
Hearing Statement
Matter 2 – Planning for Growth
Strategic Green Gap Boundaries (Policy PG 13)

Prepared on behalf of IM Land

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1.0 INTRODUCTION & BACKGROUND

- 1.1 Representations on a number of policies in the SADPD were made at the Regulation 19 stage by RPS on behalf of IM Land. Having regard to the MIQ's issued by the Inspector, IM Land are content to let these representations remain as written representations. However, Policy PG 13 is of particular concern to IM Land and for the reasons set out in this statement, on behalf of IM Land, Barton Wilmore LLP (BW) wish to participate at the Hearing session considering this policy on Friday 15th October 2021.
- 1.2 IM Land has been promoting its site within the SGG at Gresty Lane, between Crewe and Shavington (See IM Land's Masterplan Vision Document included with its Regulation 19 Representations) and whilst fully recognising and respecting that the Inspector will not be considering Omission Sites, reference will be made within this Statement to the evidence base work principally in the form of BW's Land at Crewe Road and Gresty Lane: Review of Green Gap Evidence Base Documents (December 2020) (also submitted with the Regulation 19 Representations), which addresses the principles of the SGG and Policy PG 13.
- 1.3 The Council's updated evidence base focuses on the physical features forming the boundaries of the SGG. As outlined in this document, IM Land has significant concerns regarding the robustness of the Council's evidence base, which it does not consider justifies Policy PG13.
- 1.4 This statement thereby takes a similar approach to that of Planning Inspectors who have considered individual parcels of land within the Green Gap designated under CNRLP, accounting for how the land in the Green Gap actually functions and what constituent structural landscape and visual features contribute to its function, rather than simply its extent or its boundaries.
- 1.5 The Inspector considering the Needham's Grange development at the northern edge of Shavington east of Crewe Road, which was the subject of an allowed appeal in November 2016¹, summarises in paragraph 69 of the Appeal Decision that:

"the proposed development would result in the erosion of the physical gap between the built up areas of Shavington and Crewe...However, there would be little harm to the purposes of the Green Gap in this location".

- 1.6 Similarly, the Inspector considering the Chatsworth Park development at the northern edge of Shavington, which was the subject of an allowed appeal in November 2012², summarises in paragraph 16 of the Appeal Decision that:

¹ The Planning Inspectorate (November 2016) APP/R0660/W/16/3141688

² The Planning Inspectorate (November 2012) APP/R0660/A/12/2173294

"...whilst there would be a localised loss of openness, the development would not, overall, result in Shavington coming closer to Crewe or increase the visibility of the built-up edge of Crewe. In the above context, the development would not materially reduce the physical or perceived separation of Shavington and Crewe."

- 1.7 Furthermore – the Inspector's 2015 decision in consideration of phase 2 of development at the same location, in allowing the appeal, states in paragraph 50 of the Appeal Decision that:

"...factors, which relate to distance, topography, landscape character/type, vegetation, existing uses and density of buildings, nature of urban edges, inter-visibility, intra-visibility and the sense of leaving a place, were considered by the Inspector in his Report on the Eastleigh Local Plan (1998) to be useful in delineating strategic gaps. Although in this case I am not considering the delineation of a Green Gap, these factors are useful in assessing the impact of the proposed development on the Green Gap." [BW emphasis]

- 1.8 The Inspector went on to note in paragraph 53 that:

"...in this location, I do not consider that the proposed development would perceptively reduce the Green Gap, given its siting, the topography of the local area and the existing substantial screening, along with the sense of leaving Shavington that currently exists at the bridge over the A500."

- 1.9 Appeal decisions refusing development in the Green Gap also take our approach of considering how the structural features of the landscape and the kinetic experience of moving through these features affect the perception of the gap in this context (including land to the east of Rope Lane, north of the A500³, paragraphs 10.25-10.32; and land south of park Road Willaston⁴, paragraphs 21-27).
- 1.10 The fact that Inspectors have reached decisions about the appropriateness of development in the Gap between Crewe and Shavington based on how landscape features in and around the sites in question enable that site to perform the functions of the gap, indicates that any gap policy would not be robust unless it followed the same principles – namely: not simply the physical extent of the SGG but more how it functions and contributes to the purposes of the SGG designation as set out in CELPS Policy PG5. This is the basis of our concerns and why we have indicated through the Regulation 19 Representations that the Policy as drafted is not founded on robust evidence and is unsound.

³ Department for Communities and Local Government (January 2015) APP/R0660/A/13/2209335

⁴ The Planning Inspectorate (APP/R0660/W/15/3011872)

2.0 RESPONSE TO INSPECTOR'S QUESTION 38

Is the methodology for the definition of detailed boundaries for the Strategic Green Gaps (SGGs), as set out in the SGG Boundary Definition Review (SGGBDR), soundly based?

2.1 This issue is addressed within IM Land's Regulation 19 Representations and BW's Review of Green Gap Evidence Base Documents in December 2020. The conclusion of this work is that the methodology used for Strategic Green Gaps Boundary Definition Review (2020) (ED 08) is not soundly based.

2.2 Chapter 3 of the SGGBDR sets out the methodology to undertake the review. Paragraph 3.9 states that:

"The proposed boundaries have been defined along logical, identifiable, physical features on the ground that are likely to be permanent. In circumstances where the Strategic Green Gap boundary coincided with a settlement boundary this requirement would have already been addressed as part of the Settlement Boundary Review ..."

2.3 It is noted that the Settlement Boundary Review (SBR) methodology, as set out in SADPD Settlement and Infill Boundaries Review (ED 06) (August 2020), summarises in paragraph 4.11 that:

"Stages 1 and 2 make sure that the settlement boundaries reflect site allocations, extant planning consents and existing development / land uses. The final stage 3 seeks to confirm that the resulting boundary is defined using appropriate physical features."

2.4 It is therefore clear that the SBR exercise did not attempt to consider the function or purposes of SGGs and how the structural features of the landscape contribute to them. The SBR and SGGBDR have simply looked at potential boundary features, not at how the land in the SGG fulfils the role of the SGG.

2.5 Paragraph 3.10 of SGGBDR states that:

"Consideration was also given to whether any adjustment to the SGG boundary was necessary to avoid including land within it that did not serve a SGG purpose as listed in [CE]LPS Policy PG 5 (3i-ii [sic]), namely:

i. Provide long term protection against coalescence;

***ii. Protect the setting and separate identity of settlements;
and***

***iii. Retain the existing settlement pattern by maintaining
openness of land."***

2.6 However, despite the stated focus on detailed consideration of boundary features and the purposes of the SGG, as with the preceding New Green Belt and Strategic Open Gap Study (NGBSOGS, 2013), it is apparent that the document does not attempt to identify in a detailed or systematic way the structural features of the SGG which enable the SGG to fulfil its purposes.

3.0 RESPONSE TO INSPECTOR'S QUESTION 39

With particular reference to the SGGBDR, have the principles and criteria used to inform the definition of detailed SGG boundaries been consistently applied and are the resulting detailed boundaries justified, based on proportionate evidence?

- 3.1 The lack of analysis of the structural arrangement of the SGG on the ground is reflected in the only amendment proposed at Stage 5 in relation to Section 8A (the study area to the south of Crewe). As illustrated on Map 3 on p.30 of the document, this amendment is to include a narrow sliver of land between the Gresty Road allotments and the railway line. It is stated that this is to create a stronger boundary and that it *"will help protect the setting and separate identity of Crewe and Shavington where the gap is narrow at this point"*. However, no further analysis to substantiate this statement is included.
- 3.2 In fact, this is far from the narrowest part of the SGG, which lies between the north-eastern corner of development at North Way on the northern edge of Shavington) and the south-western extent of development flanking Jack Mills Way, which is approximately 280m. The narrowness of Green Gap in this location did not stop a Planning Inspector allowing further development in this area, at Needham's Grange. This has consolidated the edge of Shavington in this vicinity, within approximately 420m of the boundary of the SGG at the southern extent of development within Crewe on Crewe Road. This further reinforces the point that the extent of the SGG is not the primary consideration to fulfil the stated purposes, but rather, how the SGG functions structurally.
- 3.3 SGGBDR provides no explanation to demonstrate how a narrow wedge of land, situated between existing residential and commercial development on two sides (including the south), and railway line on the third, would help to protect the setting and separate identity of Crewe and Shavington, 900m to the south. It is clearly misleading for the SGGBDR to claim that the SGG is narrow at this point where it has recommended an amendment to the SGG boundary, given the widths of the SGG identified above; and the document is inconsistent with the reality that width of the SGG is not an overriding factor in the function of the SGG.
- 3.4 Amendments at Stage 5 also include the exclusion of land now consented or completed for development and considered to form part of the built area of Shavington, and the amendment (section 14C) to account for a Reserved Matters application.
- 3.5 Chapter 5 concludes *"the Strategic Gaps... have undergone a full and detailed boundary review"*. However, as for the NBGSOGS, no detailed or systematic evidence base is included within the document to demonstrate consideration of the role of individual structural elements of the landscape in seeking to understand how the SGG functions in reality.

- 3.6 S78 appeal Inspectors have instead taken such considerations into account in determining whether or not substantial areas of development within the Green Gaps would be acceptable. Decisions allowing development have been contrary to the findings of CEC's 2013 evidence base which did not include for such considerations. The 2020 evidence base on boundaries of the SGG merely follows these Planning Inspectors' decisions, rather than seeking to understand the reasoning behind them in forming a robust position on the boundaries of the SGG.
- 3.7 This is further evidence that the SGG boundaries have not been considered in a way that consistently examines the structure of the SGG and how it functions. This is thrown into particular relief by the Inspector's Report on the Examination of the Cheshire East Local Plan Strategy DPD⁵, which in relation to Strategic Green Gaps, states in paragraph 109:

"Much will depend on the application of the policy, particularly in assessing the effect of development on the erosion of a physical gap between settlements, on the visual character of the landscape, and on the undeveloped character of the Green Gap, but provided that a consistent and reasoned judgement is given, the policy should effectively meet its objectives." [BW emphasis]

- 3.8 This establishes that whilst the broad principle and location of the SGGs was justified, detailed analysis and boundary definition was due at the SADPD stage, which, in considering physical gap, visual character and 'undeveloped' character must inevitably consider the structural elements of the landscape which underpin the understanding of how the SGG functions.
- 3.9 Overall, IM Land has concerns that merely 'rolling forward' the extent of the existing SGG into this plan and inevitably the Local Plan Review, will exclude consideration of some of the most sustainable and accessible locations for growth around Crewe.

⁵ The Planning Inspectorate (2017) Report to the Cheshire East Council on the Examination of the Cheshire East Local Plan Strategy Development Plan Document

4.0 RESPONSE TO INSPECTOR'S QUESTION 40

Is there any substantive evidence to demonstrate that any of the proposed detailed boundaries to the SGGs are not justified?

- 4.1 BW has carried out an up to date review of the structure of the SGG between Crewe and Shavington within its Review of Green Gap Evidence Base Documents (December 2020) and its Landscape and Visual Appraisal with Green Gap Review (September 2019). These documents were submitted to the two Regulation 19 Consultations so will be available to the Inspector.
- 4.2 It is vital to consider the specific elements which contribute to the *visual* and *perceptual* gap between settlements, given that, as set out above, the *physical distance* across the SGG is as little as approximately 280m. For lack of such analysis, it is concluded that the proposed detailed boundaries to the SGGs which underpin Policy PG 13 are simply not justified.
- 4.3 Even the limited physical width of the designated SGG doesn't reflect the reality on the ground. Built development extends along Crewe Road north from the SGG boundary, as far as the junction with the slip road from the A500. Built development also extends south from the SGG boundary in the form of the Alexandra Soccer Centre. Furthermore, built development extends intermittently along Rope Lane, to the south-west of the Site. The maximum distance between built developments on Crewe Road is approximately 167m and between built developments on Rope Lane, approximately 160m. Therefore, it is not the physical presence of built form along these routes that is the determining element of the SGG, but the *perception* of separation provided by other features. In reality, separation between settlements in this SGG is provided by a series of existing key structural elements, as shown on **Figure 1** (see below).
- 4.4 These include the robust extents of vegetation flanking the A500 and the dual carriageway itself, which are the most significant elements providing visual, physical and perceptual separation between the settlements.
- 4.5 In addition, as shown in **Figure 1**, extents of open land provide a setting to Shavington and Crewe, as perceived from the routes between the settlements. These areas include pockets along the northern edge of Shavington and Basford; to the east and west of Rope Lane; and to the west and south of development flanking Crewe Road to the north of the A500. The majority of these views are perceived in the context of existing built development which forms part of the kinetic experience of moving from one settlement to another, reinforcing the fact that it is structural landscape elements, rather than distance, which create separation between them. Whilst it is acknowledged that the majority of the SGG forms open land in the setting of Crewe, much of it, including the Site, is not readily perceived from these routes.

- 4.6 Finally, there are substantial blocks of woodland which form dividing elements in the landscape, increasing the perception of separation between the settlements. Aside from blocks of planting extending in depth away from the A500 corridor, such as west of Rope Lane to the south of the dual carriageway, there are notable blocks of structural vegetation at the south-western corner of the Site and to the south-east of the Site.
- 4.7 **Figure 1** shows how a systematic review of the structural elements of the landscape which influence the performance of the SGG could inform the development of land within the SGG without causing it undue harm. **Figure 1** shows that there is clearly potential to reinforce such structural elements, notably by providing locally-characteristic field trees and blocks and belts of vegetation as part of multi-functional green/blue infrastructure. Specifically, there is potential to maintain a large setback of development from the shallow valley slopes to the south-west and from open land to the south; and reinforcing the existing robust boundary of hedgerow and canopy trees to the east.
- 4.8 As a result, it is considered that there is potential to sensitively mitigate development within the SGG and minimise any effects it would have on the function of the SGG. It is considered that the SGGBDR has not been undertaken using a methodology that would capture and use such evidence in defining detailed boundaries of the SGGBDR and therefore that the designation governed by Policy PG 13 is unsound.

5.0 CONCLUSION

- 5.1 Darft Policy PG 13 should be removed from the plan or the Council asked to re-consider the Policies Map to exclude land that demonstrably is not needed to be kept open to maintain the function of the SGG.
- 5.2 Even if such amendments were not made, as an absolute minimum the wording of Draft Policy PG13 should be supplemented to allow appropriate development to take place within the SGG, as suggested below:

"3) All forms of development will be supported where appropriate mitigation to minimise any adverse impact to the function and purposes of the Strategic Green Gap has been provided, based on detailed consideration of structural elements of the landscape which influence the integrity and perception of the Strategic Green Gap."
