing Green Belt shaded in light green and existing public rights of way as a dark green broken line:

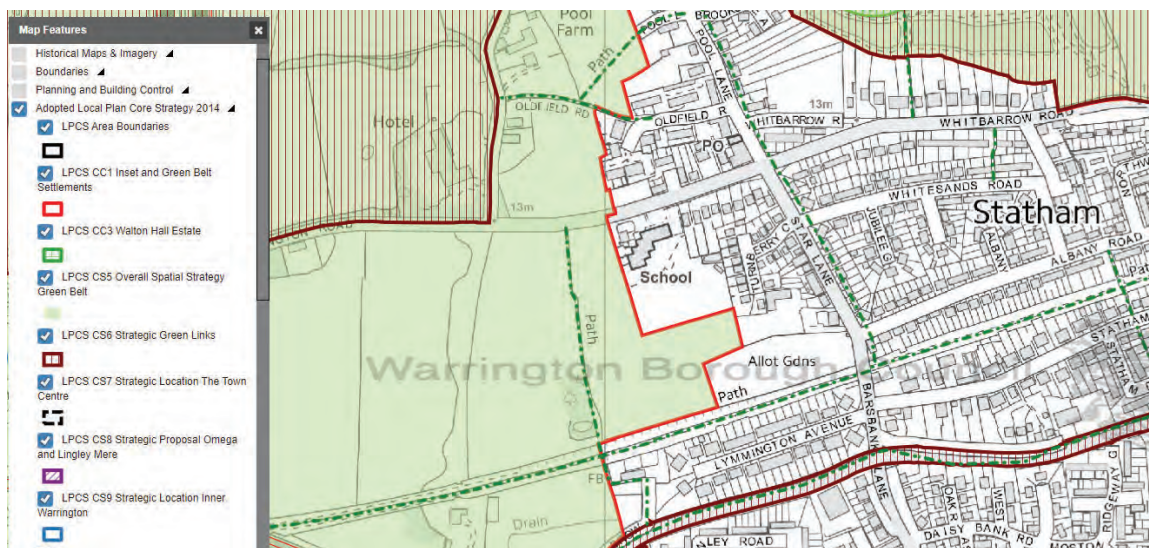


Figure 11.8 – Extract From Warrington Borough Council On Line Mapping.

COMPARISON TO RUSHGREEN ROAD, LYMM (POLICY OS5)

11.78 Our assessment also places our client's site on the same footing as the proposed allocation at Rushgreen Road (Policy OS5), which has been classified as having a weak contribution to Green Belt purposes in the Council's 2021 Assessment.

SUMMARY & IMPLICATIONS – GREEN BELT

11.79 Based on the foregoing our client's site is clearly preferable to the southern section of Policy OS4. If the Inspector finds that no further sites are needed to be allocated for housing as a consequence that they are satisfied on housing land supply issues, then we advocate that the southern section of allocation policy OS4 should be deleted and our client's site should be allocated as it is clearly preferable in Green Belt terms.

- 11.80 In such a situation allocation of the southern section of Allocation Policy OS4 should be considered unsound because it is not justified in that it is not an appropriate strategy, taking into account the reasonable alternative of our client's site based on proportionate evidence.
- 11.81 Allocation of the southern section of Allocation Policy OS4 (in light of the reasonable alternative) would also be unsound because it would be contrary to national policy in particular Paragraph 138 c) which seeks to safeguard the countryside from encroachment (the alternative of our client's site has been found by previous Development Plan Inspectors to not comprise encroachment into the open countryside). Furthermore (in light of the reasonable alternative) allocation of the southern section of Allocation Policy OS4 would be contrary to Paragraph 142 of the Framework and the requirement to promote sustainable patterns of development.
- 11.82 **RESPONSE TO WARRINGTON BOROUGH COUNCIL – EVIDENCE BASE DOCUMENTS – RESPONDING TO REPRESENTATIONS REPORT (2021)**
- 11.83 Page 324 of the above mentioned document contains the Council's response to site specific representations made at the last stage of consultation by our client. Table 1 below comprises the Council's response to our previous representations and our further response at this stage:

Table 1 Hourigan Connolly Response To Warrington Borough Responding To Representations Report (2021)

Warrington Borough Council Responding To Representations Report (2021)	Hourigan Connolly Further Assessment (November 2021)
<p>The 2016 Green Belt Assessment and 2017 Green Belt Site Assessments provide an objective independent assessment of how the Green Belt contributes to the five purposes based on a defined methodology which has been consistently applied. The method is based on a review of national policy, guidance and good practice. The inclusion of a very detailed methodology to assess purposes 1-5 was provided to minimise subjectivity, ensure transparency, and ensure the most consistent application of the methodology as feasibly possible</p>	<p>The Council has simply failed to address the points raised previously through its vague and generalised response. The outcome of the assessment for our client’s site in the Council’s Green Belt Assessment is plainly incorrect and ignores the conclusions reached by previous Inspectors as noted above as well as the site specific characteristics of the land.</p>
<p>The methodology for assessing sites was developed by independent consultant’s following a review of national guidance and best practice. The assessment approach focused on using a sequential approach with sites prioritised for assessment based on Local Plan spatial priorities and Green Belt Assessment outcomes. Applying a sequential approach to the assessment of sites through the use of major constraints, such as lower performing Green Belt sites as a means of sifting sites is considered to be consistent with national policy</p>	<p>If our position is accepted, then clearly our client’s site is preferable to the southern section of Allocation Policy OS4.</p>
<p>The sites were assessed in detail against a consistent set of criteria relating to performance against the Plan’s objectives and SA/SEA site assessment criteria to establish that the suitability of sites. These criteria included performance against Flood Risk. The Updated PSVLP (2021) has taken account of the revised EA Flood Risk Mapping that was issued in April 2021</p>	<p>Revised EA mapping is acknowledged although that would not alter the outcomes noted above, furthermore the Council does not suggest that our client’s site is unacceptable in flood risk terms.</p>

RESPONSE TO WARRINGTON BOROUGH COUNCIL – EVIDENCE BASE DOCUMENTS – DEVELOPMENT OPTIONS & SITE ASSESSMENT TECHNICAL REPORT (2021)

11.84 Figure 11.9 below comprises an extract from page 64/65 of the above mentioned document.

Settlement	Ref / Site	Number of Homes
Lymm	SHLAA Ref: 1565 / Site Ref: R18/014 / Site Ref: R18/P2/118 Land west of Reddish Crescent	57
Overall Site Conclusions based on Suitability, Availability, Achievability		

This site is considered to be suitable – unlikely to have a major impact on trends. There are some suitability issues given the proximity to a Grade II listed building (Tanyard Farmhouse); the adjacent areas of potentially contaminated land to the north and south east and the GP services in Lymm have no available capacity. However the site has good accessibility to formal play space, primary schools and bus services. The site appears to be available, considering that it was promoted by the owner. The site is considered to be achievable as it is in an area of high viability, there is developer interest and known demand and there are no known abnormal development costs.

Workshop Comments

The site is adjacent to the settlement of Lymm, located to the north east of the settlement off of Rush Green Road. The site is considered to be in a sustainable location and is available having been promoted by the site owner. The site is considered to be achievable as there is developer interest and known demand and no known abnormal development costs. The site has been judged to be suitable - unlikely to have a major impact on trends. However the Council's highways officer states that due to visibility constraints, third party land is required to provide junction improvements. In addition the highways officer states that the site would need to be developed in tandem with Site Ref: 3178 / R18/082 / R18/P2/072 and Site Ref: 3109 / R18/016 / R18/P2/027. Site Ref: 3178 was assessed as strong contribution for Green Belt and therefore it has not been considered for site selection at this stage. The site would not be appropriate in highways terms if brought forward on its own. Development of the site would therefore not be in accordance with draft Warrington Local Plan objective W4, to provide new infrastructure to support Warrington's growth, reduce congestion and promote sustainable transport options.

CONCLUSION: EXCLUDE SITE FROM PROCESS

11.85 The above positive comments are acknowledged and welcomed. Our response to the above negative comments is as follows:

Table 2 Hourigan Connolly Response To Warrington Borough Council - Development Options & Site Assessment Technical Report (2021)

Warrington Borough Council Development Options & Site Assessment Technical Report (2021)	Hourigan Connolly Further Assessment (November 2021)
Some suitability issues given the proximity of a Grade II listed building.	The setting of this listed building is dealt with by Nexus Heritage at Appendix 7 . This report concludes that development of the site would alter the setting of the listed building, but this would not equate to harm to the setting, nor would it harm that portion of the significance of the Farmhouse which derives from its setting.
Adjacent contaminated land.	Our clients is not aware of any contamination issues affecting the site and it should be noted that it has in the past been in arable use producing amongst other things potatoes for human consumption. This is not a reason to dismiss allocation of the site.
GP services in Lymm have no capacity.	Throughout the Council's evidence base it is noted that GP services in Lymm are unable to accommodate new patients and existing facilities have no opportunities to expand. Accordingly, a new medical facility is required to be delivered to provide for a new primary health care facility of not less than 1,500 m ² as part of Allocation Policy OS 5 (Rushgreen Road). That site lies immediately to the south of our client's site (the distance is 150 metres from the entrance to our clients proposed development (see the illustrative masterplan at Appendix 6) to the entrance to Allocation Policy OS4 on Rushgreen Road). Clearly our client's site is locationality preferable to Allocation Policy OS4 (Pool Lane & Warrington Road) which lies some 2.25km to the west (shortest walking distance available using Google Maps from the entrance to the site on Warrington Road to the entrance to the Allocation Policy OS4 site on Rushgreen Road).

Continued Overleaf

Warrington Borough Council Development Options & Site Assessment Technical Report (2021)	Hourigan Connolly Further Assessment (November 2021)
Green Belt comments (Workshop)	Again we would refer to the points made above. Those who attended the workshop have simply ignored previous submissions and the views of previous Inspectors. Such an approach is not considered reasonable or justified taking into account these matters and the site specific characteristics of our client's land.
Highways Comments	In response it should be noted that this junction already serves a significant housing estate and secondly a further access on to Rushgreen Road is available further to the east at Whitefield Grove. In respect of access Croft (now part of Eddisons) produced a Transport Issues Note in 2016 and again in 2019 which accompanied our representations at that time; it is of some disappointment that the Council did not engage with us on this point and continues to raise a highways concern. A further note has been prepared by Eddisons and this appears at Appendix 5 and demonstrates that access is perfectly adequate. Furthermore there is no reasonable planning basis for requiring this site to be developed in tandem with other sites from a highways perspective (previous assessments by the Council gave the somewhat odd justification that this was due to the proximity of the bridleway). Moreover there is no conflict with Objective W4 which is: <i>"To provide new infrastructure and services to support Warrington's growth; address congestion; promote safer and more sustainable travel; and encourage active and healthy lifestyles"</i> . In this respect the site can meet its own transport infrastructure requirements; it is located in proximity to shops and services to meet day to day needs and is located next to Bridleway No. 46 and the Trans Pennine Trail thereby providing access to the wider area and which would foster healthy and sustainable travel and recreation choices.

DELIVERABLE ASSESSMENT

11.86 Paragraph 68 of the Framework states that:

Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:

- a) specific, deliverable sites for years one to five of the plan period; and*
- b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.*

11.87 Given the reliance on large strategic sites and the deficiencies of SHLAA sites we consider that sites such as that being promoted by SLG have the potential to contribute significantly to housing delivery in the early years of the Plan. Annex 2 to the Framework contains a Glossary. Deliverable sites are defined as follows:

Deliverable: *To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*

11.88 Subject to the site being removed from the Green Belt and allocated for housing this is a site that is clearly deliverable for the following reasons.

AVAILABILITY

- 11.89 The site is in one freehold ownership.
- 11.90 There are no tenancies, including agricultural holding tenancies.
- 11.91 There are no covenants or other restrictions affecting the land that would preclude or delay residential development.
- 11.92 The site is subject to an option agreement in favour of an experienced residential development promoter, SLG.
- 11.93 The land is clearly available for development and subject to the Green Belt designation being changed in favour of a residential allocation the Council could expect the submission of an outline planning application within 6 months.
- 11.94 Subject to the grant of outline planning permission the site would be marketed and sold to a residential developer. In that respect strong interest has already been made in the site from house builders.
- 11.95 Clearly the site is available for development and could be completed in full within 5 years.

SUITABILITY

- 11.96 The only impediment to the site being developed for housing is its current Green Belt designation. All other matters can be satisfactorily addressed.
- 11.97 At **Appendix 6** we enclose an illustrative masterplan which shows how the site could be developed as a high quality residential development with generous areas of open space and a children's play area and associated works.

ACHIEVABILITY

- 11.98 This greenfield site has no known viability issues.
- 11.99 Access is readily available as are utilities.
- 11.100 Surface water can be adequately dealt with by way of attenuation using a Sustainable urban Drainage Scheme (SuDS) that would discharge into the existing watercourse at appropriate rates.
- 11.101 As noted above an outline planning application could be expected within 6 months of a residential allocation being confirmed. Subject to the grant of outline planning permission the site would be marketed and sold to a residential developer. In that respect strong interest has already been made in the site from house builders.
- 11.102 Clearly the site is available for development and could be completed in full within 5 years.

11.103 Furthermore, given the absence of any viability issues any scheme would provide a policy compliant suite of planning obligations in respect of affordable housing etc.

SUMMARY

11.104 In summary the SLG site is highly suitable for residential development, and it is preferable to the allocation of the southern section of Allocation Policy OS4 for the reasons already stated.

11.105 As noted in these representations the Regulation 19 Local Plan also fails to plan for adequate levels of housing. Additional levels of Green Belt land therefore needs to be released (as exceptional circumstances have already been demonstrated) and the SLG site could help meet that need in a sustainable location.

11.106 In the context of the above matters it is considered that the designation of the SLG site as Green Belt is unsound as it is not positively prepared as it will not as a minimum meet the area's local housing needs. Moreover it is not justified in light of the reasonable alternative approach to allocations in Lymm which if necessary (where it is deemed that no further allocations are required in the village) involves allocation the SLG site for housing instead of the southern section of Allocation Policy OS4. Furthermore it is considered that the decision to designate the SLG site as Green Belt is contrary to national policy in particular Paragraph 68 of the Framework (in that insufficient land has been identified to meet local housing needs) and Paragraph 143 b) in that it is unnecessary to keep the land permanently open as it does not perform the function of Green Belt land as set out in Paragraph 138 a) – e) of the Framework.

11.107 Needless to say our client's objections can be satisfied by the removal of its site from the Green Belt and its allocation for about 60 new homes.

11.108 In the event that our submissions are not accepted then the site should in any event be removed from the Green Belt and safeguarded for future development beyond the Plan period.

12. OBJECTION – POLICY OS4 –LYMM (POOL LANE/WARRINGTON ROAD)

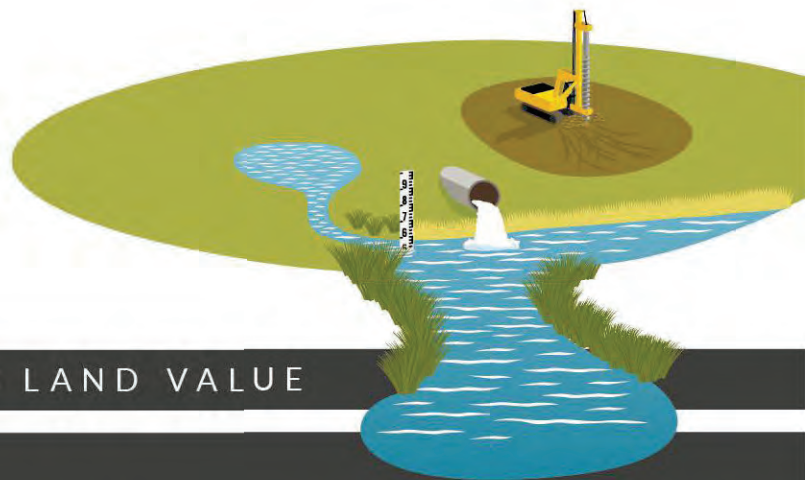
- 12.1 Our clients **OBJECTION** to Policy OS4 is based on the submissions set out in Chapters 5 and 11.

Appendix 1

LAND AT RUSHGREEN ROAD LYMM, WARRINGTON

FLOOD RISK CONSTRAINTS ASSESSMENT

Job Number: FRA 21 1169
Date: November 2021
Client: Strategic Land Group



INCREASING LAND VALUE

LK
GROUP


INCREASING LAND VALUE




LI GROUP

LI GROUP

LIK GROUP

LK Consult			
Document Verification			
Site Address	Land at Rushgreen Road, Lymm, Warrington		
Report Title	Flood Risk Constraints Assessment		
Job Number	FRA 21 1169	Document Ref.	FRA 21 1169 – R2
Date Issued	November 2021	Report Version	R2
Prepared By	Jenna Lowe – Graduate Flood Risk Assessor	Signature	
Reviewed By	Mark Jones - Associate	Signature	

Revision Record			
Revision No.	Date	Nature of Revision	Approved By
R2	November 2021	Minor text change	

DISCLAIMER

This report has been prepared by LK Consult Ltd (LKC) who have exercised such professional skill, care and diligence as may reasonably be expected of a properly qualified and competent consultant, experienced in preparing reports of a similar scope.

However, to the extent that the report is based or relies upon information contained in records, reports or other materials provided to LKC, which have not been independently produced or verified, LKC gives no warranty, representation or assurance as to the accuracy or completeness of such information.

This report is prepared solely for the benefit of The Strategic Land Company. It may not be relied upon by or submitted to a third party for their reliance for the purposes of valuation, mortgage, insurance and regulatory approval, until all invoices have been settled in full.

Those using this information in subsequent assessments or evaluations do so at their own risk.

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WARRINGTON LOCAL PLAN

Scope and Background

LK Consult Ltd (LKC) was commissioned to carry out a Constraints Level Flood Risk Assessment (FRA) for a proposed residential site in Lymm, Warrington by the Strategic Land Group. The report was undertaken in support of a request to include the potential residential site west of Reddish Crescent and north of Rushgreen Road within the draft development plan for the Warrington area.

This is a review of the potential for development in terms of Flood Risk and Sustainable Drainage issues. This has been undertaken using a risk-based approach to avoid, where possible, flood risk to people and property and to manage any residential risk when considering climate change.

The report will address the vulnerability to flooding from all possible sources and will also consider the impact of the development on surface water runoff accounting for climate change and the potential to increase flood risk elsewhere.

This desktop Constraints Level FRA complies with the principles presented in the Draft National Standards for Sustainable Drainage Systems (Defra, 2015) and the Planning Practice Guidance (PPG) of March 2014. The sustainable drainage assessment is presented with reference to the hydrological and hydrogeological context of the proposed development.

The Environment Agency (EA) website and the Warrington SFRA Level 1 and Level 2 reports have been utilised to assess if there are any limitations that may affect the site.

The report findings are based upon professional judgement and are summarised below. The report includes rainfall data from the Wallingford Studies and Hydrogeological information from the British Geological Survey (BGS). The assessment will summarise and refer to these datasets in the text.

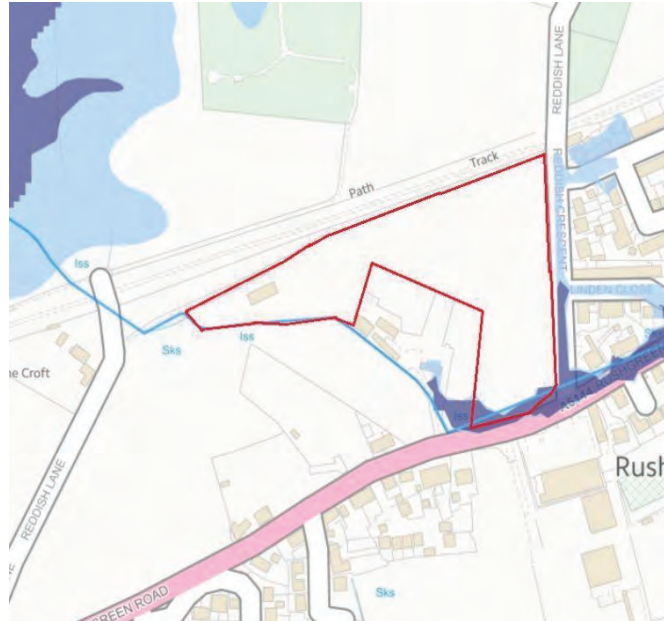
Drainage on the sites has been assessed by considering the following key constraints:

- Topography of the sites.
- Local water features and hydrological context.
- Underlying geology, hydrology, soil types and permeability.

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Lymm, Warrington – Proposed Residential Allocation

Plot – Rushgreen Road west of Reddish Close	
Grid Reference	368885E, 387450N
Post Code	WA13 9PT
Location	North of Rushgreen Road, south of the Mersey Path.
Description	The site is currently used as pasture.
Topography	<p>The study area generally falls to the north and west with a slight ridge just to the north of the southern boundary where the land falls to the south towards Rushgreen Road.</p> <p>There is a dip in the ground adjacent to the southern plot boundary.</p> <p>There is a part culverted watercourse adjacent to the southern boundary with Rushgreen Road. The watercourse flows towards the northwest and runs along the western most boundary.</p>
Flood Zone	The site is mostly within Flood Zone 1 but to the south of the ridge along Rushgreen Road there is an area of Flood Zone 3. There are further areas of Flood Zone 3 along parts of Rushgreen Road and the southern part of Reddish Lane. A further area of Flood Zone 2 extends to the north along Reddish Lane for a short distance but appears to be contained by the kerb line. Most of the site has a Very Low Risk but has a limited area of Medium Risk and High Risk adjacent to Rushgreen Road.
Other Notable Risks	Surface Water Risk – There is a High Risk of Surface Water Flooding within the depression towards the northern boundary and a Low Risk adjacent to the southern boundary and the northeast corner of the site. Most of the site is at Very Low Risk. The western tip of the site has a low risk of flooding if there was a catastrophic failure of Lymm Dam.



	Groundwater – an adjacent ground investigation recorded water at a depth of 3.5m BGL, there should only be a Low Risk of groundwater flooding.
Superficial Soils	The site area is underlain by Glaciofluvial Deposits, Devensian – Clayey Sand (0-0.5m deep), Sand and Gravel (0.5-4.5m deep) above Silty Clayey Sand.
Superficial Aquifer	Secondary A below the study area.
Bedrock	Wilmslow Sandstone Formation – Sandstone.
Bedrock Aquifer	Principal

Surface Water Drainage		
	Description	Most Practical solution
To a Soakaway	Although Sands and Gravels are recorded as the Superficial Deposits in the site nearby boreholes show surface deposits up to 0.5m deep containing clays and silts with the sand and gravels below. The nearby recorded groundwater levels indicate there is a potential for infiltration to be used.	1
To a Watercourse	There is an open watercourse running along the eastern boundary and the invert is at a reasonable depth below the ground level, so a connection can be made from an attenuation.	2
To a Sewer	There is a 450mm diameter surface water sewer crossing the north of the site to discharge into the watercourse. There is also a 225mm diameter combined sewer within Reddish Lane and Rushgreen Road. The area to the east of the site is likely to be below the invert level of these sewers. The capacity of the existing drainage system is unknown.	3
<p>Comments</p> <p>It is likely that soakaways will be a suitable form for Sustainable Drainage for this potential development. Although the sand and gravel layer is below the 0.5m deep surface layer containing some clay, records show that the water table is recorded at depth of 4.5m in adjacent boreholes. There is a general requirement that the base of any soakaway be at least 1.0m above the water table so this should be practical.</p> <p>If attenuation was required to limit the outflow to the greenfield equivalent, flow to a natural watercourse may be restricted further when connecting to a public sewer. This could be in the form of a basin or underground storage. This could be restricted by the depth of the watercourse or receiving pipe or culvert.</p> <p>Similarly, any surface water flows to be connected to a sewer will be subject to restrictions applied by United Utilities.</p> <p>These flow restrictions would need to be confirmed as acceptable to the Lead Local Flood Authority and Planning Authorities.</p> <p>The Foul drainage for the area to the east of the site may need to be pumped back to Reddish Lane or a sewer could be requisitioned from United Utilities to connect to the</p>		

825mm diameter combined sewer to the west of the site utilising the existing bridleway, subject to levels.

Design Issues

Consideration will need to be given to the depth of the potential water table and the depth of any storage in relation to the respective ground levels.

Overland surface water flows will need to be considered in terms of the potential housing layouts as it may become trapped by the existing properties to the west of the site.

The existing sewer crossing the site may require an easement within the development area.

The minimum Finished Floor Level are likely to be set above the 1 in 100 year Fluvial Flood level plus a climate change allowance. This will also need an additional freeboard allowance (typically 600mm). This may mean that the residential properties have to be raised above the existing ground level in the north of the site.

Above this level the minimum Finished Floor Level will also need to be set at a nominal height above finished ground level giving regard to necessary access for the less able.

The natural catchment will fall towards the west; this would naturally drain towards the watercourse. There would be a requirement for this flow to be intercepted before it could flow towards the adjacent houses in case of drainage failure.

In reference to the proposed masterplan, the southern access may lead to an area of Flood Zone 3 within Reddish Lane and the northern access may lead to an area of Flood Zone 2, meaning an emergency access plan may be required. The masterplan shows there have been no proposals for residential development in the southern part of the site as the flood zones have been considered within the layout.

Summary

There are no significant issues which would prevent the more sustainable forms of sustainable drainage being incorporated into the design.

Although the site has a limited area of Flood Zone 3 within its boundary the extent is limited by an area of higher ground between the proposed development area and the Flood Zone. The area of Flood Zone 3 would enter the site from upstream of the site as the watercourse is culverted through the site. There is potential to open up the culverted section and to increase the capacity which may limit the flood depth within the site, taking it out of the Flood Zone 3 extents by capturing the overland flow from upstream and feeding it into the potential open section of watercourse and reducing the flood risk level in the area.

A detailed Flood Risk Assessment will be required and prepared for the potential development site as the development area would be greater than 1ha.

CONCLUSIONS

This desk-based report considers the suitability of the proposed residential development site in Lymm, that is not included within the current version of the local development plan, in more detail in Terms regarding flood risk and the potential suitability for the use of sustainable drainage.

The plot to the north of Rushgreen Road and west of Reddish Crescent has a limited area of Flood Zone 3 flowing onto the site overland from the east. The remainder of the site is protected by a ridge of higher ground to the north of the watercourse. The watercourse is culverted through the southern part of the site. It then opens up to the west and the 100 year flow is contained within the watercourse. As this area is not to be developed there is the opportunity to open up the watercourse to increase the capacity. Firstly, this will limit the extent of any flooding and secondly facilitate the opportunity to open up any culverted watercourses and naturalise the open section.

The area has a high potential to utilise infiltration in line with the SuDS train, it also has direct access to a watercourse for discharge.

In conclusion, in terms of Flood Risk and Sustainable Drainage Systems (SuDS) this site should be considered favourably when compared with the proposed development sites included in the current draft Local Development Plan.

Appendix 2

Photographic Schedule: Land At Rushgreen Road, Reddish Crescent, Lymm, Warrington





1. View looking south towards Rushgreen Road.



2. View looking westwards towards Willoways.



3. View looking towards the north of the site with properties on Reddish Crescent beyond.



4. Junction of Rushgreen Road and Reddish Crescent.



5. View looking southwards towards Rushgreen Road.



6 View looking southwards towards Willoways.



7. View looking eastwards towards existing agricultural buildings.

Appendix 3

Shenoy, Ashvin

CHECKED

From: [REDACTED]
Sent: 17 November 2016 09:17
To: Atkins Statutory Enquiries
Subject: ESP Utilities Group Plant Affected Notice LSBUD Ref. 9437873
Attachments: 100227421_ESP Utilities Group - Gas.pdf; Guidelines when working in vicinity of gas apparatus up to 7barg MOP rev July 2016.pdf

17/11/2016

LinesearchbeforeUdig Ref: 9437873

Your Ref: LM 50620/SuG

Dear Sir/Madam,

Further to your enquiry received on 17/11/2016 03:46:00 AM please find attached the ESP Utilities Group (ESP) response to your enquiry.

If your proposed work site was found to be in the vicinity of ESP plant, project drawing as laid extracts for these sites are enclosed (not to scale) for your information which show the approximate location of the ESP gas network close to the area of interest.

As your plans for the proposed work develop you are required to keep ESP regularly updated about the extent and nature of your proposed works in order for us to fully establish whether any additional precautionary or diversionary works are necessary to protect our gas network.

Arrangements can be set in place so that one of our representatives can meet on site (date to be agreed) and we will be happy to discuss the impact of your proposals on the gas network once we have received the details.

ESP are continually constructing new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your linesearchbeforeUdig enquiry.

The attached files are in PDF format, to view them you will need Adobe Acrobat Reader(R). You can download it free of charge from [REDACTED]

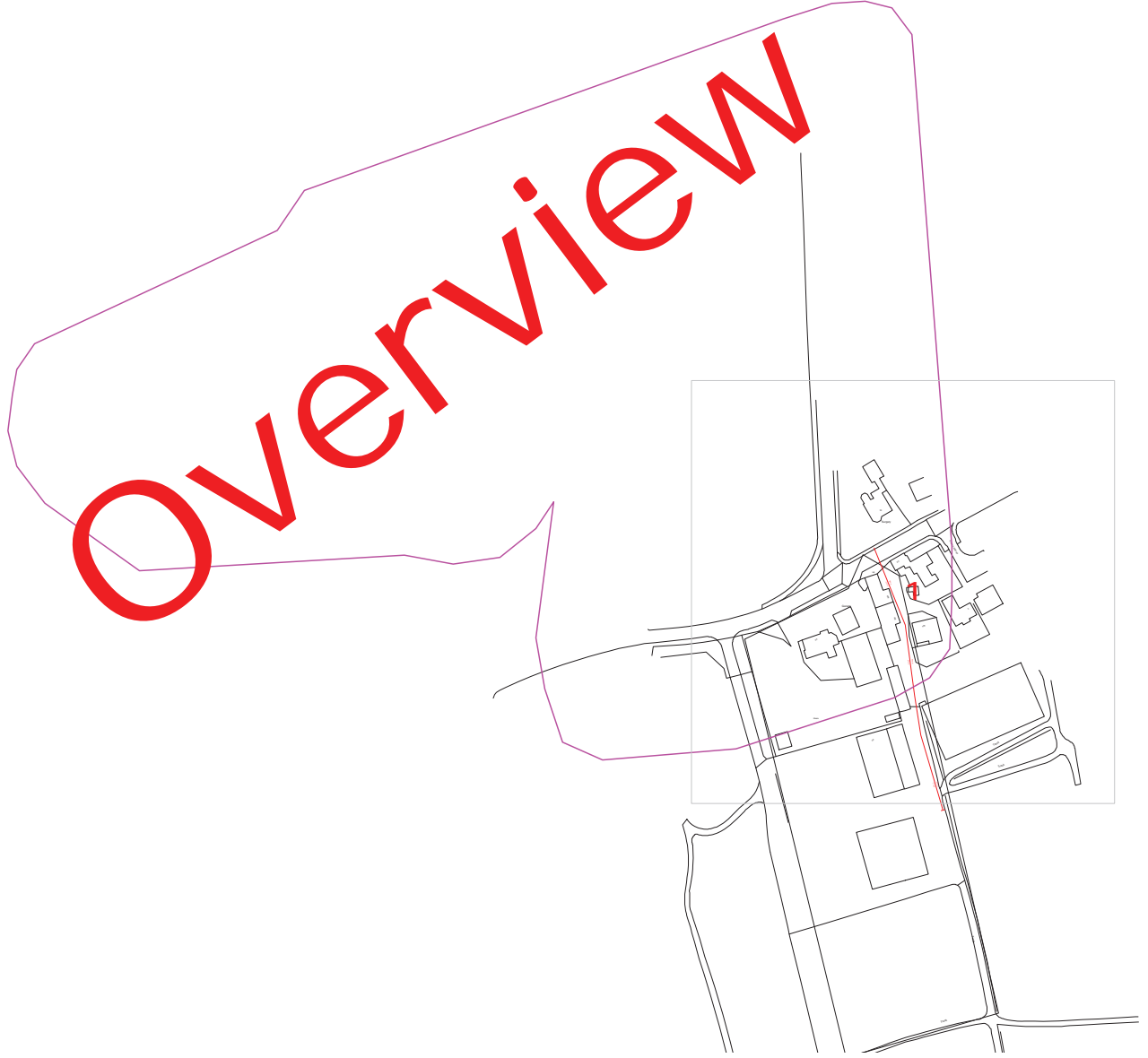
Yours sincerely,

ESP Utilities Group Ltd

ESP Utilities Group Ltd can be contacted at:

Office Address: Hazeldean, Station Road, Leatherhead, Surrey, KT22 7AA

Office Tel: [REDACTED]; Fax: [REDACTED]; email: [REDACTED]






Date Requested: 17/11/2016
 Requested by: Christina Elliott
 Job Reference: 9437873

Company: Atkins
 Your Scheme/Reference: LM 50620/SuG



Key for Mains & Service Pipework

-  Existing LP mains or services operating up to 75 millibar gauge
-  Existing MP mains or services operating between 75 millibar and 2 bar gauge
-  Existing IP mains or services operating between 2 bar and 7 bar gauge

ESP Utilities Group Ltd

Phone: [REDACTED]

Email: [REDACTED]

Dig Sites:

Area  Line 

Approx scale on A4 paper: 1:1000
 (excluding Overview map)

Whilst ESP Utilities Group Ltd (ESP) try to ensure the asset information we provide is accurate, the information is provided Without Prejudice and ESP accept no liability for claims arising from any inaccuracy, omissions or errors contained in this response. The actual position of underground services must be verified and established on site before any mechanical plant is used. Authorities and contractors will be held liable for the full cost of repairs to ESP apparatus and all claims made against them by Third parties as a result of any interference or damage.

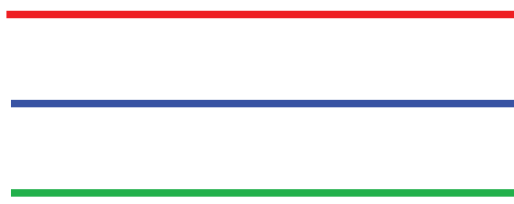
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Date Requested: 17/11/2016
 Requested by: Christina Elliott
 Job Reference: 9437873

Company: Atkins
 Your Scheme/Reference: LM 50620/SuG

Key for Mains & Service Pipework



Existing LP mains or services operating up to 75 millibar gauge

Existing MP mains or services operating between 75 millibar and 2 bar gauge

Existing IP mains or services operating between 2 bar and 7 bar gauge



ESP Utilities Group Ltd

Phone: [Redacted]

Email: [Redacted]

Dig Sites:

Area Line

Approx scale on A4 paper: 1:1000 (excluding Overview map)

Whilst ESP Utilities Group Ltd (ESP) try to ensure the asset information we provide is accurate, the information is provided Without Prejudice and ESP accept no liability for claims arising from any inaccuracy, omissions or errors contained in this response. The actual position of underground services must be verified and established on site before any mechanical plant is used. Authorities and contractors will be held liable for the full cost of repairs to ESP apparatus and all claims made against them by Third parties as a result of any interference or damage.

REPRODUCED FROM THE ORDNANCE SURVEY MAP WITH THE SANCTION OF THE CONTROLLER OF HER MAJESTY'S STATIONARY OFFICE © CROWN COPYRIGHT RESERVED.
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PRECAUTIONS TO BE TAKEN WHEN CARRYING OUT WORK IN THE VICINITY OF UNDERGROUND GAS PIPES

ADVICE TO SITE PERSONNEL

MANAGEMENT NOTE

Please ensure that a copy of this note is read by your site management and to your site operatives.

Early consultation with ESP Utilities Group prior to excavation is recommended to obtain the location of plant and precautions to be taken when working nearby.

This Guidance Note should be read in conjunction with the Health and Safety Executive guidance HSG47 "Avoiding danger from underground services".

Introduction

Damage to ESP Utilities Group's plant can result in uncontrolled gas escapes which may be dangerous. In addition these occurrences can cause expense, disruption of work and inconvenience to the public.

Various materials are used for gas mains and services. Cast Iron, Ductile Iron, Steel and Plastic pipes are the most widely found. Modern Plastic pipes are either bright yellow or orange in colour.

Cast Iron and Ductile Iron water pipes are very similar in appearance to Cast Iron and Ductile Iron gas pipes and if any Cast Iron or Ductile Iron pipe is uncovered, it should be treated as a gas pipe. ESP Utilities Group do not own any metallic gas pipes but their gas network infrastructures may be connected to Cast Iron, Ductile Iron or Steel pipes owned by Transco.

The following general precautions apply to Intermediate Pressure (2-7barg MOP), Medium Pressure (75mbarg-2barg MOP), Low Pressure (up to 75mbarg MOP) and other gas mains and services likely to be encountered in general site works and are referred to within this document as '**pipes**'.

Locating Gas Pipes

It should be assumed when working in urban and residential areas that gas mains and services are likely to be present. On request, ESP Utilities Group will give approximate locations of pipes derived from their records. The records do not normally show the position of service pipes but their probable line can be deducted from the gas meter position. ESP Utilities Group's staff will be pleased to assist in the location of gas plant and provide advice on any precautions that may be required. The records and advice are given in good faith but cannot be guaranteed until hand excavation has taken place. Proprietary pipe and cable locators are available although generally these will not locate plastic pipes.

Safe working Practices

To achieve safe working conditions adjacent to gas plant the following must be observed:

Observe any specific request made by ESP Utilities Group's staff.

Gas pipes must be located by hand digging before mechanical excavation. Once a gas pipe has been located, mechanical excavation must proceed **with care**. A mechanical excavator must not in any case be used within 0.5 metre of a gas pipe and greater safety distances may be advised by ESP Utilities Group depending on the mains maximum operating pressure (MOP).

Where heavy plant may have to cross the line of a gas pipe during construction work, the number of crossing points should be kept to a minimum. Crossing points should be clearly indicated and crossings at other places along the line of the pipe should be prevented.

Where the pipe is not adequately protected by an existing road, crossing points should be suitably reinforced with sleepers, steel plates or a specially constructed reinforced concrete raft as necessary. ESP Utilities Group staff will advise on the type of reinforcement necessary.

No explosives should be used within 30 metres of any gas pipe without prior consultation with ESP Utilities Group.

ESP Utilities Group must be consulted prior to carrying out excavation work within 10 metres of any above ground gas installation.

Where it is proposed to carry out piling or boring within 15 metres of any gas pipe, ESP Utilities Group should be consulted prior to the commencement of the works.

Access to gas plant must be maintained at all times during on site works.

Proximity of Other Plant

A minimum clearance of 300 millimetres (mm) should be allowed between any plant being installed and an existing gas main to facilitate repair, whether the adjacent plant is parallel to or crossing the gas pipe. No apparatus should be laid over and along the line of a gas pipe irrespective of clearance.

No manhole or chambers shall be built over or around a gas pipe and no work should be carried out which results in a reduction of cover or protection over a pipe, without consultation with ESP Utilities Group.

Support and Backfill

Where excavation of trenches adjacent to any pipe affects its support, the pipe must be supported to the satisfaction of ESP Utilities Group and must not be used as an anchor or support in any way. In some cases, it may be necessary to divert the gas pipe before work commences.

Where a trench is excavated crossing or parallel to the line of the gas pipe, the backfill should be adequately compacted, particularly beneath the pipe, to prevent any settlement which could subsequently cause damage to the pipe.

In special cases it may be necessary to provide permanent support to the gas pipe, before backfilling and reinstatement is carried out. Backfill material adjacent to gas plant must be selected fine material or sand, containing no stones, bricks or lumps of concrete, etc., placed to a minimum depth of 150mm around the pipes and well compacted by hand. No power compaction should take place until 300 mm of selected fine fill has been suitably compacted.

If the road construction is in close proximity to the top of the gas pipe, a "cushion" of selected fine material such as sand must be used to prevent the traffic shock being transmitted to the gas pipe. The road construction depth must not be reduced without permission from the local Highway Authority.

No concrete or other hard material must be placed or left under or adjacent to any Cast Iron pipe as this may cause fracture of the pipe at a later date.

Concrete backfill should not be used closer than 300 mm to the pipe.

Damage to Coating

Where a gas pipe is coated with special wrapping and this is damaged, even to a minor extent ESP Utilities Group must be notified so that repairs can be made to prevent future corrosion and subsequent leakage.

Welding or "Hot Works"

When welding or other "hot works" involving naked flames are to be carried out in close proximity to gas plant and the presence of gas is suspected, ESP Utilities Group must be contacted before work commences to check the atmosphere. Even when a gas free atmosphere exists care must be taken when carrying out hot works in close proximity to gas plant in order to ensure that no damage occurs.

Particular care must be taken to avoid damage by heat or naked flame to plastic gas pipes or to the protective coating on other gas pipes.

Leakage from Gas Mains or Services

If damage or leakage is caused or an escape of gas is smelt or suspected the following action should be taken at once:

- ❖ Remove all personnel from the immediate vicinity of the escape;
- ❖ Contact Transco's National Gas Escape Call Centre, on: **0800 111 999**;
- ❖ Prevent any approach by the public, prohibit smoking, extinguish all naked flames or other source of ignition for at least 15 metres from the leakage;
- ❖ Assist gas personnel, Police or Fire Service as requested.

REMEMBER – IF IN DOUBT; SEEK ADVICE FROM ESP UTILITIES GROUP.

ESP Utilities Group can be contacted at:

Office Address: [REDACTED]

Office Tel: [REDACTED] **Fax:** [REDACTED]



From: [REDACTED]
Sent: 17 November 2016 09:15
To: Statutory Enquiries
Subject: GTC Plant Enquiry - Ref- 333340
Attachments: 333340.png; GU-DPR-IG-0022 Safe working in the vicinity of utility networks.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Warning: GTC Apparatus Exists in This Area

Our Plant Enquiry Service Ref: 333340
Your Enquiry Ref: LM 50620/SuG

Dear Chrissy,

Thank you for your enquiry concerning apparatus in the vicinity of your proposed work. For your records, the search area is shown in the attached map.

Please click on the links below to download copies of the relevant utility asset drawings locating our assets in the area which you identified. These drawings are grouped by our relevant network reference, should you need to contact us regarding any of our networks please quote this reference. Links to files will remain live for 10 days. If you do not download these files within this period you will need to submit a new enquiry – this will ensure you have an up-to-date copy of our asset records.

PLEASE NOTE: Where drawings are large, these have been provided in smaller segments. A drawing index is provided as the first file listed for each network reference (example of a network reference: N1234567) shown below. This is intended to help you find the drawing relevant to you more quickly. Please take care to ensure that you use the relevant drawings for every network listed below as we may have multiple networks and multiple utilities in this area.

N0008698-1

Gas

- [N0008698-1.png](#)

This information is for guidance only and the precise position of the plant must be established, prior to your works, using hand-digging methods only. The contractor will be held responsible for any damage caused to our asset. Please note our assets now include those owned and operated by:

- GTC Pipelines Limited
- Independent Pipelines Limited
- Quadrant Pipelines Limited
- Electricity Network Company Limited
- Independent Power Networks Limited
- Independent Water Networks Limited
- Independent Fibre Networks Limited
- Independent Community Heating Limited

If you have any queries or require any further information please do not hesitate to contact us.

All works in the vicinity of our networks should be undertaken in accordance with the attached document "GU-DPR-IG-0022: Safe working in the vicinity of utility networks". Reference should also be made to HSG47 Avoiding Danger from Underground Services.

Important: The area of your proposed works may contain gas mains operating at Medium and Intermediate Pressure tiers or electric cables operating at High Voltage – please refer to the network drawings included with this email. If your proposed works are likely to involve excavation within 10 metres of any of these assets, including but not limited to gas governors and electric substations you MUST inform GTC Plant Enquiries by calling 01359 240363 and quoting your Plant Enquiries Service Reference number.

Important: Drawings provided by this service may include utility assets not owned or managed by GTC. Conversely our drawings will NOT display assets from all third parties. It is your responsibility to ensure you have requested information from all utility asset owners.

Gas Escape or Damage MUST be reported on 0800 111 999. National Grid / DNGT will attend to make safe and repair.

Electricity Network Damage MUST be reported to ENC on 0800 032 6990.

Water Network Damage MUST be reported to IWNL on 02920 028 711

Fibre Network Damage MUST be reported to IFNL on 0845 051 1669

Thank you for using the GTC Plant Enquiries Service.

Your sincerely,

GTC Plant Enquiry Service

GTC



NOTE:

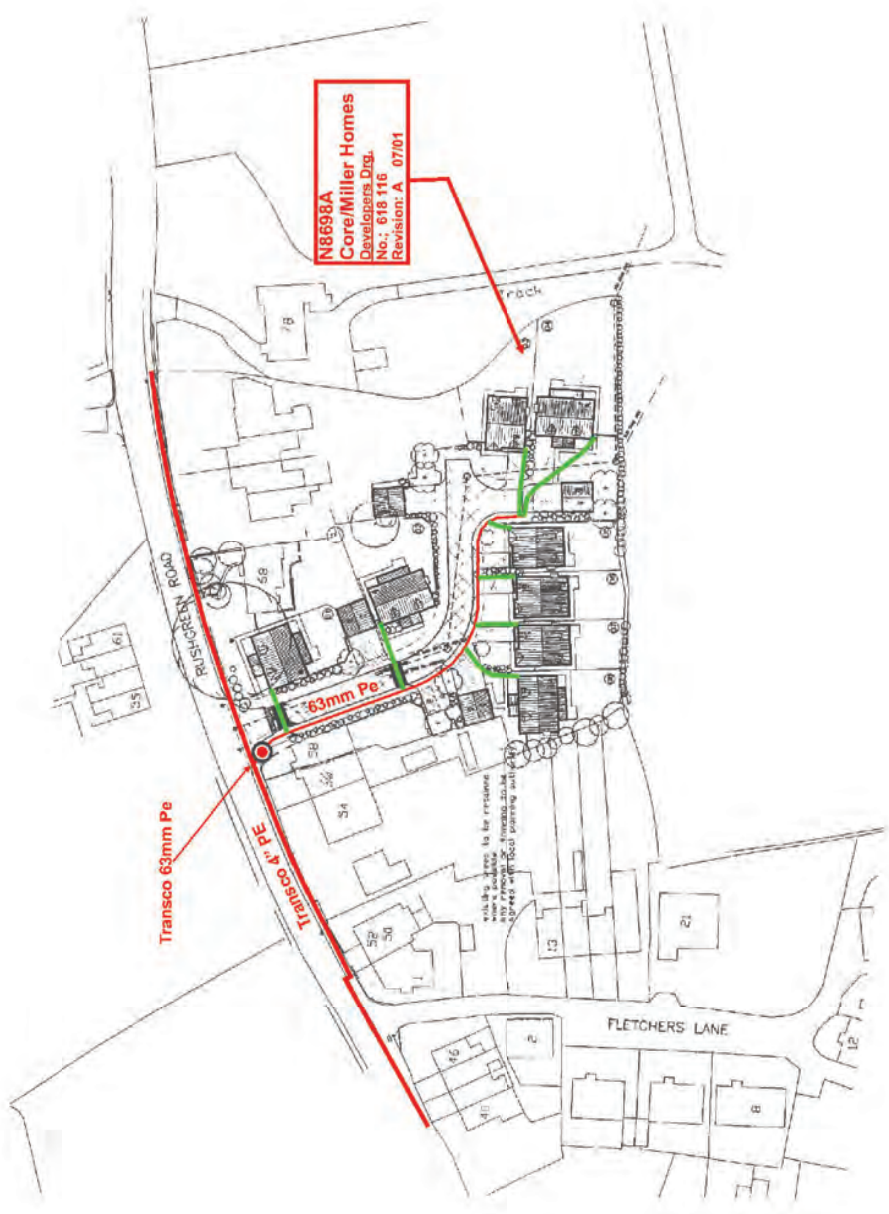
This E-Mail originates from GTC, [REDACTED]

VAT Number: GB688 8971 40. Registered No: 029431.

DISCLAIMER

The information in this E-Mail and in any attachments is confidential and may be privileged. If you are not the intended recipient, please destroy this message, delete any copies held on your system and notify the sender immediately. You should not retain, copy or use this E-Mail for any purpose, nor disclose all or any part of its content to any other person. Whilst we run antivirus software on Internet E-Mails, we are not liable for any loss or damage. The recipient is advised to run their own up to date antivirus software.

Thank you



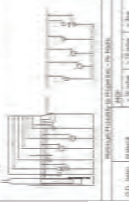
N8698A
Core/Miller Homes
 Developers.Dwg.
 No. 616 116
 Revision A 07/01

NOTES:

1. This drawing is a preliminary design and is subject to change without notice.
2. All dimensions are in feet and inches unless otherwise noted.
3. All materials and methods of construction shall conform to the applicable codes and standards.
4. The contractor shall be responsible for obtaining all necessary permits and approvals.
5. The contractor shall be responsible for protecting all existing utilities and structures.
6. The contractor shall be responsible for maintaining access to all adjacent properties.
7. The contractor shall be responsible for maintaining the site in a safe and clean condition.
8. The contractor shall be responsible for providing all necessary safety measures.
9. The contractor shall be responsible for providing all necessary site access.
10. The contractor shall be responsible for providing all necessary site security.

PROPERTY INFORMATION:

Lot No.	Area (sq. ft.)	Area (sq. m.)
1-10	12,000	1,115
11-20	12,000	1,115
21-30	12,000	1,115
31-40	12,000	1,115
41-50	12,000	1,115
51-60	12,000	1,115
61-70	12,000	1,115
71-80	12,000	1,115
81-90	12,000	1,115
91-100	12,000	1,115



DESIGN INFORMATION:

Design Scale: 1/8" = 1'-0"

OS.DWG: 03/07/16

Network Number: N000099P-1

United Networks

Drawing Number: N000099P-1, P1-9, 1 of 1

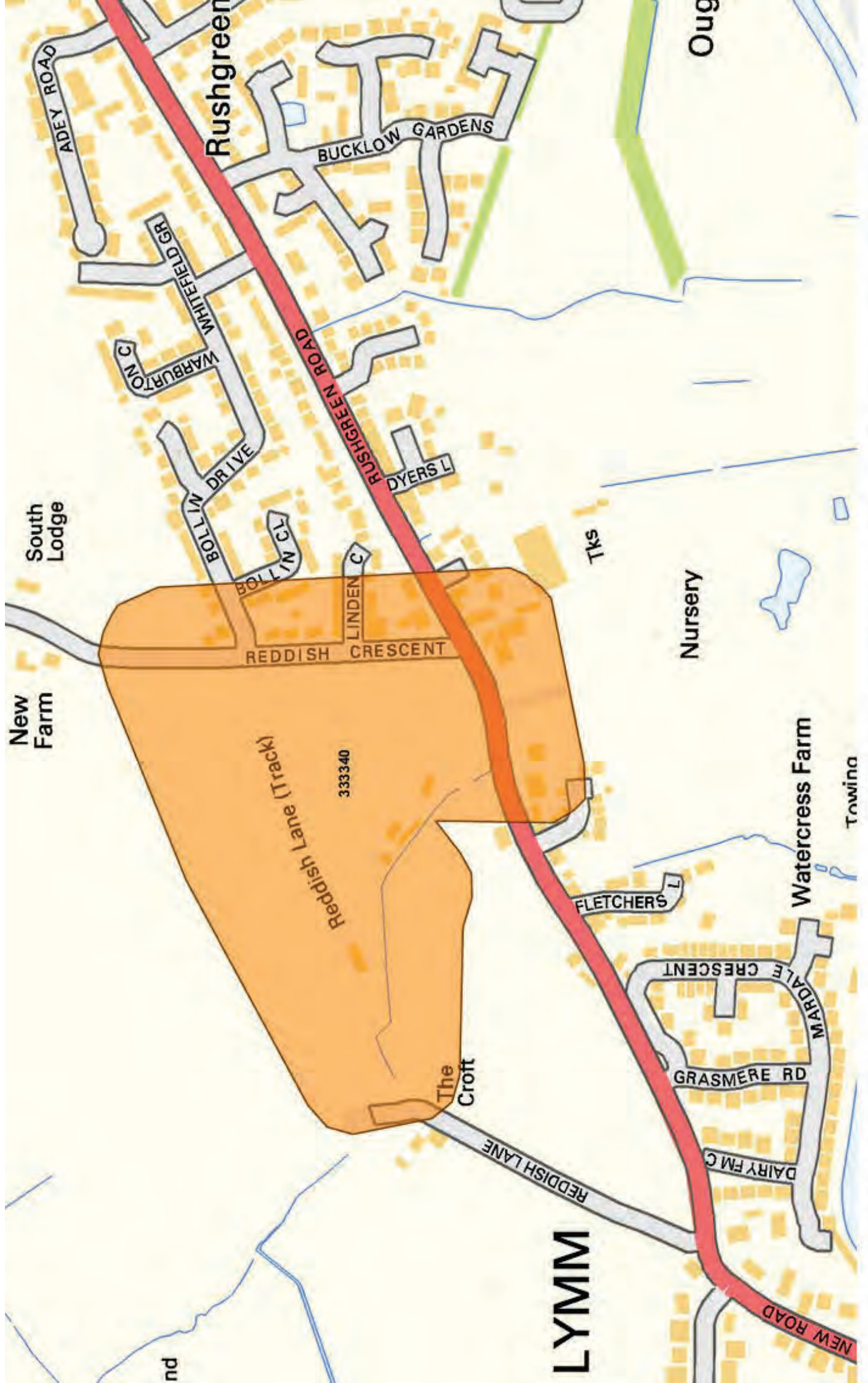
Developer: Core Utility Solutions / Miller Homes

Location: Rushgreen Road, Lynn, Chesapeake, VA 23030

0 5 10 20 30 40
 feet

0 5 10 20 30 40
 meters

gcs
 geospatial solutions



SAFE WORKING IN THE VICINITY OF UTILITY NETWORKS

(Refer to the HSE Guidance Document HSG47)

General

1. It is imperative that all works are carried out in accordance with the guidance provided by the HSE in their document HSG47 "Avoiding Danger from Underground Services", ISBN 0-7176-1744-0. No party should carry out any excavation works or other intrusive works such as piling, blasting or demolition without following the guidance in HSG47.
2. We own gas, electricity, water and fibre apparatus located in the highway, private property and through the countryside. Some plant may be located in land for which a wayleave or easement has been granted & there may be no surface evidence of the presence of apparatus.
3. Ensure that you have obtained detailed plans of existing and proposed gas, electricity water and fibre networks.
4. The position of the networks should be pinpointed as accurately as possible by reference to the plans and by means of a locating device, which has been tested and calibrated within the last twelve months.

Excavation work should be carried out where applicable, and carefully follow recognised safe digging practices. Once a locating device has been used to determine position and route, excavation may proceed; trial holes should be dug using suitable hand tools to confirm the position of buried networks. During excavation the locating device should be reused to check position and route of buried apparatus.

5. Hand-held power tools can damage buried apparatus and should be used with care until the exact position has been determined. They may only be used to break a paved or concrete surface above the network, unless there are any indications that the network is particularly shallow, in such circumstances, accuracy of plant location is determined and excavation initiated adjacent to the apparatus.
6. No manhole, chamber or other structure should be built over, around or under the network. Such structures, other pipes, ducts and cables should be laid to provide a minimum clearance from the network of 300mm or 1.5 times the diameter of the network, whichever is the greater. No work should be carried out if this minimum clearance cannot be met or which results in a reduction of cover or protection over the network, without first consulting GTC.
7. Where an excavation uncovers a network apparatus the backfill should be adequately compacted, particularly beneath the network, to prevent any settlement, which would subsequently damage the network. Backfill material adjacent to the network should be selected fine material or sand, containing no stones, bricks or lumps of concrete etc. and should be suitably compacted to give comparable support and protection to that provided before excavation. No power compaction should take place until 200mm cover of selected fine fill has been suitably compacted by hand tools.

8. If the road construction is close to the top of the network, GTC should be asked about necessary precautions. The road construction depth should not be reduced without permission from the local Highway Authority.
9. Costs incurred by GTC through direct or consequential damage will be recharged.

Precautions for Gas Networks

10. Plans do not always show the presence of gas pipes cables (from the gas main to premises) but their existence should be assumed.
11. The depth of cover for gas mains is normally 750mm in carriageways and grass verges and 600mm in footways. The depth of cover for gas services is normally 450mm. Remember these covers are to finished level, you may be working in an area, which will be made up or lowered at a later date.
12. Plastic gas pipes should be located by hand digging before mechanical excavation begins. When the positions and depth of the pipes have been determined, work can proceed.
13. The danger created by damaging a gas pipe with an excavator is much greater than if the damage is done with a hand-held power tool (the opposite is true for work near electricity cables and this is reflected in the different safe digging practices). Gas pipes may have projections such as valve housings, which are not shown on the plans and to allow for this mechanical excavators should not be used within 500mm of a gas pipe.
14. If a gas leak is suspected, the following action should be taken immediately:
 - Remove all people from the immediate vicinity of the escape. If the service connection to a building or the adjacent main has been damaged, warn the occupants to leave the building, and any adjoining building, until it is safe for them to return. It is important to note that a mechanical excavator may not only cause damage/leakage at the point of impact. For example, damage to a service connection outside the building may result in further, unseen damage to the connection inside the building. Gas leaking from the damage inside or gas travelling along the line of the service connection pipe from outside the building may cause a build-up of gas within the building.
 - Prohibit smoking, and extinguish all naked flames and other sources of ignition i.e. stop excavator and compressor engines within at least 5.0m of the leak.
 - Inform National Grid by dialling **0800 111 999**
 - Remain on site.
 - Assist National Grid staff, Police or Fire Services as requested.
15. Where gas pipes cross or are parallel and close to excavations, changes in backfill etc. may cause differential ground settlement and increased stress in the pipe. For pipes parallel and close to excavations, the degree of risk depends upon the depth of the excavation, the distance of the pipe from the excavation, the type of soil and any excessive loading from heavy construction plant and materials. Wherever excavation works may affect the support of the gas pipe or cause excessive loading over the gas pipe then GTC must be consulted.

16. No concrete or other hard material should be placed or left under or adjacent to any gas pipe as this can cause pipe fracture at a later date. Concrete backfill should not be used within 300mm of a gas pipe.
17. Where an excavation uncovers a gas pipe with a damaged wrapping, GTC should be told, so that repairs can be made to prevent future corrosions and leakage.
18. Pipe restraints or thrust blocks close to gas mains should never be removed.
19. Anyone who carries out work near underground gas plant should observe any specific requirements made by the site manager, and ensure that access to the plant by National Grid Gas and GTC staff is available at all times. No unauthorised repairs to gas pipes should be made.
20. Where excavation is within 5 metres proximity to above or below ground pressure control equipment, ground workers must be aware of the possibility of encountering small impulse pipe work that is more susceptible to damage.
21. Where PE pipes and cables have been exposed and it is intended hot work (e.g. welding, grinding, etc) be carried out, contact must be made with GTC to confirm additional precautions and actions that may require to be undertaken.
22. GTC should be consulted if it is intended to carry out any of the following activities:
 - using explosives within 30m of gas pipes or 400m of gas pressure reduction equipment
 - piling or boring within 15m of gas plant
 - excavating within 10m of pressure reduction equipment
 - reducing the cover or protection of a gas pipe
 - carrying out nearby deep excavations
 - working near our intermediate pressure (IP) mains.

Precautions for Electricity Networks

23. Plans do not always show the presence of electric service cables (from the electricity main to premises) but their existence should be assumed.
24. In most cases there will be no permanent surface marker posts or other visible indication of the presence of a buried cable. Even if no cables are shown on plans or detected by a locator, there may still be cables present, which could be live and a close watch should be kept for any signs which could indicate their presence such as marker tape, tape tile, concrete tiles and wooden battens. Any marker which is disturbed by our excavations must be replaced once work is completed.
25. Typically underground cables are laid in trenches between 450mm and 1.0m deep, although some high voltage cables will be deeper, however, depths should never be assumed.
26. A cable is positively located only when it has been safely exposed. Even then, digging should still proceed with care as there may be other cables adjacent or lower down.

27. Occasionally, cables are terminated in the ground by means of a seal, sometimes with external mechanical protection. These “pot ended” or “bottle ended” cables should be treated as live and should not be assumed to be abandoned or disused. They can be difficult to detect with locators even when “live”.
28. Using hand held power tools to break up hard surfaces often leads to accidents. Where practicable, such power tools should only be used 500mm or more away from the indicated line of a cable buried in or below a hard surface. Having done so, the cable should then be positively located by careful hand digging under the hard surface. The hard surface should be gradually removed until the cable is exposed. If the cable is not exposed then it must be assumed to be embedded within the surface. Where possible a cable locator should be used as a depth guide down the side of the excavation.
29. Because of the difficulty in confirming depth, hand held power tools should never be used over the cable unless either:
 - the cable has already been exposed by digging under the surface to be broken out and it is at a safe depth (at least 300mm) below the bottom of the hard surface material; or
 - physical precautions have been taken to prevent the tool striking the cable.
30. Excavating close to electricity cables buried in concrete is dangerous and should not be undertaken unless the cable(s) have been isolated. For this reason alone electricity cables should not be buried in concrete.
31. Using mechanical means to break up concrete can cause damage to cables and if the cable is live, anyone present is likely to be injured.
32. Where mechanical excavators are used in the possible vicinity of underground cables, the work should be arranged so that damage to cables is avoided so far as is reasonably practicable and so that everyone is kept well clear of the excavator bucket while it is digging. Drivers should have been instructed to stay in the cab if a cable is struck. If they have to leave the cab, they should jump clear. If drivers climb down, they may be electrocuted. When a cable is struck, a watch should be kept on the machine and no one should go down into the excavation or approach the mechanical excavator or the cable until GTC are contacted and arranged for the damaged cable to be made safe.
33. Where cables have been exposed:
 - any damage should be reported to GTC immediately on **0800 032 6990** and work should not be undertaken in the vicinity of a damaged cable until GTC has investigated its condition;
 - for more than 1.0m and they cross a trench, support should be provided. If the exposed cable length is shorter than 1.0m support should still be considered if joints have been exposed or the cable appears otherwise vulnerable to damage. Where advice and help is needed contact GTC;

- Suitable precautions should be taken to prevent damage from on-going work in the excavation. This may involve for example the use of physical means (e.g. timber boards, sandbags etc) to prevent mechanical damage. Materials or equipment which could damage or penetrate the outer sheath of the cable should not be used. Cables lying in the bottom of an excavation are particularly vulnerable and should be protected by nail free wooden planks, troughing or other suitable means;
 - cables should not be moved aside unless the operation is supervised by GTC;
 - Precautions should be taken to prevent access by members of the public.
34. GTC should be consulted if it is intended to carry out any of the following activities:
- using explosives within 30m of plant or substations piling or boring within 15m of electric plant
 - excavating within 10m of a substation
 - carrying out nearby deep excavations
 - working near our HV plant.

Precautions for Water Networks

35. Plans do not always show the presence of water service cables (from the water main to premises) but their existence should be assumed.
36. The depth of cover for water mains is normally 750mm in carriageways and grass verges and 750mm footways. The depth of cover for water services is normally 450mm. Remember these covers are to finished level, you may be working in an area, which will be made up or lowered at a later date.
37. Water mains should be located by hand digging before mechanical excavation begins. When the positions and depth of the pipes have been determined, work can proceed.
38. The danger created by damaging a water pipe with an excavator is much greater than if the damage is done with a hand-held power tool (the opposite is true for work near electricity cables and this is reflected in the different safe digging practices). Water pipes may have projections such as valve housings, which are not shown on the plans and to allow for this mechanical excavators should not be used within 500mm of a water pipe.
39. If a water leak is suspected, the following action should be taken immediately:
- Remove all people from the immediate vicinity of the damage. It is important to note that a mechanical excavator may not only cause damage/leakage at the point of impact. For example, damage to a service connection outside the building may result in further, unseen damage to the connection inside the building.
 - Shut down all working plant and machinery in the vicinity of the damage
 - Inform IWNL by dialling **02920 028 711**.
 - Remain on site.

- Do not attempt to make a repair.
 - Assist GTC, approved contractors and Police or Fire Services as requested.
40. Where water pipes cross or are parallel and close to excavations, changes in backfill etc. may cause differential ground settlement and increased stress in the pipe. For pipes parallel and close to excavations, the degree of risk depends upon the depth of the excavation, the distance of the pipe from the excavation, the type of soil and any excessive loading from heavy construction plant and materials. Wherever excavation works may affect the support of the water pipe or cause excessive loading over the water pipe then GTC must be consulted.
 41. No concrete or other hard material should be placed or left under or adjacent to any water pipe as this can cause pipe fracture at a later date. Concrete backfill should not be used within 300mm of a water pipe.
 42. Where an excavation uncovers a water pipe with a damaged wrapping, GTC should be told, so that repairs can be made to prevent future corrosions and leakage.
 43. Pipe restraints or thrust blocks close to water mains should never be removed.
 44. Anyone who carries out work near underground water plant should observe any specific requirements made by the site manager, and ensure that access to the plant by GTC staff is available at all times. No unauthorised repairs to water pipes should be made.
 45. Where PE pipes and cables have been exposed and it is intended hot work (e.g. welding, grinding, etc) be carried out, contact must be made with GTC to confirm additional precautions and actions that may require to be undertaken.
 46. GTC should be consulted if it is intended to carry out any of the following activities:
 - using explosives within 30m of plant
 - piling or boring within 15m of water plant
 - excavating within 10m of water asset structures
 - reducing the cover or protection of a water main or service
 - carrying out nearby deep excavations

Precautions for Fibre Networks

47. Plans may not always show the presence of fibre ducts but their existence should be assumed if GTC advise they have fibre services deployed in the given area. Any planned excavation work should only proceed with due care and attention.
48. Chambers with IFNL marked lids can be used as an onsite indicator that GTC have fibre plant deployed in a given area however an exclusion of their presence does not necessarily mean there is no plant present.
49. In most cases there will be no permanent surface marker posts or other visible indication of the presence of a buried fibre duct. Even if no ducts are shown on plans there may still be ducts present which could have live fibre service installed. A close watch should be kept for any signs which could indicate duct presence such as marker tape. Any marker which is disturbed by our excavations must be replaced once work is completed.

50. The depth of cover for fibre duct is normally 350mm in footways and grass verges, 600mm in carriageways and 1000mm in agricultural deployments. Remember these covers are to finished level, you may be working in an area, which will be made up or lowered at a later date.
51. Fibre ducts should be located by hand digging before mechanical excavation begins. When the positions and depth of the ducts have been determined, work can proceed. Even then, digging should still proceed with care as there may be other ducts adjacent or lower down.
52. If fibre duct damage is suspected, the following action should be taken immediately:
 - Remove all people from the immediate vicinity of the damage. It is important to note that a mechanical excavator may not only cause damage at the point of impact. For example, damage to a fibre connection outside the building may result in further, unseen damage to the connection inside the building.
 - Shut down all working plant and machinery in the vicinity of the damage
 - Inform IFNL NOC immediately on **0845 051 1669**.
 - Remain on site.
 - Do not attempt to make a repair.
53. Where fibre ducts cross or are parallel and close to excavations, changes in backfill etc. may cause differential ground settlement and increased stress on the duct. For ducts parallel and close to excavations, the degree of risk depends upon the depth of the excavation, the distance of the duct from the excavation, the type of soil and any excessive loading from heavy construction plant and materials. Wherever excavation works may affect the support of the fibre duct or cause excessive loading over the fibre duct then GTC must be consulted.
54. No concrete or other hard material should be placed or left under or adjacent to any fibre duct as this can cause damage to the duct at a later date. Any backfill should comply with the requirements of NRSWA. Concrete backfill should not be used within 300mm of a fibre duct.
55. Anyone who carries out work near underground fibre plant should observe any specific requirements made by the site manager, and ensure that access to the plant by GTC staff is available at all times. No unauthorised repairs to fibre ducts should be made.
56. Where fibre ducts have been exposed and it is intended hot work (e.g. welding, grinding, etc) be carried out, contact must be made with GTC to confirm additional precautions and actions that may require to be undertaken.
57. GTC should be consulted if it is intended to carry out any of the following activities:
 - using explosives within 30m of plant or fibre asset structures
 - piling or boring within 15m of fibre plant
 - excavating within 10m of fibre asset structures (including the OSCP)
 - reducing the cover or protection of a fibre duct
 - carrying out nearby deep excavations

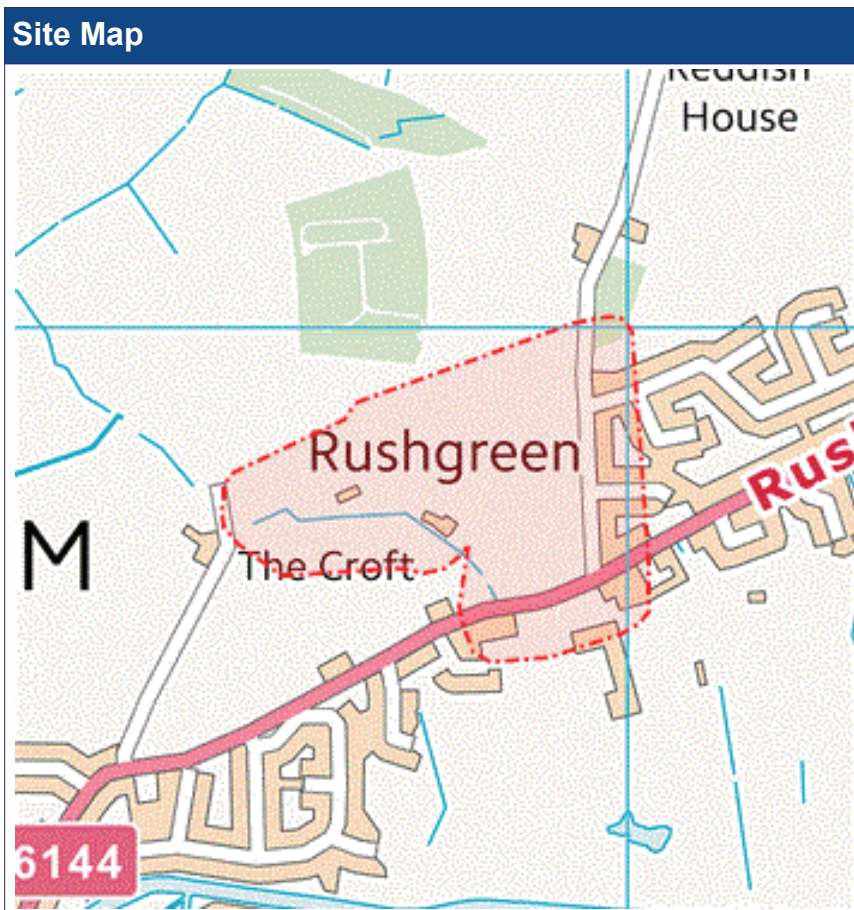
Enquirer

Name	Ms Christina Elliott	Phone	[REDACTED]
Company	Atkins	Mobile	Not Supplied
		Fax	Not Supplied
Address	[REDACTED]		
Email	[REDACTED]		
Notes	Please ensure your contact details are correct and up to date on the system in case the LSBUD Members need to contact you.		

Enquiry Details

Scheme/Reference	LM 50620/SuG		
Enquiry type	Initial Enquiry	Work category	Utility Works
Start date	22/11/2016	Work type	Single excavation site
End date	22/02/2017	Site size	99272 metres square
Searched location	XY= 368842, 387830 Easting/Northing	Work type buffer*	25 metres
Confirmed location	368798 387830		

* The WORK TYPE BUFFER is a distance added to your search area based on the Work type you have chosen.



LSBUD Members who have assets registered on the LSBUD service within the vicinity of your search area.

List of affected LSBUD members

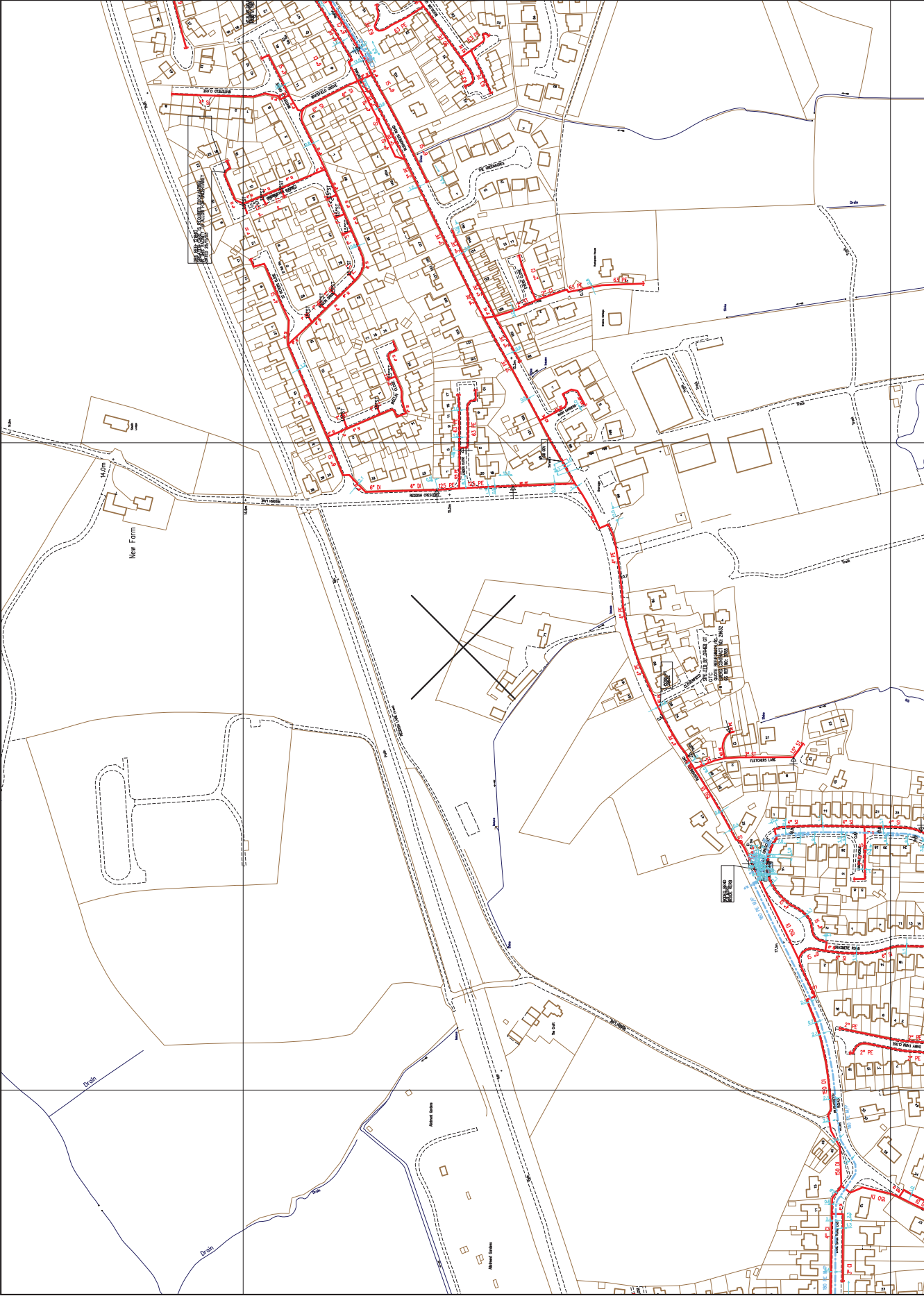
Asset Owner	Phone/Email	Emergency Only	Status
ESP Utilities Group			Await response

LSBUD members who do not have assets registered on the LSBUD service within the vicinity of your search area. Please be aware that LSBUD members make regular changes to their assets.

List of not affected LSBUD members

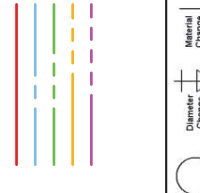
AWE Pipeline	Esso Petroleum Company Limited	Petroineos
BOC Limited (A Member of the Linde Group)	FibreSpeed Limited	Phillips 66
BP Midstream Pipelines	Fulcrum Pipelines Limited	Premier Transmission Ltd (SNIP)
BPA	Gamma	Redundant Pipelines - LPDA
Carrington Gas Pipeline	Humbly Grove Energy	RWEnpower (Little Barford and South Haven)
CATS Pipeline c/o Wood Group PSN	IGas Energy	SABIC UK Petrochemicals
Cemex	Ineos Enterprises Limited	Scottish Power Generation
Centrica Energy	INEOS Manufacturing (Scotland and TSEP)	Seabank Power Ltd
Centrica Storage Ltd	Lark Energy	Shell (St Fergus to Mossmorran)
CLH Pipeline System Ltd	Lightsource SPV Limited	Shell Pipelines
Concept Solutions People Ltd	Mainline Pipelines Limited	Total (Finaline, Colnbrook & Colwick Pipelines)
ConocoPhillips (UK) Ltd	Manchester Jetline Limited	Transmission Capital
Coryton Energy Co Ltd (Gas Pipeline)	Manx Cable Company	Uniper UK Ltd
Dong Energy (UK) Ltd	Marchwood Power Ltd (Gas Pipeline)	Vattenfall
E.ON UK CHP Limited	National Grid Gas (Above 7 bar), National Grid Gas Distribution Limited (Above 2 bar) and National Grid Electricity Transmission	Western Power Distribution
EirGrid	Northumbrian Water Group	Wingas Storage UK Ltd
Electricity North West Limited	NPower CHP Pipelines	Zayo Group UK Ltd c/o JSM Group Ltd
ENI & Himor c/o Penspen Ltd	Oikos Storage Limited	
ESSAR	Perenco UK Limited (Purbeck Southampton Pipeline)	

CHECKED



SCALE: Not to scale
USER ID: SAHU4242
DATE: 17/11/2016
EXTRACT DATE: 24/05/2016
MAP REF: SJ6887
CENTRE: 368842, 387830

Some examples of Pipe Types:
LP MAINS
MP MAINS
P MAINS
LIP MAINS
NIP MAINS



This plan shows those pipes owned by National Grid Gas plc in their role as a Licensed Gas Transporter (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc. are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by National Grid Gas plc or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HSG47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue. Further information on all DRAs can be determined by calling the DR4 hotline on 01455 882426 (9am-5pm). A DR4 is where a potential error has been identified within the asset record and a process is currently underway to investigate and resolve the error as appropriate.

MAPS Viewer Version 5.6.7.0

Local Machine

This plan is reproduced from or based on the OS map by National Grid Gas plc, with the sanction of the controller of HM Stationery Office. Crown Copyright Reserved.

Our Ref: Ref shown on map

email: DBYD@openreach.co.uk
Phone: 0800 023 2023. Option 5

Date of issue shown on map

CHECKED

Dear Customer,

NR & SW ACT 1991 – PROPOSED WORKS AT:

Prior to commencement of work: for free onsite guidance and accurate up to date location of BT plant please contact our Plant Protection Service by the following methods

Email Dial before you dig DBYD@openreach.co.uk

Visit the website www.dialbeforeyoudig.com

Thank you for your request of describing the above proposals.

Enclosed are copies of our drawing marked up to show the approximate locations of BT apparatus which is present in the immediate vicinity of your works. It is intended for general guidance only. No guarantee is given of its accuracy.

It should not be relied upon in the event of excavations or other works made near to British Telecommunications plc apparatus which may exist at various depths and may deviate from the marked route.

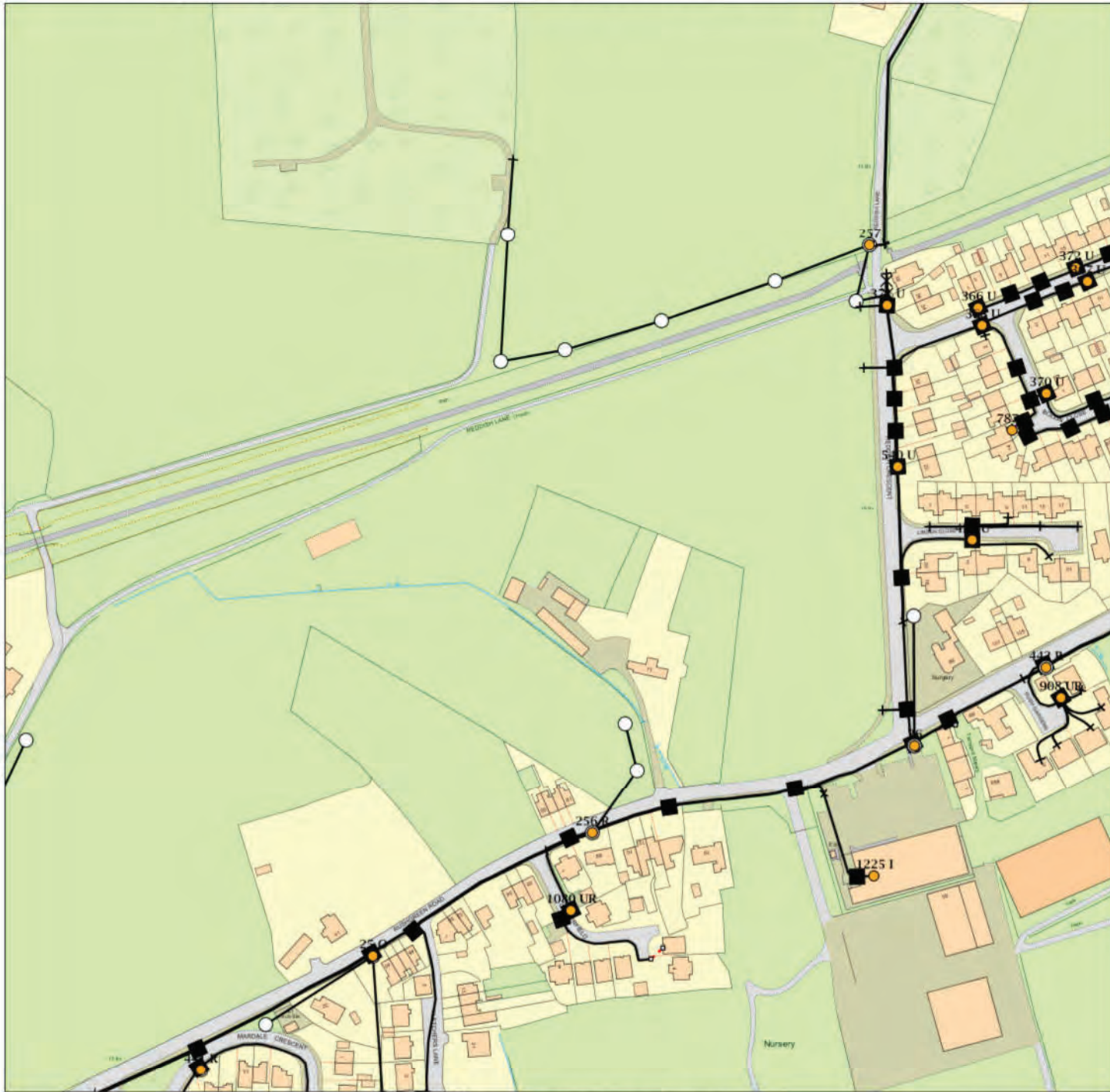
To avoid damage it is recommended that mechanical excavators or borers are not used within 600mm of British Telecommunications plc plant. If scaffolding is erected, please ensure that our equipment is not enclosed, blocked, covered or otherwise obstructed by the scaffolding.

In the event of BT apparatus being in the area of works we recommend that your plant/vehicle crossing is either resited, or apply for a budget estimate by submitting detailed plans to the above address, these will be forwarded to the appropriate department for their comments.

Please ensure you quote our reference on any future correspondence.

Yours faithfully,

Maps by email Plant Information Reply



IMPORTANT WARNING

Information regarding the location of BT apparatus is given for your assistance and is intended for general guidance only. No guarantee is given of its accuracy.

It should not be relied upon in the event of excavations or other works being made near to BT apparatus which may exist at various depths and may deviate from the marked route.



openreach
BT

CLICK BEFORE YOU DIG

FOR PROFESSIONAL FREE ON SITE ASSISTANCE PRIOR TO COMMENCEMENT OF EXCAVATION WORKS INCLUDING LOCATE AND MARKING SERVICE

email cbyd@openreach.co.uk

ADVANCE NOTICE REQUIRED
(Office hours: Monday - Friday 08.00 to 17.00)
www.openreach.co.uk/cbyd

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KEY TO BT SYMBOLS

DP		Pole	
Planned DP		Planned Pole	
PCP		Joint Box	
Planned PCP		Change Of State	
Built		Split Coupling	
Planned		Duct Tee	
Inferred		Planned Box	
Building		Manhole	
Kiosk		Planned Manhole	
Hatchings		Cabinet	
		Planned Cabinet	

Other proposed plant is shown using dashed lines.
BT Symbols not listed above maybe disregarded.
Existing BT Plant may not be recorded.
Information valid at time of preparation

openreach
a BT Group business

BT Ref : POJ07585C

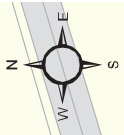
Map Reference : (centre) SJ6881187823

Easting/Northing : (centre) 368811,3878

Issued : 17/11/2016 07:59:08

WARNING: IF PLANNED WORKS FALL INSIDE HATCHED AREA IT IS ESSENTIAL BEFORE PROCEEDING THAT YOU CONTACT THE NATIONAL NOTICE HANDLING CENTRE. PLEASE SEND E-MAIL TO: nnhc@openreach.co.uk

CHECKED



Issues

Sinks

Issues

The position and depths of underground and overhead apparatus as indicated on this plan are approximate and are intended for guidance only. They are not intended to be used as a basis for any design or construction work. You are also informed that the plan may not show, or may inaccurately show, individual property services and services to site lighting installations. The areas of locating the apparatus precisely before their re-erection entirely upon the person undertaking or responsible for those works. Before any such works are undertaken the precise location of the apparatus should be checked by the person undertaking the work. In the event of an emergency or for further assistance please contact 0800-095-9990 (Scotts Power area) or 0800-001-5400 (SP Networks area).

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On behalf of SP Networks Ltd

SP Networks Ltd, 5, Park Square,
3 Phoenix Way, Preston, CH4 3ET
Registered in England and Wales No. 2386937

OVERHEAD LINE
LAND/GROUND CABLES

Out of line
Assumed route

VOLTAGE COLOUR KEY

EHV	120V	BLUE
HV	33kV	GREEN
LV		RED
		BROWN

When cables have been laid SINCE 1 OCTOBER 1988, the following depths in mm apply (to the tops of cables or ducts) to the minimum depths to be maintained in the ground (TO TOP OF CABLE, ADD 7mm FOR BOTTOM OF TRENCH)

IN FOOTPATHS	775	600	450
ALONG ROADS	775	700	600
AGRICULTURAL	910	910	910

Your attention is drawn to the Health and Safety Executive document HSG27, 'Installation of RSE'

DATE: 17/11/2016

SCALE: 1 : 500

MAP REFERENCE: 368,631 387,823

0 1 2 3 4 5 6 7 10.5 14 Metres

This map image may not be used for planning application use



This map image may not be used for planning application use

DATE	17/11/2016
SCALE	1 : 500
MAP REFERENCE	368,937 387,926
	0 1 2 3 4 5 6 7 10.5 14
	Metres

When cables have been laid SINCE 1 OCTOBER 1988, the following depths in mm apply (to the top of cables or ducts) (TO TOP OF CABLE, ADD 20mm FOR BOTTOM OF TRENCH)

IN FOOTPATHS :	775	600	450
ALONG ROADS :	775	700	600
AGRICULTURAL :	910	910	910

Your attention is drawn to the Health and Safety Executive Document HSG27, available from HSE.

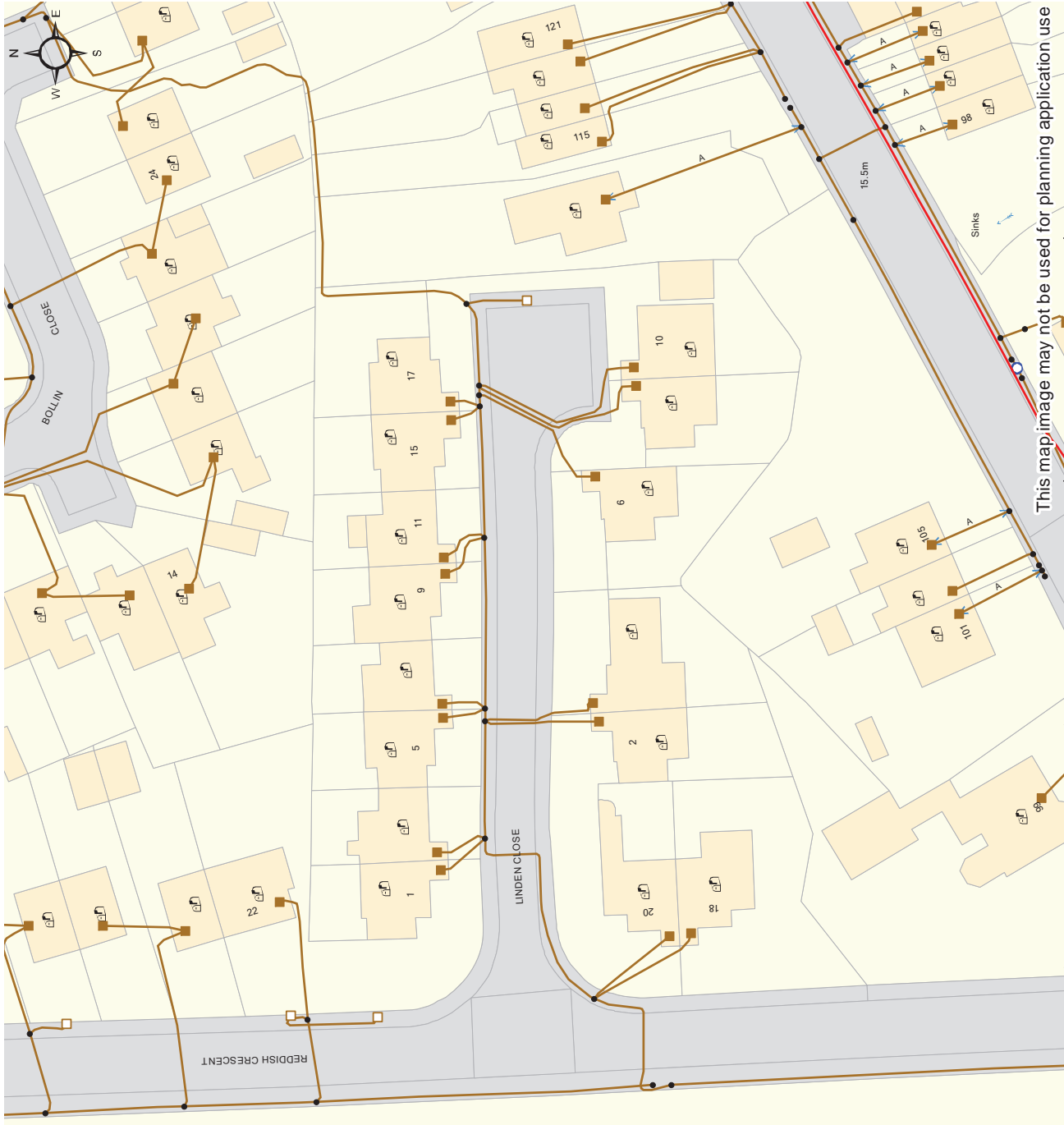
OVERHEAD LINE	---
DANGER GROUND CABLES	---
Out of line	---
Assumed route	---
VOLTAGE COLOUR KEY	
EHV	13kV
HV	11kV
LV	1kV
	RED
	BROWN

SP ENERGY NETWORKS
 On behalf of SP Networks Ltd

SP Networks plc, c/o E.ON Energy Services, 3 Phoenix Way, Preston, CH4 9JY
 Registered in England and Wales No. 2389237

The position and depths of underground and overhead apparatus as indicated on this plan are approximate and are intended for guidance only. They are not intended to be used as a basis for any design or construction work. You are also informed that the plan may not show, or may inaccurately show, individual property services and services to site lighting installations. The onus of locating the apparatus precisely before any work is carried out is entirely upon the person undertaking or responsible for those works. Before any such works are undertaken the precise location of the apparatus should be confirmed by the person responsible for the works. In the event of an emergency or for further assistance please contact 0800-092-9290 (Scotts Power area) or 0800-001-5400 (SP Networks area).

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SP ENERGY NETWORKS
On behalf of SP Networks Ltd

SP Networks plc, 5, Park Square,
3 The Quadrant, Watlington, Oxford, OX4 3EY
Registered in England and Wales No. 238937

When cables have been laid SINCE 1 OCTOBER 1988, the following depths in mm apply (to the tops of cables or ducts) unless otherwise stated:
 (1) TO TOP OF CABLE, ADD 70mm FOR BOTTOM OF TRENCH

DATE: 17/11/2016
 SCALE: 1 : 500
 MAP REFERENCE: 365,981 387,820
 0.1, 753.5, 7, 10.5, 14
 Metres

OVERHEAD LINE
 DANGER GROUND CABLES
 Out of line
 Assumed route

VOLTAGE COLOUR KEY
 120V: BLUE
 13kV: GREEN
 HV: RED
 LV: BROWN

IN FOOTPATHS: 75 600 460
 ALONG ROADS: 75 700 600
 AGRICULTURAL: 90 910 910
 HV HV LV
 Your attention is drawn to the Health and Safety
 (Offshore Installations) Regulations 1995.



This map image may not be used for planning application use

DATE	17/11/2016
SCALE	1 : 500
MAP REFERENCE	368,935 387,718
0.1, 753.5 7 10.5 14	Metres

Where cables have been laid SINCE 1 OCTOBER 1988, the following depths in mm apply (to the tops of cables or ducts) (TO TOP OF CABLE, ADD 75mm FOR BOTTOM OF TRENCH)

IN FOOTPATHS	75	600	450
ALONG ROADS	75	700	600
AGRICULTURAL	90	910	910

Your attention is drawn to the Health and Safety Executive document HSG27, 'Installation of Cables'.

OVERHEAD LINE	---
UNDERGROUND CABLES	---
Assumed route	---
130V	---
110V	---
100V	---
LV	---

SP ENERGY NETWORKS
On behalf of SP Networks Ltd

SP Networks plc, 5th Floor, 21, Abchurch Lane, London EC4A 3DF
3 Preston Way, Preston, CH4 4SE
Registered in England and Wales No. 2389337

The position and depths of underground and overhead apparatus as indicated on this plan are approximate and are intended for guidance only. They are not intended to be used as a basis for any construction work. You are also informed that the plan may not show, or may inaccurately show, individual property services and services to site lighting installations. The onus of locating the apparatus precisely before their works is entirely upon the person undertaking or responsible for those works. Before any such works are undertaken the precise location of the apparatus should be confirmed by the person undertaking the works. In the event of an emergency or for further assistance please contact 0800-095-9290 (Scotts Power area) or 0800-001-5400 (SP Networks area).

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UTILITY MAP VIEWER (UMV)

SYMBOLS AND SCALES VERSION 3.2

Author: Louise Edwards, Steve Holmes, Sheryl Wilkinson, Naomi Kishigami, Megan Williams

Date: 25th February 2016

Contents

Introduction..... 3

GIS Symbols and Scales 4














Introduction

The GIS application suite comprising UTMV, ArcView and ArcMap is in everyday use throughout the company, as well as being available to scores of third party companies throughout the UK.







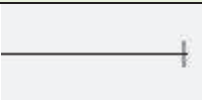
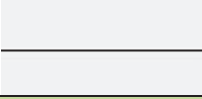

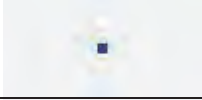
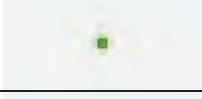
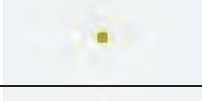
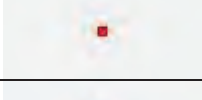

Within the pages of this document, a brief explanation for each asset type modelled within GIS is given. Said explanation comprises the asset name, its symbology, its whereabouts within the layer control environment and finally the scale range at which they become visible.

Knowing at which scales assets are designed to be visible at may well solve users problems based on 'it's ticked to display but I can't see anything...'


















GIS Symbols and Scales

Symbology	Asset	Scale
Substation Locations		
/ Ground-Mounted Sub		
	Trans/Grid Substation (including. Switchgear Only)	<65,000
	Primary Substation (including. Switchgear Only)	<50,000
	Secondary Substation (including. Switchgear Only)	40 - 7,505
	LV Only Substation	40 - 5,005
	Externally Deleted Substation	Same as their voltages above
	Building and Site Only	Same as their voltages above
/ Pole-Mounted Sub		
	Pole Mounted Secondary Substation	<25,000
	Pole Mounted Secondary Substation (Externally Deleted)	<25,000
	Remote Equipment Location	<25,000
	Remote Equipment Location (Externally Deleted)	<25,000
Overhead Assets		
Under Each Voltage		
	Single Pole	<7,505
	A Pole	<7,505
	H Pole	<7,505






Symbols and Scales

	3 Member Pole	<7,505
	4 Member Pole	<7,505
/ Trans / Tower		
	Single Circuit	<10,005
	Dual Circuit	<10,005
	Tri Circuit	<10,005
	Quad Circuit	<10,005
/ Support Structure		
	Stay	<7,500
	Flying Stay	<7,500
Ground Assets		
Under Each Voltage		
	Cable Joint	<2,505
Under Each Voltage		
	Trans Metered Service Point (400/275/132kV)	<2,000
	EHV Metered Service Point	<2,000
	HV Metered Service Point (22kV)	<2,000
	HV Metered Service Point (11kV)	<2,000
	HV Metered Service Point (6.6kV)	<2,000







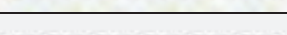




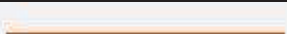
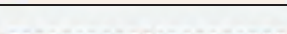
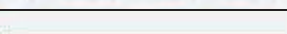
Symbols and Scales

	LV Metered Service Point	<750
/ LV / LV Switch Point		
	Pillar	<2,505
	Link Box	<2,505
/ LV / UnMetered Service Point		
	Unmetered Service Point	<2,000
General Info		
/ Line Info / Assumed Route		
	Assumed Route	<2,505
/ Line Info / Others		
	Duplex	<2,505
	Water Main	<2,505
	Moled Cable	<2,505
	Non Standard Depth	<2,505
/ General Info		
	Danger	<2,000
	Fault Indicator	<2,000
	11Kv Surge Divertor	<2,000
	33Kv Surge Divertor	<2,000
	Approximation	<2,000
	Assumed Position	<2,000
	Clarity Point	<2,000
	Earth Point	<2,000







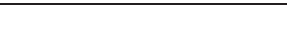
Symbols and Scales

	Edge Connector	<2,000
	Note	<2,000
	Pseudo Joint	<2,000
	Quality	<2,000
	Second Corner	<2,000

Overhead Lines, Underground Cables and Non Power Cables

Symbology	Asset	Scale
Overhead Assets		
	Trans	<65,000
	33kV	<50,000
	22kV	<50,000
	11kV	<50,000
	6.0kV and 6.6kV	<50,000
	LV	<50,000
	Out of Use	Same as their voltages above
Ground Assets		
	Trans	<65,005
	Trans (Out of Use)	<65,005
	33kV	<50,000
	33kV (Out of Use)	<50,000
	22kV	<50,000
	22kV (Out of Use)	<50,000
	11kV	<7,500

Symbols and Scales

	11kV (Out of Use)	<7,500
	6.0kV and 6.6kV	<7,500
	6.0kV and 6.6kV (Out of Use)	<7,500
	LV	<5,005
	LV (Out of Use)	<5,005
	Non-Power	<2,505
	Non-Power (Out of Use)	<2,505

UU Maps for Safe Dig

Centre : X : 368803

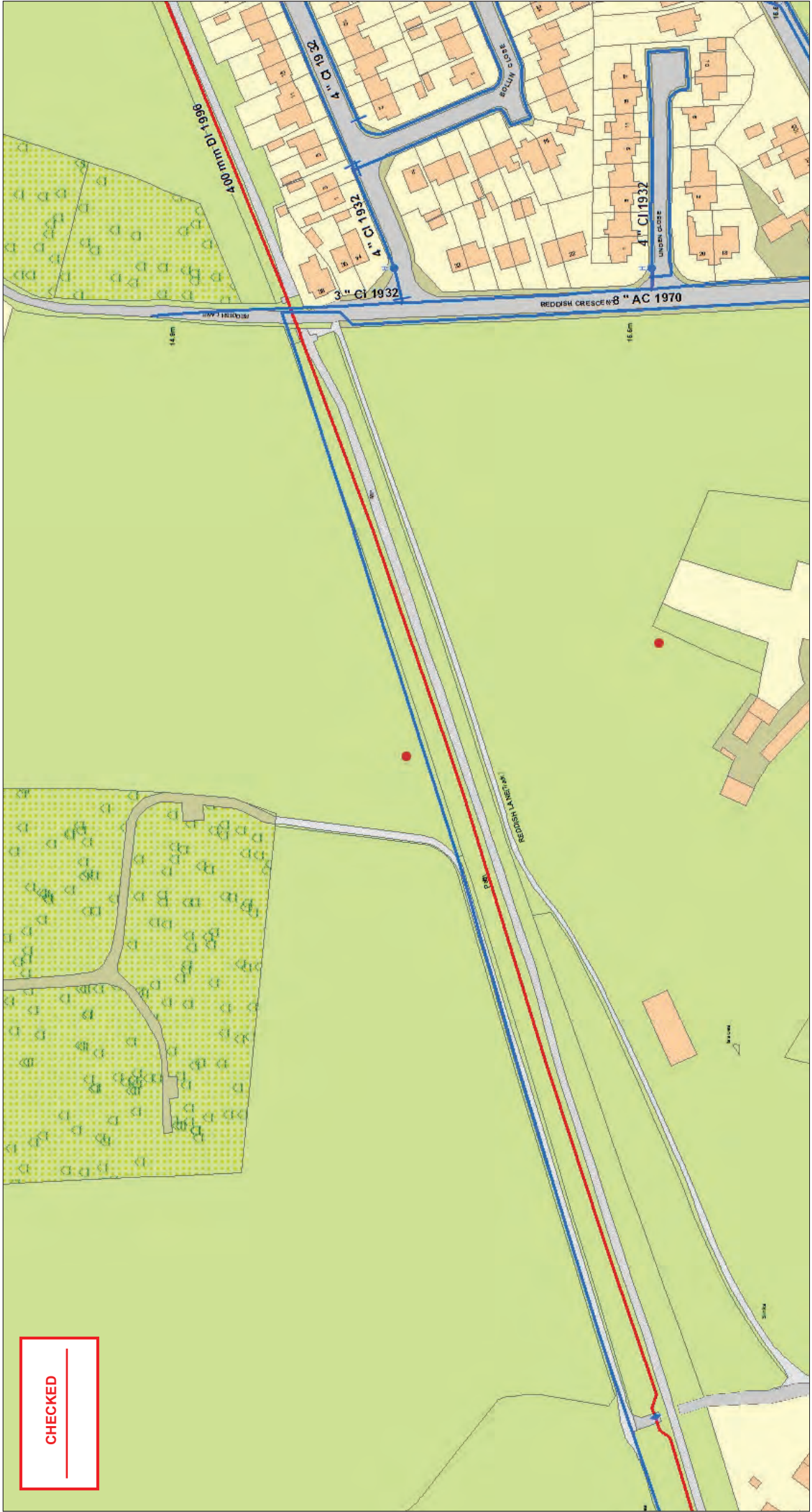
Y : 387917

Date :

17/11/2016 08:10:26

Scale Approx : 1250.000000000015

CHECKED



Extract from maps of United Utilities' Underground Assets

The position of the underground apparatus shown on this plan is approximate only and is given in accordance with the best information currently available. The actual positions may be different from those shown on the plan and private service pipes may be shown by a blue broken line. United Utilities Water will not accept liability for any damage caused by the actual position being different from those shown.
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UU Maps for Safe Dig

Centre : X : 368805

Y : 387698

Date :

17/11/2016 08:12:44

Scale Approx : 1:250,000,000,000,000,000



Extract from maps of United Utilities' Underground Assets

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UU Maps for Safe Dig

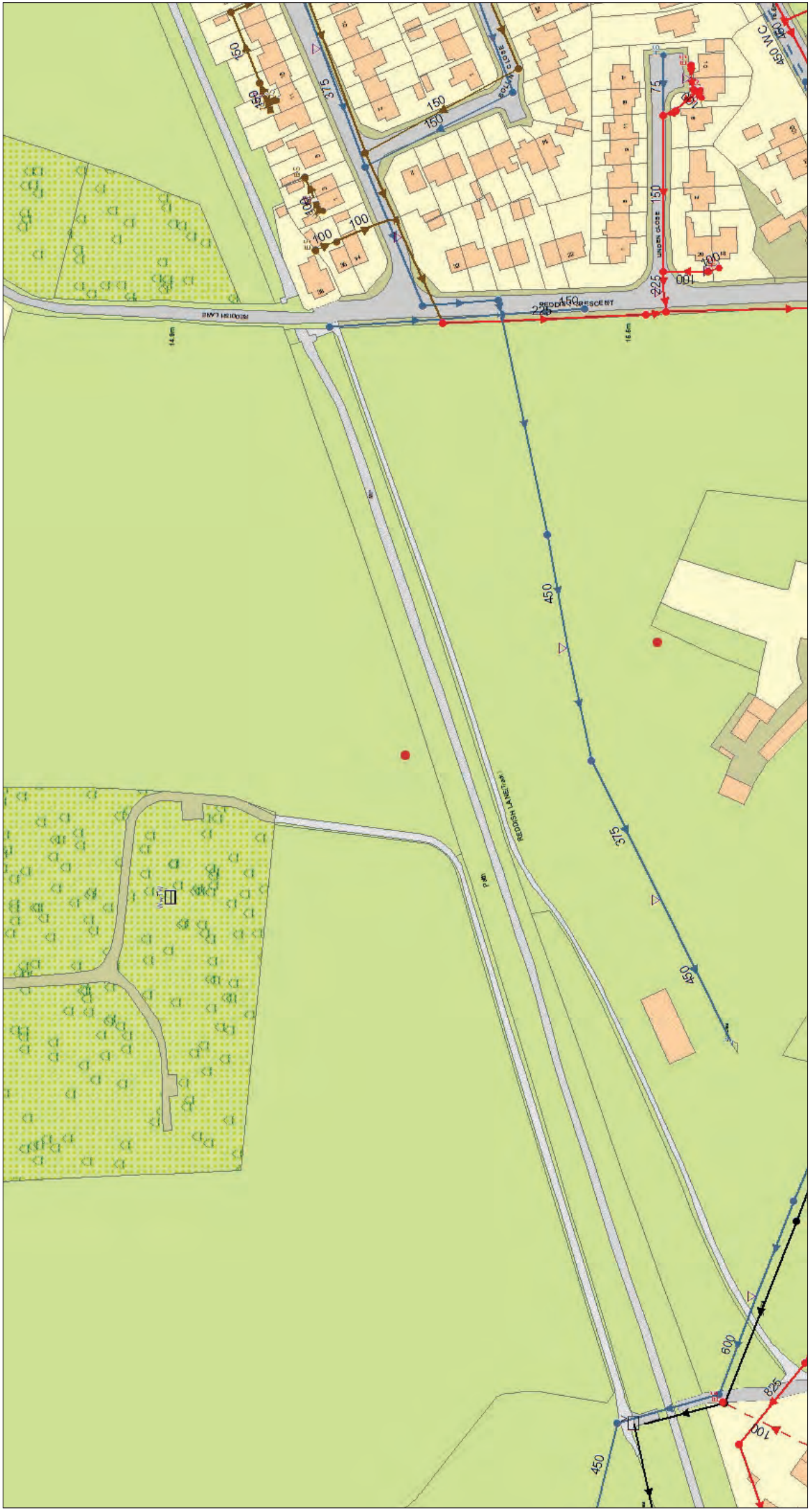
Centre : X : 368803

Y : 387917

Date :

17/11/2016 08:11:06

Scale Approx : 1:250,000,000,000,000,000



Extract from maps of United Utilities' Underground Assets

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UU Maps for Safe Dig

Centre : X : 368805

Y : 387698

Date :

17/11/2016 08:12:18

Scale Approx : 1:250,000,000,000,000,000



Extract from maps of United Utilities' Underground Assets

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UNITED UTILITIES PLC

Wastewater Legend

Foul	Surface	Combined	Overflow	
				MainSewer, Public
				MainSewer, Private
				MainSewer, S104
				Rising Main, Public
				Rising Main, Private
				Rising Main, S104
				Highway Drain, Private

Abandoned Wastewater

	MainSewer
	Rising Main
	Highway Drain

Clean Water Legend

Live	Proposed	
		Distribution Main
		Trunk Main
		Raw Water Aqueduct
		LDTM Raw Water Distribution
		LDTM Treated Water Distribution

Abandoned Clean Water

	Distribution Main
	Trunk Main
	Pressurised Raw Water Aqueduct
	Gravity Raw Water Aqueduct
	Pressurised LDTM Raw Water Distribution
	Pressurised LDTM Treated Water Distribution
	Gravity LDTM Raw Water Distribution
	Gravity LDTM Treated Water Distribution
	Private Pipe



We have checked CityFibre's website and in this instance your area is not affected.

Shenoy, Ashvin

From: [REDACTED]
Sent: 18 November 2016 17:38
To: Statutory Enquiries
Subject: RE: Plant Enquiry - 50620 - Site at Reddish Crescent, Lymm - Please respond by 22/11/2016

Dear Sir/Madam,

Thank you for submitting your recent plant enquiry.

Based on the information provided, I can confirm that Energetics does not have any plant within the area(s) specified in your request.

Please be advised that it may take around 10 working days to process enquiries. In the unlikely event that you have been waiting longer than 10 working days, or require further assistance with outstanding enquiries, please call [REDACTED]

Please ensure all plant enquiries are sent to [REDACTED]

Regards

Plant Enquiries

T: [REDACTED]
E: [REDACTED]
W: www.energetics-uk.com

energetics



-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]]
Sent: 17 November 2016 03:53
To: [REDACTED] Plant Enquiries; [REDACTED]
[REDACTED]
Cc: [REDACTED]
Subject: Plant Enquiry - 50620 - Site at Reddish Crescent, Lymm - Please respond by 22/11/2016

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Consider the environment. Please don't print this e-mail unless you really need to.



REFERENCE: LM 50620

SITE: Site at Reddish Crescent, Lymm

KCOM Group PLC

Tel: [REDACTED]

Fax: [REDACTED]

Date:

Our Ref:

Your Ref:

Dear Sirs

Please note this is a standard response made on behalf of the KCOM Group by Atkins.

With regards to your request for details of existing services in the search area supplied, we can confirm that based on the details provided to us, we have no buried plant or equipment in the identified area.

This is valid for 3 months from the date of receipt of this email. If any further information is required, please call [REDACTED] or email our group email address -

highwaysadmin@kcom.com

For clarity, the KCOM group consists of KCOM, Affiniti, Torch Telecom, DRL & Kingston Communications.

Yours faithfully

Enc.

Please quote our reference number in all replies

Shenoy, Ashvin

From: [REDACTED]
Sent: 17 November 2016 18:32
To: Statutory Enquiries
Subject: RE: Plant Enquiry - 50620 - Site at Reddish Crescent, Lymm - Please respond by 22/11/2016

Dear Sir/Madam,

With regards to your enquiry, Network Rail does not believe there is any Network Rail owned apparatus or underground services within the area you have defined. As there is always the possibility that new works could be planned and undertaken in this area by Network Rail this information is valid as at today's date and is supplied for general guidance only.

Please be aware that this response is based on Network Rail's records and knowledge and no guarantee can be given regarding accuracy or completeness. CAT scans, safe digging practices (as contained in HSE publications) and other appropriate investigative techniques should always be carried out.

There may be other apparatus or underground services owned or operated by Utility Companies and accordingly you should contact individual utilities for information.

If, in connection with your investigations and/or work, you become aware of Network Rail apparatus or underground services within your area of work, please ensure these are notified to our Asset Protection team via the following link as a matter of urgency so that appropriate measures for avoidance of risk and damage can be put in place.

https://urldefense.proofpoint.com/v2/url?u=http-3A__www.networkrail.co.uk_aspx_1758.aspx-3Fcd-3D1&d=DgIFAw&c=cUkzcZGZt-E3UgRE832-4A&r=cWjpnr1Nvb5GpbBsY43xvGOqQ_3PdNa9KLbP1Zgk_oio_5IXI2DtWBcADHfise3Q&m=eEBEyrnbHnhKNJH6aeH1ZE57LsxDSae5_Uj8Fjq4zLI&s=1x-2a7VQzojAfiZbVdPIzuh_abmTA0I41_H3MbeJcdI&e=

If you require any further clarification on any of the information please contact

[REDACTED]

Regards

Mandy Adams
Distribution Administrator (NRSWA), Asset Information Services

Asset Information Services: to inspire & enable through the power of data [REDACTED]

T: [REDACTED]
E: [REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 17 November 2016 03:53
To: [REDACTED]

OP Buried

Shenoy, Ashvin

From: Interoute Enquiries <[REDACTED]>
Sent: 17 November 2016 14:58
To: Statutory Enquiries
Subject: RE: Plant Enquiry - 50620 - Site at Reddish Crescent, Lymm - Please respond by 22/11/2016

This response does not include Vtesse or Easynet plant, please continue to use Vtesse or Easynet details for their enquiries

To whom it may concern

Thank you for your enquiry regarding the above proposals at the above location

We would advise that we are unaware of any Interoute plant or services in this Location as indicated in your enquiry.

We bring to your attention the fact that whilst we try to ensure the information we provide is accurate, the information is provided Without Prejudice and Interoute and its Agents accept no liability for claims arising from any inaccuracy, omissions or errors contained in this response.

All responses are only valid for 28 days

Yours faithfully

PLANCAST Plant Enquiry Department

[REDACTED]

T: [REDACTED]
www.plancast.co.uk

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Registered office: [REDACTED]

Registered in England and Wales with number 4455025 VAT No. 8567 195 80 -----Original Message-----

From: [REDACTED]

Sent: 17 November 2016 03:53

To: [REDACTED]

[REDACTED]; Interoute Enquiries <[REDACTED]>

Cc: [REDACTED]

Subject: Plant Enquiry - 50620 - Site at Reddish Crescent, Lymm - Please respond by 22/11/2016

Shenoy, Ashvin

From: [REDACTED]
Sent: 17 November 2016 17:12
To: Statutory Enquiries
Subject: Sky Telecommunications Services Ltd Plant Enquiry - PEN-16-11-2171 : ATKINS - 50620

Attention: Ready to Dig - ATKINS

Dear Sir/Madam,

RE: Site at Reddish Crescent, Lymm

Thank you for your enquiry.

Please be advised that Sky Telecommunications Services Ltd will not be affected by these works.

Best endeavours have been made to ensure accuracy, however if you require further information, please contact us.

If you would like to submit your plant enquiries electronically, please send them to [REDACTED]

Please be advised that our fax number has changed to [REDACTED]

Regards

NRSWA Department

[REDACTED]

SL1 4PN

[REDACTED]

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We have checked SSE's website and in this instance your area is not affected.



We have checked Trafficmaster's website and in this instance your area is not affected.

Shenoy, Ashvin

From: [REDACTED]
Sent: 17 November 2016 14:45
To: Statutory Enquiries
Cc: UK OSP-Team
Subject: RE: Plant Enquiry - 50620 - Site at Reddish Crescent, Lymm - Please respond by 22/11/2016

Dear Sir/Madam

Verizon is a licensed Statutory Undertaker.

We have reviewed your plans and have determined that Verizon (Formally known as MCI WorldCom, MFS) has no apparatus in the areas concerned.

If you have any further queries please do not hesitate to get in touch.

Yours faithfully

Plant Protection Officer (GB) Email [REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 17 November 2016 03:53
To: [REDACTED]
Cc: [REDACTED]
Subject: Plant Enquiry - 50620 - Site at Reddish Crescent, Lymm - Please respond by 22/11/2016

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Consider the environment. Please don't print this e-mail unless you really need to.

Verizon UK Limited - registered in England & Wales - registered number 2776038 - registered office at [REDACTED]
[REDACTED] - VAT number 823 8170 33

Shenoy, Ashvin

From: Kumar, Krishnaraj
Sent: 18 November 2016 11:44
To: Statutory Enquiries
Subject: RE: Plant Enquiry - 50620 - Site at Reddish Crescent, Lymm - Please respond by 22/11/2016

Please accept this email as confirmation that Vodafone: Fixed **does not** have apparatus within the vicinity of your proposed works detailed below.

Many thanks.

Plant Enquiries Team
[REDACTED]

ATKINS working on behalf of Vodafone: Fixed



This response is made only in respect to electronic communications apparatus forming part of the Vodafone: Fixed electronic communications network formerly being part of the electronic communications networks of Cable & Wireless UK, Energis Communications Limited, Thus Group Holdings Plc and Your Communications Limited.

PLEASE NOTE:

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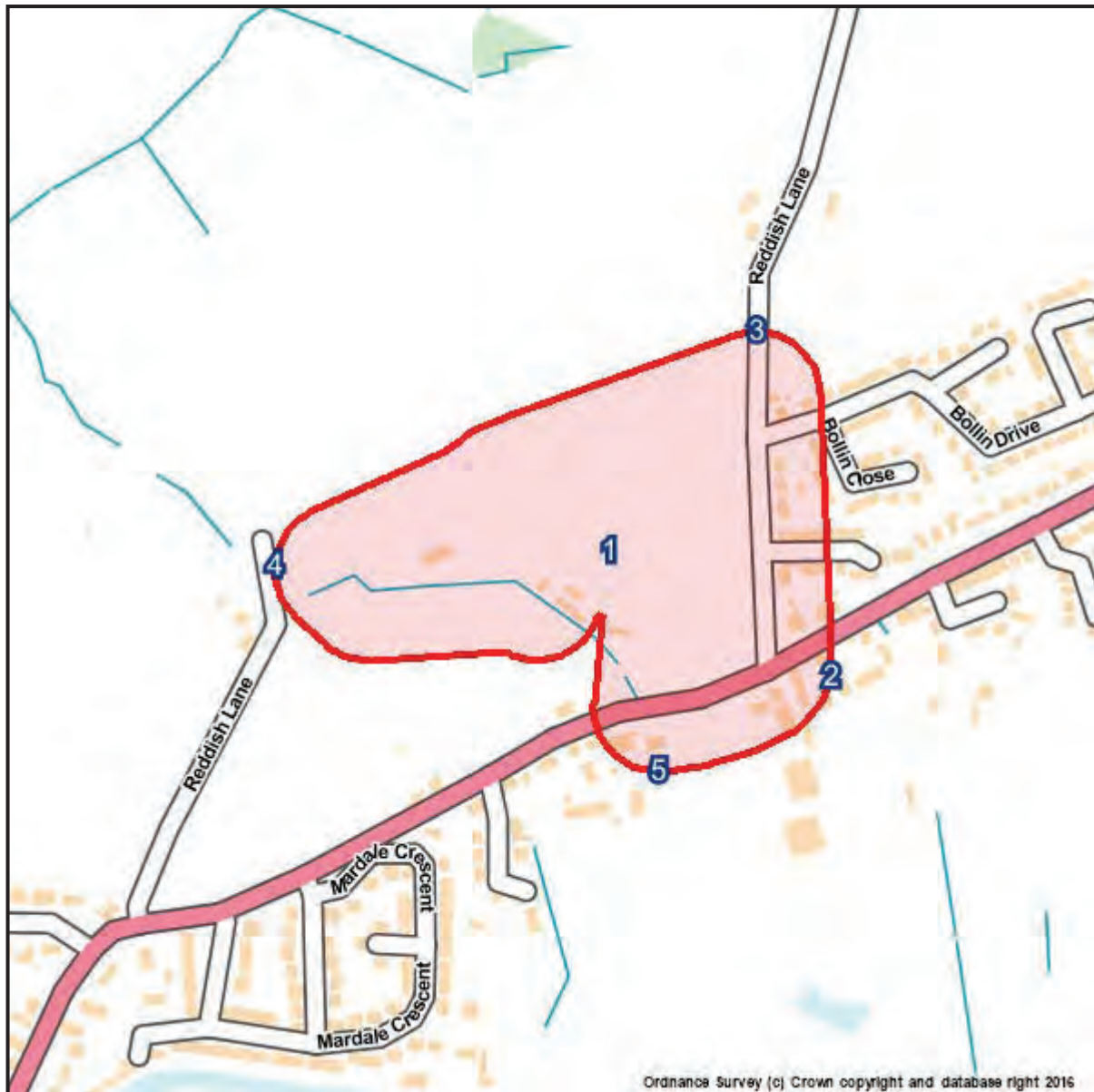
Please consider the environment before printing this e-mail

From: [REDACTED]
Sent: 17 November 2016 09:23
To: [REDACTED]

Cc: [REDACTED]
Subject: Plant Enquiry - 50620 - Site at Reddish Crescent, Lymm - Please respond by 22/11/2016

Our Reference: 50620
Site Name: Site at Reddish Crescent, Lymm
Works Description: Building Works - Low Rise
Site Grid References: 368730 387830,368964 387740,368632 387816,368956 387951,368880 387709

Checked by AB



Please ensure that the search data covers the **COMPLETE AREA** within the boundary lines on this map. (marked by: **——**)

Landmark will not be held responsible for any incident or accident arising from the use of the information associated with this particular Statutory Search. The details provided are given in good faith, but no liability whatsoever can be accepted in respect thereof.

REFERENCE: 50620

SITE: Site at Reddish Crescent, Lymm

POST CODES:

WA13 9RH, WA13 9RP, WA13 9PU, WA13 9PR

SITE SIZE: 9.27 ha

MAP SCALE: 1:5000

COORDINATES:

1) 368842 387830; 2) 369014 387732; 3) 368956 388001; 4) 368582 387818; 5) 368880 387659;

Site at Reddish Crescent, Lymm

OSGR: 368860,387840

Date Requested: 16-Nov-2016

WA13 9PT

Client Reference:

105029107_1

Affected Utilities We have received plans/information from the following companies. Please see the enclosed response.

Utility	Category	Date Issued	Late Response Issue Date	Notes
ESP Utilities Group	Pipeline,	23 Nov 16		
GTC	Telecom, Gas, Electric, Water, Pipeline,	23 Nov 16		
LinesearchbeforeUdig	Pipeline,	23 Nov 16		ESP Utilities Group - identified as affected. See separate response.
National Grid Gas	Gas,	23 Nov 16		
Openreach - [British Telecommunications]	Telecom,	23 Nov 16		
SP Energy Networks - (Manweb)	Electric,	23 Nov 16		Only affected shown.
United Utilities	Water, Sewerage,	23 Nov 16		

No response received We are still awaiting a full response from the following companies.

Utility	Category	Date Issued	Late Response Issue Date	Notes
C.A. Telecom UK - [Colt Technology Services]	Telecom,			
Environment Agency	Environmental Agency,			
Instalcom - [Level 3, Global Crossing (UK) & PEC and Fibernet UK]	Telecom,			
Interoute Vtesse	Telecom,			
McNicholas - [KPN International]	Telecom,			
McNicholas - [TATA Communications]	Telecom,			
Virgin Media	Telecom,			
Warrington Borough Council	Council,			

Not affected utilities We have received a not affected/no plant present response from the following companies.

Utility	Category	Date Issued	Late Response Issue Date	Notes
CityFibre	Telecom,	23 Nov 16		Website used.
Energetics	Gas, Electric, Water,	23 Nov 16		
KCOM Group	Telecom,	23 Nov 16		
Network Rail	Rail,	23 Nov 16		
Plancast - [Interoute]	Telecom,	23 Nov 16		
SKY Telecommunications Services	Telecom,	23 Nov 16		
SSE	Telecom, Gas, Electric,	23 Nov 16		Website used.
Trafficmaster	Other,	23 Nov 16		Website used.
Verizon	Telecom,	23 Nov 16		
Vodafone	Telecom,	23 Nov 16		

Checked and Validated By Alison Friend

Date 23 November 2016



Definition of Terms

- Affected** Utility supplier is expected to be affected by any work carried out in the area searched as their records indicate their plant is in or close to the area searched. It is recommended to anybody carrying out works in the area that they should consult with the utility company as soon as possible and in any event prior to carrying out any works.
- No response received** At the date of sending the report no response has been received from the utility supplier.
- Not affected** Utility supplier is not expected to be affected by any work carried out in the area searched as their records indicate their plant is not in or close to the area searched.

Appendix 4

25 November 2016

Land at Rushgreen
Road, Lymm

Preliminary
Ecological Appraisal

Report Number: 10740_R01_LJD_HM

Author: Lisa Davies BSc (Hons) MA
ACIEEM

Checked: John Moorcroft MSc MCIEEM
CEnv



Tyler Grange

Birmingham · Cotswolds · Exeter · London · Manchester

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Appendices

- Appendix 1: Legislation and Planning Policy
- Appendix 2: Ecology Survey Planner

Plan

Habitat Features Plan
10470/P01 LJD/LHM November 2016

The contents of this report are valid at the time of writing. Tyler Grange shall not be liable for any use of this report other than for the purposes for which it was produced. Owing to the dynamic nature of ecological, landscape, and arboricultural resources, if more than twelve months have elapsed since the date of this report, further advice must be taken before you rely on the contents of this report. Notwithstanding any provision of the Tyler Grange LLP Terms & Conditions, Tyler Grange LLP shall not be liable for any losses (howsoever incurred) arising as a result of reliance by the client or any third party on this report more than twelve months after the date of this report.



Summary

- S.1. This report has been prepared by Tyler Grange LLP on behalf of The Strategic Land Group. It sets out the findings of a preliminary ecological appraisal (PEA) of a parcel of land at Rushgreen Road, Lymm at OS Grid Reference SJ6886087830, hereinafter referred to as the 'site' to inform the site's promotion for residential development.
- S.2. The site is approximately 2.6ha comprising an arable (negligible value) an improved field (negligible value) with scattered mature trees (local value), species poor hedgerow (site only value) and tall ruderal (site only value). The site is not covered by any statutory or non-statutory nature conservation designations, however there are several statutory and non-statutory sites within the study area.
- S.3. Provision of public open space and access to public rights of way within any future development should be included to ensure that detrimental impacts to LWSs are minimised.
- S.4. Habitats on site have the potential to support the following species:
- Badger
 - Bats
 - Breeding birds (including barn owl)
- S.5. It is recommended that a buffer is retained between the Trans Pennine Trail, the ditch adjacent to the western boundary and any development proposed. In addition, mature trees and hedgerows should be retained, where possible.
- S.6. Depending on the proposed development design, the following further surveys may be required to inform any future planning application.
- Full desk study;
 - Badger;
 - Bats – activity and tree assessment;
- S.7. Providing that the above issues and or provision of further information in relation to protected species can be addressed, it is considered that development of the site for housing, can accord with relevant wildlife legislation and planning policy.



Section 1: Introduction

- 1.1. This report has been prepared by Tyler Grange LLP on behalf of The Strategic Land Group. It sets out the findings of a preliminary ecological appraisal (PEA) of a parcel of land at Rushgreen Road, Lymm at OS Grid Reference SJ6886087830, hereinafter referred to as the 'site'. This PEA is to inform the site's promotion for residential development.

Context

- 1.2. The site is approximately 2.6ha comprising an arable an improved field with scattered mature trees, species poor hedgerow and tall ruderal. The site is bounded to the north by the Trans Pennine Trail, to the east by Reddish Crescent and residential development, to the south by Rushgreen Road and residential development and to the west by farm dwellings and arable fields beyond.

Purpose

- 1.3. This report:
- Uses available background data and results of a field survey, to describe and evaluate the ecological resources present within the likely 'zone of influence' (Zol)¹ of the proposed development;
 - Describes the actual or potential ecological issues and opportunities that might arise as a result of the site's future development for housing;
 - Where appropriate, makes recommendations for mitigation of adverse effects and ecological enhancement, to ensure conformity with policy and legislation listed in Appendix 1; and
 - Assuming site allocation, identifies further work required to inform a future planning application.
- 1.4. It is not intended that this report should be submitted with a planning application for development of the site, unless supported by the results of further surveys and a detailed assessment of the effects of the proposed development.
- 1.5. This assessment and the terminology used are consistent with the 'Guidelines for Ecological Impact Assessment' (CIEEM, 2016).

¹ Defined as the area/resources that may be affected by the biophysical changes caused by activities associated with a project (CIEEM, 2016)



Section 2: Methodology

Data Search

- 2.1. The aim of the data search is to collate existing ecological information on the site and adjacent areas.
- 2.2. The data search utilising the following sources has been undertaken for a 5km radius around the site for statutorily protected sites and a 2km radius for non-statutorily protected sites:
 - The Multi-Agency Geographic Information for the Countryside website² was accessed for information on the location of statutory designated nature conservation sites within a 5km radius of the site;
 - The Warrington Borough Council website was consulted for details of and non-statutory sites and relevant local planning policies and supplementary planning guidance; and
 - The Cheshire Wildlife Trust website was consulted for details on the Local Biodiversity Action Plan (LBAP) and on priority habitats and species subject to conservation action, to assist with the evaluation of ecological resources and to inform site enhancement strategies.

Extended Phase I Habitat Survey

- 2.3. An 'extended' Phase I habitat survey was undertaken on 21 November 2016 by Lisa Davies, an experienced field ecologist and Associate member of the Chartered Institute of Ecology and Environmental Management (CIEEM). The technique was based upon Phase I survey methodology (JNCC, 2010). This method provides an inventory of the habitat types present and dominant species. Additionally, incidental records of fauna were also made during the survey and the habitats identified were evaluated for their potential to support legally protected and priority species. The weather conditions for the survey were breezy and wet with 100% cloud and temperature of 6°C.

Evaluation

- 2.4. The evaluation of habitats and species was undertaken in accordance with published guidance (CIEEM, 2016). The level of value of specific ecological receptors is assigned using a geographic frame of reference: international value; national; regional; county; local; or within the site boundary only.
- 2.5. Value judgements are based on various characteristics that can be used to identify ecological resources or features likely to be important in terms of biodiversity. These include site designations (such as SSSIs), or for undesignated features, the size, conservation status (locally, nationally or internationally), and the quality of the ecological resource. In terms of the latter, quality can refer to habitats (for instance if they are particularly diverse, or a good example of a specific habitat type), other features (such as wildlife corridors or mosaics of habitats) or species populations or assemblages.

² <http://www.magic.gov.uk/MagicMap.aspx>



Quality Control

- 2.6. The contents of this report have been prepared by ecologists at Tyler Grange LLP, all of whom are members of CIEEM and abide by the Institute's Code of Professional Conduct.



Section 3: Ecological Resources and Evaluation

Context

- 3.1. The site is approximately 2.6ha comprising an arable and improved field with scattered mature trees, species poor hedgerow and tall ruderal. The site is bounded to the north by the Trans Pennine Trail, to the east by Reddish Crescent and residential development, to the south by Rushgreen Road and residential development and to the west by farm dwellings and arable fields beyond.

Protected Sites

Statutory Sites

- 3.2. A number of statutory sites designated for nature conservation are present within a 5km radius of the site, see **Table 3.1**.

Site Name	Designation (importance)	Distance and Direction of Site (km - N/S/W/E)	Description/Summary of reason for designation
Woolston Eyes	SSSI	1.6km NW	Woolston Eyes SSSI is a nationally important site for its breeding bird assemblage of lowland open waters and their margins
Rixton Clay Pits	SAC, SSSI, LNR	2.1km N	Designated for its population of great crested newts <i>Triturus cristatus</i> that occur within 20 ponds on site.
Manchester Mosses	SAC	4km NNW	Designated for its degraded raised bog still capable of regeneration.
Risley Moss	SSSI, LNR (nearest component of the Manchester Mosses Manchester Mosses SAC)	4km NNW	Designated for its raised bog habitat, mosaic of woodland and grassland and for the breeding and wintering bird assemblages supported by these habitats.
Dunham Park	SSSI	4.5km SE	Designated for its pasture woodland with mature trees and the rare forest dung beetle <i>Aphodius zenkeri</i> supported by deadwood habitat.

Table 3.1 Statutory sites designated for nature conservation are present within a 5km radius of the site



- 3.3. Special Areas of Conservation (SACs) are of **International importance**, Sites of Special Scientific Interest (SSSIs) are of **National importance** and Local Nature Reserves (LNRs) are of **Local importance**.

Non Statutory (Local) Sites

- 3.4. The Warrington Local Plan interactive map details four local sites designated for nature conservation, known as Local Wildlife Sites (LWSs) within 2km of the site. The closest site is Lymm Dam Complex (850m SW). Beyond this there are LWSs at Heatley Lake (1.2km E), Statham Ox-Bow (1.2km W) and Helsdale Wood & Newhey's Plantation (1.3km SE).
- 3.5. LWSs are selected on the basis that they meet the criteria for local wildlife sites selection for sites of importance at a county level. They are therefore of **county ecological importance**.

Habitats and Flora

- 3.6. The site supports the following habitats:

- Arable;
- Building;
- Grassland (improved);
- Hedgerows (intact and species poor);
- Mature trees and tree lines; and
- Tall ruderal vegetation;

- 3.7. For ease of reference, habitat types have been described alphabetically, below. All the features described are shown on the Habitat Features Plan **10740/P01**.

Arable

- 3.8. The majority of the site comprises a flat arable field which wasn't sown at the time of survey. There were narrow field margins comprising tall ruderal habitat.
- 3.9. This is a common and widespread habitat with low species diversity. It is of **negligible ecological importance**.

Buildings

- 3.10. A farm building is situated in the northwest corner of the site. The property is an open steel frame with corrugated iron roof.
- 3.11. This building is of no intrinsic ecological value and are therefore considered to be of **negligible ecological importance**.

Grassland (improved)

- 3.12. The northwest corner of the site comprises an area of improved grassland surrounding the farm building. The sward is dominated by grass species, predominantly perennial Rye-grass *Lolium perenne*.



- 3.13. The improved grassland comprises common and widespread species and have been subjected to agricultural improvement and management. The grassland is therefore considered to be of **negligible ecological importance**.

Hedgerows (intact and species poor)

- 3.14. The site is bordered on the western boundary by intact species poor hedgerows which surround a farmstead adjacent to the site. The hedgerows are dominated by hawthorn *Crataegus monogyna* with other woody species present including holly *Ilex aquilinum* and Leyland cypress *Cupressus x leylandii*. The hedgerow has been managed and recently flail cut. There is also a short length of hedgerow to the northwest of the site bordering the public footpath that runs through the site.
- 3.15. Hedges crossing through the site provide resources such as foraging habitat, cover and shelter for mammals, invertebrates and birds in an otherwise open landscape. Hedgerows are of importance in maintaining connectivity between habitats and for the dispersal, and migration across the site and into the wider area and adjacent habitats. However, the hedgerows on site are short in length and relatively isolated from other habitat corridors. Therefore the hedgerows are considered to be of **site only ecological importance**.

Mature Trees

- 3.16. There are a number of scattered mature trees across the site within hedgerows and along the northern boundary of the site, adjacent to the Trans Pennine Trail. Mature tree species include pedunculate oak *Quercus robur*, beech *Fagus sylvatica* and ash *Fraxinus excelsior*, see Plan 10740/P01. There are a number of less mature scattered trees along the Trans Pennine Trail, including silver birch *Betula pendula* and hawthorn *Crataegus monogyna*.
- 3.17. Tree lines provide a habitat connection around the perimeter of the site and connections to wider habitats to the north, east and west. They comprise a mixture of species and trees of differing maturity, with the more mature specimens being well established. Due to their connectivity and species diversity, the trees and hedgerows are considered to be of **local importance**.

Tall Ruderal Vegetation

- 3.18. The site is bordered to the north and east by unmanaged tall ruderal vegetation present along field boundaries. Species present are predominantly bramble *Rubus fruticosus* great willowherb *Epilobium hirsutum*, thistle *Cirsium* sp., and common nettle.
- 3.19. These species are common, widespread and are small in area although have some supporting features as they are unmanaged and connected to hedgerows and mature tree lines within the site, therefore providing habitat connectivity. Tall ruderal vegetation is therefore considered to be of **site only ecological importance**.

Habitats Adjacent to the Site

- 3.20. The site is bounded by roads and residential development to the east and south. To the north is the Trans Pennine Trail comprising two tree lines with arable fields with scattered trees beyond. Habitats to the west include an agricultural ditch running along the western boundary of the site with further arable fields. The Trans Pennine Trail provides an important connection to wider habitats in the locality.



Protected and Priority Species

- 3.21. Based on the habitats present on site and in the surrounding area, fauna species or groups that have been considered in this appraisal are summarised in **Table 3.2** below. For ease of reference, descriptions of the fauna have been described alphabetically.

Species / group	Presence or Potential For	Protection / Conservation Status
Badger <i>Meles meles</i>	Hedgerows and the wooded bank to the north of the site along the Trans Pennine Trail could potentially provide suitable locations for badger setts.	PBA
Bats	Holes, cracks and cavities present in some of the mature trees across the site could have the potential to support bat roosts. Hedgerows and mature trees could provide foraging and commuting routes for bats across the site and connection to the surrounding area.	CHSR NERC LBAP WCA
Breeding birds (including barn owl <i>Tyto alba</i>)	Habitats on site such as hedgerows and mature trees are likely to support a range of breeding farmland and woodland bird species and there are potentially ground nesting species when the arable crop is at a low level. The arable and improved grassland on site has limited potential to provide foraging habitat for barn owl. Mature trees present on site could provide potential nest sites for barn owl.	WCA WCA Sch1 - barn owl only LBAP BoCC Amber - barn owl
Great crested newt <i>Triturus cristatus</i> (GCN)	There are no ponds on site. The nearest ponds (4 in total) were identified on OS map approx. 360m to the south of the site. However, the ponds are south of Rushgreen road, a busy A-road and the ponds are surrounded by more suitable terrestrial habitat than provided by the site. There is very little suitable terrestrial habitat within the site. This together with the barrier between the ponds to the south (Rushgreen Road), it is considered highly unlikely that the site supports GCN.	CHSR NERC LBAP WCA
Hedgehog <i>Erinaceus europaeus</i>	Hedgerows and tall ruderal present across the site are likely to provide foraging and sheltering opportunities for hedgehog.	NERC



Invertebrates	Due to the lack of species diversity in the improved grassland and arable field which makes up the majority of the site, it is not likely to be of high biodiversity value to invertebrates. Hedgerows, mature trees and tall ruderal vegetation may provide some opportunities but due to their small size it is unlikely they would support a valuable assemblage.	NERC LBAP
Reptiles	The habitats on site provide limited opportunities for reptiles. The areas of tall ruderal may provide some opportunity for grass snake <i>Natrix natrix</i> , although this is limited due to the management of the site for arable farming and the small size of suitable habitat. It is considered unlikely that the site supports reptiles.	NERC LBAP WCA
Otter <i>Lutra lutra</i> and Water vole <i>Arvicola amphibius</i>	The ditch adjacent to the site on the western boundary, is relatively isolated from wider habitat. It also has very low, shallow flow. It is therefore unlikely that water vole would be present due to lack of supporting habitat or vegetation. It is also unlikely that otter use the brook for foraging or commuting due to its relative isolation.	CHSR LBAP NERC

Abbreviations

CHSR - Conservation of Habitats and Species Regulations 2010

PBA - Protection of Badger Act 1992;

WCA - Wildlife and Countryside Act 1981 (as amended);

WCA Sch1 - Wildlife and Countryside Act Schedule I species which are protected against disturbance;

NERC - Species and habitats of principal importance protected under section 41 of the Natural Environment and Rural Communities Act 2006;

BoCC RL - Birds of Conservation Concern red list bird species having suffered major population declines over the last 25 years;

BoCC AL - Birds of Conservation Concern amber list bird species having suffered moderate population decline over the last 25 years (Bright *et al.* 2006)

Table 3.2 - Presence of, or potential for, protected or notable fauna

- 3.22. No other habitats were noted on site that would be likely to support any other protected or priority species. However, it is recommended that a full desk study is undertaken that includes the purchase of species records which may indicate whether a species has indeed been recorded on site or in the local area.



Section 4: Considerations in Respect of Future Development

Likely Zone of Influence of Future Development

- 4.1. Proposals for the site have yet to be designed but are likely to comprise residential development. While this would affect habitats within the site, direct effects arising from habitat loss both during construction and operation would be unlikely to extend beyond the boundary of the site.
- 4.2. In the absence of suitable ecological design and mitigation, development may have the potential to indirectly affect linkages between habitats in the immediate locality (for example through the loss of hedgerows and mature trees).
- 4.3. Once operational the potential for ecological impacts on habitats and species is likely to be limited to the risk of increased disturbance to habitats locally due to informal recreation, such as dog walking.

Potential Consequences of Development and Likely Mitigation Requirements

- 4.4. The potential consequences with respect to development of the site are set out below, with reference to relevant legislation and planning policy, which is summarised in **Appendix 1**.

Statutory Nature Conservation Designations

- 4.5. The only statutory site within 2km of the site is Woolston Eyes SSSI. The proposed development site is included within the impact 'risk zone' for this SSSI and residential development is identified as a potential risk for impact to the SSSI. However, public access to the Eyes is limited to a permit system therefore it is unlikely that impacts would arise from increased recreational pressure.
- 4.6. The proposed development site does not lie within the impact 'risk zone'; for any other SSSI within 5km of the site. Impacts from the proposed development are not anticipated to extend beyond 2km and therefore, no statutory nature conservation designations would be affected by development proposals.

Non-Statutory Nature Conservation Designations

- 4.7. The initial desk study identified several LWSs within 2km, as seen from Warrington Local Plan interactive policy map.
- 4.8. Depending on the size of development proposed, development of the site could potentially result in increased visitor pressure to those nearby LWS sites which have public access (such as the Lymm Dam complex) However, the Trans-Pennine Trail (which is a surfaced all weather long distance trail designed to take high volumes of pedestrian and cycle use) lies adjacent to the site and would naturally absorb a lot of the day to day visitor pressure (by dog walkers, joggers etc). Inclusion of public open space (POS) within development designs would also help to alleviate any potential pressures on the LWSs and would help to ensure compliance with planning policy QE5 which relates to the safeguarding and protection of LWS. It would also be in accordance with local policy QE3 and QE6 both of which encourage the provision of public open space and retention and creation of green infrastructure within development designs.



Habitats and Flora

- 4.9. Mature trees are the only habitat within the site to have been identified as a priority habitat or as having ecological value and will therefore need consideration in any future development proposals.
- 4.10. Local planning authorities are required to consider the potential effects of development on these habitat types and this is reflected in both national and local planning policy (see QE3 and QE5 planning policies). Therefore, it is recommended that development proposals seek to retain these habitat types where possible, or if not then losses should be mitigated through the provision of similar replacement habitats, preferably within the context of an overall 'green infrastructure' for the site.
- 4.11. It is recommended that a buffer is retained between the development proposed and the Trans Pennine Trail to the north of the site. This is because the trail provides a wildlife corridor, linking the site to wider habitats in the locality.
- 4.12. It is also recommended that a buffer is retained between the development proposed and the ditch adjacent to the western site boundary as the ditch is also of ecological value and provides a connection to wider habitats.

Protected, Priority and Notable Species

- 4.13. Habitats within the site have the potential to support several protected and/or notable species which would require mitigation if present and to be affected by future development.

Badger

- 4.14. Hedgerows and tree lines with tall ruderal understory could contain badger setts. These habitats together with the arable field and grassland also offer foraging opportunity for badger. Badgers and their setts are protected under the PBA. Although no signs of badger were recorded during the Phase 1 survey, a more thorough search of the hedgerows and the tree line along the northern site boundary and habitats on accessible adjacent land would be required to determine the importance of the site for badgers and the impacts that removal of habitats such as improved grassland would have.
- 4.15. If a badger sett is found to be active and within 30m of proposed development and would be affected by development, a licence from Natural England may be required to undertake works. This would need to be accompanied by a mitigation strategy outlining methods employed to minimise impacts upon this species.

Bats

- 4.16. The mature trees on site have the potential to support roosting bats. As such if mature trees are to be lost or affected by development, a further preliminary roost assessment of the mature trees should be undertaken followed by detailed surveys if necessary if the presence of a roost is suspected to inform any future planning application. Given the nature of the site, it should be relatively easy to replace any roosting opportunities for bats lost as a result of development. Such mitigation may need to be covered by a European Protected Species licence in order to ensure legal compliance. Development would also provide an opportunity to provide additional roosting features for bats. For example, the inclusion of new roosting features within new properties.
- 4.17. Hedgerows and mature trees, in particular along strong linear features which extend beyond the site boundary such as the Trans- Pennine Trail may also provide suitable foraging habitat and commuting routes for bats. If a buffer to the Trans Pennine Trail cannot be maintained and the hedgerows require removal, further bat activity surveys may be required to provide further information to inform a



planning application and subsequent mitigation to maintain foraging habitat for bats if required.

Breeding Birds including Barn Owl

- 4.18. The site provides suitable habitat for a range of farmland and common woodland bird species such as house sparrow *Passer domesticus* and song thrush *Turdus philomelos* (species which are listed as UK Priority Importance). Barn owl could potentially breed on site in mature trees. Barn owl is a WCA Schedule 1 species and as such is protected from reckless disturbance whilst nesting. They are also included on the LBAP.
- 4.19. Given the small size of the site and the recommendation to retain mature trees, hedgerows and a buffer to the Trans Pennine Trail, a breeding bird and barn owl survey will not be required.
- 4.20. Mitigation in the form of native tree and hedge planting within the development buffer or in public open space, might be a possibility to mitigate habitat loss for breeding birds if it would result from proposed development. Any site clearance works would need to be timed to avoid the bird nesting season (March to August inclusive).

Great Crested Newt (GCN)

- 4.21. There are no ponds on site and very little terrestrial habitat for GCN on site. The nearest ponds are over 360m south of the site and are separated from the site by a busy A-road, considered to be a barrier to GCN dispersal. It is considered unlikely that the site supports GCN and therefore no further surveys are recommended.

Ecological Design Principles and Enhancement Opportunities

Habitats

- 4.22. Hedgerows and mature trees should be retained wherever possible. Hedgerows should also be restored and enhanced by appropriate habitat management, such as laying, to improve their lifetime and functional connectivity.
- 4.23. There is the opportunity to enhance the biodiversity of the Site by adopting design principles informed by local conservation strategies, notably the Local Biodiversity Action Plan (LBAP). Delivery of such biodiversity gain would be in accordance with NPPF and local policies QE3 and QE5. Such opportunities include:
- Creation of green infrastructure within the development, which can be multi-functional, delivering biodiversity, amenity, aesthetic and drainage benefits. This should form continuous corridors for wildlife movement and can include retained and newly created habitats, such as those listed below, which should be managed and monitored;
 - Habitat creation that could include hedgerows, trees and woodland;
 - Use of native species where possible in the landscape designs to provide new opportunities for fauna; and
 - Inclusion of bird and bat boxes within retained and newly created habitats to offer additional nesting and roosting opportunities.



Further Work to inform a Future Planning Application

- 4.24. It is recommended that a full desk study is undertaken. This would include contacting the Local Record Centre for information on nearby non-statutory nature conservation designations and species records. Obtaining existing records is an important part of the assessment process as it provides information on issues that may not be apparent during a single survey, which by its nature provides only a 'snapshot' of the ecology of a given site.
- 4.25. If retention of mature trees, hedgerows and a buffer to the Trans Pennine Trail cannot be accommodated by development designs, in accordance with ODPM Circular 06/05, it will be necessary to undertake surveys to confirm whether legally protected species would be affected by proposed development of the site prior to the submission of a planning application. The surveys for the following species are summarised below, with survey timings provided in Appendix 2:
- Badger; and
 - Bats (tree assessment and roost surveys)
- 4.26. In order to ensure acceptability for planning determination, it is recommended that the need for and scope of the above surveys is agreed in advance with the local planning authority ecologist.



Section 5: Conclusions

- 5.1. No ecological issues that could affect the principle of development of the site have been identified. Those valuable ecological resources that exist, or could exist, at the site could be accommodated by the adoption of relatively simple design principles and prior to submission of a planning application. The potential to improve the biodiversity of the site also exists, and recommendations are made would support the aims of the SPD and LBAP.



References

Chartered Institute of Ecology and Environmental Management (2016). Guidelines for Ecological Impact Assessment in the UK and Ireland, Second Edition. <http://www.cieem.net/ecia-guidelines-terrestrial> Chartered Institute of Ecology and Environmental Management, Winchester.

Joint Nature Conservation Committee (2010). *Handbook for Phase 1 habitat survey - a technique for environmental audit*. JNCC, Peterborough.

Multi-Agency Geographic Information for the Countryside (MAGIC) Interactive maps, Available from: <http://www.natureonthemap.naturalengland.org.uk>



Appendix 1: Legislation and Planning Policy



Land at Rushgreen Road, Lymm
Preliminary Ecological Appraisal

10740_R01_25 November 2016_LJD_HM

Appendix 1: Legislation and Planning Policy

A1.1. This section summarises the legislation and national, regional and local planning policies, as well as other reference documents, relevant to the baseline ecology results.

Legislation

A1.2. Specific habitats and species receive legal protection in the UK under various pieces of legislation, including:

- The Conservation of Habitats and Species Regulations 2010
- The Wildlife and Countryside Act 1981 (as amended)
- The Countryside and Rights of Way Act 2000
- The Natural Environment and Rural Communities Act 2006
- The Hedgerows Regulations 1997
- The Protection of Badgers Act 1992

A1.3. The European Council Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna, 1992, often referred to as the 'Habitats Directive', provides for the protection of key habitats and species considered of European importance. Annexes II and IV of the Directive list all species considered of community interest. The legal framework to protect the species covered by the Habitats Directive has been enacted under UK law through The Conservation of Habitats and Species Regulations 2010 (as amended).

A1.4. In Britain, the WCA 1981 (as amended) is the primary legislation protecting habitats and species. SSSIs, representing the best examples of our natural heritage, are notified under the WCA 1981 (as amended) by reason of their flora, fauna, geology or other features. All breeding birds, their nests, eggs and young are protected under the Act, which makes it illegal to knowingly destroy or disturb the nest site during nesting season. Schedules 1, 5 and 8 afford protection to individual birds, other animals and plants.

A1.5. The CRoW Act 2000 strengthens the species enforcement provisions of the WCA 1981 (as amended) and makes it an offence to 'recklessly' disturb a protected animal whilst it is using a place of rest or shelter or breeding/nest site.

A1.6. The Protection of Badgers Act 1992 consolidates the previous Badger Acts of 1973 and 1991. The legislation aims to protect the species from persecution, rather than being a response to an unfavourable conservation status. As well as protecting the animal itself, the 1992 Act also makes the intentional or reckless destruction, damage or obstruction of a badger sett an offence. A sett is defined as 'any structure or place which displays signs indicating current use by a badger'. In addition, the intentional elimination of sufficient foraging area to support a known social group of badgers may, in certain circumstances, be construed as an offence by constituting 'cruel ill treatment' of a badger. Badgers are not the subject of conservation action.



Planning Policy

National Planning Policy Framework

- A1.7. The relevant adopted policy at the national level is set out in The National Planning Policy Framework (NPPF; 2012), which replaces Planning Policy Statement 9 (PPS9) Biodiversity and Geological Conservation (2005). The NPPF aims to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. It sets out the key principles of ensuring that development is sustainable and that the potential impacts of planning decisions on biodiversity and geological conservation are fully considered (although the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined).
- A1.8. Outline principles state that planning should:
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework; and
 - promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production).
- A1.9. Chapter 11, Conserving and Enhancing the Natural Environment, sets out a number of planning protocols, as follows:
- the NPPF provides guidance as to the protection of statutorily designated sites, including international sites, National Nature Reserves (NNR) and Sites of Special Scientific Interest (SSSIs), as well as non-statutory regional and local sites. The NPPF also addresses development and wildlife issues outside these sites and seeks to ensure that planning policies minimise any adverse effects on wildlife;
 - the NPPF places emphasis on local authorities to further the conservation of those habitats of principal importance, or those habitats supporting species of principal importance, which are identified in Section 41 of the NERC Act 2006;
 - the NPPF requires that adverse effects of development on species of principal importance should be avoided through planning conditions or obligations and that planning permission should be refused where harm to these species, or their habitats, may result, unless the need for and benefits of the development clearly outweigh the harm;
 - the NPPF requires that opportunities for improving biodiversity within developments should be maximised. It states that development proposals where the primary objective is to conserve or enhance biodiversity should be permitted and that opportunities to incorporate biodiversity in and around developments should be encouraged; and
 - the NPPF states that by encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity,



intrinsically dark landscapes and nature conservation.

A1.10. The Government Circular 06/2005³ accompanies the National Planning Policy Framework and sets out the application of the law in relation to planning and nature conservation in England.

Local Planning Policy

Warrington Borough Council Local Plan Core Strategy (adopted July 2014)

A1.11. The Warrington Borough Local Plan Core Strategy was consulted to identify relevant policies relating to ecology and nature conservation which may need to be considered in connection with a future planning application to be submitted for the site. They are summarised as follows:

- Policy QE3 relates to the protection and enhancement of green infrastructure; and
- Policy QE5 relates to the protection and enhancement of designated nature conservation sites.

Policy QE3 - Green Infrastructure

The Council will work with partners to develop and adopt an integrated approach to the provision, care and management of the borough's Green Infrastructure. Joint working and the assessment of applications will be focused on:

- protecting existing provision and the functions this performs;
- increasing the functionality of existing and planned provision especially where this helps to mitigate the causes of and addresses the impacts of climate change;
- improving the quality of existing provision, including local networks and corridors, specifically to increase its attractiveness as a sport, leisure and recreation opportunity and its value as a habitat for biodiversity;
- protecting and improving access to and connectivity between existing and planned provision to develop a continuous right of way and greenway network and integrated ecological system;
- securing new provision in order to cater for anticipated increases in demand arising from development particularly in areas where there are existing deficiencies assessed against standards set by the Council.

³ Office of the Deputy Prime Minister (2005). *Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System*. [Online]. Available at: <
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/147570.pdf>> Accessed: 10th July 2015.



Policy QE 5 - Biodiversity and Geodiversity

The Council will work with partners to protect and where possible enhance sites of recognised nature and geological value. These efforts will be guided by the principles set out in National Planning Policy and those which underpin the strategic approach to the care and management of the borough's Green Infrastructure in its widest sense.

Sites and areas recognised for their nature and geological value are shown on the Policies Map and include:

- European Sites of International Importance
- Sites of Special Scientific Interest
- Regionally Important Geological Sites
- Local Nature Reserves
- Local Wildlife Sites
- Wildlife Corridors

The specific sites covered by the above designations at the time of publication are detailed in Appendix 3.

Proposals for development which may affect European Sites of International Importance will be subject to the most rigorous examination in accordance with the Habitats Directive. Development or land use change not directly connected with or necessary to the management of the site and which is likely to have significant effects on the site (either individually or in combination with other plans or projects) and which would affect the integrity of the site, will not be permitted unless the Council is satisfied that;

- there is no alternative solution;
- and there are imperative reasons of over-riding public interest for the development or land use change.

Proposals for development in or likely to affect Sites of Special Scientific Interest (SSSI) will be subject to special scrutiny. Where such development may have an adverse effect, directly or indirectly, on the SSSI it will not be permitted unless the reasons for the development clearly outweigh the nature conservation value of the site itself and the national policy to safeguard the national network of such sites.

Proposals for development likely to have an adverse effect on regionally and locally designated sites will not be permitted unless it can be clearly demonstrated that there are reasons for the development which outweigh the need to safeguard the substantive nature conservation value of the site or feature.

Proposals for development which may adversely affect the integrity or continuity of UK Key habitats or other habitats of local importance, or adversely affect EU Protected Species, UK Priority Species or other species of local importance, or which are the subject of Local Biodiversity Action Plans will only be permitted if it can be shown that the reasons for the development clearly outweigh the need to retain the habitats or species affected and that mitigating measures can be provided which would reinstate the habitats or provide equally viable alternative refuge sites for the species affected.



All development proposals affecting protected sites, wildlife corridors, key habitats or priority species (as identified in Local Biodiversity Action Plans) should be accompanied by information proportionate to their nature conservation value including;

- a site survey where necessary to identify features of nature and geological conservation importance; an assessment of the likely impacts of the proposed development proposals for the protection and management of features identified for retention;
- an assessment of whether the reasons for the development clearly outweigh the nature conservation value of the site, area or species; and
- proposals for compensating for features damaged or destroyed during the development process.

Where development is permitted, the Council will consider the use of conditions or planning obligations to ensure the protection and enhancement of the site's nature conservation interest and/or to provide appropriate compensatory measures.

Supplementary Planning Documents

A1.12. Relevant supplementary planning document considerations are set out below:

Environmental Protection SPD (May 2013)

A1.13. This SPD supports Policy QE6 Environment and Amenity Protection and details the councils approach to dealing with environmental protection including light pollution. Development schemes which include street lighting proposals should adhere to the design principles set out in the SPD. Principles relating to landscape and visual include:

- "Limiting the light levels to a designed uniformity;
- limiting the use of lighting schemes to identified uses or users;
- the retention of screening vegetation; and
- the use of planting and bunding to contain lighting effects.

A1.14. The SPD states that "these conditions will be applied as necessary by the LPA to help reduce obtrusive light from new proposals, particularly glare and spillage, from areas of wildlife importance, open countryside and residential amenity."

Design and Construction (October 2010)

A1.15. This document provides advice and guidance to developers about aspects of the design and construction process. The document states that "A well designed landscape scheme should enhance the appearance and setting of any new development and its location. A successful scheme will have considered and correctly interpreted the landscape character of the location so as to produce the most appropriate design solution for the development."

Open Space and Recreation Provision (September 2007)

A1.16. This policy details a number of key objectives for open space within the borough including:



- “To ensure an adequate provision of open space in quantitative, qualitative and accessibility terms subsequently helping to ensure the creation of sustainable communities;
- to create opportunities for and enhance biodiversity;
- to create opportunities for travel by more sustainable modes such as by walking or cycling;
- to assist in maintaining and improving public health by providing opportunities for recreation and sport;
- to provide educational opportunities in the form of ‘outside classrooms’ through providing opportunities for contact with nature;
- to provide focal points for social interaction and community events;
- to contribute to local distinctiveness through helping to create a sense of place and belonging;
- to help secure safe and well-designed open spaces where the design has intended to deter crime; and
- to assist in tackling climate change through the plantation of trees and creation of green ‘breathing’ spaces.”

Planning Obligations (September 2007)

A1.17. This SPD details the councils approach to the use of planning obligations to facilitate decision making, relevant key objectives include:

- “Ensure appropriate environmental and biodiversity protection and enhancement and mitigation measures where appropriate;
- Ensure no detrimental impacts on amenity (visual, residential, noise, flood risk, landscape);
- Ensure conservation of heritage assets and mitigation where appropriate.”

Biodiversity Action Plans

A1.18. The UK Post-2010 Biodiversity Framework succeeded the UK BAP partnership in 2011 and covers the period 2011 to 2020. However, the lists of Priority Species and Habitats agreed under the UKBAP still form the basis of much biodiversity work in the UK. The current strategy for England is 'Biodiversity 2020: A Strategy for England's wildlife and ecosystem services' published under the UK Post-2010 UK Biodiversity Framework. Although the UK BAP has been succeeded, Species Action Plans (SAPs) developed for the UK BAP remain valuable resources for background information on priority species under the UK Post-2010 Biodiversity Framework.

A1.19. Priority Species and Habitats identified under the UKBAP are also referred to as Species and Habitats of Principal Importance for the conservation of biodiversity in England and Wales within Sections 41 (England) and 42 (Wales) of the Natural Environment and Rural Communities (NERC) Act 2006. The commitment to preserving, restoring or enhancing biodiversity is further emphasised for England and Wales in Section 40 of the NERC Act 2006.



Local Biodiversity Action Plan (LBAP) - Cheshire Wildlife Trust

A1.20. Habitats detailed within the LBAP which occur on site:

- Hedgerows
- Woodland
- Arable Field Margins
- Gardens & Allotments
- Wood-Pasture and Parkland
- Ponds
- Roadside Verges

A1.21. Species detailed on the LBAP which occur, or have the potential to occur on site:

Birds

- Barn Owl, *Tyto alba*
- Spotted flycatcher, *Muscicapa striata*
- Farmland birds

Herptiles

- Great crested newt, *Triturus cristatus*
- Slow worm, *Anguis fragilis*

Mammals

- Brown hare, *Lepus europaeus*
- Harvest mouse, *Micromys minutus*
- Common Pipistrelle *Pipistrellus*
- Whiskered Myotis *Myotis mystacinus*
- Brandt's bat *Myotis brandti*
- Daubenton's bat *Myotis daubentoni*
- Leisler's bat *Nyctalus leisleri*
- Natterers *Myotis nattereri*
- Serotine *Eptesicus serotinus*

Invertebrates

- Dingy Skipper, *Erynnis tages*
- Downy Emerald *Cordulia aenea*
- Mud snail, *Omphiscola glabra*



- Small Pearl-bordered Fritillary, *Boloria selene*
- White letter hairstreak, *Satyrrium w-album*

Plants

- Ivy-leaved Water-crowfoot, *Ranunculus hederaceus*



Appendix 2: Ecology Survey Planner



Land at Rushgreen Road, Lymm
Preliminary Ecological Appraisal

10740_R01_25 November 2016_LJD_HM



Ecology • Arboriculture • Landscape Planning • Expert Witness



Ecology Survey Planner

Birmingham
t. 0121 222 5575

Cotswolds
t. 01453 765 500

Exeter
t. 01392 447 588

Manchester
t. 01625 525 731

London
t. 0207 620 2710

e. info@tylergrange.co.uk
w. tylergrange.co.uk

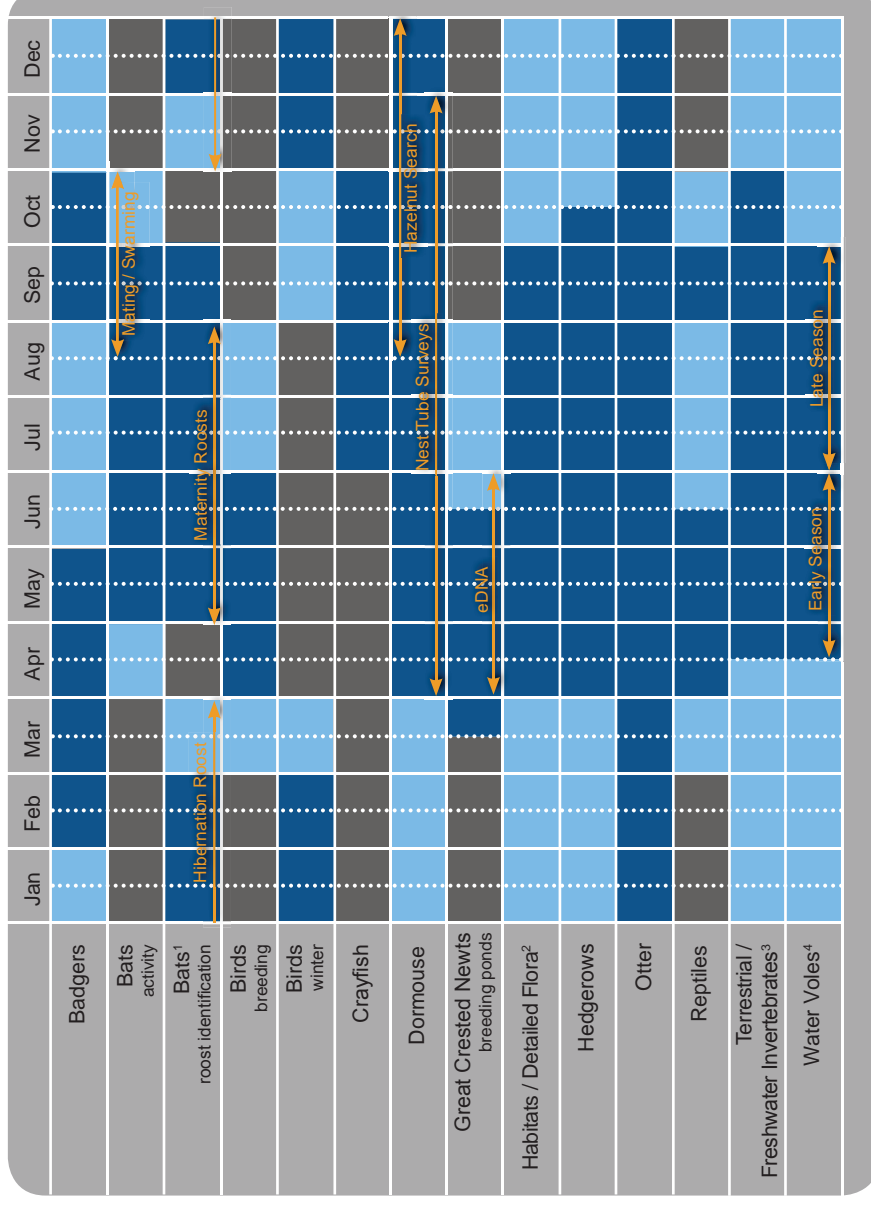
¹ Internal building searches for evidence of bats can be undertaken at any time; winter is the best time for assessing trees for roosting potential, with further work to confirm potential undertaken in spring / summer.

² The timing of detailed flora surveys is dependent on the specific habitat type to be investigated. Lower plants should be surveyed in winter.

³ Timing is dependent on target species/group.

⁴ Surveys are required in both the early and late seasons.

Ecology Survey Planner



Surveys optimal
 Surveys sub-optimal
 Surveys cannot be undertaken / results unreliable

Plan

Habitat Features Plan
10470/P01 LJD/LHM November 2016

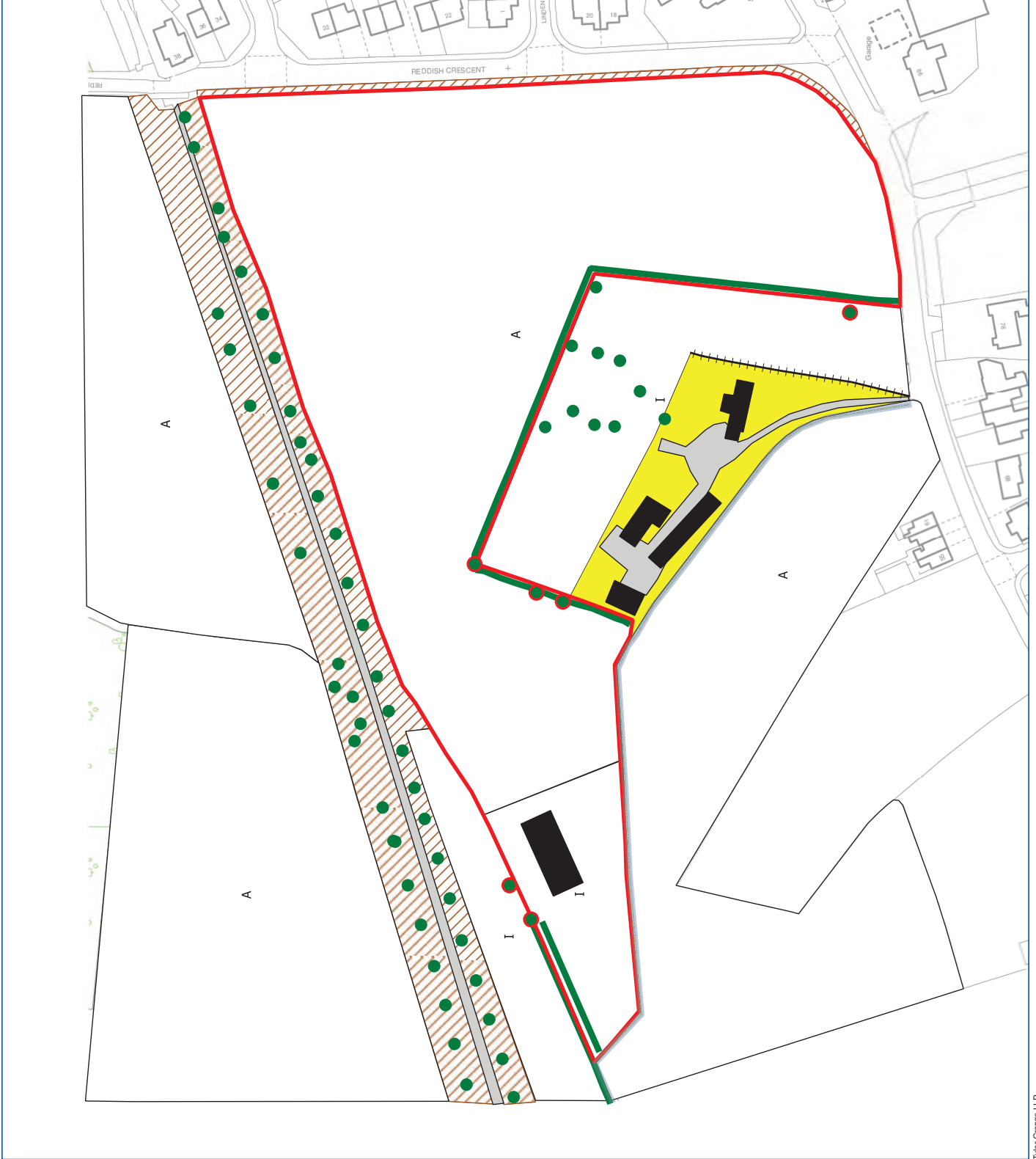


Land at Rushgreen Road, Lymm
Preliminary Ecological Appraisal

10740_R01_25 November 2016_LJD_HM

Key

-  ditch
-  Mature Tree
-  Scattered Tree
-  Red line
-  Building
-  Species Poor Hedge (intact)
-  Fence
-  Arable
-  Hardstanding
-  Amenity Grassland
-  Improved Grassland
-  Tall Ruderal



Project: Land at Rushgreen Road
 Drawing Title: Habitat Features Plan
 Scale: 1:1250 @ A3
 Drawing No.: 10740/P01
 Date: November 2016
 Checked: LJD/LHM



Appendix 5



LAND TO THE WEST OF REDDISH CRESCENT, LYMM (1676) TRANSPORT UPDATE NOTE – OCTOBER 2021

1 Introduction

- 1.1 This Transport Update Note will respond to the highways and transport issues raised by Warrington Borough Council regarding a potential residential allocation on land to the west of Reddish Crescent in Lymm.

2 Promoted Site

- 2.1 The site is bordered to the north by the Trans Pennine Way, to the east by Reddish Crescent, to the south by the A6144 Rushgreen Road and to the west by agricultural land. The site has been promoted for residential development by Strategic Land Group and has the SHLAA reference 1565 and has been considered for the development of 57 dwellings with vehicular access off Reddish Crescent which currently has residential on the eastern side of the road.
- 2.2 The site has been supported by a range of technical documents as part of the Local Plan process and this has included a Transport Issues Note dated November 2016. This note concluded the following:

'In summary, this note clearly demonstrates that the site in Lymm is very well located for new residential development. The site is in close proximity to a good range of shops, employment opportunities, education provision and other facilities and services. The site is highly accessible by public transport with bus services that pass the site that connect to Warrington and Altrincham.

The site can be satisfactorily accessed and will generate a modest number of additional vehicular trips onto the local highway network'.

3 Warrington Local Plan 2021 – 2038 Dated September 2021 Documents

3.1 This site has been considered in a range of documents that have been prepared by the Council as part of their evidence base to support the emerging Local Plan. Two of these pertinent documents include comments on the site's suitability for residential development and include references to the highways and transport issues relating to the site. These are as follows:

- Settlement Proformas- Site Selection dated November 2018 (pages 501 to 503).
- Development Options and Site Assessment Technical Report dated September 2021 (pages 64 and 65).

3.2 The following paragraphs will consider the comments made within each of these documents and our response to them.

4 Settlement Proformas - Site Selection Document

4.1 This document includes a range of employment and residential sites that were considered by the Council as part of the emerging Local Plan allocation process. This particular site is covered on pages 501 to 503.

4.2 The document assesses the various merits of each potential site within the document and provides a traffic light assessment against a number of key criteria. These are described below:

- **Green - Promotes sustainable growth.**
- **Yellow – Unlikely to have a major impact on trends.**
- **Amber - Mitigation may be required/unavoidable impacts.**
- **Red - Mitigation likely to be required/unavoidable impacts.**

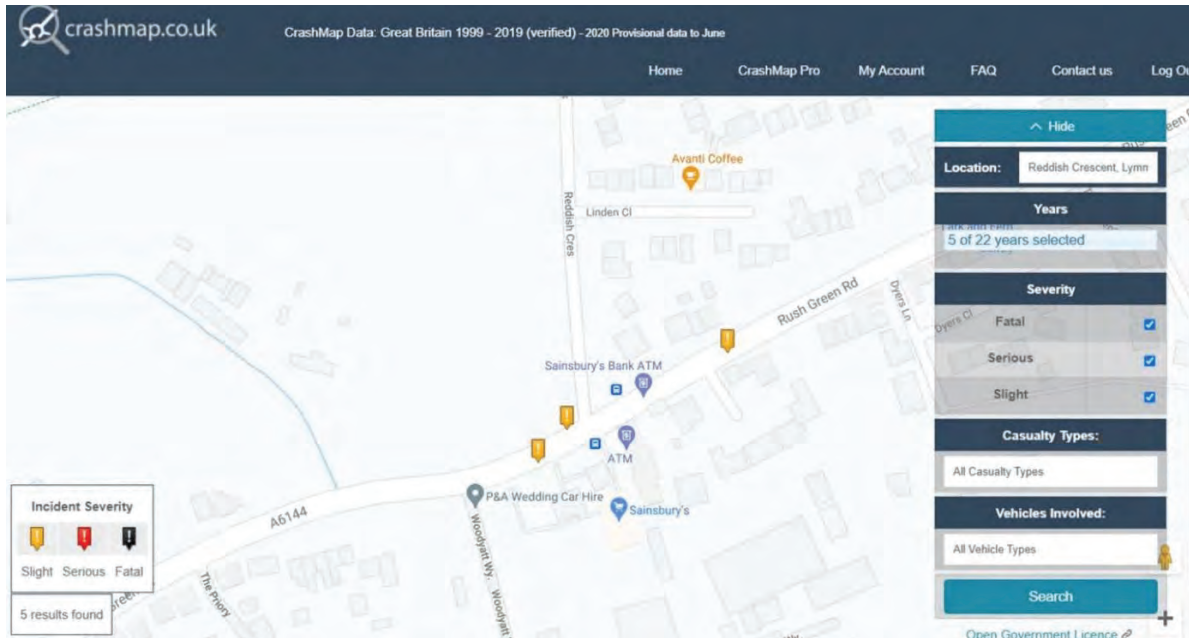
4.3 This note will only respond to the issues raised within the transport and highways category.

4.4 This particular document raises no transport and highways issues within the 'red' category although within the 'additional comments' section of the site assessment one of the bullet points raises an issue regarding the nearby junction of Rushgreen Road and Reddish Crescent, as follows:

'Pedestrian and vehicular access would be achievable, visibility concerns at the junction of Reddish Crescent/Rushgreen Road would mean that third party land is required to provide improvement. A Bridleway runs along the northern boundary of the site. This may mean that the land is not appropriate unless developed in tandem with Site Ref: 3178 | R18/082 | R18/P2/072 and Site Ref: 3109 | R18/016 | R18/P2/027'.

- 4.5 We have presumed that the comment that the site *'may mean that the land is not appropriate unless in tandem with Site Ref: 3178| R18/082 | R18/P2/072 and Site Ref:3109 | R18/016 | R18/P2/027'* relates solely to the visibility issue referred to rather than the fact that a bridleway runs along the northern boundary of the site. The bridleway would not be affected by the site and in its current location would only enhance the accessibility of the site on foot to any future residents. On that basis, we have considered the visibility issue in this note.
- 4.6 The junction of Rushgreen Road and Reddish Crescent is an existing junction. The site is located to the west of the junction and there is no visibility issue in that direction as the land required for visibility would either fall within the site or the adopted highway along Rushgreen Road. The issue for the Council is presumably the visibility to the east (or on the left for drivers exiting the junction) as there is a private dwelling to the eastern side of the junction.
- 4.7 The junction has been serving the residential area to the north of Rushgreen Road for many years. The residential area to the north of Rushgreen Road covers a wide area and includes the following roads:
- Reddish Crescent.
 - Whitefield Close.
 - Whitefield Grove.
 - Warburton Close.
 - St Peter's Close.
 - Bollin Drive.
 - Bollin Close.
 - Linden Close.
- 4.8 There are two access points from this area that consists of around 100 houses, approximately equally split between Reddish Crescent and Whitefield Grove. The junction operates efficiently at present with no capacity issues whatsoever. The junction also has no particular safety issues. This has been demonstrated by reference to the CrashMap website that records

personal injury accidents. The following figure summarises the location of personal injury accidents that have occurred in the vicinity of the junction in the past years.



Personal Injury Accident Plot - 2014 to 2018

- 4.9 As can be seen, no personal injury accidents have occurred at the junction of Rushgreen Road and Reddish Crescent in the past 5 years. The two incidents that occurred close to the junction did not actually occur at the junction and neither related to any issue with visibility to the east at the junction along Rushgreen Road.
- 4.10 This has been confirmed with reference to the accident reports for each one. These are shown in **Appendix 1** and **Appendix 2** and both involved vehicles turning right out of Reddish Crescent and then colliding with pedestrians on Rushgreen Road to the west of the junction where visibility is not an issue.
- 4.11 Notwithstanding this, **Plan 1** shows the available visibility at the junction in both directions and based on current adopted highway information. The typical visibility for a priority junction of this type with a main road with a 30mph speed limit would be 2.4 metres (measured back from the give-way line at the junction) by 43 metres (measured along the nearside kerb line to the right and potentially to the centreline to the right depending on site circumstances). As can be seen, the visibility at the junction is confirmed to be at least 2-4 metres by 43 metres to the west and the same to the east although only when measured to a metre off the nearside kerb line.

4.12 This should be considered appropriate for two reasons. The first is that traffic will be travelling on the opposite side of the Rushgreen Road carriageway, and no car parking occurs on the southern side of Rushgreen Road to push vehicles over to the northern side of the road. As such the visibility to this flow of traffic will not be impeded by the private land to the east of the junction. Secondly, Manual for Streets, which is the pertinent reference guide for visibility requirements at junctions in urban locations, states that:

'Paragraph 7-7-5 - Some circumstances make it unlikely that vehicles approaching from the left on the main arm will cross the centreline of the main arm -opposing flows may be physically segregated at that point, for example. If so, the visibility splay to the left can be measured to the centreline of the main arm.'

4.13 This is the case at this particular junction and there is, therefore, clearly no issue with visibility at the junction of Rushgreen Road and Reddish Crescent.

4.14 Whilst the existing junction arrangement is adequate in terms of visibility in its current form there is the potential to slightly relocate the junction to the west, using land either within the existing adopted highway or the potential allocation site itself, to improve visibility to the east.

4.15 Visibility should not, therefore, be considered to be a reason not to allocate this site for residential development.

5 Development Options and Site Assessment Technical Report Dated September 2021

5.1 This document provides a summary of the various technical issues in relation to the potential allocation of this site for residential development on Pages 64-65. In relation to transportation, it provides similar comments to the Settlement Proforma document, as discussed in the above paragraphs, as follows:

'However the Council's highways officer states that due to visibility constraints, third party land is required to provide junction improvements.'

5.2 There is the potential to amend the site access location, using land either within the existing adopted highway or the site itself, to improve visibility.

5.3 Visibility should not, therefore, be considered to be a reason not to allocate this site for residential development.

5.4 As demonstrated in the response to the Settlement Proforma document, there is no impediment to developing the site for residential development in terms of the visibility issue raised by the Council in their Local Plan evidence.

6 Conclusions

6.1 In summary, this note has responded to the highways and transport issues raised by Warrington Borough Council regarding a potential residential allocation on land to the west of Reddish Crescent in Lymm. A number of conclusions can be drawn from this report :

- The site has been considered in all transport and highways aspects to be acceptable for residential development with the exception of the visibility at the nearby junction of Rushgreen Road and Reddish Crescent.
- This note has demonstrated that the junction of Rushgreen Road and Reddish Crescent exists at present, is well used, does not have any capacity issues and has no road safety issues.
- This note has further demonstrated that the visibility at the junction of Rushgreen Road and Reddish Crescent is acceptable based on its current geometry and location.
- There is the potential to improve the existing junction of Rushgreen Road and Reddish Crescent to improve visibility to the east by utilising land within either the adopted highway or the site itself.
- This note has therefore demonstrated that this site can be developed in isolation and does not rely on land outside the control of the promotor or on the development of any other site to be developed in an acceptable manner.
- As such, the site would be appropriate to be allocated for residential development in the emerging Warrington Local Plan.

Enclosures

Plan 1 - Visibility Plan

Appendix 1 - Accident Report Number 2016076274530

Appendix 2 - Accident Report Number 2018070068937

PLANS

NOTES

THIS IS NOT A CONSTRUCTION DRAWING AND IS FOR INDICATIVE PURPOSES ONLY. THE DRAWING WILL BE SUBJECT TO CHANGE FOLLOWING LOCAL AUTHORITY REVIEW AND CONFIRMATION OF PUBLIC HIGHWAY AND THIRD PARTY LAND BOUNDARIES.

- INDICATIVE SITE BOUNDARY
- EXISTING ADOPTED HIGHWAY



NORTH SOUTH AERIAL VIEW



SITE BOUNDARY



ADOPTED HIGHWAY

REV	DETAILS	DRAWN	CHECKED	DATE

CLIENT:

STRATEGIC LAND GROUP

PROJECT:

REDDISH CRESCENT, LYMM

DRAWING TITLE:

EXISTING VISIBILITY SPLAYS

SCALES:

1:500 @ A3

DRAWN:	LB	CHECKED:	JC	DATE:	JUN 19
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	DRAWING NUMBER:	1676-F01	REVISION:	-

APPENDICES

APPENDIX 1

Accident Report Number 2016076274530



Validated Data

Crash Date:

Tuesday, September 06, 2016

Time of Crash: 2:10:00 PM

Crash Reference: 2016076274530

Highest Injury Severity:

Slight

Road Number: U0

Number of Casualties: 1

Highway Authority:

Warrington

Number of Vehicles: 1

Local Authority:

Warrington Borough

OS Grid Reference: 368946 387725

Weather Description:

Fine without high winds

Road Surface Description:

Dry

Speed Limit:

30

Light Conditions:

Daylight: regardless of presence of streetlights

Carriageway Hazards:

None

Junction Detail:

Not at or within 20 metres of junction

Junction Pedestrian Crossing:

No physical crossing facility within 50 metres

Road Type:

Single carriageway

Junction Control:

Not Applicable





Validated Data

Vehicles involved

Vehicle Ref	Vehicle Type	Vehicle Age	Driver Gender	Driver Age Band	Vehicle Manoeuvre	First Point of Impact	Journey Purpose	Hit Object - On Carriageway	Hit Object - Off Carriageway
1	Car (excluding private hire)	-1	Unknown	Unknown	Vehicle proceeding normally along the carriageway, not on a bend	Front	Other	None	None

Casualties

Vehicle Ref	Casualty Ref	Injury Severity	Casualty Class	Gender	Age Band	Pedestrian Location	Pedestrian Movement
1	1	Slight	Pedestrian	Female	21 - 25	Unknown or other	Unknown or other

APPENDIX 2

Accident Report Number 2018070068937



Crash Date:

Tuesday, March 13, 2018

Time of Crash: 3:30:00 PM

Crash Reference: 2018070068937

Highest Injury Severity:

Slight

Road Number: A6144

Number of Casualties: 1

Highway Authority:

Warrington

Number of Vehicles: 1

Local Authority:

Warrington Borough

OS Grid Reference: 368958 387737

Weather Description:

Fine without high winds

Road Surface Description:

Dry

Speed Limit:

30

Light Conditions:

Daylight: regardless of presence of streetlights

Carriageway Hazards:

None

Junction Detail:

Using private drive or entrance

Junction Pedestrian Crossing:

No physical crossing facility within 50 metres

Road Type:

Single carriageway

Junction Control:

Give way or uncontrolled





Validated Data

Vehicles involved

Vehicle Ref	Vehicle Type	Vehicle Age	Driver Gender	Driver Age Band	Vehicle Manoeuvre	First Point of Impact	Journey Purpose	Hit Object - On Carriageway	Hit Object - Off Carriageway
1	Car (excluding private hire)	1	Male	36 - 45	Vehicle is in the act of turning right	Offside	Other	None	None

Casualties

Vehicle Ref	Casualty Ref	Injury Severity	Casualty Class	Gender	Age Band	Pedestrian Location	Pedestrian Movement
1	1	Slight	Pedestrian	Male	Over 75	In carriageway, crossing elsewhere	Crossing from driver's nearside

For more information about the data please visit: www.crashmap.co.uk/home/Faq
To subscribe to unlimited reports using CrashMap Pro visit www.crashmap.co.uk/Home/Premium_Services

Appendix 6

NOTES

Permission is granted to scale from this drawing for the purpose of Local Authority Planning Approval only. In all other circumstances DO NOT scale from this drawing, please contact the office for any additional information.

Contractors, Sub-Contractors and Suppliers are to check all relevant dimensions and levels of the site and building before commencing any site preparation or building work. Any discrepancies should be reported to the architect immediately.

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REV	DESCRIPTION	DATE	AUTHOR	CHECKED
A	Site Boundary	25.11.16	BA	BA
B	Additional better planning added	30.11.16	BA	BA

- KEY**
- Indicative Site Boundary
 - Proposed Site Access from Reddish Crescent
 - Listed Building



PROJECT
 Rush Green Road
 Lymm
 For: Strategic Land Partnership

DRAWING
 Illustrative Masterplan - 01

SCALE	DATE	AUTHOR	CHECKED
1:1000 @ A2	28/11/16	BA/nm	-
JOB NO.	DRAWING NO.	REV	
STRA161126	IMP-01	B	



A2

Appendix 7



NEXUS
HERITAGE

Mr. P. Smith

[REDACTED]

Anthony Martin BA MA MCIFA

[REDACTED]

Our ref: AM/3552

Your Ref:

[REDACTED]

[REDACTED]

www.nexus-heritage.com

2 Nov. 2021

Dear Paul

Land West of Reddish Crescent (SHLAA Ref: 1565 / Site Ref: R18/014 / Site Ref: R18/P2/118)

Further to our recent e-mail exchanges I thank you for providing detailed background information on the above site.

I understand that Warrington Borough Council, in preparing its document *Development Options and Site Assessment – Technical Report* (Sept. 2021), considers that there are some suitability issues given the proximity of the Site to a Grade II listed building (Tanyard Farmhouse).

In the first instance it is useful to provide some baseline data. Tanyard Farmhouse is a Grade II listed Building (NHLE ref. 1227387). The designation entry is as follows:

Farmhouse, mid-17th century, with rear extension circa 1800. Squared, tooled, coursed sandstone in large blocks, with rear and right wings of brick; grey slate roofs. Of 2 storeys and 2 windows with 4-light recessed mullioned openings to lower storey; the slightly recessed upper storey (on weathered band) has 3-light windows, that to the right with recessed mullions, that to the left flush mullions. 3-light flush-mullioned window to upper storey in left end gable. Central chimney of brick, just behind ridge. Right wing, in English garden wall bond red-brown brickwork, projects slightly, with vernacular wood casements in end gable. Interior: Lobby entrance; stone inglenook with oak bressumer; 1 heavy chamfered oak beam; 1 oak broad-boarded door on old gudgeons.

At its closest point the Site is c. 35m to the west-north-west of Tanyard Farmhouse.



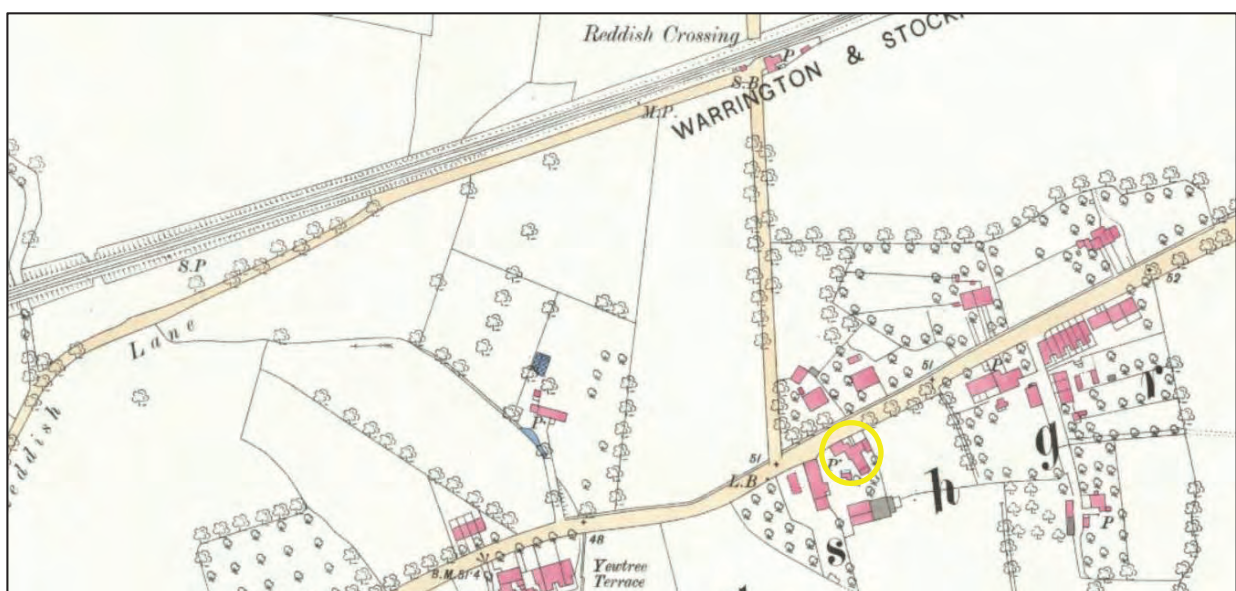
NEXUS
HERITAGE

In historic terms the Farmhouse appears on the Tithe Map of the Township of Lymm (1837), as would be expected for a structure originally dating to the 17th century. In 1837 the Farmhouse was owned by the Rev. Mascie Domville Taylor and occupied by a tenant – David Forester.



Tithe the Map of the Township of Lymm in the Parish of Lymm, 1837 (Courtesy of <https://maps.cheshireeast.gov.uk/tithemaps/>)

The Farmhouse also appears on the large-scale Ordnance Survey map of 1896, which shows little change to the landscape other than the laying of the railway line and some new billings in Rushgreen.



Ordnance Survey Map, Lancashire CXVI.4, Surveyed: 1873 to 1892, Published: 1896. . Mapping provided by ProMap © Crown Copyright and Landmark Information Group Ltd. 2021. Nexus Heritage –SRI Ltd. 100048549



It is considered that the above provides a reasonable amount of baseline data on the Listed Building such that all parties can understand the matter at hand.

You have asked me to comment on the suitability issue from a heritage perspective, but please be aware that the commentary below is provided without the benefit of a site visit.

At the national level, the principal legislation governing the protection and enhancement of the heritage of the built environment is the *Planning (Conservation Areas and Listed Buildings) Act 1990*. The Act sets out the legislative framework within which works and development affecting Listed Buildings is considered. The Act states that:-

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" (s66(1))

It is appreciated that there is no planning application in play but the statutory framework is worth exploring.

Case law has confirmed that Parliament's intention in enacting section 66(1) was that decision-takers should give "considerable importance and weight" to the desirability of preserving Listed Buildings or their settings. In pertinent circumstances, "preserve" means to "to do no harm". The presumption is that it is desirable to avoid harm to a Listed Building and its setting. This duty must be actively taken into account when considering planning applications where harm may be occasioned.

Various principles and policies related to cultural heritage are set out in the NPPF which guide local planning authorities with respect to the wider historic environment. The following paragraphs from NPPF are particularly relevant.

Heritage assets ... are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Para 189.

This policy provision establishes a societal intent to conserve heritage assets. The term conservation is commonly held to mean the process of managing change (not preventing it) and so the policy provision, by definition can accommodate changes to heritage assets. Para.189 does not mandate the habitual retention of any or all heritage assets (or their settings) and this pertains to Tanyard Farmhouse.

NPPF provides further guidance to LPAs on the manner in which the process of managing change



to designated heritage assets can be achieved within the planning process.

"In determining planning applications, local planning authorities should take account of:

the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

the desirability of new development making a positive contribution to local character and distinctiveness." Para. 197.

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. " Para. 198.

"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed building, ... should be exceptional" Para. 200.

It should be noted that substantial harm is a high test which has been held to be "tantamount to destruction".

"Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a) the nature of the heritage asset prevents all reasonable uses of the site; and

b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

d) the harm or loss is outweighed by the benefit of bringing the site back into use." Para. 201.

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use." Para. 202.

The local planning policy is provided by the The Warrington Local Plan Core Strategy (adopted by July 2014).

With reference to Listed Buildings policy QE 8 Historic Environment applies and the relevant portions are provided below:

The Council will ensure that the fabric and setting of heritage assets, as set out below, are appropriately protected and enhanced in accordance with the principles set out in National Planning Policy.

Listed Buildings

The Council and its partners will aim to recognise the significance and value of historic assets by identifying their positive influence on the character of the environment and an area's sense of place; their ability to contribute to economic activity and act as a catalyst for regeneration; and their ability to inspire the design of new development.

Development proposals which affect the character and setting of all heritage assets will be required to provide supporting information proportionate to the designation of the asset which;

- *adopts a strong vision of what could be achieved which is rooted in an understanding of the asset's significance and value, including its setting;*
- *avoids the unnecessary loss of and any decay to the historic fabric which once lost cannot be restored;*
- *recognizes and enhances the asset's contribution to the special qualities, local distinctiveness and unique physical aspects of the area;*
- *fully accords with the design principles outlined elsewhere within the Local Planning Framework;*
- *includes suitable mitigation measures, including an appropriate desk-based assessment*

The issue at hand would appear to be the potential for impact to the setting of Tanyard Farmhouse arising from allocation and, ultimately, development. The agenda in this issue is framed by (s66(1)) of the 1990 Act (harm to setting) and NPPF paras. 197, 198, 200 and 201 and Warrington Local Plan Core Strategy policy QE 8 (harm to the significance of Tanyard Farmhouse arising from changes within its setting).

As the allocation of Land West of Reddish Crescent does not include either in part or whole Tanyard Farmhouse or any of its curtilage, only those portions of statutory provision and the above policies relating to the setting of a Listed Built apply.

Setting is defined as the surroundings in which a heritage asset is experienced and is most commonly framed with reference to visual considerations. Therefore, lines of sight to or from an asset and its immediate and wider landscape will play an important part in considerations of setting. However, non-visual considerations also apply, such as spatial associations and an understanding of the historic relationship between places.

This is not the appropriate place to undertake a formal, methodological assessment of the setting of Tanyard Farmhouse and the potential implications of a residential development on Land West of Reddish Crescent. Nevertheless, it is instructive to run through the staged approach recommended by Historic England for setting assessments¹.

The approach takes form of a sequential, stepped process:

Step 1: Identify which heritage assets and their settings are likely to be affected

Tanyard Farmhouse

Step 2: Assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated

The roadside setting of the Farmhouse provides it with a dynamic locale along a suburban road. Historically, the Farmhouse would have articulated with its ancillary buildings. These survive (in part) to the west and south but have been converted to residential use. In the wider setting, much of the historic farmland and has been developed as housing estates along the east-west spine provided by Rush Green Road. The landscape has been fundamentally altered since the construction and use of the Farmhouse as the residence cohering to a working farm.

The setting makes a marginal contribution to the significance of the Farmhouse. That the ancillary buildings mostly survive establishes some positive context by means of group value and the continuity of a recognizable farmstead group. However, the coherence is diminished and separation of ownership dilutes the contribution. The thoroughfare of Rush Green Road is historic, tracing its origins to at least the 18th century and this communication route, whilst subject to modern levels of traffic use, provides historic tone. In the wider realm the construction of the dwellings at Rush Gardens, Woodyatt Way and the Sainsbury's Supermarket has altered the land use to the west, south and east of the Farmhouse – specifically in the land owned by Rev. Taylor and farmed by David Forester. The built environment here makes no contribution to the significance of the Farmhouse.

The Land West of Reddish Crescent is undoubtedly within the setting of the Farmhouse, but taking into account the ownership and use of land suiting the mid-19th century it is clear that the land had no functional connection to Farmhouse – it was owned by George Cornwall Legh and tenanted by Elizabeth Morgan. As an expanse of undeveloped land it does, nevertheless, act as a residue of farm land which, historically, characterized the setting of the Farmhouse and therefore, makes a minor, but not decisive contribution to the significance of the Farmhouse.

Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it

Development of Land West of Reddish Crescent would change the land cover from agricultural land to built form. The wider setting of the Farmhouse would be changed. However, as the significance

¹ Historic England, 2017, *The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning: 3 (2nd Edition)*

of the Farmhouse does not rely on the Land West of Reddish Crescent, which makes only a passing, non-specific contribution to that significance, the change would not adversely affect that significance.

Step 4: Explore ways to maximise enhancement and avoid or minimise harm

It would not be possible to claim that development of Land West of Reddish Crescent would enhance the significance of the Farmhouse. However, I do not believe that the development of the land would give rise to harm to the significance of the Farmhouse. Nevertheless, the design of the individual units, the layout of plots and the application of a sensitive and suitable landscaping scheme (most pertinently the retention of a relatively deep corridor of open space along the Rushgreen Road frontage and extending some way north along Reddish Crescent from its intersection with Rushgreen Road as shown on the Illustrative Masterplan) would provide a fitting manner to articulate the development to the existing landscape.

The above, basic appraisal can feed into an examination of the statutory duty upon the Council and the planning policies.

The Council's statutory duty is have *special regard to the desirability of preserving the ... setting* of a Listed Building. The setting of a Listed Building is not a heritage asset², but this does not dilute the duty. The setting has been explored above and whilst the Land West of Reddish Crescent forms part of the setting of Tanyard Farmhouse, it is not the entirety of the setting nor an important part of it. Therefore, changes to it cannot be considered to fail to preserve the setting. The Council may address its statutory duty, at the appropriate time, and conclude that allocation of Land West of Reddish Crescent does not conflict with the preservation of the setting of the Farmhouse.

With respect to planning policy it is first proper to make some comment on the inherent tension between land allocations and NPPF (and local) provisions for heritage. The allocation process is intended to accommodate major change whereas NPPF and the local polices seek to avoid harm in both plan-making and decision-taking. There is potential for the two to be necessarily mutually exclusive and when considering a site under consideration for allocation or determining a planning application any reflection on the implications of change must accept the presumption that wholesale change (and the opportunities for mitigation if that change would lead to harm) are broadly secondary to the securing the benefits that the change is designed to bring.

In respect of NPPF I have stated above that development of Land West of Reddish Crescent would not harm the significance of Tanyard Farmhouse. However, as a risk exercise it worth running the NPPF test against an assumed harm of some level.

The levels of harm to the significance of heritage assets in NPPF are defined as 'substantial' and 'less than substantial'. As noted above, substantial harm is a high test, tantamount to destruction of a heritage asset. However, Planning Practice Guidance notes that substantial harm *includes total loss* and this suggests that substantial harm is not exclusively characterised by total

² **Historic England, 2017, p. 4**



loss/destruction. Indeed the NPPG goes on to note that *even minor works have the potential to cause substantial harm, depending on the nature of their impact on the asset and its setting*. With this in mind however, I find it difficult to envisage a situation in which any party could realistically claim that a residential development of Land West of Reddish Crescent would lead to substantial harm to the significance of the Farmhouse.

This leaves less than substantial harm as a possibility. Any party could, with little evidence, claim that a residential development of Land West of Reddish Crescent would lead to less than substantial harm to the significance of the Farmhouse. Whilst I think this would be difficult to substantiate under examination, when scrutinised against the norms of conservation practice, it could trigger the Council into taking account of *the desirability of sustaining ... the significance of heritage* and requiring *clear and convincing justification*. In addition, NPPF directs Councils to weigh a development proposal against the public benefits of that proposal. Thus, any supposed harms to the significance of the Farmhouse would be weighed against the public benefits of a residential development.

The local planning policy - *Policy QE 8 Historic Environment* – resolves that the Council will ensure that the setting of Listed Buildings is *appropriately protected ... in accordance with the principles set out in National Planning Policy*. National Planning Policy has been discussed above and it is important to note that NPPF deals with the significance of heritage assets of which setting can have a contributory input. Policy QE 8 also requires development proposals which affect the setting of a heritage asset to provide supporting information proportionate to the designation of the asset. At the appropriate time it would no doubt be useful to provide such supporting information. This in no way should be taken as admittance that a residential development at the Site would affect the setting of Tanyard Farmhouse, but the provision of such information would demonstrate due diligence and bring to bear a degree of professional credibility to any conclusion that such development would not affect the setting.

In conclusion it is my professional opinion that whilst a residential development on Land West of Reddish Crescent would alter the setting of the Listed Building Tanyard Farmhouse this would not equate to harm to the setting nor would it harm that portion of the significance of the Farmhouse which derives from its setting.

I trust the above is of value to you.

Yours sincerely,

Anthony Martin

A. Martin, Director, for Nexus Heritage