

Publication Draft Wyre Local Plan to 2031 Examination

Hearing Statement on behalf of Telereal Trillium Ltd

Respondent ID 0953

Matter 2 Strategy and Strategic Policies

Issue 5 Green Belt

Matter 8 Allocations - Fleetwood, Thornton and Norcross

Issue 7 North of Norcross Lane, Norcross (SA1/11)

April 2018

1 Introduction

- 1.1 This Hearing Statement is submitted on behalf of Telereal Trillium Ltd (“Telereal”) in response to relevant questions set out in Matter 2 : Issue 5 and Matter 8 Allocations - Norcross : Issue 7 of the Inspector’s Matters, Issues and Questions for the Examination Hearings. It should be read in conjunction with the representations submitted in response to the Publication Version of the Local Plan on behalf of Telereal in November 2017.
- 1.2 Telereal owns 30 ha of land at Norcross which is identified in the 2017 SHLAA (ED089) as Site THN_42, Site CLV_14 and Site CLV_14_01. The landholding is bisected by Amounderness Way (A585), whereby Site THN_42 (11 ha) is located to the north east of the road within the Green Belt and Sites CLV_14 and CLV_14_01 (19 ha combined) are located to the south west. Site CLV_14_01 also forms part of the Green Belt.
- 1.3 This Hearing Statement concerns Site CLV_14 which comprises approximately 11.8 ha of previously developed land that has been cleared in readiness for redevelopment. It is included in Appendix 5 of the SHLAA as benefitting from outline planning permission, and, with the exception of the central part of the Telereal site, it forms the majority of the proposed Site Allocation SA1/11 - North of Norcross Lane, Norcross. The outline planning permission (13/00200/OULMAJ) was granted on the 8th December 2015 for mixed redevelopment comprising offices, housing and a local centre (food and non-food retail), and includes SHLAA Site CLV_14_01 as associated open space which remains in the Green Belt. Application for the approval of all reserved matters must be made before the 8th December 2020.
- 1.4 The central part of the Telereal site excluded from SHLAA Site CLV_14, does not benefit from the outline planning permission as the data centre (Clarke House) it contains, was in full use at the time the application was submitted. This part of the site is now also vacant however and Telereal has confirmed to the Council that all of the land is available, and hence it is included in the proposed SA1/11 allocation site.
- 1.5 The 3 ha part of the proposed SA1/11 allocation site fronting onto Norcross Lane and which benefits from the retail (local centre) component of the 13/00200/OULMAJ outline planning permission, was sold to a commercial property developer in 2017, and has been granted revised planning permission (18/00065/LMAJ) for food and non-food retail development (local centre). Pre-commencement conditions are being discharged and it is expected that development will commence in the short term.
- 1.6 Telereal is also in advanced negotiations to dispose of the majority of its remaining land within the proposed SA1/11 Site Allocation, including Clarke House, for housing development and has held a series of pre-application meetings jointly with the Council and the interested house builder, to discuss detailed proposals and the submission of reserved matters.

2 Matter 2 Strategy and Strategic Policies

Issue 5 Green Belt

Question 5.1 Have exceptional circumstances been demonstrated to justify the alteration to Green Belt boundaries?

- 2.1 The remit of the 2016 Green Belt Study (ED109a) was to undertake a local review, to consider whether land included within the present Green Belt boundary continues to fulfil the relevant purposes defined in the Framework. It confirms that three parcels (nos. 2, 20 and 21) no longer serve a function, or serve a very limited function, as part of the Green Belt and their removal would not have an adverse impact on the overall integrity and continuing purpose of the remaining Green Belt in Wyre. Appendix 3 of the Green Belt Study also contains a schedule of recommended minor alterations (removal and additions) to the current Green Belt boundary to correct historical anomalies and drafting discrepancies.
- 2.2 It is appropriate and consistent with national policy that the Green Belt is reviewed as part of the process of producing a new Local Plan and determining the available land resource within Wyre which has the capacity to accommodate new development, and particularly as this is the first review since the Green Belt in Wyre was designated in 1983 and defined in 1987. The evidence base confirms that there is a limited supply of previously developed land within the Borough and undeveloped land outside the Green Belt boundary on the Wyre peninsula. There are perceived highway capacity and flood risk constraints across the Borough and the Council has been unable to reach agreement with neighbouring local authorities to help accommodate its housing needs.
- 2.3 This evidence and the fact that the Local Plan remains unable to accommodate the OAN in full, amounts to exceptional circumstances in accordance with paragraph 82 of the Framework that justify the release of Green Belt land, and especially that which does not meet the statutory functions of Green Belt, where sustainable opportunities for meeting objectively assessed development needs can be maximised.

Question 5.2 How should the Local Plan be modified to demonstrate exceptional circumstances, assuming that such circumstances have been justified?

- 2.4 It is noted in EL1.001b that the Council is preparing a modification to Section 5.4 of the Local Plan to explain how exceptional circumstances have been demonstrated. Telereal will submit further comments on this if necessary.

Question 5.3 Is there justification for the removal of more land from the Green Belt e.g. land at Norcross Lane?

- 2.5 The 2016 Green Belt Study does not recommend that any alteration is made to the Green Belt boundary in connection with proposed Site Allocation SA1/11. The Green Belt land adjoining SA1/11, which is also within the scope of the outline planning permission (13/00200/OULMAJ), is assessed as Parcel 11 in the Green Belt Study. The Site Assessment pro-forma for Parcel 11 states that the key purpose of the Green Belt in this location is to prevent the merger of Cleveleys and Thornton, and that Parcel 11 performs a significant role in this respect.
- 2.6 Telereal does not disagree with this assessment but considers that the detailed Green Belt boundary in relation to Site Allocation SA1/11 is nevertheless flawed and that exceptional circumstances exist to justify its alteration. These relate to the existence of planning permission and committed development, and are therefore different to the exceptional circumstances identified in connection with the proposed removal of Parcels 2, 20 and 21, albeit the ability of the land at Norcross to continue to serve a Green Belt function following implementation of the planning permission, is similarly compromised.
- 2.7 The issue stems from the Site Assessment Pro-forma for Parcel 11 (ED109b). This firstly states that planning permission 13/00200/OULMAJ was pending when the Green Belt Study was published in May 2016, whereas it had been granted. More importantly, it incorrectly states that the Indicative Masterplan which accompanied the outline planning application, shows the whole of the part of Parcel 11 included within the outline planning permission red edge, will be retained as Green Space.
- 2.8 This is incorrect as 0.7 ha of previously-developed land on the Norcross Lane frontage of the site is included within the development area of the outline planning permission and is labelled on the Indicative Masterplan as potential sheltered housing. The land in question is easily identified by comparing the extent of Site CLV_14 shown on the Cleveleys and Thornton SHLAA map, with the extent of the proposed Site Allocation SA1/11 shown in the Local Plan.
- 2.9 Other than the retail (local centre) component, outline planning permission 13/00200/OULMAJ does not fix the details of any of the mixed use elements it permits, such that irrespective of the Indicative Masterplan, an application for reserved matters could be made on the 0.7 ha part of the site within the Green Belt for housing or commercial use. As a result, and although a satisfactory Reserved Matters application has to be approved, there are no pre-determined parameters about the layout, scale and appearance of development on the subject area of Green Belt land set out in the outline planning permission.
- 2.10 Whilst the Council response to Telereal's representation (ref. 0953/P/09/C) in SD007g is that the Green Belt Review considers the land referred to, remains a functional part of the Green

Belt preventing Cleveleys and Thornton from merger, this is based on flawed evidence and misses the point that the land is committed for development. Telereal considers that exceptional circumstances therefore exist on the basis that the land Telereal proposes for removal from the Green Belt, is subject to an outline planning permission that is incompatible with the land remaining in the Green Belt. Telereal is tasked with disposing of all of its land at Norcross and bringing it forward for development, and there can be no doubt that the outline permission will be implemented in its entirety. When this happens and the 0.7 ha of land within the Green Belt is developed, it will no longer fulfil any of the purposes of the Green Belt set out in the Framework.

- 2.11 On this basis, Telereal considers that the 0.7 ha area of previously developed, committed land on the eastern side of the Norcross Lane frontage of the site, should therefore be removed from the Green Belt and included as an eastern extension of Site Allocation SA1/11 for mixed development.

Question 5.4 Is Policy SP3 consistent with national policy?

- 2.12 It is noted in its response to the Inspector's Initial Question 21 (EL1.001b) that the Council is preparing a modification to Policy SP3 to 'replace much of the detail with a cross reference to national policy'. Telereal will submit further comments on this if necessary, however in general, it disagrees with the Council and considers that Policy SP3 is unnecessary.
- 2.13 Telereal considers that the Inspector's suggestion of wording to indicate that proposed development within the Green Belt will be considered in accordance with national policy in the Framework, is sufficient. This approach is taken in the West Lancashire Local Plan 2012 to 2027 where Policy GN1 simply states that; 'Development proposals within the Green Belt will be assessed against national policy and any relevant Local Plan policies.'

3 Matter 8 Allocations - Fleetwood, Thornton and Norcross

Issue 7 North of Norcross Lane, Norcross (SA1/11)

Question 7.1 Are the extent of the allocation and its capacity appropriate?

- 3.1 For the reasons set out in its response to Matter 2 Issue 5 Question 5.3 above, Telereal considers that the boundary of the proposed Site Allocation SA1/11 should be extended by including 0.7 ha of land to be removed from the Green Belt on the eastern side of the Norcross Lane frontage, consistent with SHLAA Site CLV_14.
- 3.2 On the basis that not all of the land currently shown within the proposed SA1/11 allocation will be available for residential development, it should also be considered whether the 3 ha of land that is committed for retail development should be removed from the proposed allocation, or whether the allocation should be amended to mixed use development. The Council confirms in its response to the Inspectors Preliminary Questions on Allocations (EL1.002b) that the retail land has been sold and benefits from separate full planning permission for retail development, and the available evidence indicates that commercial development will be delivered.
- 3.3 Telereal also considers that whilst it is agreed that B1 employment space is no longer required at Norcross, there are commercial (leisure) elements of the outline planning permission that will not be delivered by the detailed retail planning permission (18/00065/LMAJ) for which there is still a market and which could come forward, such as a complementary public house and restaurant. A solely residential allocation will not support these uses which will benefit the area and the sustainability of the new community to be formed at Norcross.
- 3.4 In terms of housing capacity, Telereal disagrees with the explanation given by the Council in its response to representation ref. 0953/P/12/C in SD007g as neither the 150 no. dwellings nor 70 no. sheltered housing apartments it refers to, are quantified housing commitments in the absence of approved reserved matters. Also, at this stage Telereal will not abandon the benefit and development value of the planning permission on the part of the site within the Green Belt and absorb this into the boundary of the SA1/11 site allocation as the Council suggests.
- 3.5 Finally, the methodology used by the Council to calculate an additional housing yield from the removal / substitution of (non-quantified) B1 development and the redevelopment of the 1.9 ha site area occupied by Clarke House, is also questioned. Open space generated by housing development will be accommodated in the undeveloped Green Belt land within Telereal's ownership, which will provide an improved gross to net ratio and greater developable area. As previously developed land in a highly sustainable location, there is also an opportunity to increase the average density across the site to above 30 dwellings per hectare. It is likely that the total site area, including Clarke House and excluding the 3 ha retail site, can therefore accommodate more than 338 no. dwellings and including sheltered housing development.

Question 7.2 Are all the Key Development Considerations necessary and clear to the decision maker?

- 3.6 Telereal makes the following general comments in response to the proposed Key Development Considerations (KDC) at this stage and will provide a further update at the Examination.
- 3.7 KDC 1 The whole of the proposed SA1/11 allocation already benefits from outline planning permission and detailed permission has been granted for the retail development on the Norcross Lane frontage of the site. This is expected to commence in the short term before the Local Plan is adopted and likewise, application/s for the approval of reserved matters for the housing component of the development will be made shortly. In these circumstances there is no need to require a masterplan to be produced and agreed with the Council, and details of the development can be controlled through the consideration of application/s for the approval of reserved matters.
- 3.8 KDC 2 Telereal has no objection to this requirement. All of these matters will be considered as part of the Design and Access Statement, and the landscaping and open space proposals for the site, accompanying the application/s for the approval of Reserved Matters.
- 3.9 KDC 3 Telereal is aware of the extent of the site that is located within Flood Zones 2 and 3 and has already undertaken detailed flood risk assessment and surface water drainage work in conjunction with the interested house builder and in consultation with the Environment Agency and LLFA to address this issue. An update will be given at the Examination.
- 3.10 KDC 4 Telereal has designed a SuDS system comprising attenuation ponds on the Green Belt land to meet this requirement and has no objection to this requirement. An update will be given at the Examination.
- 3.11 KDC 5 Telereal notes this requirement and has no objection.
- 3.12 KDC 6 Outline planning permission (13/00200/OULMAJ) approves access to the site from White Carr Lane and two locations (east and west) on Norcross Lane for residential, retail and commercial uses. All of these are existing accesses serving the site and each requires upgrading. A new access is not required from Norcross Lane in connection with the proposed residential development of the site.
- 3.13 KDC 7 Telereal has no objection to this requirement. All necessary tree, hedgerow, habitat and protected species surveys were undertaken as part of the ecological appraisal accompanying the outline planning application (13/00200/OULMAJ).

These will be updated in connection with the design of the reserved matters and in respect of the discharge of relevant conditions attached to the outline permission, including the provision of any necessary mitigation measures and appropriate opportunities to enhance local biodiversity where possible.

- 3.14 KDC 8 Telereal has no objection to providing home owner packs highlighting the sensitivity of Morecambe Bay to recreational disturbance, if these are considered necessary.