

This statement on behalf of Weston House sets out responses to the Inspector's Questions on **Matter 5**. They are arranged by Issue and question number using the Inspector's numbering.

This Position Statement relates only to the land known as Weston House on Lydiate Lane, Halewood, and not to land owned by United Utilities on which joint representations have previously been made. Those representations still stand insofar as they relate to Weston House.

Issue 1: Whether the selection of broad locations for development in the Green Belt is justified by the evidence and whether the mechanisms for release are clear and effective.

Q 5.1

The opening statement of the policy is clearly incomplete in not including the exceptional circumstances proviso, but also goes outside the bounds of Green Belt policy by the inclusion of the statement that the visual and recreational amenities of the Green Belt will be preserved. This is not the role of Green Belt policy but is for other policies. If this part of the policy is needed or should be included at all in a plan that is not intended to repeat national policy, it should present Green Belt policy accurately and not vary the terms of established national policy. Unless the plan sets out the full and balanced position on Green Belt development, doubts must be raised over whether what is provided for in the rest of the plan is set properly in context and the plan is internally consistent.

Q 5.2

We have set out a detailed criticism of the methodology used in our representations on the submission plan. The methodology tends to obfuscate the selection process leaving it uncertain what has been the determining issue in choosing possible development locations and different issues have been given different status and weight in relation to different locations. Specifically the assessment methodology as reported as a commentary for the individual sites is a mix of a sustainability appraisal with many different criteria and objectives, and comments on the performance of sites in relation to certain of the purposes of including land in the Green Belt. The process certainly does not lead inexorably to clear and persuasive conclusions – rather it is used in some cases to justify something which may have been decided for other reasons.

The fundamental problem with the examination of the Green Belt in Knowsley is that it has not been used consistently in the development of a spatial strategy. A proper process in making the Local Plan would be to determine where development should go in relation to such as the future role of settlements, population change, economic potential and the balance of homes and jobs and the management of movement, and then to seek the best and most sustainable locations for that development. Where this will require development land over and above what can be satisfactorily accommodated and delivered within the existing urban areas, green field land will be needed and if there is GB the GB boundary will have to be adjusted. The process is not to be driven the other way round – by locating development where capacity is available according to where development would

seem to be most acceptable, including in relation to Green Belt purposes. The role of the plan makers is to seek sustainable development patterns and this is an overriding consideration.

Green Belt policy is not very good for distinguishing different areas of land and how they should be used when a change is needed. If land on the periphery of the main urban areas within a district is designated as Green Belt, once the exceptional circumstances are acknowledged, the best means of identifying land to be used for development and hence taken out of the Green Belt can be simply expressed. Land that can provide accessible development and is relatively free of environmental constraints can be used unless the harm that would be done to the integrity of the Green Belt and to its ability to achieve the purposes for which it was originally designated is so great as to outweigh its locational merit. This is the only credible way to cut through the otherwise interminable loop that comes from one of the purposes of including land in the Green Belt being, 'to assist in safeguarding the countryside from encroachment' which can be called upon by opponents of change and development to oppose any change to the Green Belt boundary and when the most sustainable way of adding development to towns is likely to be on their immediate edge.

The way the Council's assessment refer to 'exceptional circumstances' is a clear indication of the failings of the Council's approach. The search for suitable land in the Green Belt arises from the recognition that the plan is dealing with exceptional circumstances because the housing requirement (even on the Council's flawed and conservative approach) is greater than can be accommodated let alone delivered within the urban areas. The Council however, reports the assessment of individual sites (in the appraisals included as Appendices 6 and 7 of the Green Belt Technical Report (TR04)) as though these are individual applications for planning permission and concludes on the basis of some summation of the performance against criteria on whether a site demonstrates the required exceptional circumstances to be taken out of the Green Belt. This is clearly not the process required to prepare a plan positively.

Q 5.3

We have noted in our representations that the use of the criteria that are applied in addition to the consideration of the purposes of including land in the Green Belt is not always clear, consistent and convincing. This point can be demonstrated by example. In considering the loss of agricultural land that would arise from the development of KGBS20, this is downplayed on the premise that 'many of the locations identified by the Green Belt Study are identified as agricultural land'. In contrast, in the assessment of Alternative site D, this point on agricultural land is not made and the impact (which we dispute in relation to Weston House in any case) is counted as a negative factor in the equation. The sense is that with so many criteria, no relative status attached to different criteria, and no discernible step-by-step process, even if the assessment of sites against the criteria is decent in the first place, the results can be aggregated to produce any desired outcome.

Q 5.4

We deal with this point under Q5.2 and firmly believe that the plan should be driven by the determination of the most appropriate spatial strategy, with the examination of suitable development locations, including whether that would require a change to the Green Belt subordinate to this spatial strategy.

In relation to flooding it must be the case that if development would be in flood storage areas or would increase the risk of flooding, this should be treated as a more important constraint on development than whether a site is in the Green Belt. A potential loss of life, or even only the inability to insure property, is a far more significant and real issue than the matters the purposes of Green Belt attempt to express.

Q 5.7

Land that will need to be taken out of the Green Belt should not be referred to as meeting the longer term needs. It is part of meeting the requirement for the whole plan period, which is quite different. Once land has been identified for development as part of the spatial strategy and hence taken out of the Green Belt, it is the same as any other land in the plan and the timing of its development will and should be determined by its relationship to other development and to the provision of necessary infrastructure, and by the willingness and ability of the market to deliver the development. The plan does not set out as policy a sequential test whereby land cannot be developed if there is something still waiting to be developed that has some 'higher' place in a notional planning hierarchy.

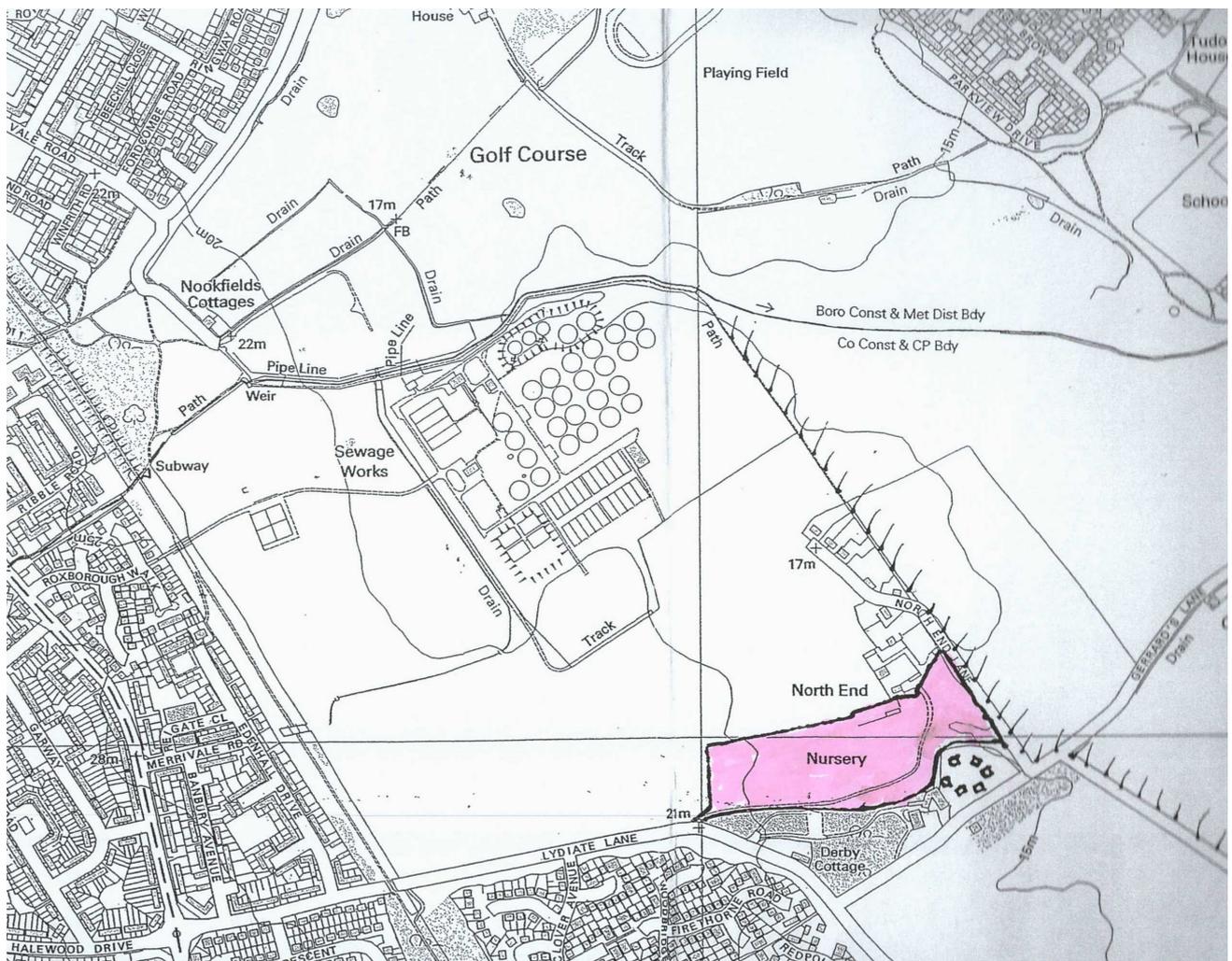
The Green Belt land is - as all other land identified for development – part of a spatial strategy to be implemented through development management decisions. Within the intentions of the spatial strategy the Council cannot realistically expect to be able to micro-manage the process of development. What will be important is the housing trajectory based on the housing requirement once objectively assessed, the choice available to the market reflected in part by the flexibility allowance required by the Framework (and to be set at 20%), and the matter of deliverability which goes to the soundness of the plan.

We have noted in our representations and Position Statement on Matter 2 Housing, that the planning authority has not followed the Sedgefield approach (and now the NPPG approach) in dealing with the housing backlog. When this done and the backlog is added into the requirement for the first five years of the plan, demonstrating deliverability will become the most critical issue and the Council could not proceed on the basis of seeking to hold back deliverable sites and then suggesting the housing requirement could not be met in the early years because there were not enough deliverable sites.

Individual Green Belt sites

Alternative site D, Lydiate Lane

This Position Statement and our continued involvement in the Knowsley Core Strategy relates only to Weston House, that is the land identified as character area 2 in the representations made on the Submission Local Plan in December 2012. This is the land shown red in the plan below.



This land lies between Lydiate Lane, North End Lane and the land around the Woolton Water Treatment Works. It has road frontage and an existing vehicular access to Lydiate Lane. The land has previously been used as a nursery and had buildings associated with its use including a house but these have been demolished and the site has been empty for some time. It is not part of an agricultural holding. The land is not subject to any ecological designation and it is not in any flood zone.

The land is very well contained, with North End Lane forming a very strong boundary to the north east and various residential and ancillary buildings at North End to the north west of the land creating a strong boundary and distinction between this land and the land around the Woolton Water Treatment Works.

Once Green Belt is to be used because the 'exceptional circumstances' of national policy are recognised to exist in planning for Knowsley, the possibility of identifying this site for development falls to be considered according to the most appropriate overall spatial strategy, as well as economic, social and environmental considerations relating to the three strands of sustainable development, and the purposes of including land in the Green Belt.

The Council's rejection of parcel K081, of which the Weston House site is only a small part, turns on the balance of what are construed to be negative impacts on Green Belt with neutral impacts or positive benefits on sustainability criteria (including impacts which are not regarded as reason to reject development in the case of other sites). The conclusions of the assessment against the purposes of including land in the Green Belt are very doubtful in any case, but can certainly not be said to apply to Weston House when considered alone.

With the Council's improper assessment to be addressed and with a smaller and wholly contained site to consider, we need to deal briefly with how the site relates to the purposes of including land in the Green Belt.

By reference to purpose 1, the development of Weston House in the context of the Core Strategy to help meet housing requirements would clearly not constitute urban sprawl.

By reference to purpose 2, and fundamentally, we have pointed out in our representations that the land in which Weston House lies is not a gap between neighbouring towns. The land is a finger of open land encroaching into what is otherwise one continuous urban area. Netherley is not separate from, but is connected to and is part of, this continuous urban area. In any case the development of Weston House would have no affect in reality upon any separate identity that Netherley has because it would be well contained by North End Lane and be physically and visually entirely separated from the land north west of Gerrard's lane and south east of Netherley.

By reference to purpose 3, the land within which Weston House has the character of a typical urban fringe location with a variety of uses including some residential development and ancillary buildings, development related to equestrian activity, and open storage. It is not countryside in any real sense and with the considerable benefit of the containment provided by its boundaries, its development would not constitute encroachment into the countryside.

By reference to purpose 4, Halewood is not a historic town in the terms of national policy and so the development of the land would not conflict with this purpose.

By reference to purpose 5, prevention of the development of the site assists urban regeneration no more or less than any other site – if by urban regeneration national policy simply means the development of sites in urban areas. Once Green Belt land is to be used, this purpose provides no help in choosing which sites. The reality is that whether sites within urban areas are developed depends primarily on whether a developer can achieve a viable development – one where the difference between the development value and the development cost is a figure significantly greater than the value of the land in its existing use. The use of this site to get the plan nearer to the level of deliverable provision required would not make any difference to urban regeneration.

On this assessment it is clear that the development of Weston House would not damage the integrity of the Green Belt and there is no strong reason why the land should continue to be designated as Green Belt. When this part of the assessment is combined with other matters which the Council has included in its overall assessment of possible locations for development, the inevitable conclusion is that it could be used as part of the supply.

It is to be noted that Weston House is in one ownership, requires no significant infrastructure provision to enable it to be developed and is free of any significant constraints. It is therefore capable of delivering development at a very early stage in the plan period and certainly well within five years.

Since it is equally evident that more development, and particularly deliverable development, is needed in order that the Council can have a proper and sound plan, and that more development should go to Halewood in a more appropriate spatial strategy then the land at Weston House should be removed from the Green Belt and identified for residential development.