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12 May 2017

Dear Sirs

**Whitaker's Garden Centre – Housing Applications**

Before responding to the inaccurate information given by Knowsley Council and their reasons for refusing planning permission for housing development at Whitakers Garden Centre in Prescot, will you please refer to the attached email received initially by Company Director Paul Beesley, dated 14<sup>th</sup> August 2012 from Justin Wilson (Knowsley Planning department) which was the trigger for the commencement of nearly 5 years intensive professional input and expenditure to work with the Council to release the site from its green belt status, which subsequently led to the submission of the planning application.

At considerable expense and as a direct result of the Council's initial and subsequent encouragement we engaged professional consultants to undertake the formal process of green belt release working closely with the Council promoting the land through the preparation of the recently adopted Knowsley Local Plan Core Strategy – the is proper plan-led process for Councils to review green belt boundaries and through the invitation of the Council we agreed to promote the land for housing.

It is apparent in the face of a chronic shortfall in delivering housing to meet Government targets; there was a sound and valid reason why Knowsley Council approached us in 2012 to see if we would be interested in building houses on the site. We agreed to this proposal from the Council and then put wheels in motion to work with the Council using the statutory planning process to promote the land for housing development. This process started back in 2012 through identification of the site in the Council's then draft new Knowsley Local Plan as one of a number of 'reserve sites' to come out of the green belt to help meet strategic housing land supply targets.

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The local plan process was intense, in not just my consultant's commitment and expenditure, but our undertaking of many surveys and specialist reports and preparation for and attending several meetings and local plan examination in public hearings. The whole process took over 5 years at considerable cost us to get the site into the local plan process.

The local Plan Inspector criticised the Council for seeking to reserve the land in question to deliver housing towards the end of the 20 year period of the new local plan when the Council had failed to convince the Inspector that their own identified sites within the draft new local plan would confidently come forward to meet housing demand and needs now, not wait for the future.

So, it is important to be clear, the land in question is not green belt land for the purpose of the adopted development plan in force. It is out of the green belt by virtue of it being designated as part of a 'Sustainable Urban Extension' (SUE).

We understand that planning is an emotive subject but consider that local residents objections were probably based on their assumption that the land remained in green belt, whereas at the time of planning application it had been formally designated as the Prescot SUE, which includes planning policy presumption in support of the land for housing development – we know from discussions with the Council Officers that they fully accept the land will be developed for housing, irrespective of how they have dealt with the two recent applications.

We have employed planning consultants and other professional experts who have looked after the project from start to finish dealing with the Council's planning department. It was the Council's own team that advised that we should await the adoption of the new local plan to submit an outline planning application for our site, which is the only land that we or the Council can bring forward to deliver housing in the identified Prescot SUE.

It was only after the Council adopted the new Knowsley Local Plan, and in order to help stem the decline in prosperity in the area, lack of investment and lack of delivery of new homes that working alongside the Council officers we agreed to submit the planning application, initially back in early summer 2016 and a revised application in December last year.

The Council with respect, seem to have failed to recognise the potentially damaging reaction from some residents and ward councilors toward this project, we are sure partially caused by their incorrect assumption that at the time of the application the land was still defined as green belt or that they felt that by refusing planning permission the land could be protected as green belt – it does seem to us that the Council now simply refuse to want to approve any housing on a site that has local plan designation for housing development.

We have addressed comprehensively all concerns expressed by the Council and revised the master plan to suit them several times. The latest version of the site masterplan, submitted in December 2016, sought only an outline consent 'in principle' for the housing development and had no mention of number of units in the application form or the submitted masterplan.

We simply asked the Council to approve a 'development zones' masterplan that would enabled the Council to retain full control over the number of houses that would eventually come forward through a 'reserved matters' planning application that would follow on from any outline consent granted by the Council.

The reference to 'up to 200 homes' is a totally unfair criticism of the revised planning application when it was the Council's own planning officer who telephoned our planning consultant prior to the registration of the recently refused application to ask for his agreement to revise the description of the proposed development to specify the 'up to 200 homes'. It was our submission that the revised application should not make any specific reference to number of homes as there was no detail of how these could be achieved on the site. This was to address the Council's concern that the details of the development should be controlled following the grant of any outline consent.

The Council has issued press releases stating that our revised scheme lacks comprehensiveness, what does this mean? The Council has never explained or given any details as to how our scheme would prejudice other parts of the SUE. They are not prepared to ask that our application included the adjacent playing fields as that would have meant housing on protected playing fields.

The Council accepts that the garden centre will remain in its existing operation (at least for the foreseeable future) and in any event the garden centre contributes to a SUE.

The SUE contains land to the corner of Liverpool Road, which we don't own. Our proposals would not prejudice that land from being developed for housing as our proposals included a road link into that site should it come forward by others at a later date. Indeed, the masterplan also incorporates a potential road access to the adjoining playing field site.

The Council's criticism regarding lack of comprehensiveness simply lacks any credible argument to sustain such an objection to our proposals.

The Council cites 'highways' objections that rule against the application, yet our own independent highways consultant worked with the Council's highways team providing detailed analysis of the new staggered junction proposal which we are confident meets with current highways standards for both safety and traffic flow around the development site. We are more than happy to continue the discussions with the Council regarding highway and access matters.

There are many objections to the project, however it is evident the vast majority relate to the supposed loss of land in green belt. As stated above, Whitakers garden centre land is not in the green belt as it is now part of an adopted local plan that designates the land as part of a SUE.

It seems pretty clear to me that the real reason why the Council rejected the revised application is that they do not want to be seen to approve it with so many people opposing the application. They prefer us to appeal so they can state it was Central Government who approved it and not them.

The way the Council officers have handled our revised planning application is a disgrace, when we appeal the refusal of the application the costs will be significant and it is the ratepayers of Knowsley that have to bear the costs in defending an appeal and contributing to our own costs where we can demonstrate the Council has acted unreasonably.

It is clear to see that our scheme, no matter what the extent of housing would be proposed, would not be supported by the Council, which is totally and utterly unacceptable when we have dealt with all issues raised by the Council and from as early as 2012, we have followed all the correct planning procedures and policies.

There are no technical reasons to oppose this application; it is our opinion the decision has been made a political issue by the Council who have succumbed to local pressure despite their initially identifying the site for residential development back in 2012 as proven by the attached email.

I am currently seeking specialist advise from a planning QC which will involve further expenditure to consider all aspects of the existing application process, the refusal of same and whether such a substantial and contentious application should have been refused acting under delegated powers without allowing the Council's appointed Planning Committee to determine the application taking account all the relevant facts and information and hearing from submissions from ourselves as well as from local residents.

I simply make the above observations and comments, as I am disappointed by the recent press reporting of the application that highlighted only the comments from the Council and did not seek any counter comments or observations from either myself or my professional team.

Yours sincerely

A handwritten signature in black ink, appearing to read 'JP. Beesley', written over a horizontal line.

John Beesley  
Chairman Beesley & Fildes Ltd

Enc.

## Carol Bohanna

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**Subject:** FW: Knowsley Local Plan - Land bound by A58, north of Prescott (Whitakers Garden Centre)

**From:** Wilson, Justin CED [<mailto:Justin.Wilson@knowsley.gov.uk>]

**Sent:** 14 August 2012 14:18

**To:** Paul Beesley

**Subject:** Knowsley Local Plan - Land bound by A58, north of Prescott (Whitakers Garden Centre)

Dear Mr Beesley,

Hopefully you are the best person to speak to regarding the matters below. If there are more appropriate people within your organisation that should be involved in this debate please let me know and I'll forward this e-mail accordingly.

As you may be aware, the Council consulted on its emerging planning strategy, the Core Strategy "Preferred Options" Report in 2011. In addition to the identification of urban regeneration and development opportunities, a key part of Knowsley's emerging Core Strategy was the identification of "broad locations" in the Green Belt for longer term development.

A summary of the draft strategy can be found in our consultation [summary leaflet](#). Further detailed information regarding the Core Strategy "Preferred Options" consultation and our approach in relation to the land mentioned above can be found on the Council's website [here](#).

In relation to Beesley and Fildes interests at Whitakers Garden Centre "Land bound by A58, to the north of Prescott" (identified as **Area 5** within the summary leaflet) was identified as a location which may be removed from the Green Belt to meet longer term development needs.

Although this area includes Whitakers Garden Centre, it was not assumed that this part of site would necessarily be developed for alternative uses as it is currently an operational site. However, there may be opportunities to release adjacent land to the north of the site for alternative uses such as residential.

Given the advancing nature of our emerging Local Plan: Core Strategy, it would be helpful to meet with you to discuss among other points:

- 1) The background to the appraisal of the site within the Knowsley Green Belt Study
- 2) An update on Local Plan progress and timescales
- 3) the owner's aspirations for the site
  - *potential land use and development capacity*
- 4) Constraints and issues influencing delivery of the site
  - *land ownership, highway access and site master planning*

Let me know if you would like to discuss these matters in more detail by way of a meeting within the next couple of weeks.

Kind regards,

Justin

**Justin Wilson**

Principal Planner - Planning Policy

Places and Neighbourhoods Team

Policy, Impact and Intelligence Division  
Chief Executive's Directorate

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