

**Knowsley Local Plan: Core Strategy Local Plan**

**Response to Inspectors Matters, Issues and Questions**  
**Submitted by Smiths Gore on behalf of the Hesketh Estate (ID 85)**

October 2013

**Knowsley Local Plan: Hearing Statement**  
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**1. Introduction**

- 1.1 Smiths Gore have been instructed by the Hesketh Estate ('our client') to prepare further written submissions to the Examination of the Knowsley Local Plan and respond directly to the Inspectors Questions relevant to our client in respect of Matters 3 and 5.
- 1.2 In preparing this statement we have fully considered the minutes of the pre hearing meeting ('PHM') held on the 26<sup>th</sup> September 2013 and all of the relevant national and local guidance and the regulations listed therein. Smiths Gore have also considered the evidence base produced by Knowsley Council ('the Council'). Our response to the Inspectors Questions, Matters and Issues reflects the previous comments made by our client to the Core Strategy Proposed Submission Document in December 2012.
- 1.3 The statement will respond direct to the relevant matters to our client within the schedule of matters and issues for examination, as follows:
  - Matter 3: Housing Provision
  - Matter 5: Green Belt

**2. Background**

- 2.1 Our client owns the southernmost parcel of land East of Halewood, which forms part of the land identified as a 'reserve' location for new housing in the Core Strategy. The land sits within the current Green Belt Boundary.
- 2.2 Our client's objective is to seek the land be removed from the Green Belt and designated as a housing site for delivery within the Plan Period either as part of the wider allocation at East Halewood or independent of the wider housing allocation given the site's containment with clearly defined and fixed boundaries (the transport networks) and relationship with the existing settlement to the west. The site does not fulfil any of the purposes of being within the Green Belt and would be suitable for release for housing either as part of the wider allocation at East Halewood or in isolation of it.

**Response to Inspector's Questions in relation to Matter 5: Green Belt**

*Issue: Whether the selection of broad locations for development in the Green Belt is justified by evidence and whether the mechanisms for release are clear and effective.*

Response to 5.1

CS5 states that inappropriate development will not be permitted in the Green Belt. We do not consider this to be consistent with national policy.

The NPPF seeks that, when considering any planning application, substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Other considerations and special circumstances must therefore be given a degree of material weight in determining whether development can be permitted in the Green Belt.

To bring CS5 into line with the Framework, we suggest amending the text to state: *'Inappropriate development will not be permitted in the Green Belt unless very special circumstances and other considerations can be demonstrated to outweigh the harm'*.

Response to 5.2

Although, for the most part, we consider the methodology used to select broad locations for possible Green Belt release to be robust, we consider that the Green Belt review document is often complex and inconsistent. For example, where the document identifies the 'severely restrictive' constraints, many of the identified constraints are not accurately assessed.

Our clients' land (identified as K095 in the Green Belt review) is listed as being Grade 2 Agricultural land. A specific site investigation previously carried out by ADAS on behalf of the Council concluded the land to be of Grade 3B moderate quality and has been used for pony grazing for many years. This is quite clearly not a 'severely restrictive' constraint.

The grouping of the parcels is noted and considered appropriate in some instances. Our client's land was grouped at stage 4 of the Green Belt Study with the larger parcel K089 to form KGBS20.

While we welcome the release of both sites (K089 and K095) from the Green Belt, we strongly disagree with the council's assertion (within the Final Green Belt Review) that to release either parcel in isolation would undermine the containment of built development within this area.

While forming part of the wider eastern boundary of Halewood, our clients land is separate from site K089. It is tightly bound and well contained by existing transport infrastructure. The main road (Higher Road) separates our client's site from the rest of the proposed reserve site.

The land has clear and definable boundaries (positioned between Higher Road, Aldersgate Drive and the West Coast Mainline), sits on the edge of an existing housing development and does not fulfil any of the purposes of being within the

Green Belt. It could be delivered early in the plan period and in isolation from K089.

Response to 5.5

We do not agree that the assessment of the grading of agricultural land is comprehensive. Insufficient account has been taken of the differences in the grading.

As outlined above, our client's land has been assessed by ADAS (on behalf of the Council) and concluded to be Grade 3B (moderate), not grade 2 as suggested in the Green Belt review. The means by which the Council have tested the land quality is a very broad brush method of assessing agricultural land quality and is often, by virtue of its high level approach, inaccurate.

Response to 5.6

Detailed boundaries for the broad locations for Green Belt release will be more appropriately defined as the detailed design of the developments come forward and the scale of development required is known.

Response to 5.7

It is not clear how the phased release of green belt sites will operate in practice.

A robust mechanism to regularly review housing delivery rates and the level of available and deliverable housing sites must be built into the Plan to ensure effective monitoring of the supply and delivery of housing sites.

Ensuring adequate housing delivery across the four main townships will be essential to meet the wider housing needs of the Borough and a more effective phased release will be necessary to ensure a choice of type of home and location. The drive to ensure the regeneration objectives are met is welcomed although it will be important to ensure that additional housing is delivered around the Borough at the same time. The urban regeneration objectives should not be the sole arbiter for the trigger for land release.

The specific housing needs across the four townships and - to ensure consistency with the spatial strategy to deliver a wider choice of housing - should drive the scale and location of housing land release. The land proposed for removal from the Green Belt and identified as 'reserve' sites will not necessarily meet longer term development needs but is likely to be required in the short to medium term to deliver a wide range of type of housing in the right location.

We do not agree with the phased approach as proposed in CS5. A broader assessment of housing need and delivery is needed with a very clear mechanism for land release, based around the 5 year housing land supply but giving additional weight to the type and location of homes needed, based on an updated and comprehensive SHMA.

Response to 5.8

There is insufficient clarity in the Plan on the mechanism for release of individual Green Belt sites. As set out in our response to 5.7, we suggest that the mechanism is based around a land supply provision for each township, drawing upon an up to date SHMA to define the type and location of housing needed. This should be updated on a 3 year basis.

Response to 5.10

The broad locations for growth identified within the Plan will have capacity to exceed the housing shortfall to 2028. We consider this to be an appropriate response to ensure the necessary flexibility to respond to the changing housing market, delivery rates, varying housing needs, updates to population projections, etc, without the need for a further Green Belt review. The NPPF seeks that, when undertaking a review, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period. The capacity for growth is fully in accordance with the Framework.

**Individual Green Belt sites**

Response to 5.25 KGBS19 & KGBS20

We consider the selection of site KGBS20 to be fully justified following its comprehensive assessment in the Knowsley and Sefton Green Belt Study (2012), the Green Belt Technical Report (2013) and Sustainability Appraisal (2012). Although overly complex and flawed to a certain extent, we consider the Green Belt review to be largely sound.

As set out above, Site KGBS20 initially comprised of two parcels of land (K089 and K095). Our client owns the southernmost parcel, identified as K095 (land bounded by Higher Road, Aldersgate Drive and the West Coast Mainline), which was thoroughly assessed against the five purposes of the Green Belt as part of the Green Belt review.

The site is considered to be 'well contained' given its complete enclosure by Higher Road to the north and east, the West Coast mainline to the south and residential development to the west. Therefore, as concluded in the assessment, development of the site will not lead to the unrestricted sprawl of the built up area.

The site was identified as being within a Narrow Gap (2-5km settlement gap). The nearest settlement is Hale Bank located approximately 3km east. However, given that the site is well contained to the east by Higher Road, development of this site can be accommodated without resulting in the merging of settlements.

Potential constraints to a site's development were assessed in Stage 3. The site was identified as free from all measured constraints with the exception being that K095 was partly within Best and Most Versatile agricultural land. This was carried through into the Core Strategy Sustainability Appraisal, with KGBS20 presumed to be predominantly grade 2 Best and Most Versatile agricultural land. However, ADAS undertook a more accurate assessment of the site (as commissioned by the Council) and concluded it to be Moderate (Grade 3b).

The Sustainability Appraisal concluded that development of this location would have a relatively mixed impact on the Sustainability Appraisal objectives. The delivery of the scale of houses proposed would have a major positive impact on the objective of providing good quality, affordable and resource efficient housing and can contribute to the housing needs identified by the 2010 SHMA. The site is in a wholly sustainable location and within close proximity to a range of services and facilities. Development in this location would support the Jaguar Landrover plant, the Ravenscourt redevelopment and the local shopping centre on Bailey's Lane.

The negative impacts identified (air quality and mitigating climate change in particular) are considerations to be given to all housing sites proposed in the Plan. Impacts on nearby ecological sites are considered to be minimal given the site's current status as poor quality grazing land and location between major transport networks, existing housing and employment uses. A full ecological assessment will be undertaken as part of any future planning application.

Site K095 was initially assessed on its individual merits however stage 4 of the Green Belt Study linked the site with the land to the north to form KGBS20. The study concluded that to release either parcel in isolation would undermine the containment of built development within the area.

While we welcome the release of both sites (K089 and K095) from the Green Belt and accept that the land could be delivered together, we strongly disagree with the council's assertion that to release either parcel in isolation would undermine the containment of built development within this area.

While forming part of the wider eastern boundary of Halewood, our clients land is separate from site K089. It is tightly bound and well contained by existing transport infrastructure. The main road (Higher Road) separates our clients land from the rest of site KGBS20.

The land has clear and definable boundaries (positioned between Higher Road, Aldersgate Drive and the West Coast Mainline), sits on the edge of an existing housing development and does not fulfil any of the purposes of being within the Green Belt. Our client previously owned the land directly adjacent to site K095 to the west and, when sold to the developer for residential development in 1994, the access was designed to also serve Site K095 should the opportunity for future development arise. The site is deliverable and available for development and could be completed early in the plan period and in isolation from K089.