RE: Wigan Core Strategy Examination – Response to Council’s Proposals to Meet the Identified Shortfall in Housing Land

Further to our previous representations please find attached a further statement in respect of the additional hearing sessions scheduled for the 5th to the 8th March 2013 and the requirement to submit any further statements by 15 February 2013.

Please find attached a copy of our response to the matters raised by the Inspector, where relevant. I can confirm a copy of these statements have also be put in the post and should be received by you shortly. As discussed previously we intent to appear at the hearings on the Tuesday the 5th March relating to a general discussion on the technical matters together with the afternoon of Wednesday the 6th when the discussion specifically relates to Golborne and Lowton, including my clients land.

For the sake of brevity, this statement does not repeat all of those matters raised in respect of these issues previously, but responds to the additional information that has been received.

If you have any queries or require any clarification on any matter relating to this letter and the accompanying statement please do not hesitate to contact me.

Yours sincerely

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WIGAN CORE STRATEGY EXAMINATION

RESPONSE TO MATTERS ARISING FROM COUNCIL’S PROPOSALS TO MEET THE IDENTIFIED SHORTFALL IN HOUSING LAND IDENTIFIED DURING THE COURSE OF THE EXAMINATION

BY

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ON BEHALF OF
A F BRIDEOAKE WILL TRUST

REPRESENTOR REFERENCE: 2936

February 2013
1.0 **Introduction**

1.1 This statement has been prepared in response to the matters and issues raised by the Inspector in response to the Council’s proposals to address the housing land supply issues raised previously by the Inspector. They have highlighted key issues and are not intended to replace those matters identified in earlier stages of the consultation but seek to highlight key issues arising from the changes that are now proposed by the Council.

1.2 It is the test of soundness that is the important consideration, namely that it accords with the requirements set out at paragraph 182 of the NPPF (the Framework) in that it is (i) positively prepared, (ii) justified, (iii) effective, and (iv) consistent with national policy. The presumption is that the Council are promoting a sound plan unless specific evidence indicates otherwise.

1.3 The Council’s position in respect of Golborne and Lowton has evolved through the plan-making process. However, it is apparent from the submission version that they considered that some development in Golborne and Lowton was necessary and sustainable, including at least 600 dwellings. Whilst it became apparent through the examination of the Core Strategy that there was insufficient housing land, the response of the Council to identify further capacity within the “East Lancashire Road Corridor” (ELRC) which was previously identified for development is supported.

1.4 It is notable that there is no evidence of a specific need for additional dwellings that is not now being met by the Core Strategy, for example in Standish. There is no evidence to indicate that the Council’s approach, which is now considered to meet the objectively assessed overall need for housing in the Borough, is unsound.

**Housing Land Supply**

1.5 In general, it has been considered that the Council’s approach to housing land supply, the approach set out in the submitted Core Strategy and the associated evidence base, including the SHLAA, was not robust at the time of submission, and this has been reflected in the need for the identification of further land.

1.6 The Council has undertaken a review of the SHLAA in the form of the 2012 Update. This document is considered to provide a more robust assessment of sites than that in earlier iterations.
The Councils approach to densities and delivery rates has been considerably reviewed from the previous submission and now seem to be a more realistic assessment of what might be possible. The general delivery rate of 31 dwellings per developer per site is considered a reasonable amount bearing in mind the target of 25% affordable dwellings and the way that these are generally delivered in addition to the affordable housing. On most sites the delivery of a density of around 30-33 dwellings per hectare should be achievable.

It is considered that the position set out by the Council in response to the concerns raised by the Inspector is a significant improvement on their earlier position, and represents a realistic and deliverable proposition which could reasonably be expected to meet the development needs arising in the Borough over the plan period.

There remains a significant issue with short term supply that is unlikely to be able to be addressed within the scope of the policies of the Core Strategy. There have already been submitted applications by others to bring forward development sooner in the plan period than originally envisaged. For example an application has been submitted by Wainhomes at Stone Cross Lane, Peel are preparing their applications and North Leigh Park has been resolved to be approved. This is all essential if the short term housing land supply position is to be resolved. The Council should continue to support the delivery of sites within these areas even though there remains some theoretical policy conflict in the short term.

Coldhurst Lane, Astley

There are no concerns raised from the inclusion of Astley within the East West Core (EWC) and the inclusion of the contribution that the development that this site will make to the regeneration aspirations for this area. It is considered appropriate that the Core Strategy be amended to locate Astley as being within the EWC. A suggested change to Policy SP4 to take this into account as identified by the Council is supported. The boundary of the ELRC shown on the Key Diagram should therefore be amended to include only those three sites in Golborne and Lowton and the EWC amended to include Astley.

Golborne and Lowton

In general the approach proposed by the Council to identify a further 1750 dwellings within Golborne and Lowton. Such an approach is both deliverable and
broadly consistent with the policy approach and spatial distribution of development previously envisaged. It is not considered that development in Golborne and Lowton will have a detrimental effect on regeneration within the EWC.

1.12 The identification of the three sites at Rothwells Farm, Stone Cross Lane and Pocket Nook Lane to meet the development needs in the Borough over the plan period are supported. These sites can provide a combination of aspirational / executive housing, affordable housing and some more local needs general market housing.

Pocket Nook Lane

1.13 In respect of Pocket Nook Lane, it is considered that this density could be achieved, at least in part as the net developable area has been reduced to take into account some constraints which affect a small part of the overall site. This area could however still be used for open space and other less sensitive uses and will therefore contribute towards the efficient use of land elsewhere within the site.

1.14 The site is within a number of different ownerships, but there are developers / active and willing landowners in control of a significant part of the site. These parties are all willing and prepared to bring development forward early in the plan process. They control around 50% of the site through outright ownership.

1.15 Of the remainder some will be required for the proposed HS2 route which will cause some uncertainty over the retained land in the short term. It may also mean that the site has to be developed in two distinct parts, with a small parcel of land the west and the bulk of the site to the east. The proposed HS2 route is currently only a consultation, but land acquisition and construction will take place during the current plan period, although it is not expected to be operational until 2033. The decision on the precise route is not expected until 2014 and the engineering drawings of the scheme will begin in 2015 with a detailed Environmental Assessment. This will not however prevent the residential development taking place, but leads to the conclusion that this will be likely to be a later phase in the plan period once the details of the HS2 route have been fixed.

1.16 In any event there is no indication that the balance of the site will not be available for development over the plan period. It is apparent that a significant part of the site could come forward first in any event and that this would include a significant part of the site. This area already within the control of developers could accommodate between 700 and 800 dwellings or around 68% of the estimated yield
from the site over the plan period. There is nothing to indicate that the balance of
the site will not be deliverable over the plan period, or at least that part of it
required to achieve the additional 380 dwellings envisaged by the Council.

1.17 Furthermore, the ambitions of the Core Strategy to balance housing markets and
provide for executive and aspirational housing need to be properly realised and the
development in Golborne and Lowton will still help to realize that proposal.

**Transport and Technical Assessments / Appraisals**

1.18 The two first phases likely to be brought forward are those within the control of
Persimmon (7.5 hectares) and Brideoake Trust (5 hectares). These land holding
extend to around 12.5 hectares in total and could readily accommodate 300
dwellings (approximately 150 each). Access to these initial phases will be possible
from the existing adopted highways which abut the sites and will not necessitate
significant infrastructure investment. There may be a need for some off-site
highways works, including improvements to existing junctions, for example that of
Pocket Nook Lane with Newton Road, however all these works are considered
deliverable.

1.19 It is envisaged that the highways will be extended from the existing adopted
highway at Pocket Nook Lane into the wider site. This includes to access the
remainder of the land controlled by Persimmon Homes and that of Gordon Moon.
The latter have undertaken investigations to consider the technical feasibility of an
access onto the A579 to the east of the site. This has demonstrated that such an
access would be feasible. There may well need to be improvements at other
junctions including Lane Head as a cumulative result of the proposed development.
However, there is nothing to indicate in the Councils assessment that such
improvements that are necessary cannot be delivered.

1.20 There are a number of public footpaths within the site, however there is nothing to
suggest that they could not be readily incorporated into the development and
supplemented with other appropriate routes to ensure that the development of the
site is both accessible and permeable.

1.21 The Council have identified a number of potential improvements to the public
transport network including the scope to link Lowton into the Leigh Busway which
could be directed through the site this and will significantly improve public transport
accessibility. The Council has also identified an existing proposal to improve accessibility to Newton-le-Willows station by a service on High Street.

Deliverability and Potential Constraints

1.22 There are no known significant constraints to development. There is nothing to indicate any constraints that are special to this site and are typical of any that might arise of similar developments. The development will have limited impact upon the wider landscape. The site forms a contained parcel of land within the existing urban fringe. The site will be visible from the A580 but there is scope for the planting of a substantial landscape buffer along this edge of the development. This will soften the impact of the development and provide a suitable visual barrier between the built development and the surrounding open countryside.

1.23 Part of Pocket Nook Lane is identified as Floodzone 3, however, bearing in mind the need to provide open space, it will be possible to locate this, at least in part, within the flood zone which can provide part of a wider green network. There is a listed farm house within the wider Pocket Nook Lane site, but there is no reason to suggest why this could not be readily accommodated within the wider development.

Potential Adverse Impacts

1.24 As set out above, it is considered that the most significant constraint and impact in respect of the development of these sites is on transport. This is true of much of the development that is proposed across the Borough. However, the assessment of the Council and key land owners has indicated that these impacts are capable of reasonable resolution solutions for which will emerge from the detailed assessment of any specific development proposals.

Green Belt and Other Sites

1.25 The Council has considered options relating to the release of sites within the Green Belt around the periphery of either Wigan or Leigh, or indeed a combination of the two. Other parties have also promoted additional sites also within the Green belt to the Council.

1.26 Paragraph 83 of the NPPF identifies that once established Green Belt boundaries should only be altered in “exceptional circumstances”. Both the NPPF and the former PPG2 required that LPAs consider the intended permanence of the boundaries and that they should be capable of enduring beyond the plan period.
Whilst it is accepted that the need to meet the need for housing, or indeed another form of development, can represent exceptional circumstances, this has to be in the light of the consideration of need and whether there are reasonable alternatives.

1.27 In this respect it is important to note that the current adopted and saved UDP policies identify a significant amount of Safeguarded Land. Paragraph X identifies that:

“Safeguarded Land is land between the urban area and the Green Belt. This land, shown on the Proposals Map, is treated in a similar way to Green Belt except that its protection is not necessarily guaranteed beyond the plan period. Safeguarded Land ensures the protection of Green Belt within the longer time-scale by reserving land which may be required to meet longer-term development needs without the need to alter Green Belt boundaries”.

1.28 There is no indication that the development needs of the Borough cannot be met through the release of safeguarded land. This land was identified in previous development plans as land that could be released beyond the plan period to meet future development needs. It is reasonable to assume that in identifying such land the Council considered that these sites were suitable and sustainable locations for future development and / or that the land did not meet the purposes or objectives of designating the land as Green Belt. On that basis it is considered that exceptional circumstances cannot possibly exist as there is more than sufficient land to accommodate needs during the current plan period. This is confirmed in the Councils own evidence.

1.29 Furthermore, the Councils assessment of sites indicates that most, if not all of the safeguarded land sites which remain available are located in as sustainable or more sustainable locations than the suggested Green Belt sites. On that basis there can be no argument for a need for a comprehensive review of Green Belt boundaries and Safeguarded Land. Indeed this has not been an approach that has been, or is now being, endorsed by the Council.

1.30 In any event it is considered that all of the Green Belt sites identified continue to serve one or more of the five purposes of the Green Belt set out at paragraph 80 of the NPPF. For example the sites to the north of Wigan (Q9 and Q10) will significantly reduce the gaps between the urban areas of Wigan, Standish and Shevington. Likewise the sites to the north east (Q11) will have a similar impact.
between Wigan and Aspull. The development of all these sites will result in significant landscape impacts within this area as well as transport and infrastructure issues. Furthermore, there are no strong defensible boundaries which will contain the development and therefore a strong possibility of further development in the future.

1.31 As set out above, the release of these sites is likely to significantly compromise Green Belt objectives. Whilst clearly individual sites may result in greater or lesser harm, the facts of the matter remain that there is no demonstrable need for Green Belt release. Given the proximity of some of these sites to the main regeneration sites in the East West Core there is a significant likelihood that the release of these sites will impact upon the other developments in East West Core.

1.32 On this basis it is considered that there are no exceptional circumstances and as a consequence all the options to release development from the Green Belt can be discounted.

**Safeguarded Land at Standish**

1.33 It is not considered that the identification of land at Standish could be undertaken within the scope of the Councils current vision, objectives, and regeneration aspirations for the Borough. Any allocations of any significant size in Standish would fundamentally change the entire approach to development as outlined in the Core Strategy. The only way that such development could be considered were if it was still considered that there was insufficient land for housing and other development. Even if this were found to be the case, it is considered that any significant development in this area would require the withdrawal of the Core Strategy and the reconsideration of the fundamental principles which underpin it.

1.34 This would be a drastic approach and will have dire consequences for the proper planning of the Borough as it is apparent that without the sites identified within the Core Strategy the Council are unable to demonstrate a five year housing land supply. On that basis the current UDP and settlement policies are considered to be out of date and any failure to find the Core Strategy sound is likely to result in a situation of ad-hoc decision making and planning by appeal.

**Combination of Options**
1.35 It is considered that in the absence of any evidence of a specific need that is not or cannot be met as a result of the Council proposed approach to development there is no justification for the consideration of alternative options. However, as set out above, it is considered that any option which deviates significantly from the broad approach set out in the submission Core Strategy, is likely to drive to the heart of the Core Strategy and its soundness / legal compliance. It also has to be considered that any need for a review of Green belt should be discounted and therefore the only combination of options that could be considered is a split of development between Golborne and Lowton and Standish. However, for the reasons set out above, it is not considered that the approach proposed by the Council is unsound, but that any proposals which involved development at Standish, would undermine the entire approach of the Core Strategy. As a consequence, it is not considered that a combination of the options considered by the Council is appropriate.

Conclusions

1.36 The Councils overall vision and desire to target new development into the East West Core (EWC) are supported, however the ability to deliver that in its entirety over the Core Strategy plan period without the quantum of development now proposed in Golborne and Lowton was a significant concern. The amendments proposed by the Council have addressed those issues whilst still retaining the overall broad strategy as set out in the submission Core Strategy. On that basis the revised proposals are supported.

1.37 There was general consensus during the previous hearings that development in the ELRC would not harm or unduly compete or undermine the regeneration of the EWC provided that the overall quantum of development was not excessive, i.e. greater than around 1750 units over the plan period, or in any one year. Bearing in mind the significant concerns regarding the deliverability of the speed of development in the EWC this will provide for greater flexibility in the approach whilst not changing the broad spatial approach set out in the submitted Core Strategy.

1.38 The sites within the ELRC are deliverable and have no significant constraints. In respect of my clients land at Pocket Nook Lane, this is immediately deliverable for aspirational housing as part of the Councils overall strategy. To release land in this location will be in accordance with the Council Spatial Vision and Objectives, aiding the regeneration in the EWC and will have no demonstrable harm.