

# 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:** Gareth Salthouse

**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.

A Developer / Landowner

3. Please provide your contact details:

	Contact details
<b>Organisation name (if applicable)</b>	Emery Planning
<b>Agent name (if applicable)</b>	Gareth Salthouse
<b>Address 1</b>	[REDACTED]
<b>Address 2</b>	[REDACTED]
<b>Postal Town</b>	[REDACTED]
<b>Postcode</b>	[REDACTED]
<b>Telephone number</b>	[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.

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).**

Please see attached representations

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

	Yes	No
<b>Legally Compliant</b>	X	
<b>Sound</b>		X
<b>Compliant with the Duty to Co-operate</b>	X	

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.

Please see attached representations

5. If you answered 'Yes' to any of the options in question 3 then please give details in the box below the reasons why you support the legal compliance or soundness of the Draft Local Plan or its compliance with the duty to co-operate.

Please be as precise as possible.

Please see attached representations

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).

You will need to say why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to put forward your suggested revised wording of any policy or text.

Please be as precise as possible.

Please see attached representations

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 attend the hearings to make oral submission, respond to the Inspector's questions and respond to the Council's case. The issues are complex and there is a need for detailed examination of the evidence.

8. If you wish to upload documents to support your representation form then please select 'choose file' below. You can upload a max number of 2 files (up to 25MB each).

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- File: Warrington UPSVLP - Mr Waheed & Mr Latif reps.pdf - [REDACTED]

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 2

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).**

Chapter 4 - Housing Delivery

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

	Yes	No
<b>Legally Compliant</b>	X	
<b>Sound</b>		X
<b>Compliant with the Duty to Co-operate</b>	X	

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.

Please see attached representations

5. If you answered 'Yes' to any of the options in question 3 then please give details in the box below the reasons why you support the legal compliance or soundness of the Draft Local Plan or its compliance with the duty to co-operate.

Please be as precise as possible.

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Please be as precise as possible.

Please see attached representations

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- File: Warrington UPSVLP - Mr Waheed & Mr Latif reps.pdf - [REDACTED]

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

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.

A specific policy sub-number (s)

**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).**

GB1.1, GB1.3

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

	Yes	No
<b>Legally Compliant</b>	X	
<b>Sound</b>		X
<b>Compliant with the Duty to Co-operate</b>	X	

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.

Please see attached representations

5. If you answered 'Yes' to any of the options in question 3 then please give details in the box below the reasons why you support the legal compliance or soundness of the Draft Local Plan or its compliance with the duty to co-operate.

Please be as precise as possible.

Please see attached representations

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Please be as precise as possible.

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Yes, I wish to participate at the oral examination

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We wish to attend the hearings to make oral submission, respond to the Inspector's questions and respond to the Council's case. The issues are complex and there is a need for detailed examination of the evidence.

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- File: Warrington UPSVLP - Mr Waheed & Mr Latif reps.pdf - [REDACTED]

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

Please select what you would 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.

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).**

Chapter 10 - Site allocations / site selection methodology

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

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

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.

Please see attached representations

5. If you answered 'Yes' to any of the options in question 3 then please give details in the box below the reasons why you support the legal compliance or soundness of the Draft Local Plan or its compliance with the duty to co-operate.

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Please be as precise as possible.

Please see attached representations

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.

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- File: Warrington UPSVLP - Mr Waheed & Mr Latif reps.pdf - [REDACTED]

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**)





# Local Plan Representations

Warrington Updated Proposed Submission Version Local  
Plan 2021-2038 – 1) [REDACTED]

[REDACTED]

For: Mr M Waheed & Mr S Latif

Emery Planning Project No. 4324

Emery Planning

[REDACTED]  
[REDACTED]  
[REDACTED]  
www.emeryplanning.com



Project : 4324  
Document : Warrington Updated  
Proposed Submission  
Version Local Plan 2021-  
2038  
Client : Mr M Waheed & Mr S  
Latif  
Date : November 2021  
Author : Gareth Salthouse  
Approved by : John Coxon

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## 1. Introduction

1.1 Emery Planning is instructed by our clients, Mr M Waheed & Mr S Latif, to prepare and submit representations to the Warrington Local Plan Submission Version consultation.

1.2 This Statement relates to our client's specific-site interests within Lymm as follows:

- [REDACTED]
- [REDACTED]

1.3 These parcels are described in detail within this Statement and were both promoted through the Warrington 'Call for Sites' exercise carried out by the Council in 2016, and the subsequent Preferred Option consultation and most recently through the Local Plan Submission Version consultation in 2019. We enclose plans showing the two parcels of land edged red at **EP1** and **EP2** of this Statement.

1.1 In summary, these representations propose the allocation of the two sites in order to meet identified housing needs within Lymm.

## 2. Housing Delivery (Policy DEV1 & Section 4)

2.1 The Council has overestimated its housing land supply, particularly from SHLAA sites, and insufficient flexibility has been provided:

- There is a very significant lack of evidence underpinning the delivery of sites identified within the SHLAA.
- A significant number of the SHLAA sites are not proposed to be allocated and do not have planning permission.
- Identifying a site as developable in the SHLAA provides no guarantee that it will become available or that a planning permission will be implemented.
- The Council's supply includes large numbers of apartment schemes in central Warrington and the past failure of sites with the town centre and the urban area to deliver has led to significant shortfalls in the delivery of housing.
- There is insufficient flexibility in the supply to allow for the Council to adapt to changing circumstances.
- Many sites included by the Council do not meet definition of 'deliverable' for the purposes of the Framework.

2.2 Additional deliverable and viable sites need to be allocated to ensure that these requirements are met.

### **3. Policy GB1: Green Belt**

- 3.1 We consider that there is a need to allocate additional sites for housing to boost the supply of housing and meet identified housing needs for reasons discussed elsewhere in this Statement. We have put forward two omission sites on behalf of our client for release from the Green Belt.
- 3.2 We also consider that safeguarded land should be provided to ensure that the housing requirement could be carried forward to the next plan-period without the need for Green Belt release. This would ensure compliance with paragraphs 137, 140 and 143 of the Framework.

## 4. Site Selection Process: Site Allocations (Section 10)

- 4.1 In the first instance, there is no evidence that the Council has carried out any informed assessment as to the merits of sites selected for development and sites not selected for development through the Submission Version Local Plan. There is nothing within the evidence base that the Council has considered a site selection process methodology whereby it is made clear as to how sites have been 'sieved'. In the absence of this evidence, the plan is not justified.
- 4.2 A site selection process is critical to the local plan process as it allows for a clear and transparent process to be followed. It also helps to ensure that the plan represents an appropriate strategy as it allows for potential sites to be tested against the Council's overall vision and objectives. The site selection process should inherently be linked with the overall strategy for the emerging local plan i.e. sites selected serve a meaningful planning purpose.
- 4.3 At paragraph 3.2 of the Development Options and Site Assessment Technical Report (September 2021), the document states that all sites making a strong contribution to the Green Belt have been discounted. It is not clear why all such sites have been discounted in principle. This is just one of many factors that should be weighed in the balance when considering whether to allocate a site for development and release it from the Green Belt.
- 4.4 The Council has identified the site allocation at Fiddlers Ferry, which relates to land that partly makes a strong contribution to the Green Belt as per the assessments carried out for the local plan evidence base. It is presumably the case that the Council concluded that the benefits of identifying this site outweighed the loss of some Green Belt that makes a strong contribution. Indeed, the Implications of Green Belt Release Report (2021) sets out mitigation measures such as landscape planting and buffers. It is not clear why the Council could not adopt a more informed and balanced assessment for other potential site allocations with due regard for the Plan's objectives and the SA/SEA; the Council's methodology would have resulted in the Fiddlers Ferry site being sieved out at the first stage.
- 4.5 We consider that further consideration should be given to the impact of potential alternative on the Green Belt and what mitigation may be possible through landscape planting and buffers for instance. We would suggest that the same approach set out by the Council through the Implications of Green Belt Release Report (2021) should be adopted for potential alternative site allocations.

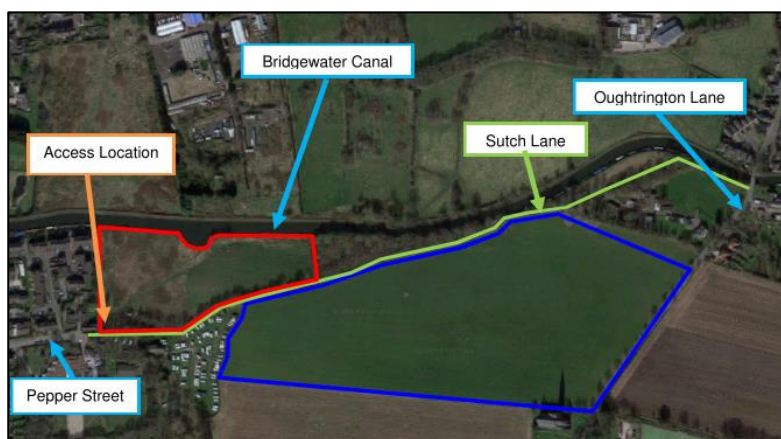
- 4.6 Having sieved 'strong' Green Belt sites, the Development Options and Site Assessment Technical Report (September 2021) says that sites were then assessed and compared, and this enabled selection for allocated sites. There is a list of sites appended and the proformas provide brief commentary on selected sites following a 'workshop'. It is not made clear what the nature and purpose of this workshop was and who was present. Notwithstanding the brevity of any assessment carried out, there is no overarching assessment as to why certain sites have then been selected as site allocations.
- 4.7 This falls short of what is required to ensure a fair and transparent site selection process that contributes to the emerging local plan overall vision and objectives. It is contrary to the PPG, which advises that all land should be assessed together as part of plan preparation to identify which sites are the most suitable and deliverable for a particular use (paragraph 3-001).
- 4.8 In the case of the two omission sites subject to this Statement, neither has been subject to any form of assessment through the emerging local plan tother than the SHLAA. Although promoted through the 2016 Call for Sites and subsequent 2017 Preferred Option and 2019 Submission Version Local Plan consultations, neither site has been referenced through the Development Options and Site Assessment Technical Report & Site Assessment Proformas. Our client lodged detailed highways information on both sites in terms of highways improvements that could be delivered as part of potential site allocations, and the Council appears to have had no regard for this.



## 5. Proposed omission site: Land off Pepper Street and Sutch Lane, Lymm

### Site context and surroundings

- 5.1 We provide an image with this site edged red below (the land edged blue is land also within our client's control and this 2<sup>nd</sup> parcel of this is also the subject of this Statement):



- 5.2 See also the location plan at **EP1**. This site is approximately 1.7ha, and is capable of supporting approximately 50 units. It forms a logical urban extension to Lymm. It is well contained by the Bridgewater Canal to the north, residential development to the west and Ravensbrook School and a caravan storage site to the south. It is heavily influenced by surrounding urban features.
- 5.3 The site is not constrained by flood risk.
- 5.4 The site is highly sustainable, and is well related to local infrastructure and amenities, including highway networks, schools and convenience stores.
- 5.5 Furthermore, we provide an image below showing the revised built-up settlement boundaries for Lymm below as per the Draft Local Plan Proposals Map. This amended settlement boundary reflects Draft Site Allocation OS5 (Rushgreen Road – Lymm) for at least 136 no. dwellings and the approved scheme 2017/31816 for 64 dwellings at the former Tanyard Farm on Rushgreen Road (Bellway Homes are currently on-site implementing this approved scheme):



### Planning application 2017/31074 (Ravenbank House)

5.6 An outline planning application was lodged by ATM Landmark in November 2017 for the erection of up to 19 dwellings on land to the southern side of Sutch Lane (LPA ref: 2017/31074). This site is used for the storage of caravans and we provide a red edge plan below [REDACTED]



5.7 The application site is located immediately to the south of our client's site referred to as [REDACTED] through this Statement, and immediately to the west of our client's site referred to as [REDACTED] through this Statement.

5.8 The planning application was presented to Planning Committee in January 2018 with a recommendation of approval by officers. Relevant points are summarised below from the Committee Report:

- The site is relatively well enclosed by established boundaries and it does not appear prominent in the wider landscape.
- The lawful use of the site is for the storage of up to 200 touring caravans pursuant to certificate of lawfulness 2017/30114, and it also contains temporary structures and a dwelling house known as Ravenbank House.
- The substantial area of woodland planting to the south of the site forms a substantial buffer between the site and suburban housing on Scholars Green Lane and Churchwood View.
- The local highways authority raised no objections to the proposed access arrangements from the existing mini-roundabout at the end of Pepper Street.
- The existing highways situation at the end of Pepper Street is 'very poor' and the proposed new access arrangements would bring highways benefits in terms of cycle, equestrian and pedestrian safety.

5.9 Members resolved to refuse planning permission and a subsequent appeal was dismissed by the Planning Inspectorate on the basis that the scheme comprised inappropriate development within the Green Belt (PINS ref: APP/M0655/W/18/3206593). However, the application established that the site already has an urbanised character with the potential to accommodate up to 200 caravans.

5.10 The release of our client's sites from the Green Belt has the potential to deliver highways benefits through a new access arrangement at the end of Pepper Street (such benefits can be delivered through one or both site allocations). Furthermore, the urbanised character of land to the south of Sutch Lane emphasises how heavily influenced our client's sites are by urban features and its close functional and visual relationship to the urban area of Lymm.

5.11 We enclose a copy of the Committee Report and appeal decision at **EP3**.

### **Proposed allocation**

5.12 We would suggest that a site-specific allocation of our client's site through the emerging Warrington Local Plan could be worded such that it requires the following:

- The provision of around 50 homes comprising an appropriate mix of sizes and tenures.

- The delivery of an element of affordable housing in accordance with planning policy requirements.
- The provision of a new dedicated school drop-off and parking zone for Ravenbank Community Primary School.
- Provision of on-site open space.
- Appropriate access for vehicular traffic and pedestrians and the submission of a Transport Assessment.
- Provision of a comprehensive landscaping plan for the retention and enhancement of the existing hedgerow to the site boundaries and existing ecological features.
- Contributions to local infrastructure such as school and health provision where appropriate and in accordance with planning policy requirements.

5.13 A standalone site allocation could provide a new car park and drop-off area for the school with wider benefits for the operation of the school premises. A wider site allocation incorporating land to the South of Sutch Lane (discussed further below) could include the provision of a new link road between Pepper Street and Oughtrington Lane, which would provide a direct route for residents into Lymm from the east and has the potential to relieve traffic congestion.

### **Green Belt considerations**

5.14 The Green Belt review undertaken by ARUP on behalf of the Council assesses our client's site as part of parcel of land ref: 'LY17' and is noted as making a strong contribution to the Green Belt, primarily on the basis of the site being well connected on three sides by the countryside. However, the assessment makes no reference to the extensive commercial caravan storage to the southern boundary of the site and this adds to a sense of containment. Furthermore, the assessment concludes that the site is enclosed on three sides by the countryside, which is clearly not the case. The ARUP assessment of this parcel appears to be flawed.

5.15 We cannot agree that the southern boundary enjoys a strong affinity to the countryside and consider that the final assessment of the site making a 'strong' contribution to the Green Belt is not based on a thorough assessment of the site's characteristics.

5.16 The site is heavily influenced by surrounding urban features and its release for housing would comprise a small-scale and logical urban extension. Its boundaries are readily defensible by virtue of existing physical barriers e.g. Bridgewater Canal to the north and residential development beyond at the former Tanyard Farm, caravan storage and a school to the south and the built-up

area of Lymm to the west. The site is enclosed and heavily influenced by urban features, the physical barrier present would prevent any sense of urban encroachment and the site would be very well contained. Furthermore, the site does not play any role in the preventing of settlements or preserving historic settlements.

- 5.17 It is therefore considered that the site makes a 'weak' contribution to the openness and main purposes of including land within the Green Belt.
- 5.18 As noted earlier and as shown on Image xx of this Statement, the Draft Submission Version Local Plan identifies land to the north of Bridgewater Canal to be removed from the Green Belt pursuant to Draft Policy OS5. This draft site allocation is for 136 new homes and a medical centre with associated works, and Bellway Homes are presently on-site implementing the approved scheme for 64 no. dwellings on the former Tanyard Farm site on Rushgreen Road. Notwithstanding the point that land to the north of the canal at Tanyard Farm is already urbanised as a result of the significant commercial complex, our client's site would effectively comprise a small infill site enclosed by physical barriers and the revised settlement boundaries for Lymm as a result of Draft Policy OS5 and the resultant settlement boundaries for Lymm. The site is suitable for release from the Green Belt in order to meet identified development need.

## Highways

- 5.19 As discussed earlier, the Council's Committee Report for planning application 2017/3174 (Ravenbank House) noted that the existing access arrangement at Pepper Street and Ravenbank Community School are 'very poor' (**EP3**). There is potential for improvements in terms of highways safety as acknowledged by the Council through this Committee report.
- 5.20 As discussed below, the detailed access arrangements designed by SCP could deliver a safe and suitable new access for users of the highway including parents and children using Ravenbank Community Primary School. Furthermore, the drawings prepared by SCP also show a new dedicated parking/drop-off for parents of the school and this would comprise a significant benefit in terms of the operation of the school and highways safety.
- 5.21 A Site Access Appraisal has been prepared by SCP for this site and is enclosed at **EP4**. The main points raised by SCP are summarised as follows:
- Pepper Street benefits from a carriageway 6m in width and wide footways and regularly spaced lighting columns.

- In the vicinity of the site, access is provided to Ravenbank Community Primary School, Sutch Lane and a caravan park off a mini-roundabout. The mini-roundabout is also used as a turning circle for parents picking up and dropping off their children during school hours.
- Sutch Lane borders the southern boundary of the allocation site and is a public right of way that provides a link from Oughtrington Lane to Lymm via Pepper Street.
- Access to the site would be provided through an extension to Pepper Street and has been designed with a 5.5m wide carriageway and a 2m wide footway on the southern side of the road, as shown on detailed technical drawings appended by SCP. The client understands that the site access can be delivered using land under their control.
- The drawings prepared by SCP also show that it is proposed that a car park and drop off area will be provided for the school within this allocation site which will help to reduce parking / drop off activities and therefore improve conditions on this section of Pepper Street.
- The site is suitable for housing in highways terms and there is the potential for wider benefits through the addition to a new car park and drop-off area for the school.
- Land to the South of Sutch Lane (discussed within these representations further below – **EP2**) is also being promoted by our clients for development. Both sites could come forward together a single allocation as there a link road could be provided between Pepper Street and Oughtrington Lane by the client, which will provide an alternative route for residents travelling to and from the east, helping to relieve pressure on the western parts of Pepper Street and its junction with the A6144. Detailed junction drawings have been prepared by SCP to show that such a new link road is feasible.

## Local infrastructure

- 5.22 The site is located to the edge of the existing built-up area of Lymm with no fundamental constraints in terms of utilities and surface and foul water connections. It is in close proximity to existing key services such as schools and health facilities. With due regard for the scale of the development proposed, the allocation of our client's site would not place undue pressure on local infrastructure and services.
- 5.23 Any planning application could secure the provision of developer contributions to local services such as education and health facilities where appropriate and in accordance with planning policy requirements and the tests set out through the Community Infrastructure Levy Regulations 2010.

## Summary and conclusions

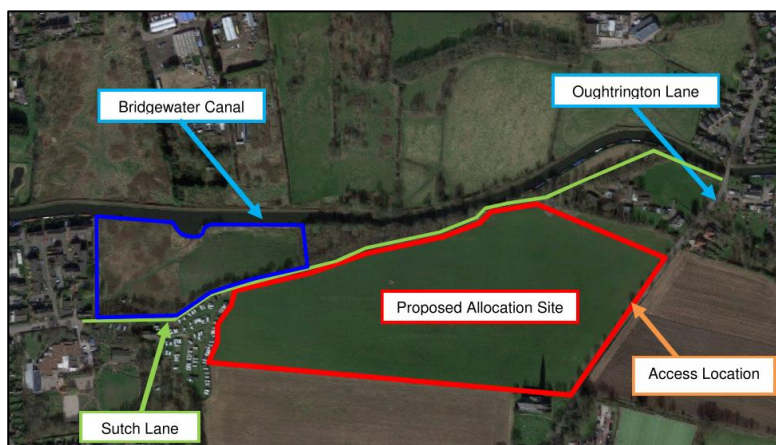
- 5.24 We summarise our points with regard to this site as follows:

- The site is located to the edge of the built-up area of Lymm and is influenced by surrounding urban features e.g. Bridgewater Canal to the north, the built-up area to the west and Sutch Lane to the south with a caravan site beyond. The boundaries are readily defensible by physical barriers such that urban encroachment would not be an issue for this site.
- The site is unremarkable in landscape terms, and is not subject to any heritage, arboriculture or ecology constraints.
- The site does not make a strong contribution to the Green Belt.
- SCP have demonstrated that the release of our client's site on a standalone basis would not undermine highways safety or the local road network. Detailed highways drawings have been submitted.
- The work undertaken by SCP shows the potential for a new car park/drop-off zone within our client's land for Ravenbank Community Primary School, and this would comprise a significant community benefit in favour of the allocation in terms of highways safety and the operation of the school.
- There is potential for a new road link to Oughtrington Lane as part of a wider site allocation with Land to the South of Sutch Lane, which is also being promoted by our client for housing.
- All of the recommended measures to facilitate appropriate access relate to land within our client's control, and the site is locationally sustainable in terms of local services and public transport provision.
- The release of this site would contribute to meeting the identified development needs of Lymm in a sustainable manner.
- The local plan evidence base is flawed in that there is no transparent or robust site-selection process for potential new sites, and our client's site has not been considered by the Council for development purposes through the emerging local plan.

## 6. Proposed omission site: Land south of Sutch Lane, Lymm

### Site context and surroundings

- 6.1 This site is approximately 9ha in area and is capable of supporting up to 270 dwellings. The site is bounded to the north by the Bridgewater Canal, to the east by Oughtrington Lane, to the south by open fields and to the west by residential and commercial development. We are proposing this site for consideration on the same basis as Land off Pepper Street and Sutch Lane (see **EP1**), as it shares many of the same characteristics and is adjacent.
- 6.2 A site location plan is appended at **EP2**, and we provide an image with this site edged red below (the land edged blue is land also within our client's control and this 2<sup>nd</sup> parcel of this is also the subject of this Statement):



### Proposed allocation

- 6.3 We would suggest that a site-specific allocation of our client's site through the emerging Warrington Local Plan could be worded such that it requires the following:
- The provision of around 270 homes comprising an appropriate mix of sizes and tenures.
  - The delivery of an element of affordable housing in accordance with planning policy requirements.
  - Provision of on-site open space.
  - Appropriate access for vehicular traffic and pedestrians and the submission of a Transport Assessment.



- Provision of a comprehensive landscaping plan for the retention and enhancement of the existing hedgerow to the site boundaries and existing ecological features.
- Contributions to local infrastructure such as school and health provision where appropriate and in accordance with planning policy requirements.

6.4 A wider site allocation incorporating Land off Pepper Street and Sutch Lane (discussed further above) could include the provision of a new link road between Pepper Street and Oughtrington Lane, which would provide a direct route for residents into Lymm from the east and has the potential to relieve traffic congestion.

### **Green Belt considerations**

6.5 The ARUP Green Belt Assessment assesses our client's site within a wider parcel of land referenced as LY19. It notes that the site makes no contribution to preventing the merging of settlements or preserving the historic character of settlements. We agree with these conclusions.

6.6 However, ARUP also conclude that the site makes a 'strong' contribution to the openness and main purposes of the Green Belt. We do not agree with this assessment. The site is influenced by urban features and benefits from being enclosed and enclosed by physical barriers. There is a caravan storage site and the built-up beyond including the Ravenbank Community Primary School to the western boundary, Sutch Lane to the northern boundary, Oughtrington Lane and built development (e.g. St Peters Church and Lymm High School beyond) to the eastern boundary and a delineated and recognizable field boundary to the southern boundary. These influences limit the extent to which it can argued that the release of this site would result in urban encroachment and undermine the character of the countryside, and it cannot in our view be concluded that the site makes a 'strong' contribution accordingly.

6.7 We would also highlight again the points made earlier in this Statement in terms of the revised settlement boundaries for Lymm as a result of Draft Policy OS5 and the approved scheme for 64 dwellings being implemented by Bellway Homes on the former Tanyard Farm site.

### **Highways**

6.8 A Site Access Appraisal has been prepared by SCP for this site and is enclosed at **EP5**. The main points raised by SCP are summarised as follows:

- The proposed allocation site has a significant length of frontage onto Oughtrington Lane which provides numerous options in relation to the location and form of the site

access. However, a potential priority controlled ghost island right turn lane junction option has been developed and is shown on a detailed access drawing submitted.

- The proposed access arrangements would provide adequate visibility splays in both directions.
- Land off Pepper Street and Sutch Lane (discussed within these representations further above – **EP1**) is also being promoted by our clients for development. Both sites could come forward together a single allocation as there a link road could be provided between Pepper Street and Oughtrington Lane by the client, which will provide an alternative route for residents travelling to and from the east, helping to relieve pressure on the western parts of Pepper Street and its junction with the A6144. Detailed junction drawings have been prepared by SCP to show that such a new link road is feasible.
- The site is suitable for residential development in highway terms.

6.9 It is considered that the provision of a new link road between Pepper Street and Oughtrington Lane would provide significant local benefits, and this alongside meeting housing needs is capable of being an exceptional circumstance to justify the release of the site from the Green Belt. A new link road would introduce significant benefits that would otherwise not be achieved and could only be delivered through a wider site allocation of our client's site interests. This is a potentially significant local benefit which does not appear to have been factored into the site allocations process.

### **Local infrastructure**

6.10 The site is located to the edge of the existing built-up area of Lymm with no fundamental constraints in terms of utilities and surface and foul water connections. It is in close proximity to existing key services such as schools and health facilities. With due regard for the scale of the development proposed, the allocation of our client's site would not place undue pressure on local infrastructure and services.

6.11 Any planning application could secure the provision of developer contributions to local services such as education and health facilities where appropriate and in accordance with planning policy requirements and the tests set out through the Community Infrastructure Levy Regulations 2010.

### **Summary and conclusions**

6.12 We summarise our points with regard to this site as follows:

- The site is located to the edge of the built-up area of Lymm and is influenced by its proximity at the western and eastern edges to existing built development.
- The site is unremarkable in landscape terms and comprises a single field with no hedgerows or trees within the site itself.
- The development of the site could comprise a logical urban extension to Lymm in Green Belt terms, and would deliver a large proportion of the identified housing needs for Lymm in a sustainable manner.
- The site is suitable for residential development in highways terms.
- There is potential for a new road link to Oughtrington Lane as part of a wider site allocation with Land off Pepper Street and Sutch Lane, which is also being promoted by our client for housing. This would represent a significant benefit of the development that could only be achieved through the wider allocation of our client's site interests.
- The local plan evidence base is flawed in that there is no transparent or robust site-selection process for potential new sites, and our client's site has not been considered by the Council for development purposes through the emerging local plan.

## 7. Summary and conclusions

7.1 There is an acknowledged need to release Green Belt in the borough. However, we consider that the Council has underestimated the amount of housing that needs to be delivered on Green Belt sites. The Council will need to ensure that the plan is flexible. In practice this means identifying a supply of housing significantly in excess of the minimum requirement, in order to provide sufficient contingency for the plan to deal with rapid change.

7.2 We summarise the points made through this Statement below:

- The evidence base underpinning the local plan is flawed in the absence of any understanding as to the site selection process.
- The Council has overestimated its housing land supply, particularly from SHLAA sites, and insufficient flexibility has been provided. Additional site allocations are needed.
- There is a need to designate safeguarded land.
- Our client is promoting two deliverable sites which are suitable as an allocation and have not been considered through the evidence base for the local plan.
- We highlight the Committee report at Ravenbank House, which acknowledged the need for an improvement junction arrangement at the end of Pepper Street.
- Our client has obtained detailed access plans from SCP showing safe and appropriate access provision for the two sites being promoted for development.
- The proposed site allocation at Pepper Street and Sutch Lane could deliver significant benefits in terms of highways safety and the operation of the primary school e.g. a new car park and drop-off zone for the school could be provided within the site allocation.
- The proposed site allocation south of Sutch Lane could provide a new link road providing relief to the A6144 and improving the local road network.
- The revised settlement boundaries for Lymm pursuant to Draft Policy OS5 and the implementation of planning permission for 64 new homes at Tanyard Farm by Bellway Homes, further emphasise the suitability of the release of our client's sites for identified development needs.

7.3 The two sites put forward through this Statement are deliverable subject to a policy change, and it is considered that their allocation for development would represent sustainable development in accordance with the Framework.

## 8. Appendices

EP1 – [REDACTED]

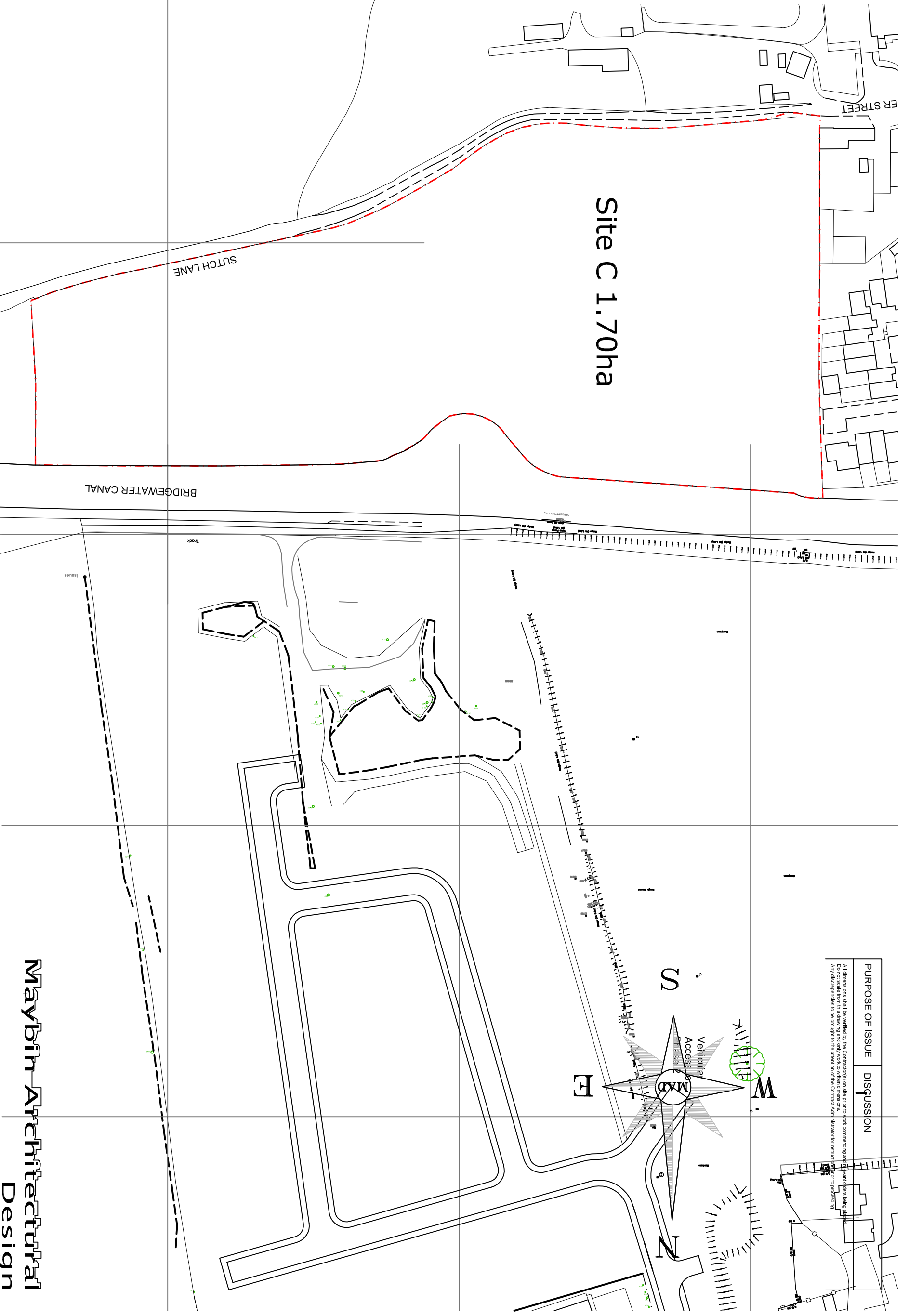
EP2 - [REDACTED]  
[REDACTED]

EP3 – Committee Report: [REDACTED]

EP4 – Site Access Appraisal prepared by SCP [REDACTED]

EP5 – Site Access Appraisal prepared by SCP [REDACTED]

PURPOSE OF ISSUE	DISCUSSION
	All dimensions shall be verified by the Contractor on site prior to work commencing and shall not be taken from this drawing. Do not scale from this drawing and only work to written dimensions. Any discrepancies to be brought to the attention of the Contract Administrator for instructions prior to proceeding.

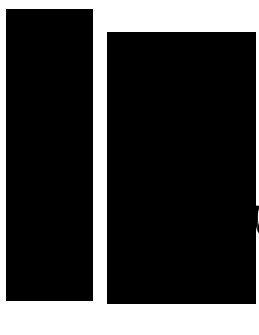


Site C 1.70ha

**Maybin Architectural Design**

PROJECT:  
DEVELOPMENT SITES  
LYMM  
DRAWING:  
SITE C

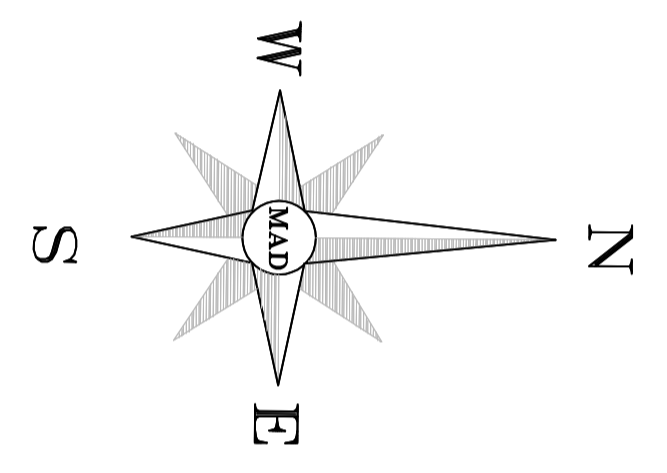
DATE	DRAWN BY:	CHECKED BY:
NOV 16	ARC	CPM
SCALE:	DRAWING NO:	REV:
1:1250	1056-OP-SK22	



EP1

EP2





PURPOSE OF ISSUE	DISCUSSION
<small>All dimensions shall be verified by the Contractor(s) on site prior to work commencing and relevant orders being placed. Do not scale from this drawing and only work to written dimensions. Any discrepancies to be brought to the attention of the Contract Administrator for instructions prior to proceeding.</small>	

**Maybin Architectural Design**

PROJECT:  
DEVELOPMENT SITES  
LYMM  
DRAWING:  
SITE D

DATE: Nov 16	DRAWN BY: ARC	CHECKED BY: CPM
SCALE: 1:1250	DRAWING NO: 1056-OP-SK23	REV:



EP3

**DEVELOPMENT CONTROL COMMITTEE DATE 31-Jan-2018**

**ITEM 1**

<b>Application Number:</b>	<b>2017/31074</b>
<b>Location:</b>	<b>[REDACTED]</b>
<b>Ward:</b>	<b>Lymm South</b>
<b>Development</b>	<b>Outline Planning Application (Major) (Access Only) - Outline application for proposed residential development and access including demolition of existing dwelling, associated garages and ancillary buildings (all other detailed matters are reserved).</b>
<b>Date Registered:</b>	<b>30-Aug-2017</b>
<b>Applicant:</b>	<b>ATM LANDMARK</b>
<b>8/13/16 Week Expiry Date:</b>	<b>28-Nov-2017</b>

**Reason for Referral**

Lymm Parish Council object.

**Human Rights**

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

Article 8 - The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1 - The right of peaceful enjoyment of possessions and protection of property.

**Proposal**

An outline application with all detailed matters, other than access, reserved for later approval.

The demolition of an existing dwelling on site is also proposed.

An illustration of one, possible way the site might be developed with a mix of up to a maximum of 19 houses and bungalows has been submitted.

The scheme would utilise the existing vehicular access to the site, with

improved arrangements at the Pepper Street frontage.

Detailed matters of layout, scale, landscaping and appearance are reserved for later approval.

## **Site**

The 0.8 ha T-shaped site has access off Pepper Street, adjacent to Ravenbank Community Primary School and The Rosebank Centre approx. 400 m from Lymm village centre.

The western part of the application site is located within the Lymm (Inset) settlement whilst the eastern part of the site is located in the Green Belt.

The whole of the site is relatively well enclosed by established boundaries, including a substantial area of trees to the immediate south. It also sits at a lower level than the land to the east and south so that the land does not appear prominent in the wider landscape when seen from Oughtrington Lane to the east or Longbutt Lane to the south.

## ***The Application Site and Surrounding Area***



Sutch Lane is a bridleway and footpath which runs for approx. 190 metres along the northern edge of the site is set lower than the site itself. The landscape falls away further towards the canal and Cloverfield and Fletchers Lane, off Rushgreen Road, beyond. The tops of some of the caravans are visible over the timber fence which forms the northern boundary of the site with the bridleway/ footpath. There is quite strong tree and hedgerow screening along both sides of the bridleway/ footpath which significantly reduces the visibility of caravans.

Views into to the site from Pepper Street are limited by the site's topography and vegetation cover.

The lawful use of the site is for the storage of up to 200 touring caravans. The part of the site in the Green Belt also includes a detached dwelling (Ravenbank House) and a small single storey outbuilding. A track leading into the site past the dwelling splits into three to provide access to the areas of caravan storage.

The site is a mix of hardstand and greenfield land, with several built and temporary structures, including the dwelling Ravenbank House itself.

Whilst replacing the existing dwelling “like-for-like” would be policy compliant, the main body of the site cannot be regarded as previously developed land. As such, save for the dwelling and outbuilding, the storage of caravans on the Green Belt part of the site would not meet the exception related to previously developed land (identified in paragraph 89 of the NPPF).

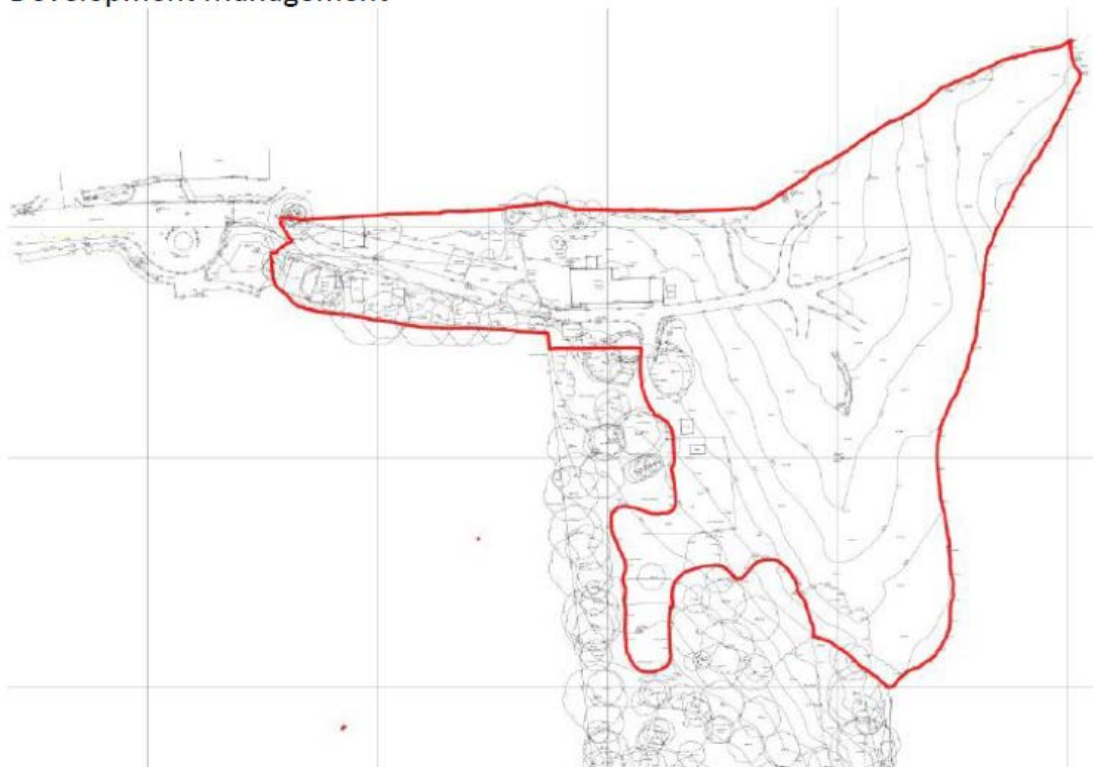
The site is not within a conservation area, does not contain any listed buildings and is not subject to any statutory nature conservation designations.

### **Relevant Planning History**

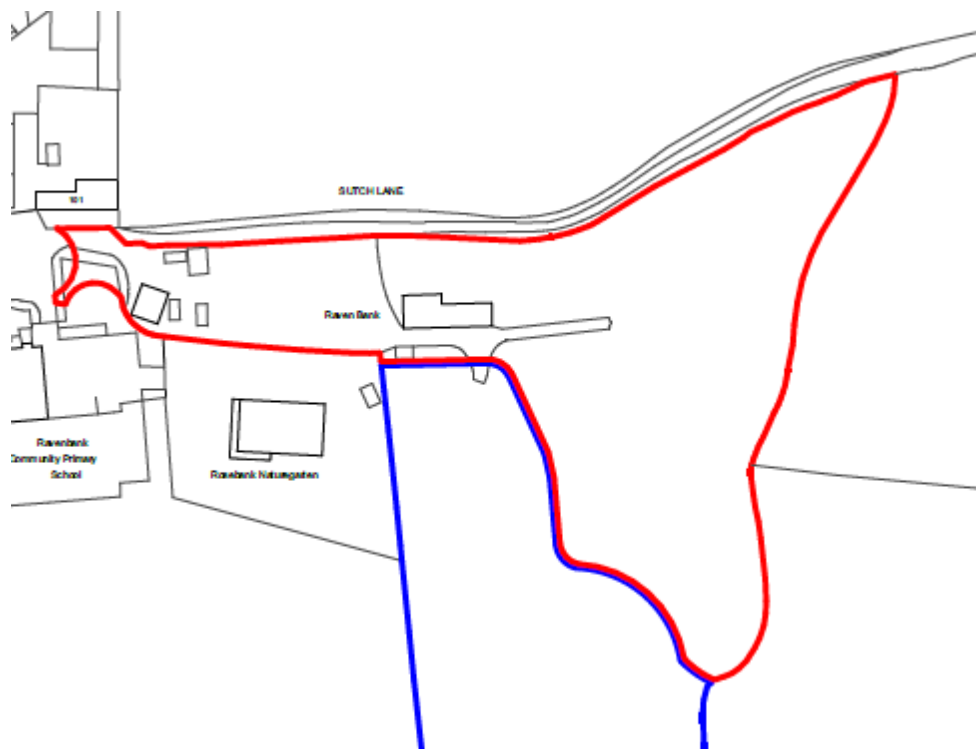
Lawful Development Certificate (2017/30114) issued for the storage of up to 200 touring caravans.

The area over which lawfulness has been confirmed for caravan storage exceeds that of the current application site as shown below:-

### ***Area of Lawful Use for Caravans***



## ***Planning Application Site Boundary***



### **Planning Policies**

#### National Planning Policy Framework

Matters including the effort to support sustainable new development; protection of Green Belt; the delivery of new housing and affordable housing; the creation of high quality places and the protection of living conditions.

#### Local Plan Core Strategy (LPCS)

The main policy framework in the LPCS, is provided by:-

- CS1 – Delivering Sustainable Development
- CS2 – Quantity and Distribution of Development
- CS3 - Maintaining a 10 year Forward Supply of Housing Land
- CS5 – Green Belt
- SN1 – Distribution and Nature of New Housing
- SN2 – Securing Mixed and Inclusive Neighbourhoods
- QE6 – Environment and Amenity Protection
- QE7 – Ensuring a High Quality Place
- QE8 – Historic Environment
- MP1 – General Transport Principles
- CC1 – Inset and Green Belt Settlements
- CC2 – Protecting the Countryside

#### Supplementary Planning Documents

- Design and Construction
- Environmental Protection
- Standards for Parking in New Development
- Planning Obligations

## Consultation Responses

WBC Highways – No objections to amended access details, subject to conditions.

WBC Environmental Protection – No objections subject to conditions.

WBC Flood Risk – No objection subject to conditions.

WBC Education – No objection subject to the payment of a financial contribution (dependent on the number of dwellings to be delivered), to be utilised at Lymm High School. .

Greater Manchester Ecology Unit (GMEU) – No objection.

United Utilities – No objection subject to conditions.

## Notification Responses

Ward Councillors – No response to date.

Lymm Parish Council – Object:

- The area is in green belt
- The access is at the top of a busy already very congested road and the entrance is close to a primary school and would cause an additional hazard

Neighbours – Seven objections:

- Would worsen traffic problems on Pepper Street, especially at school times
- Unacceptable in Green Belt
- No traffic mitigation plans or access improvement
- Pepper Street footpath often blocked with parked cars
- Little public transport or facilities/ amenities in village
- Loss of amenity at Rosebank Naturegarten if the road abuts the perimeter fence due to increased noise and intrusion of passing vehicles; loss of greenery; a new public road would have implications for security and child protection at Rosebank Naturegarten
- Would affect the Public Right of Way
- It is critical that access to our client's land (immediately to the north of the site on the other side of Sutch Lane) is not unduly prejudiced by the proposal, so as not to undermine its deliverability as a possible housing site

## Observations

Until the Council can demonstrate a 5 year housing supply paragraph 49 of the NPPF confirms that relevant policies for the supply of housing should not be considered up-to-date. This means that the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF will apply, ie, planning permission should be granted unless *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole* or *specific policies in this Framework indicate development should be restricted*".

### Impact on Green Belt

The western part of the application site is located within the Lymm (Inset) settlement whilst the larger, eastern part is in Green Belt.

The re-development of that part of the site which is within the Village Inset boundary would be acceptable in principle.

The development proposed on the Green Belt part of the site would cause harm to Green Belt by way of inappropriateness, a reduction in openness and by way of encroachment of built form from the previously developed "brownfield" parts of the site into those areas where there are currently no permanent buildings or fixed infrastructure.

The development would be in an area currently used for the storage of caravans, but would extend the built edge of Lymm approximately 190 metres to the east.

Substantial weight should be attached to harm from inappropriateness. Planning permission should not be granted unless such harm – and any other harm – is clearly outweighed by the potential benefits, including any very special circumstances, of the proposal.

### Openness of the Green Belt

Although not submitted at this outline stage, the bulk, massing and/ or height of the proposed dwellings is likely to significantly exceed that of the existing structures and caravans on site, and therefore would significantly reduce the openness of tGreen Belt in this vicinity.

Whilst the caravans on site have an impact on the openness of the Green Belt, such impact is transient – in that they are moveable structures – and that the number of caravans on site will vary throughout the year.

Larger, permanent dwellings on the site would be more highly visible in the landscape, especially from the north where the land tends to fall away down to the canal.

Overall, due in part to strong screening, the caravans on site are not prominent in the wider landscape, being barely visible at all from vantage points such as the churchyard at the rear of St Peter's Church on approx. 395 metres to the east of the site.

Beyond the site itself, the large expanse of open farmland to the east – between Sutch Lane and Longbutt Lane - makes an undisputedly strong contribution to openness and to Green Belt objectives.

The substantial area of existing woodland planting to the immediate south of the site forms a substantial buffer between the site and the suburban housing on Scholars Green Lane and Churchwood View. The site would project circa 180 metres further east than the established edge of existing housing on Cyril Bell Close on the far side of Pepper Street/ Sutch Lane to the immediate north.

The proposal would involve the removal of low level workshops and the open storage of machinery and their replacement with new dwellings and their



gardens.

Notwithstanding the low key visual presence of the caravans in the wider landscape, openness would be affected by their replacement with housing, and there would therefore be significant harm by way of the reduction in openness.

Such harm would add to the substantial harm to the Green Belt by way of inappropriateness.

### ***OTHER POTENTIAL HARM***

#### Highways Matters and Public Right of Way

The Council's Highways team are comfortable that revisions to the proposed access arrangements from the existing mini-roundabout at the end of Pepper Street in front of Ravenbank School is acceptable. The existing situation is acknowledged to be very poor, so the proposed scheme would bring benefits at the existing roundabout and Public Right of Way in terms of cycle, equestrian and pedestrian safety.

#### Ecology

No evidence of bats emerging from the existing dwelling was recorded, following three surveys.

Whilst the building to be demolished has been assessed as low risk for bats, under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Low levels of bat activity was recorded to the west of the building. The trees that are most likely providing the focus of interest are primarily to be retained. There is however a risk of external lighting disrupting bat activity, however the level of impact is negligible relative to the available habitat so no further measures are required to mitigate impact.

The applicant anticipates that, as part of reserved matters submissions, the ecological value of the site could be enhanced through the retention and introduction of a diverse vegetation structure

#### Trees

Although landscaping is a reserved matter, proposals for a landscape strategy which would protect and strengthen planting at the site, including a long term defensible interface with the Green Belt along the important eastern edge of the site is recognised, and will be pursued at reserved matters stage..

#### Heritage Matters

The application suggests that the siting of bungalows along the eastern boundary of the site would allow clearer, uninterrupted views of St Peter's Church (circa 400 metres to the east on Oughtrington Lane) from the direction of the application site. It is accepted that improving the views of a heritage asset from a public vantage point is generally to be encouraged, and would be a benefit of the proposal, to which some weight should be attached. This would help improve appreciation of the Church and its churchyard, although it

is acknowledged that the improved views would be from the application site itself, rather than from a major public thoroughfare or main street.

### ***View across the site with St Peter's Church in the distance***



### **Residential Amenity**

It is acknowledged that there would tend to be more traffic associated with the proposed residential use than with the existing use for caravan storage. However, even if developed with a notional total of 19 residential units (ie the maximum which has been illustrated), it is considered that serious harm to living conditions at dwellings on Pepper Street and its side streets would not occur, by way of additional traffic movements. There are not considered to be any other significant sources of potential harm to residential amenity.

It is necessary to now consider whether the sources of potential harm set out above are outweighed by other considerations.

### ***OTHER CONSIDERATIONS***

The development would deliver 50 per cent of total site capacity as dwellings for social/ affordable rent. Considerable positive weight is attached to this. Such delivery would comfortably exceed the usual policy requirement of 30 per cent site capacity – to be divided between Starter Homes and social/ affordable rent. This is considered to be a considerable benefit of the proposal – as the need for social/ affordable rent in Lymm is known to be acute, and that such provision would tend to better meet the known need for affordable homes than would Starter Homes.

The applicant has submitted support for the principle of 2 and 3 bedroom houses on the site, in preference to apartments, from Torus – a Registered Provider. Torus also comment that there is evidenced demand for social rented housing in this semi-rural high value area.

The development would deliver the necessary financial contribution to mitigate the impact of the development on the need for high school places, and so would be policy compliant in this regard. The monetary total would depend on the eventual number of family dwellings which received reserved matters approval. Such policy compliance is neutral in terms of weighing the material considerations.

The changes to the front of the site which entails work to the public highway would be undertaken under the Highway Acts, at the developer's expense. The existing situation is very poor, so some benefit to the roundabout and Public Right of Way would accrue, in terms of cycle, equestrian and pedestrian safety should the proposed development be approved. Some limited weight is therefore attached to this.

The proposal is an opportunity to replace the caravan storage use across an area of land which extends beyond the application site boundaries. This is because the Certificate of Lawfulness for caravan storage, issued in June 2017, covered the application site itself and an area of land beyond this – to the south – close to the substantial copse of trees. The replacement of stored caravans with new, well designed dwellings and landscaping, would tend to visually enhance the site and some weight should be attached to this potential benefit. Overall, the removal of the caravan storage use, both within and beyond the application site boundary, is considered to attract significant positive weight.

The proposals give the opportunity to deliver new, substantial landscape planting which would provide a stronger, long term interface with the wider Green Belt. Such definition already exists – but some limited weight should be attached to the scope to improve this.

There is the potential to enhance views through the development of St Peters Church – approx 400 metres to the east. The weight which should be attached to this facet is limited – as such enhancement would be sought as a routine matter of layout design, in any event. In addition, the improved views would be from the application site itself, rather than from a major public thoroughfare or main street.

There is some potential to enhance biodiversity, especially if the wooded area to the south of the site in the applicant's control is better managed. Some limited weight can be attached to this potential.

The economic benefits to the village, in terms of an addition to the choice of quality family homes and to local spending power are accepted as carrying some limited weight.

#### Balancing Exercise

There would be substantial harm to Green Belt by way of inappropriateness; loss of openness and by way of encroachment of built form from the previously developed "brownfield" parts of the site into those areas where there are no permanent buildings or fixed infrastructure. In all other regards, the proposals would be policy compliant and would be considered to be development in a sustainable village location.

It is accepted however that the site does not currently make a strong contribution to green belt objectives, given its lawful use for the storage of up to 200 caravans. It is acknowledged also that the application site is significantly smaller than the area over which caravans might lawfully be stored.

The delivery of 50 per cent of site capacity for affordable/ social rent comfortably exceeds the usual policy requirement of 30 per cent, and would

meet a known need for this form of housing would be substantial – which is also considered preferable to Starter Homes in this regard. Such delivery has support from a recognised Registered Provider of affordable housing.

It is considered that the potential benefits of the proposed development clearly outweigh the likely substantial harm to Green Belt in this case.

### **Conclusion**

On balance, it is considered that other considerations clearly outweigh harm to Green Belt and that compelling very special circumstances exist which justify approval of the proposed development.

This is an opportunity to deliver new dwellings for affordable/ social rent (which would exceed the usual policy requirement), albeit on a modestly-sized site – together with the elimination of caravan storage use – which currently extends beyond the application site boundary.

The residential proposal would bring the land back into a more beneficial and more efficient use, with additional benefits including enhancement of the views of the listed Church; measures to improve the access arrangements in the vicinity of the site frontage near Ravenbank School and scope for additional planting to form a long term interface with the wider, open Green Belt beyond.

Cumulatively, it is considered that these factors combine to clearly outweigh the substantial harm to an area of land which does not currently contribute strongly to the openness of Green Belt, and to contribute to the current shortfall in the supply of available housing land.

### **Recommendation**

Approve subject to conditions; section 106 agreement and referral to the National Planning Casework Unit.

### **Conditions**

1. The development hereby approved shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined by condition 3 below, whichever is the later.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 92 (as amended) of the Town & Country Planning Act 1990.

2. The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details and any subsequently approved reserved matters.  
Reason: For the avoidance of doubt and to define the permission.

3. a) Details of the reserved matters set out below (“the reserved matters”) shall be submitted to the Local Planning Authority for

approval within three years from the day of this permission:

- (i) layout;
- (ii) scale;
- (iii) appearance, and
- (iv) landscaping.

b) The reserved matters shall be carried out as approved.

c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town & Country Planning Act 1990.

4. This outline permission shall not be implemented otherwise than in accordance with the following plans/ drawings (including, where necessary, agreement with the local Highway Authority under S278):-

Curtins Drawing Access Arrangement 06006 Rev P07;  
Site Location Plan 1587 PL 001 Rev C;  
Existing Plan 1587 PL 003 Rev A;  
Topographical Land Survey S17-208.

5. Foul and surface water shall be drained on separate systems.

Reason - To secure proper drainage and to manage the risk of flooding and pollution in accordance with policy QE6 of the Local Plan Core Strategy for Warrington and with the adopted Design and Construction SPD.

6. Prior to the commencement of any development hereby permitted, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to a rate agreed with United Utilities.

Reason: To promote sustainable development, secure proper drainage, to manage the risk of flooding and pollution and in accordance with Policy QE4 of the adopted Local Plan Core Strategy.

7. No development (other than demolition and site clearance works) shall take place until the steps in Sections A and B below are undertaken:

A: CHARACTERISATION: With specific consideration to human health, controlled waters and wider environmental factors, the following documents must be provided (as necessary) to characterise the site in

terms of potential risk to sensitive receptors:

- Preliminary Risk Assessment (PRA or Desk Study)
- Generic Quantitative Risk Assessment (GQRA) informed by a Intrusive Site Investigation
- Detailed Quantitative Risk Assessment (DQRA)
- Remedial Options Appraisal

Completing a PRA is the minimum requirement. DQRA should only to be submitted if GQRA findings require it.

**B: SUBMISSION OF A REMEDIATION & VERIFICATION STRATEGY:**

As determined by the findings of Section A above, a remediation strategy (if required) and verification (validation) strategy shall submitted in writing to and agreed with the LPA. This strategy shall ensure the site is suitable for the intended use and mitigate risks to identified receptors. This strategy should be derived from a Remedial Options Appraisal and must detail the proposed remediation measures/objectives and how proposed remedial measures will be verified.

The actions required in Sections A and B shall adhere to the following guidance: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion in accordance with: Policy QE6 of the Adopted Local Plan Core Strategy; Paragraph 121 of the National Planning Policy Framework (March 2012), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).

8. The development shall not be taken into use until the following requirements have been met and required information submitted to and approved by the Local Planning Authority (LPA):

**A: REMEDIATION & VERIFICATION:** Remediation (if required) and verification shall be carried out in accordance with an approved strategy. Following completion of all remediation and verification measures, a Verification Report must be submitted to the LPA for approval.

**B: REPORTING OF UNEXPECTED CONTAMINATION:** All unexpected or previously-unidentified contamination encountered during development works must be reported immediately to the LPA and works halted within the affected area(s). Prior to site works recommencing in the affected area(s), the contamination must be characterised by intrusive investigation, risk assessed (with remediation/verification measures proposed as necessary) and a revised remediation and verification strategy submitted in writing and agreed by the LPA.

**C: LONG-TERM MONITORING & MAINTENANCE:** If required in the agreed remediation or verification strategy, all monitoring and/or

maintenance of remedial measures shall be carried out in accordance with the approved details.

The site shall not be taken into use until remediation and verification are completed. The actions required to be carried out in Sections A to C above shall adhere to the following guidance: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion in accordance with: Policy QE6 of the Adopted Local Plan Core Strategy; Paragraph 121 of the National Planning Policy Framework (March 2012), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).

9. Prior to the commencement of any works on site, the applicant shall provide in writing a Construction Environmental Management Plan (CEMP) to the LPA for written approval. The CEMP shall review all construction operations proposed on site and shall cover as a minimum the following areas of work on a phase by phase basis, identifying appropriate mitigation measures as necessary: Proposed locations of Site Compound Areas, Proposed Routing of deliveries to Site Compounds or deliveries direct to site, Proposed delivery hours to site, Proposed Construction Hours, Acoustic mitigation measures, Control of Dust and Air Quality on site and consideration for joining a Considerate Contractors Scheme. The CEMP shall consider in each case issues relating to construction and demolition - noise, dust, odour, control of waste materials and vibration - where not detailed in a separate condition. Once approved in writing, all identified measures within the CEMP shall be implemented in accordance with the requirements therein and shall be reviewed on a regular basis and in case of receipt of any justified complaint. Any changes to the identified CEMP mitigation measures from either the regular review process or following receipt of a complaint shall be forwarded to the Local Planning Authority within 24hrs of a change being agreed or implemented.

Reason: To prevent an increase in background noise levels and protects the amenity of any residents in accordance with: Policy QE6 of the Adopted Local Plan Core Strategy; Paragraph 123 of the National Planning Policy Framework (March 2012); and Sections 3 and 6 of the Environmental Protection Supplementary Planning Document (May 2013).

10. Notwithstanding the detail shown on Drawing 06006 PO7, a scheme for the diversion of the public right of way route 31 Sutch Lane Bridleway, incorporating access to adjacent properties shall be submitted to and agreed in writing with the local planning authority. The agreed scheme shall be promoted under s257 of the TCPA 1990 and provided prior to construction at no cost to the local authority. For the avoidance of doubt the scheme shall provide safe access to adjacent properties, Sutch Lane and the proposed development via a single arm connection to the existing mini-roundabout with appropriate provision

for all road user types.

Reason – In the interests of highway and pedestrian safety in accordance with policies CS1; CS4; and QE6 of the Local Plan Core Strategy for Warrington.

11. Notwithstanding the alignment shown on Drawing 06006 PO7, the area of highway to be adopted must be constructed to full adoptable highway design standards and conventional construction methods. The final scheme shall avoid tree root protection areas and provide forward visibility of 25m minimum. Junction visibility of 2m by 25m shall be provided at the junction of the public right of way and the proposed access road. The visibility splay shall be in the control of the highway authority, with nothing built planted or allowed to grow above 600mm within the splay.

Reason – In the interests of highway and pedestrian safety in accordance with policies CS1; CS4; and QE6 of the Local Plan Core Strategy for Warrington.

12. Prior to the commencement of development, a scheme for the protection of all tree/ shrubs/ and vegetation to be retained both within and adjoining the site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include a construction methodology for the proposed access and any other part of the development hereby permitted which runs through the root protection areas (RPAs) and for the installation of foundations; utility services; drainage systems; hard and soft landscaping implementation and any excavations and level changes in relation to RPAs in accordance with BS 5837:2012. The development shall be completed in accordance with the approved scheme and protective measures being in place for the duration of construction works.

Reason; In the interests of the well-being of existing trees and other planting which make a valuable, positive contribution to the site and its setting and the visual amenities of the area having regard to Local Plan Core Strategy (2014) policy QE7 and QE5 and the Design and Construction SPD.

13. Prior to commencement of earthworks a survey of the site and within 30m for badger setts will occur and the findings supplied to and agreed in writing by the LPA.

Reason - To prevent harm to badgers.

14. No works to trees or shrubs shall occur or demolition commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Reason - To ensure that birds are protected and their habitat enhanced, in accordance with Circular 06/05, the Wildlife and



Countryside Act 1981 (as amended) and the Conservation (Natural Habitats, & c.) Regulations 2010 and in order to comply with the NPPF and Policy QE5 of the Warrington Core Strategy.

15. Prior to any earthworks a survey for invasive plant species including japanese knotweed and himalayan balsam will occur and the finding supplied to and agreed in writing to the LPA. If any invasive species are present a method statement detailing avoidance, control and eradication measures should also be supplied to and agreed in writing by the LPA, prior to any earthworks.

Reason - To prevent the spread of invasive species.

16. As part of reserved matters, a landscape plan shall be submitted for approval to the Local Planning Authority. The plan shall include measures to mitigate for the loss of trees, shrubs and bird nesting habitat. The approved plan shall be implemented in accordance with the approved details.

Reason - To ensure that birds are protected and their habitat enhanced, in accordance with Circular 06/05, the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats, & c.) Regulations 2010 and in order to comply with the NPPF and Policy QE5 of the Warrington Core Strategy

## Appendix 1 – Illustrative Layout



EP4

## Site Access Appraisal – Proposed Allocation Site

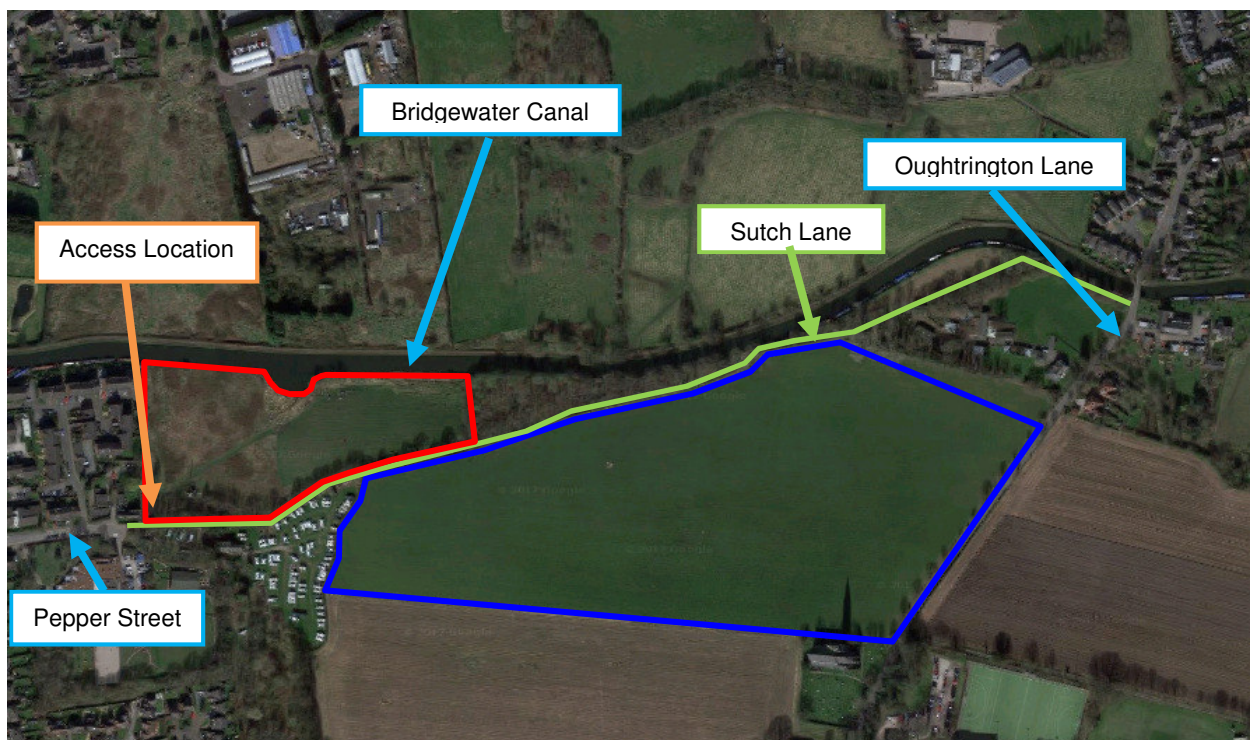
### Land to the East of Pepper Street, Lymm

CT/14224/TN01 – 17 August 2017

#### Introduction

1. SCP have been instructed by Majornet Ltd to advise on access arrangements associated with the proposed allocation of land to the east of Pepper Street, Lymm for residential purposes. The site is located approximately 650m to the east of Lymm Village and covers an area of 1.70 hectares.
2. Land to the south of Sutch Lane, as shown in Blue below, is also being promoted by Majornet Ltd for residential purposes. There are clear highway benefits should both these sites come forward for development, which is discussed in greater detail later in this report.
3. The site location of both sites is shown on **Figure 1** below:-

**Figure 1 – Site Location Plan**



Source: Google Maps



4. This technical note has been produced to support the allocation and to demonstrate to the Local Planning and Highway Authority that a safe and suitable access can be provided to serve future residential development on the site.

### **Existing Highway Conditions**

5. The site is located to the east of Pepper Street which provides a link between the site and Lymm High Street in the west, serving a number of residential cul-de-sacs. Pepper Street is subject to a 20mph speed limit, has a carriageway width of approximately 6m and benefits from wide footways and regularly spaced lighting columns. In the vicinity of the site, access is provided to Ravenbank Community Primary School, Sutch Lane and a caravan storage park off a mini-roundabout. The mini-roundabout is also used as a turning circle for parents picking up and dropping off their children during school hours.
6. Sutch Lane borders the southern boundary of the allocation site and is a public right of way that provides a link from Oughtrington Lane to Lymm via Pepper Street.
7. Oughtrington Lane provides a link between Sandy Lane in the north and the A56 in the south. Oughtrington Lane is subject to a 20mph speed limit and benefits from regularly spaced lighting columns and a footway on the western side of the road.
8. The most recently available five-year road safety record in the vicinity of the site has been obtained from the Department for Transport for the period 1<sup>st</sup> January 2012 to 31<sup>st</sup> December 2016. Investigations show that one slight severity accident occurred on Pepper Street approximately 45m to the east of the A6144 and one serious severity accident at the Pepper Street / Rectory Lane junction. Having regard to the low number of accidents that have occurred in the vicinity of the site, the existing road safety record does not lead to any significant concern.

### **Potential Access Arrangements**

9. Access to the development will be provided through an extension to Pepper Street. The access has been designed with a 5.5m wide carriageway and a 2m wide footway on the southern side of the road, as shown on Drawing Number SCP/14224/F01 presented in **Appendix A**. The Client understands that the site access can be delivered using land under their control.

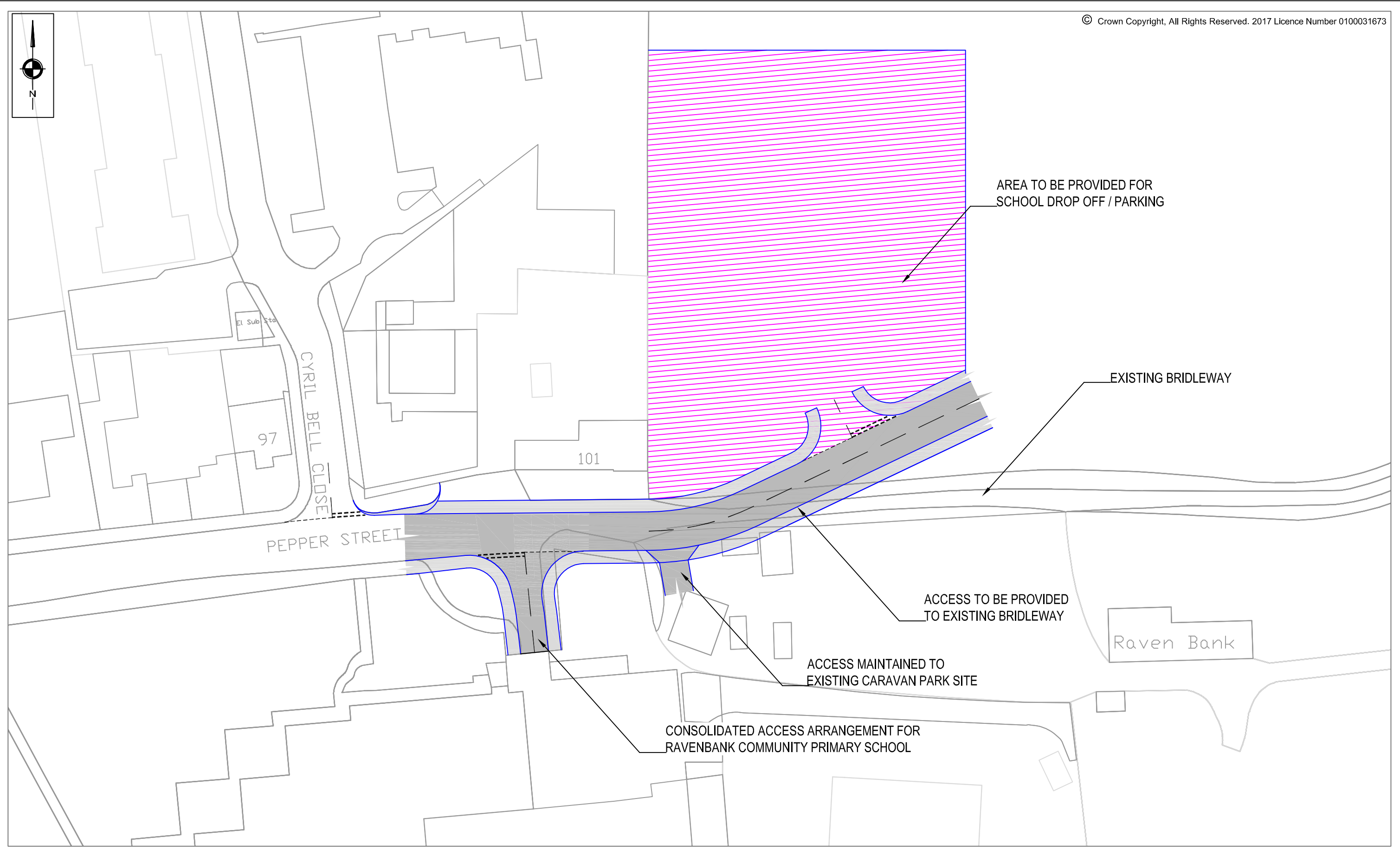
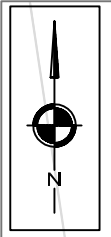
10. It is proposed that a car park and drop off area will be provided for the school within this allocation site which will help to reduce parking / drop off activities and therefore improve conditions on this section of Pepper Street. The existing mini roundabout and access into the school will need to be consolidated, with a potential arrangement for this shown on Drawing Number SCP/14224/F05 presented in **Appendix A**.
11. As detailed earlier, land to the south of Sutch Lane is also being promoted by Majornet Ltd for residential purposes. This would allow a potential link road to be introduced between Pepper Street and Oughtrington Lane which will provide an alternative route for residents travelling to and from the east, helping to relieve pressure on the western parts of Pepper Street and its junction with the A6144.
12. Careful consideration will need to be given to the design of this link to ensure that a balance is struck between providing an alternative route to the east whilst not encouraging significant volumes of through traffic. The land which is being promoted to the south of Sutch Lane has a significant length of frontage onto Oughtrington Lane which provides numerous options in relation to the location and form of junction. However, a potential priority controlled ghost island right turn lane junction option has been development and is shown on Drawing Number SCP/14224/D01 presented in **Appendix B**. This junction meets all required standards set out in TD42/95 of the Design Manual for Roads and Bridges.
13. Pedestrian and cycle access to the site will be provided from the same location as the vehicular access, with 2m wide footways provided on both sides of the access road. A pedestrian and cycle access will also be provided onto Sutch Lane (public right of way), as shown on the site access drawing presented in **Appendix A**, which provides a link towards Oughtrington Lane.

### **Summary**

14. Having regard to the analysis presented above, there is considered to be no constraints from an access perspective which would prevent this land from coming forward for residential use. Furthermore, should this site come forward in combination with land to the south of Sutch Lane then there are clear highway benefits that can be achieved.

**S|C|P**

**APPENDIX A**



Client	MAJORNET LTD
Project Title	[REDACTED]

Drawing Title	POTENTIAL ACCESS OPTION OFF PEPPER STREET
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Scale	1:500 @ A3
Date	27.09.2017
Approved/Unapproved	-

By	BA
Checked	PT
Status	PLANNING

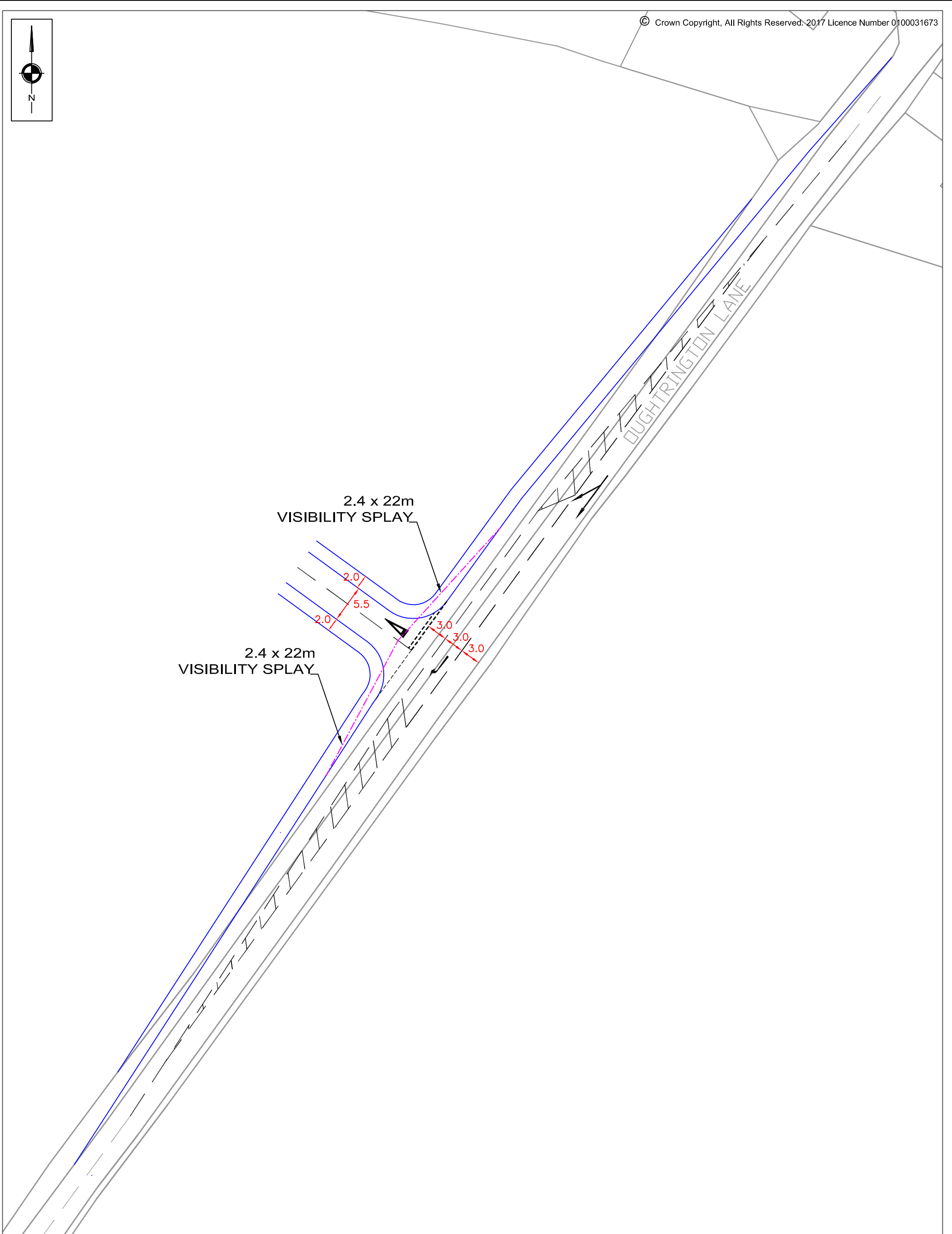
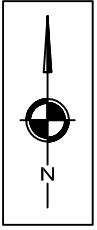
Rev	Description	Date	By
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-

Drawing No.	SCP/14224/F05
Revision	-

**S|C|P**

**APPENDIX B**





**S | C | P**

Transportation Planning : Infrastructure Design

Client	MAJORNET LTD
Project Title	[REDACTED]

Drawing Title	PROPOSED ACCESS GHOST ISLAND RIGHT TURN
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Scale	1:500 @ A3
Date	24.08.2017
Approved/ Unapproved	-

By	WD
Checked	PT
Status	PLANNING

Drawing No.	SCP/14224/D01
Revision	-

EP5

## Site Access Appraisal – Proposed Allocation Site

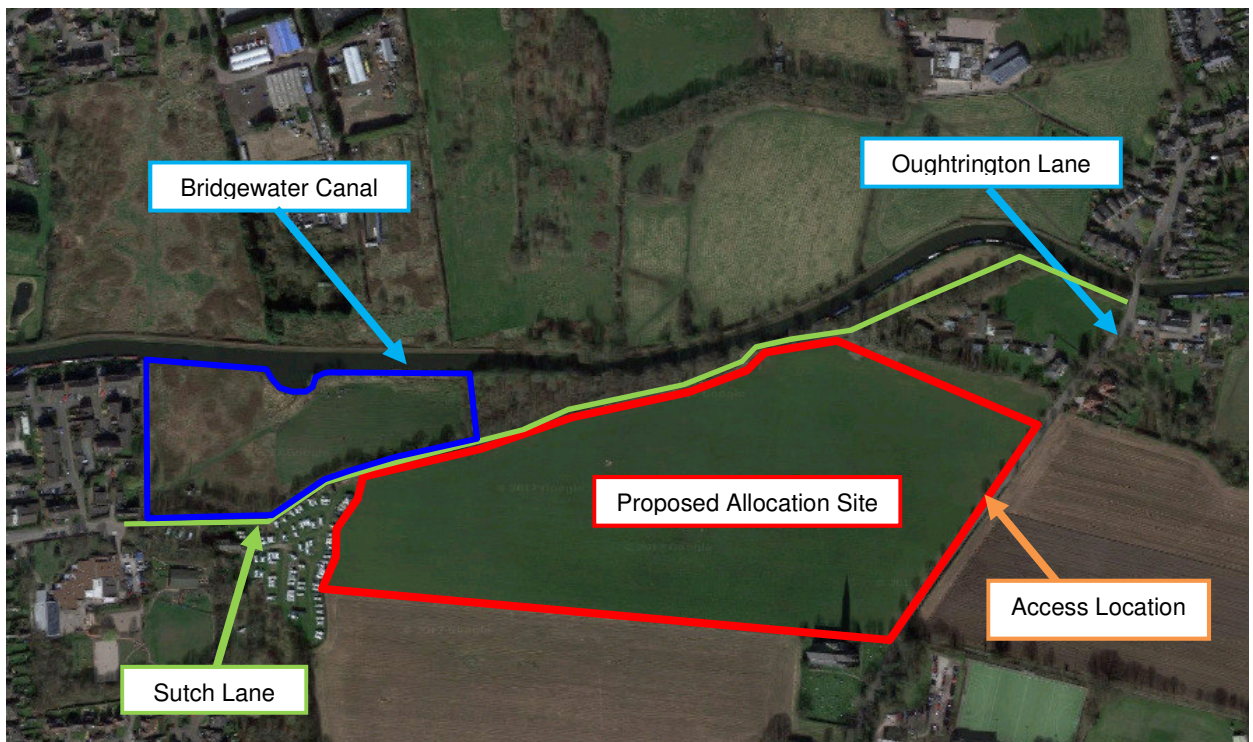
Land off Oughtrington Lane, Lymm

CT/14224/TN01 – 16 August 2017

### Introduction

1. SCP have been instructed by Majornet Ltd to advise on access arrangements associated with the proposed allocation of land to the west of Oughtrington Lane for residential purposes. The site is located approximately 1km to the east of Lymm Village and covers an area of 8.9 hectares.
2. Land to the east of Pepper Street, as shown in Blue below, is also being promoted by Majornet Ltd for residential purposes. There are clear highway benefits should both these sites come forward for development, which is discussed in greater detail later in this report.
3. The site location is shown on **Figure 1** below:-

**Figure 1 – Site Location Plan**



Source: Google Maps

4. This technical note has been produced to support the allocation and to demonstrate to the Local Planning and Highway Authority that a safe and suitable access can be provided to serve future residential development on the site.

### **Existing Highway Conditions**

5. The site is located to the west of Oughtrington Lane which provides a link between Sandy Lane in the north and the A56 in the south. In the vicinity of the site, Oughtrington Lane is subject to a 20mph speed limit and benefits from regularly spaced lighting columns and a wide footway on the western side of the road.
6. The most recently available five-year road safety record in the vicinity of the site has been obtained from the Department for Transport for the period 1<sup>st</sup> January 2012 to 31<sup>st</sup> December 2016. Investigations show that no reported accidents occurred on Oughtrington Lane in the vicinity of the site. Therefore, the existing road safety record does not lead to any significant concern.

### **Proposed Access Strategy**

7. The proposed allocation site has a significant length of frontage onto Oughtrington Lane which provides numerous options in relation to the location and form of the site access. However, a potential priority controlled ghost island right turn lane junction option has been developed and is shown on Drawing Number SCP/14224/D01 presented in **Appendix A**.
8. The access provides visibility splays that have an 'x' (minor arm setback distance) of 2.4m and a 'y' (major road visibility) distance of 56m in both directions. Based on guidance contained in the Manual for Streets, the visibility splays are commensurate with a 37mph design speed, which is well in excess of the 20mph speed limit of Oughtrington Lane and therefore acceptable.
9. As detailed earlier, land to the east of Pepper Street is also being promoted by Majornet Ltd for residential purposes. This would allow a potential link road to be introduced between Pepper Street and Oughtrington Lane which will provide an alternative route for residents travelling to and from the east, helping to relieve pressure on the western parts of Pepper Street and its junction with the A6144. Careful consideration will need to be given to the design of this link to ensure that a balance is struck between providing an alternative route to the east whilst not encouraging significant volumes of through traffic.

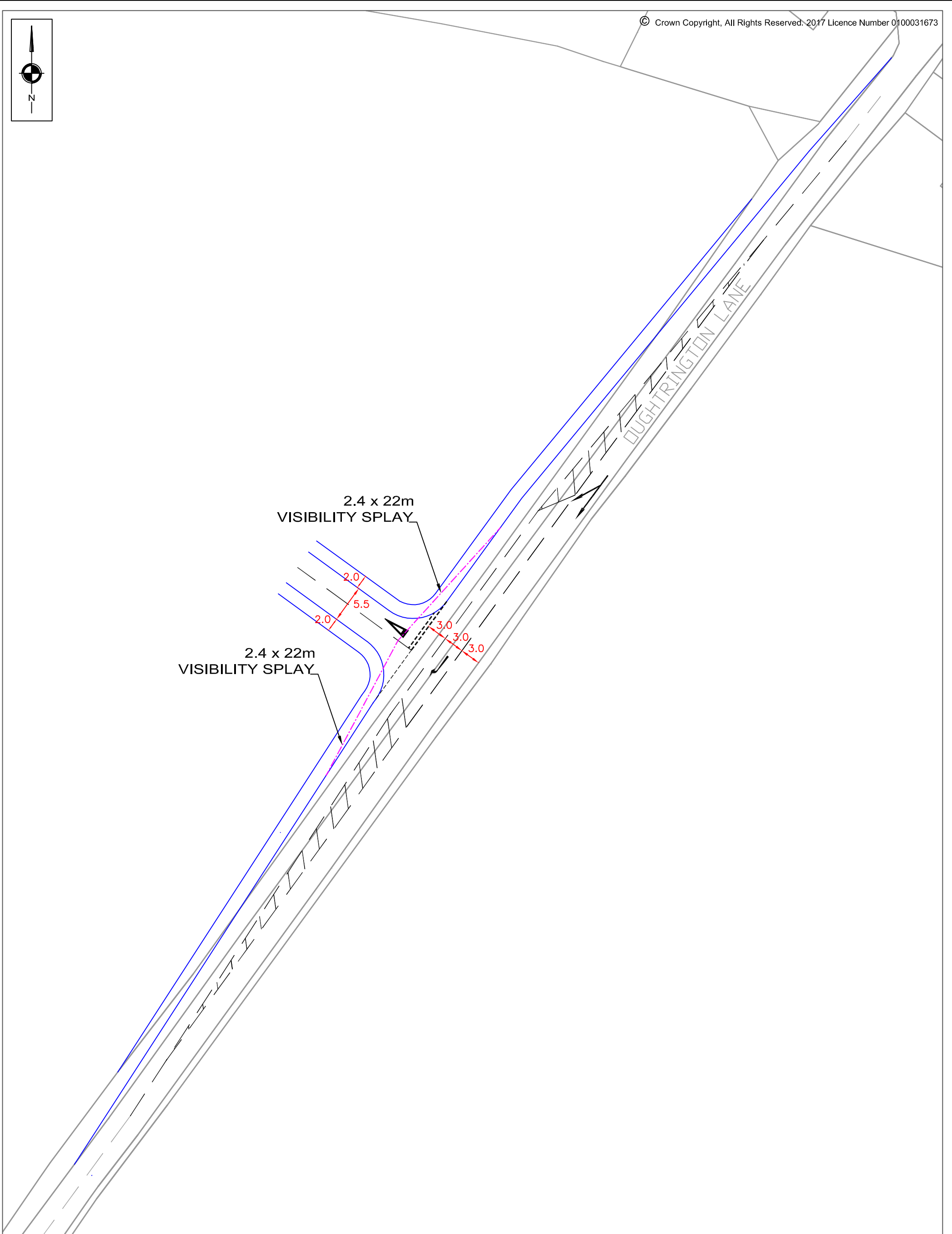
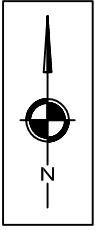
10. Pedestrian / Cycle access to the site will be provided from the same location as the vehicular access, with 2m wide footways provided on both sides of the access road. A pedestrian and cycle access will also be provided onto Sutch Lane (public right of way), as shown on the site access drawing presented in **Appendix A**, which provides a link to Lymm via Pepper Street.

### **Summary**

11. Having regard to the analysis presented above, there are considered to be no constraints from an access perspective which would prevent this land from coming forward for residential use.

**S|C|P**

**APPENDIX A**



**S | C | P**

Transportation Planning : Infrastructure Design

Colwyn Chambers, 19 York Street, Manchester, M2 3BA, Tel 0161 832 4400,  
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Client	MAJORNET LTD
Project Title	[REDACTED]

Drawing Title	PROPOSED ACCESS GHOST ISLAND RIGHT TURN
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Scale	1:500 @ A3
Date	24.08.2017
Approved/ Unapproved	-

By	WD
Checked	PT
Status	PLANNING

Drawing No.	SCP/14224/D01
Revision	-