

**KNOWSLEY LOCAL PLAN  
CORE STRATEGY EXAMINATION**

**Matter 5: Green Belt**

**Smiths Gore on behalf of  
The Knowsley Estate  
(ID ref 72)**

**October 2013**

## **Knowsley Local Plan Core Strategy – Examination Hearings**

These representations are submitted on behalf of The Knowsley Estate and are in response to the Submitted Knowsley Local Plan Core Strategy and minor changes published in July 2013. The submitted representations seek to address the Matters and Issues identified by the examination Inspector as set out below.

Overall it should be noted that the Knowsley Estate broadly support the plan and its overall strategy and there is little between the Council and our client. However, where there are differences these relate to the core strategy's ability to respond appropriately to the need to deliver housing and employment land in a timely manner and in a manner consistent with the National Planning Policy Framework's (NPPF) requirement to meet the full objectively assessed need for market and affordable housing in the housing market area and to "boost significantly the supply of housing." (NPPF para. 47).

The Knowsley Estate owns land within the Knowsley Local Plan area and there are three sites under the Estate's ownership which have been assessed and reviewed through the Council's Green Belt Technical Report. These sites have been assessed by the Council as being suitable for Green Belt release and our client concurs with this view. Our client is committed to bringing forward these development sites to support the housing and employment land needs of the borough and is pleased to be working with the Council to secure the delivery of these sites. The land owner envisages these sites will bring forward high quality and inclusive design as sustainable developments to the benefit of the area, its residents and visitors.

## **Matter 5: Green Belt**

*Issue: 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.*

1. It relation to question 2.4 under Matter 2 the Inspector raises the question whether the use of Green Belt land should be limited to “longer term” needs and at question 5.6 under Matter 5 the Inspector also ask why ‘broad locations’ are not delineated and released at the Core Strategy stage given the extent of the evidence base.
2. There also are questions regarding the justification of the figure of 8,100 dwellings across the plan period and whether this is truly reflective of the housing need and if it is not, are there any special environmental or infrastructure issues that would justify a lower figure (Inspector’s question 3.5). Whilst whether the housing figure of 8,100 should be considered to be high enough is to be debated at the hearings, we contend there is no justification for a lower figure on environmental grounds. What is therefore clear, as set out in our statement under Matter 2, is that to support the delivery of even 8,100 dwellings and the five year land supply requirements under NPPF the plan needs to bring forward allocations early in the plan period.
3. Whilst the plan indicates broad areas for urban extensions pre and post 2028 at the Key Diagram (picture 5.1) it does not redefine the Green Belt boundary in this local plan. This task is devolved to another plan. The supporting text to the policy at paragraph 5.37 advises that the approach towards Green Belt land is one of the most important issues for the plan. As such the plan should not shy away from addressing fully this important issue when setting out the strategic priorities for the area. The plan recognises the need to review the Green Belt boundary and the evidence base is detailed in the consideration of sites, yet the plan stops short of effectively and fully addressing the issue of Green Belt land release. NPPF advises at paragraph 153 that any additional development plan documents should only be used where clearly justified. The evidence base supporting the current plan strongly indicates that there is no justification for an additional plan to address the issue of Green Belt release.
4. The plan needs to provide certainty for the development industry as certainty is the driver for economic investment. Policy CS 5 is too vague in its criteria for release of sites to act as a driver for new investment. A land owner or developer needs some certainty that a site will come forward and when it will come forward in order to achieve the necessary

investment and funding to deliver the site, particularly so in the current financial/lending climate. Hence its lack of clarity on when and where will be debilitating to necessary new investment in the area.

5. The criteria of Policy CS 5 do not provide a robust mechanism for release of sites. Criterion 'a' advises 'first priority' will be given to development of land in the urban area. Land within the urban area may not be suitable, available or deliverable for development and there is no guidance or trigger in the policy on when the focus for development must shift from urban to greenfield. Hence the potential for development of a single infill plot in the urban area could, under the terms of the policy, prevent a strategic edge of urban site coming forward. Whilst it is accepted that this is unlikely to occur in practice it is entirely unclear at which point development land in the urban area would not be prioritised. In addition, whilst urban development should be supported it is generally recognised that a broad portfolio of sites, including some greenfield sites, can be more effective in stimulating growth in an area and economic recovery.
6. Criterion 'b' requires that the release of sites must not undermine the Council's regeneration objectives however, there is no indication of how this will be measured or whether such measurement can be a reliable indicator that urban regeneration is being actively undermined, particularly in a short term review. There are instances where new allocations can support regeneration objectives and boost economic recovery.
7. Criterion 'c' advises that planning permission for a reserve site will only be given when there is a need through land supply monitoring to maintain a five year land supply. This is entirely at odds with the Government's requirement to significantly boost housing supply. It seeks to constrain land supply to an unrealistic and entirely inflexible way. It will result in a plan that is unable to respond effectively to any changes in market conditions.
8. There is no specified trigger for when a 'reserve' site or sites will be released. Sites will need to be allocated through a further local plan in advance in order that the sites can gain planning consent, together with any legal agreements, and site preparation can be undertaken before sites can begin to deliver houses. Paragraph 5.5 of the plan refers to additional lead-in times to allow for infrastructure provision and master planning but does not indicate what these lead-in times might be. There is no indication as to which of the reserve sites will come forward or when or in

what sequence. These considerable uncertainties will result in landowners and developers being reluctant to invest in promoting their sites, or being able to gain necessary investment via lending institutions due to lack of certainty. This will in turn delay their eventual delivery and consequent risk to maintaining a five year land supply.

9. As set out in response to previous matters raised by the Inspector it is our view that the plan needs to provide for sites beyond the urban area to accommodate at least 2,293 homes in the first 5 year period of the plan. These homes cannot be delayed for another plan consideration and adoption and relevant allocations should be made in this plan. Indeed the plan should set out how it intends to provide for delivery of development for its area over the whole plan period (paragraphs 156 and 157 of NPPF). The plan is effectively setting itself up to fail on housing delivery and continue its historic under-provision.
  
10. The plan will be more effective without the vague phasing mechanism proposed. Sites will inevitably phase themselves due to market forces. Given the economic down-turn sites are likely to deliver at slower rates than in the economic boom years, therefore a number of sites delivering housing across the plan area are more likely to deliver a reliable supply as they are providing a variety of products in differing locations, than a single 'released' site bringing a single product to a single location. In addition, the Green Belt Technical Review indicates two larger sites for allocation, South of Whiston (1,837 homes) and Land at Knowsley Village (1,093 homes). These larger sites will inevitably have longer lead-in times to housing delivery on-site and will be phased across the plan period alongside delivery of necessary infrastructure. Realistically, delivery of homes on either site is very unlikely before 2016/17 which would result in the Knowsley Village site delivering on average 100 homes per annum to build out its extent within the plan period which, is a representative delivery rate in the current market.
  
11. Policy CS 5 is overly-restrictive and lacks clarity in its operation and as such is unsound by being ineffective, unjustified and inconsistent with National policy.
  
12. In order to ensure that the plan is sound the following rewording to Policy CS 5 is proposed:-

## Policy CS 5

### Green Belt

#### New Development in the Green Belt

1. Inappropriate development will not be permitted, except in exceptional circumstances, in the Green Belt, and the visual and recreational amenities of the Green Belt will be preserved and where possible enhanced.

#### Review of Green Belt Boundaries to Meet Future Development Needs

2. The identified urban extensions ~~broad locations (identified as "reserve" and "safeguarded" locations in paragraphs 5.50 and 5.51)~~ will be removed from the Green Belt to meet ~~longer term~~ development needs within the plan period to 2028. These include:-

Number of dwellings/ha employment land  
in the region of

Housing sites at

• <u>Bank Lane Kirby</u>	<u>131 dwellings</u>
• <u>Edenhurst Avenue, Huyton</u>	<u>86 dwellings</u>
• <u>Land bounded by A58, Prescot</u>	<u>133 dwellings</u>
• <u>East of Halewood</u>	<u>1,124 dwellings</u>
• <u>Knowsley Village</u>	<u>1,093 dwellings</u>
• <u>South of Whiston</u>	<u>1,532 dwellings</u>

Mixed housing/employment sites

• <u>Knowsley Lane, Huyton</u>	<u>252 dwellings/11ha</u>
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Employment land

• <u>East of Knowsley Industrial Park</u>	<u>31 ha</u>
• <u>Cronton Colliery</u>	<u>24 ha</u>

3. ~~Within the "reserve" locations development may take place in the period to 2028, but only in accordance with the following phased approach:~~

- ~~a. First priority shall be given to development of land in the current urban area (see Policy CS 1 'Spatial Strategy for Knowsley' and Policy CS 2 'Development Principles');~~
- ~~b. The timing of the release of the "reserve" locations must not undermine the Council's urban regeneration objectives, including the delivery of programmes of regeneration within the Principal Regeneration Areas (see Chapter 6 'Area Priorities') or in other areas of regeneration need within the Borough and wider sub-region;~~
- ~~c. In the case of locations proposed for housing, permission will only be granted when this is necessary to maintain a five-year~~

~~"deliverable" supply of housing sites(86) in accordance with Policy CS 3 'Housing Supply, Delivery and Distribution'; and~~  
d. ~~In the case of locations proposed for employment, permission will only be granted when this is necessary to maintain a range of sites, including a five year deliverable supply in accordance with Policy CS 4 'Economy and Employment'~~

~~4. Within the "safeguarded location" it is proposed that development will take place after 2028. Development of this location before 2028 will only take place where necessary to maintain a five year available and deliverable supply of sites for housing and the proposal satisfies the other criteria set out above for reserve" locations.~~

### **Ensuring a Sustainable Form of Development**

~~53. Development within the identified urban extensions ~~broad locations~~ must be sustainable and be carried out in accordance with agreed master plans, development briefs and other development assessment tools as required by Policy CS 2 'Development Principles'. These must demonstrate a comprehensive approach to site development and infrastructure provision, including the development of any neighbouring land which is allocated, reserved or safeguarded for future development.~~

### **Definition of the New Green Belt Boundaries**

~~64. New detailed Green Belt boundaries to accommodate minor the changes ~~outlined above~~ will be defined in the Local Plan: Site Allocations and Development Policies.~~

### **Major Existing Developed Sites in the Green Belt**

~~75. Major Existing Developed Sites in the Green Belt will be identified in the Local Plan: Site Allocations and Development Policies, where limited infilling and redevelopment will be considered appropriate in principle.~~

### **Individual Green Belt Sites**

#### KGBS4 East of Knowsley Business/Industrial Parks

13. The site KGBS4 is suitable for employment use and is available and deliverable. It is well contained site which has strongly, defined boundaries on all sides.

14. The site is at a gateway location to the east of the Industrial Park and can make a positive contribution to the built environment and support regeneration objectives by raising the profile of the area.
15. The site should be released by allocation in this plan to support the much need housing provision in the early years of the plan period and to support the delivery of regeneration objectives.

#### KGBS6 Knowsley Village

16. We concur with the local authority's assessment of the site through their Green Belt Technical Report. The site is on the fringe of the Historic Park and visually and physically separated from it by the Knowsley Park Estate Wall and associated landscaping including a tree belt. There would be little if any impact on the Historic Park by the development for the site due to the site's containment by existing and mature landscaping and visual disassociation with landscape of the historic park.
17. Accompanying this representation is an Agricultural Land Classification Report (Appendix 1) which covers land within our client's ownership as it relates to site KGSB6 and KGSB7. The report by ADAS (October 2011) identifies both sites as lying within agricultural land grade 3 with land quality varying from sub grade 3a to sub grade 3b with isolated profiles of grade 4 and grade 2. The majority of the site is not classified as the best and most versatile agricultural land.
18. Accompanying this report at Appendix 2 is an assessment of Biological Importance Designation produced for the Knowsley Estate by GDP Associates (Oct 2012). It concludes that the designation of three land parcels (KO19, 21 and 23) was assessed as to their current relevance and appropriateness based on their current use by local bird species, but with particular relevance to North Merseyside Biodiversity Action Plan (NMBAP) species and the Pink-footed Goose. Unrestricted public access and their close proximity to existing urban areas has resulted in constant disturbance, so much so, that their current designation as 'buffer zones to the wild life interest of the Knowsley Hall SBI 40' is now considered inappropriate. Their supplementary designation as 'used as feeding grounds by the Pink-footed Goose' is also entirely inappropriate. Consequently the land assessed has been de-designated as a Site of Biological Importance (SBI).
19. There may be some limited ecology value of the sites for example, the woodland and scrub adjacent to and within the estate walls provide

'wildlife refuges/corridors' especially with respect to land parcel K023 which contains two woodlands with ponds (Knowles's Pits and Howard's Pits) plus several mature hedgerows, however this can be mitigated and incorporated in to a development as would be appropriate to any greenfield development.

20. There is a clear assessment of the site in the Council's Green Belt Technical Report. The Green Belt beyond the site would continue to be defined by a firm physical feature on the ground and any further encroachment into the Green Belt would be curtailed by this robust physical barrier. The loss of this land would not result in the coalescence of settlements or unrestricted sprawl as there is a clear boundary. The development of the site would however positively contribute to the Strategic Objectives of the plan including social and economic benefits such as improving the viability of nearby retail provision and a rebalancing of the housing market in Huyton and Stockbridge Village. We agree with the Council's assessment that there are clear and exceptional circumstances for the release of this site from the Green Belt to support the delivery of housing needs. The NPPF requires that the planning system brings forward a wide choice of high quality homes and create sustainable and inclusive communities. This site is part of that approach and in particular can bring forward high market value homes consistent with its location and environment.

21. As set out in our response to Matters 2 and 3 there is a clear need for the plan to identify housing sites by allocation in order that these sites can be brought forward in a timely manner to deliver the plan's housing requirements. This site should not be a safeguarded site but should be allocated to allow our client to make the necessary investment in bringing the site forward for delivery. The scale of the site and its special environment will require sensitive masterplanning and as such the site is unlikely to come forward until the medium term and will in effect naturally phase itself within the plan framework.

KBGS7 Knowsley Lane, Huyton

22. We concur with the local authority's assessment of the site. The Green Belt boundary can be realigned to follow the M57, a clear and defensible boundary. The site is sustainably located in relation to existing services and facilities and the transport network including public transport facilities. There is a significant positive social and economic benefit from the development of this site including;

- Delivering new economic development

- Balancing the housing market
- Supporting the vitality and viability of Huyton town centre
- Supporting regeneration at North Huyton and Stockbridge Village

23. The Council identify only a minor negative impact in relation to the loss of agricultural land however, as identified by the report at appendix 1 the detailed assessment of land indicates grade 3b, as moderate quality agricultural land capable of producing moderate yields from a narrow range of crops.

24. There are clear exceptional circumstances to release the land from the Green Belt to provide for the housing and employment needs of the area and to support regeneration objectives. The site should be allocated in the current plan to provide for the short term needs of the area.