

Planning Policy and Programmes  
Warrington Borough Council  
East Annexe  
Town Hall  
Sankey Street  
Warrington  
WA1 1HU

Submitted via Email to: localplan@warrington.gov.uk

**Date:** 15 November 2021

**Our ref:** [REDACTED]

**Your ref:**

Dear Sir / Madam

## **Warrington Draft Local Plan 2021 Consultation: Land at Scotland Road, Warrington**

Lichfields is instructed by our client Altered Space Limited [Altered Space] to make representations to the Warrington Updated Proposed Submission Version Local Plan [SVLP 2021] published for consultation by Warrington Borough Council [the Council] in October 2021.

Altered Space, in partnership with the Council (via their development arm Warrington & Co), are currently progressing proposals to redevelop part of the existing Cockhedge Shopping Centre and the New Town House office building [the site] for a residential-led mixed use development. The site is located within Warrington Town Centre as defined in the adopted Warrington Local Plan Core Strategy (July 2014) [the Core Strategy] and the emerging SVLP 2021. From here on in, for ease of reference the development site is referred to as 'Land at Scotland Road'.

It is a statutory requirement that every development plan document must be submitted for independent examination to assess if it is 'sound' as set out within Section 20(5) of the Planning and Compulsory Purchase Act 2004 [the 2004 Act].

There is no statutory definition of 'soundness'. However, the National Planning Policy Framework [the Framework] states that to be sound a Local Plan should be [§35]:

1. **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
2. **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
3. **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and,

4. **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

In addition, the Framework [§11] states that:

*“Plans and decisions should apply a presumption in favour of sustainable development.*

*For plan-making this means that:*

- a) *all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;*
- b) *strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*
  - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
  - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

These representations demonstrate that a number of policies within the SVLP 2021 require amendments in the context of the tests of soundness established by the Framework.

These representations should be read in conjunction with the representations we submitted in March 2021 in relation to the Warrington Town Centre Supplementary Planning Document [the SPD]. The SPD was subsequently adopted by the Council in June 2021.

For the avoidance of doubt, these representations have been prepared on behalf of Altered Space only and are in no way associated with Warrington & Co.

## **Background**

Firstly, it is important to stress that Altered Space is highly supportive of Land at Scotland Road’s identification within the SVLP 2021 as a key strategic site within the Town Centre. Altered Space believes that this site represents a key opportunity to kick start a new housing market in the heart of Warrington Town Centre and is confident that a residential-led mixed use development at the site is deliverable subject to the concerns set out within these representations being addressed.

In January 2020 the Council published the Warrington Town Centre Masterplan. Unlike a typical masterplan, this was not a planning document but rather an investment document. It set out the Council’s broad aspirations for Warrington up to 2040. The document identified key zones within the town centre and identified a programme of work for public sector partners and a portfolio of investment and businesses opportunities for the private sector. The document confirmed that a town centre SPD would also be prepared in order to provide additional guidance for developers bringing forward proposals in the town centre. This document was subsequently published and consulted between February and March 2021 and was then adopted by the Council in June 2021.

Lichfields submitted representations to the SPD setting out that, whilst Altered Space were supportive of the SPD in principle, they had significant concerns with the document as prepared at that time. The concerns were widespread but can be summarised in short as seeking to introduce requirements that had no policy

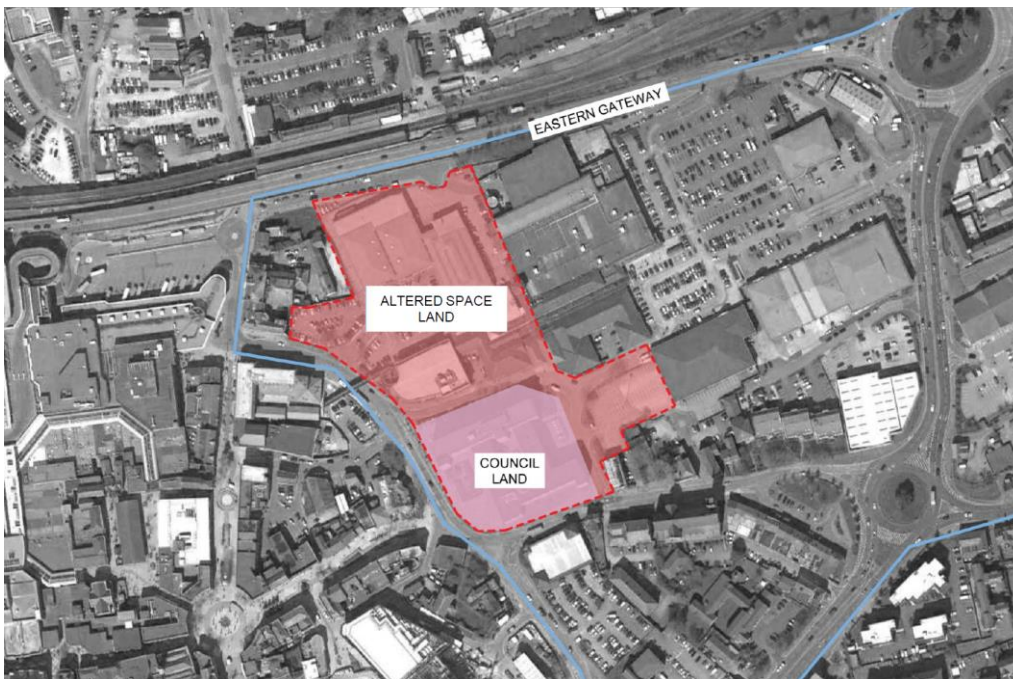
basis, a focus on restrictive guidance and a lack of viability testing in relation to the SPD content. Notwithstanding the concerns raised, the SPD was adopted largely unchanged from the version that was consulted on.

Given the concerns that existed previously, and a failure to address them within the version of the SPD that was adopted, we believe that it is now necessary to consider the SPD in the context of the emerging policies set out within the SVLP 2021. This is addressed below within the following sections of this document.

The SPD specifically identifies Land at Scotland Road site as a site that is envisaged to come forwards for redevelopment in the short to medium term. The document does not however provide any significant site-specific design guidance.

Figure 1 below identifies the site and depicts the land own by Altered Space and the Council respectively. In a broad sense Altered Space control the northern part of the site which currently accommodates part of the Cockhedge Shopping Centre and the Council controls the southern part of the site which currently accommodates the New Town House office building:

Figure 1 Land at Scotland Road



Source: Like Architects

It is envisaged that a joint planning application will be submitted by Altered Space and Warrington & Co in December 2021.

## **Policy Dev2 – Meeting Housing Needs**

### **Introduction**

Policy DEV2 sets out the Council's approach in relation to meeting Warrington's housing needs. It sets the affordable housing requirement and discusses housing type and tenure.

## **Consideration of Policy**

Policy DEV2 identifies that sites within the Town Centre should provide 20% affordable housing with a split of 50% affordable rent and 50% affordable ownership. However, we have reviewed the Warrington Borough Council Emerging Local Plan Viability Assessment (Main Report and Appendices) [the Viability Assessment] and note that the report demonstrates that residential development in the town centre is subject to significant viability constraints. The Viability Assessment [§8.17] also acknowledges that none of the recent Build to Rent [BTR] development to come forwards in the Town Centre has provided any affordable housing or policy compliant S106 contributions. Whether or not it is BtR, affordable or market accommodation (or a combination thereof) the Council's evidence identifies that the delivery of high-density apartment schemes in the town centre is the subject of viability constraints. As such, Altered Space would query whether or not the 20% affordable housing requirement for the Town Centre is appropriate or justified having regard to the Council's own evidence.

Altered Space also objects to Part 13 of the policy which seeks to provide dwellings that are appropriately sized and arranged to create well designed homes in accordance with Nationally Described Space Standards [NDSS].

Altered Space notes that the Government's decision to make these standards optional suggests that they do not expect all properties to be built in accordance with them. If the standards are to be applied, the PPG sets out a clear set of criteria local planning authorities should address in order to justify them, these being:

- need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed.
- viability – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.
- timing – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.

With regard these criteria, we firstly note that no need evidence is provided in the SVLP 2021 or the 2021 Local Housing Needs Assessment [LHNA] to justify the policy requirement.

With regards to viability, the Viability Assessment [§7.20] states that the NDSS has been applied within the appraisals as the minimum standard. The analysis for the Town Centre included three different typologies which were assessed against a range of scenarios and subject to sensitivity testing. In relation to the town centre typologies, the Viability Assessment [§8.66] concludes:

*According to our calculations, the Town Centre typologies do not reach a viable position in any of the four sensitivity analyses which suggests that it will be very difficult to achieve full policy requirements on these sites. Therefore, at least in the short-medium term until the Town Centre residential market has matured and sales values have improved, it is likely that the Council will need to flex its policy requirements so as to not compromise Town Centre residential development.*

It is clear that residential developments within the Town Centre are subject to significant viability constraints and that imposing requirements such as NDSS (without evidence) worsens the situation. For these reasons, Altered Space considers that Part 13 of the policy should be deleted, or caveated to exclude residential developments within the Town Centre.

## Test of Soundness

Altered Space is concerned that Policy DEV2 would not meet the tests of soundness because:

- 1 **It is not justified:** Insufficient evidence is provided in the SVLP 2021 and evidence base to justify the policy requirement in Part 13 for homes in accordance with Nationally Described Space Standards.
- 2 **It is not consistent with national policy:** The Council has not provided any evidence to support the proposed requirement for NDSS as required by the PPG. In addition, Altered Space is of the view that the proposed 20% affordable housing requirement for sites within the Town Centre could undermine the deliverability of the plan, contrary to the Framework [§34].

## Recommended Change

It is recommended that Part 13 of the policy is deleted. It is also recommended that the proposed affordable housing requirement for the Town Centre is revisited having regard to the Council's own viability evidence.

## Policy TC1 – Town Centre and Surrounding Area

### Introduction

Policy TC1 relates to the 'Town Centre and surrounding areas' which essentially comprises the Town Centre and Inner Warrington areas as defined on the Proposals Map. The policy sets out the Council's general aspirations for the town centre, identifies key development sites (including Land at Scotland Road) and sets out some policy requirements for development in the town centre.

### Consideration of Policy

Firstly, it is important to stress that Altered Space does not object to Policy TC1 or its contents in principle. Indeed, Altered Space is highly supportive of the Council's aspirations to strengthen the Town Centre's vitality and viability and promote a greater diversity of uses. In particular, Altered Space supports the Council in seeking to provide new homes in the Town Centre in order to establish a new residential market in the borough.

Altered Space is also supportive of the Council's aspirations to enhance cultural activities in the Town Centre and believes that the spaces that will be created by the Land at Scotland Road development will assist with this aspiration.

Altered Supports the identification of key development sites in the Town Centre and surrounding area within Policy TC1 and welcomes the inclusion of Land at Scotland Road (referred to as Cockhedge within the Eastern Gateway area). We are of the view that the text could be updated to explicitly refer to the Land at Scotland Road development site in order to recognise the strategic importance of this site within the Town Centre.

As set out above, Altered Space is highly supportive of the aspirations set out within Policy TC1 and is fully supportive of the Council's vision. In fact, on the most part, Altered Space does not object to any of the content of Policy TC1. The main issue we have is the references within the policy to the SPD, and now the SPD should interact with the Local Plan.

When considering this, it is first important to consider the role of SPDs which is set out within the Planning Practice Guidance [PPG] and states that:



*“Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.”*

The Town and Country Planning (Local Planning) (England) Regulations 2012 goes on to state that any “policies” contained within an SPD must not conflict with the adopted development plan [Part 4 - 8(3)]. As such, whilst an SPD can provide additional guidance to assist applicants with the interpretation of policies contained within the adopted development plan, an SPD cannot introduce new planning policies or requirements that do not align with the adopted development plan.

The way Policy TC1 is currently drafted suggests that the SPD sets the overarching policy framework for development in the Town Centre, and that this should be referred to principally when considering development proposals. For example, in Section 5 of the policy, it is stated that minimum densities (130 dwellings per hectare) should be achieved subject to compliance with the SPD, thus attaching greater importance to complying with the SPD than the policy aspiration itself. However, as set out in our previous representations to the SPD consultation, the document does not conform with the adopted Core Strategy. Bearing this in mind, it is unclear how the SPD can be relied upon within the SVLP 2021 without being reviewed in the context of the emerging policies.

Furthermore, the SPD sets out onerous requirements for development in the town centre but was not supported by any viability evidence to test whether this could be supported. As set out above, we have reviewed the Viability Assessment and note that it does not include an assessment of the full SPD requirements in relation to Town Centre typologies tested. Notwithstanding this, as set out above, the assessment concludes that in every scenario tested for the Town Centre typologies that development here is subject to significant viability constraints, with a significant deficit in most scenarios. The Council’s own evidence indicates that, even with 0% affordable housing provision, that viability is constrained which raises questions around developments ability to deliver even standard contributions, before even factoring in the additional costs associated with the SPD guidance.

As such, we are of the view that the viability testing that underpins the SVLP 2021 should be revisited in order to consider the full impact of the SPD requirements on development viability in the Town Centre. Until such a time that this occurs, the policies contained within the SVLP 2021 cannot possibly be sound. The Framework seeks to ensure a plan led approach where matters such as viability are considered. The viability assessment which underpins the plan demonstrates that proposals in the town centre will not be able to afford the full range of policy asks in all scenarios. This viability evidence should test the requirements of the SPD if it is to be continued to be relied upon to guide development going forward. It does not do this. It is considered that the viability evidence should test the delivery of development in accordance with the requirements of the SPD, and should incorporate specific wording to reduce the requirements placed on development when it is known that it will be necessary in order to deliver development. Alternatively it should explain how other funding will be used to support the improvements necessary to deliver that development.

## **Test of Soundness**

As set out above, Altered Space does not object in principle to Policy TC1 and in fact supports the aspirations of the policy. However, we are concerned that the current reliance on an SPD to guide development in the Town Centre could lead to a failure to deliver on the aspirations of the policy. The viability evidence that

underpins the SVLP 2021 needs to be revisited in order to consider the implications of the both the emerging policy and the existing SPD on development viability in the town centre. As such, the policy as drafted does not meet the tests of soundness because:

- 1 **It is not effective:** The policy currently relies on an SPD that has not been subject to testing to establish the impact of its requirements on development viability. This uncertainty means that there is a risk that the aspirations of the policy cannot be delivered if required to accord with the untested SPD guidance. The viability assessment that underpins the SVLP 2021 needs to be revisited to consider the implications of the SPD on development viability in the Town Centre.
- 2 **It is not consistent with national policy:** The PPG is clear that SPDs should not add unnecessarily to the financial burdens on development. The Council's own viability evidence demonstrates that residential development in the Town Centre is subject to significant viability constraints, without even having regard to the SPD guidance. This provides a strong indication that the SPD is placing unnecessary financial burdens on development, without having regard to viability. Furthermore, national policy requires SPDs to accord with policies in an adopted plan. However, within the SVLP 2021 the Council is seeking to rely on policies contained within an SPD that has not been subject to viability testing or scrutiny at Examination in Public [EIP].

### **Recommended Change**

It is recommended that further viability is undertaken as part of the Local Plan process to fully establish the implications of the SPD requirements on development viability in the Town Centre. Subject to the outcome of this exercise, the policies contained within the SVLP 2021 requiring the provision of infrastructure and development contributions may need to be updated to reduce to ensure that residential developments in the Town Centre are deliverable and viable. .

If the SPD isn't reviewed, then references to it within Policy TC1 should be removed and replaced with references to other relevant Local Plan policies.

## **Policy INF5 – Delivering Infrastructure**

### **Introduction**

Policy INF5 relates to delivering infrastructure and sets out the Council's approach to securing planning obligations.

### **Consideration of Policy**

Firstly, it is important to note that Altered Space does not object to Policy INF5 in principle and understands and supports the need to secure planning obligations to deliver infrastructure. Section 5 of the policy lists key matters that the Council will seek to fund through planning contributions. There is also a caveat noting that planning contributions are not limited to the matters listed. The matters listed can be summarised as follows:

- Affordable housing;
- Public realm improvements and creation, including public art;
- Improvements to Heritage Assets;
- Flood defence and alleviation schemes, including SuDS;
- Biodiversity enhancements;
- Open space, including green infrastructure and allotments;

- Transport improvements, including walking and cycling facilities;
- Education provision;
- Utilities;
- Waste management;
- Health infrastructure; and,
- Sport, leisure, recreational, cultural and other social and community facilities.

Some of the matters listed such as affordable housing, biodiversity enhancements, open space etc, transport improvements, education provision and health infrastructure are typical matters that would be secured through planning obligations where appropriate. However, some of the matters listed, such as improvements to heritage assets would only be applicable in some site-specific instances and could be delivered as part of the development itself as opposed to through planning contributions. Matters like public realm improvements would also typically be delivered as part of the development itself and would be secured by condition. Bearing in mind that the list is already caveated to make it clear that items that could be secured are not limited to the list, it is considered that the list could be refined to relate only to the matters referred to in the Framework [§34].

In addition, the reference to public art should be removed as this is not referenced in the Framework or PPG and it is unclear how this could be required to make the development acceptable in planning terms.

In terms of viability, Altered Space welcomes the acknowledgment within Policy INF5 that there are instances where it may not be viable for development to support the full package of contributions sought.

## Test of Soundness

As set out above, Altered Space does not object to Policy INF5 in principle. However, the policy currently suggests that contributions will be sought on a widespread basis on matters that would not apply to every site and where it does apply could be secured through condition. As such, the policy as drafted does not meet the tests of soundness because:

- 1 **It is not consistent with national policy:** The matters listed in the policy should accord with matters covered by Paragraph 34 of the Framework. The Framework [§55] also sets out that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Matters such as improvements to public realm and heritage assets are not referenced in the Framework and would only be applicable in some instances on a site-specific basis. In any case, where applicable such matters could reasonably be secured by condition.

## Recommended Change

The list of appropriate matters to be funded by planning contributions at Section 5 of Policy INF5 should be refined as follows:

- Affordable housing;
- Flood defence and alleviation schemes, including SuDS;
- Biodiversity enhancements;
- Open space, including green infrastructure and allotments;
- Transport improvements, including walking and cycling facilities;
- Education provision;



- Utilities;
- Health infrastructure; and,
- Sport, leisure, recreational, cultural and other social and community facilities.

This covers an appropriate range of matters that would typically be secured through planning contributions as set out within the Framework [§34]. The policy would still make it clear that this list is not comprehensive and other matters could be secured through planning contributions where appropriate on a site-specific basis.

## **Policy DC5 – Open Space, Sport and Recreation Provision**

### **Introduction**

Policy DC5 sets out the Council's strategy in relation to maintaining existing and securing new open space, sport and recreation provision.

### **Consideration of Policy**

The policy identifies a series of typologies for open space and recreation provision which includes various types of play areas, parks and gardens and sports pitches. It goes on to state that developments of 40 dwellings or more will be required to provide or contribute towards the provision of open space and equipped play provision, playing pitches and where justified indoor sport and recreation facilities. Altered Space does not object in principle to the Council seeking to secure these matters. However, the policy as currently drafted has not had regard to the differences between delivering housing within the Town Centre as opposed to Suburban Warrington and the implications this has on the nature of open space.

The Council itself acknowledges that the Town Centre is an emerging residential market which is yet to be fully established. The type of development that will be delivered will generally be high density housing as acknowledged within Policy DEV1 (Housing Delivery). Some sites will be unable to deliver public open space on site as acknowledged within Policy DC5, but others such as Land at Scotland Road will. However, given the nature of sites in the Town Centre, it is unclear why it is appropriate to apply the usual thresholds and standards in the same way that is the case for Suburban Warrington. Table 7 sets out the Council's proposed open space standards which is based on Fields in Trust [FiT] standards. These would be applied to all residential developments that exceed the threshold which is 40 dwellings. However, Altered Space is of the view that sites in the Town Centre such as Land at Scotland Road should not be treated in this manner, recognising the unique constraints, but also opportunities that they bring.

Unlike more constrained Town Centre sites, Land at Scotland Road will be providing a significant quantum of on-site public open space. The development will create an attractive and vibrant central square that generates footfall and encourages pedestrians to dwell in the heart of the town centre. The size of this space is based on the site itself and should not be calculated on the basis of the usual space standards. That being said, the area of on-site public open space that this development will deliver is substantial and Altered Space is of the view that this should be factored in when considering the need to contribute to other open space typologies. For example, we are of the view that the scale and quality of the on-site public open space that will be created by the Land at Scotland Road development should mitigate any requirement to contribute towards other open space typologies as identified within Policy DC5.

Essentially we are of the view that the policy should acknowledge the unique circumstances associated with sites in the Town Centre and therefore should not apply the usual standards but state that the open space, sport and recreation provision for such developments should be discussed and agreed on a site by site basis.

Furthermore, the Council's own viability evidence indicates that residential development in the Town Centre is highly constrained and is unlikely to be able to support full financial contributions. We would therefore query whether it is realistic to seek contributions for all of the open space typologies for residential developments in this market area.

### **Test of Soundness**

Altered Space is of the view that the standard open space, sport and recreation requirements should not be applied to sites in the Town Centre, which should be considered on a site by site basis. As such, the policy as drafted does not meet the tests of soundness because:

- 1 **It is not effective:** The policy fails to distinguish between the differences between delivering residential development in the Town Centre as opposed to Suburban Warrington and the differences in the nature of public open space provision that such developments provide. Furthermore, based on the Council's own viability evidence it is not realistic to require residential development in the Town Centre to provide financial contributions towards the provision of sports pitches and indoor recreation. As such, the policy as currently drafted is not effective.

### **Recommended Change**

It is recommended that a caveat is introduced into the policy which specifies that the standard open space, sports and recreation requirements will not be applied to sites located within the Town Centre and that provision for developments in these locations will be established on a site by site basis.

### **Overall Conclusion**

In conclusion, Altered Space is generally supportive of the Council's aspirations and general strategy as set out within the SVLP 2021. However, Altered Space is concerned that there are specific policy requirements within the current draft of the document that are not justified and could undermine the Council's ability to actually deliver on its proposed strategy.

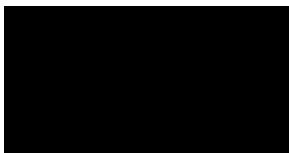
In relation to viability, the Council's own evidence base does not support the provision of affordable housing of policy compliant S106 contributions in the Town Centre. The current requirements do not reflect this evidence and the policies should be reviewed accordingly to ensure that the Council's aspirations are realistic and achievable.

Altered Space is also concerned that the viability testing underpinning the SVLP 2021 has not considered the implications of the SPD requirement on development viability in the Town Centre.

We look forward to receiving confirmation of the receipt of these representations and ask that they are given full consideration in advance of the submission of the Local Plan to the Planning Inspectorate for Examination.

Should you have any questions or wish to discuss these representations further please do not hesitate to me. We would welcome the opportunity to engage with the Council during the following stages of the Local Plan.

Yours sincerely



**Matt Grant**  
Senior Planner

Copy. Michael Brown & Mark Rebbeck (Altered Space)

Enc.

- 1 Representations to draft Warrington Town Centre Supplementary Planning Document (March 2021)



## **Annex 1: SPD Representations (March 2021)**

**Land at Scotland Road,  
Warrington**

**Representations to draft  
Warrington Town Centre  
Supplementary Planning  
Document**

On Behalf of: Altered Space Limited

March 2021

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## 1.0 Introduction

- 1.1 This report sets out representations to Warrington Borough Council's [the Council] draft Warrington Town Centre Supplementary Planning Document [SPD]. These representations are made by Lichfields on behalf of our client Altered Space Limited [Altered Space].
- 1.2 Altered Space, in partnership with the Council (via their development arm Warrington & Co) are currently progressing proposals to redevelop part of the existing Cockhedge Shopping Centre and the New Town House office building [the site] for a residential-led mixed use development. The site is located within Warrington town centre as defined in the adopted Local Plan. The site is also located within the proposed SPD boundary. From here on in, the development site is referred to as 'Land at Scotland Road'.
- 1.3 Firstly, it should be noted that we welcome the progress on the emerging SPD. We also value its potentially positive role in guiding the future delivery of development in Warrington town centre. However, we have significant and substantive concerns and comments regarding some elements of the content of the document. These issues are set out within the representations set out in this report. We continue to seek to engage constructively and where possible we have made suggested changes that we consider should be made to the documents. We would welcome the opportunity to continue to engage positively with the Council on what will be an important document that helps guide future development in the town centre.
- 1.4 Whilst these representations are made in the context of the Land at Scotland Road proposals, many of the matters raised have broader implications on future development proposals across the town centre in its entirety.
- 1.5 These representations are provided as part of a detailed response to all the relevant sections of the draft SPD. Comments are first provided relating to broad matters, followed by more specific comments which have been structured in the same order as the published document.
- 1.6 Please note that we have not provided detailed comments in respect of the supporting evidence base documents at this stage but have made reference to them as appropriate in relation to our comments on the draft SPD.
- 1.7 For the avoidance of doubt these representations have been prepared on behalf of Altered Space only.

## 2.0 Background

- 2.1 In January 2020 the Council published the Warrington Town Centre Masterplan. Unlike a typical masterplan, this was not a planning document but rather an investment document. It set out the Council's broad aspirations for Warrington up to 2040. The document identified key zones within the town centre and identified a programme of work for public sector partners and a portfolio of investment and businesses opportunities for the private sector. The document confirmed that a town centre SPD would also be prepared in order to provide additional guidance for developers bringing forward proposals in the town centre.
- 2.2 On 12<sup>th</sup> February 2021, the Council published the draft SPD for consultation. These representations relate to that consultation which ends on Sunday the 14<sup>th</sup> March 2021. The SPD relates to the town centre as defined by Policy CS7 of the Warrington Local Plan Core Strategy [Core Strategy] in its entirety, but also a number of identified 'development quarters' which extend beyond the current town centre boundary. The Land at Scotland Road site is located in the town centre boundary as defined in the Core Strategy. The draft SPD identifies it within both the 'Central Station Rail Gateway' and the 'Eastern Gateway'. This will be discussed further in our representations.
- 2.3 The draft SPD specifically identifies Land at Scotland Road site as a site that is envisaged to come forwards for redevelopment in the short to medium term. The document does not however provide any significant site-specific design guidance.
- 2.4 Figure 2.1 below identifies the site and depicts the land own by Altered Space and the Council respectively. In a broad sense Altered Space control the northern part of the site which currently accommodates part of the Cockhedge Shopping Centre and the Council controls the southern part of the site which currently accommodates the New Town House office building:

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Figure 2.1 Land at Scotland Road



Source: Like Architects

- 2.5 It is envisaged that a joint planning application will be submitted by Altered Space and Warrington & Co in spring 2021.

## 3.0 Representations to the Draft SPD

- 3.1 The draft SPD has been prepared by Corstorphine & Wright in conjunction with the Council's planning policy department.
- 3.2 The Core Strategy does not explicitly state that an SPD will be produced for the town centre. However, it does state [§6.27] that SPDs or Development Briefs will be brought forward to support further specific initiatives as and when considered appropriate and necessary. In our view, the production of an SPD to provide additional guidance in relation to an area identified as a strategic location is a reasonable approach in principle and represents best practice in accordance with national guidance. In this regard, Altered Space fully supports the Council's intention to produce an SPD. However, we have significant concerns with the current draft document. Firstly, we do not believe it is consistent with the development plan. Secondly, it is not supported by any viability evidence and we believe it would unduly constrain development in the town centre.
- 3.3 The following section summarises our comments in respect of broad matters. We then go on to address each chapter in detail.
- 3.4 It should be noted that we may not have identified every instance in the document where the same issue or matter is addressed. Nevertheless, following consideration of our comments, any subsequent amendments should be applied consistently throughout the SPD.
- 3.5 It should also be noted that there are a number of inconsistencies and typographical errors in the document. Whilst we have highlighted some of these, any subsequent draft should be subject to a comprehensive review.

### Broad Matters

#### Conformity with the Local Plan

- 3.6 It is first important to consider the role of SPDs which is set out within the Planning Practice Guidance [PPG] and states that:
- “Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. **As they do not form part of the development plan, they cannot introduce new planning policies into the development plan.** They are however a material consideration in decision-making. **They should not add unnecessarily to the financial burdens on development.**”*
- 3.7 The Town and Country Planning (Local Planning) (England) Regulations 2012 goes on to state that any “policies” contained within an SPD must not conflict with the adopted development plan [Part 4 - 8(3)]. As such, whilst an SPD can provide additional guidance to assist applicants with the interpretation of policies contained within the adopted development plan, an SPD cannot introduce new planning policies or requirements that do not align with the adopted development plan. It is therefore important to consider the draft policies contained within the SPD in this context. The SPD should not therefore introduce new burdens or requirements or provide a basis for the Masterplan to seek to do so.
- 3.8 In this instance, we are of the view that the draft SPD does seek to introduce additional policies that are not in accordance with the Core Strategy. For example, the draft SPD seeks to introduce a requirement for developers to adhere to the Nationally Described Space Standards [NDSS] despite no such policy existing within the Development Plan.

- 3.9 All elements of the draft SPD that we do not consider to conform with the Development Plan are addressed in detail in the following sections.

### **Aspirations and Purpose**

- 3.10 It is considered that the document would benefit from a section at the start that sets out more clearly the purpose of the document and its vision and objectives. This would clearly assist in understanding the context of the SPD and its overarching aspirations. For example, it is considered that a key aim should be establishing the town centre as a place to live. Currently the residential population of the centre is low. The SPD presents opportunities to support the delivery of housing, meet the Councils need for such, support the vibrancy and vitality of the town centre, and add value to the local economy. It also presents opportunities to provide a different form of housing that is attractive to younger more economically active age groups that will drive the economy for years to come. It can also capitalise on its potential as a compact centre with excellent public transport accessibility. This provides not only for local connections, but also regional and national opportunities.
- 3.11 The document also has to be realistic about deliverability. In an emerging market such as Warrington it is important to be realistic, looking to capitalise on opportunities and the intrinsic value of the place.

### **Viability**

- 3.12 Some of the proposed design requirements set out within the draft SPD would place a significant burden on developers and thus have a significant impact on development viability in the town centre. An example of this is the proposed suggestion that applicants bringing forward major developments should seek to provide all dwellings as dual aspect. Other instances include the aforementioned NDSS requirements, but there are many other examples of standards that are introduced, expectations on design, open space public realm etc that will potentially significantly add to the cost burden of new developments. Further matters are flagged up in the following sections but in a broad sense, assertions such as the ones referenced would have significant implications on viability. At the same time, the draft SPD does not appear to be supported by any evidence pertaining to viability.
- 3.13 In this regard we are concerned that the document is potentially misleading to both elected members and members of the public given that the feasibility and viability of much of the content is yet to be tested. We understand that the Council wish to achieve high-quality, development within the town centre and Altered Space share this aspiration. However, there are significant cost implications associated with elements of the draft SPD that have not been tested in the context of viability. We believe it is misleading to suggest all of this will be delivered before the implications on cost and viability have been fully considered. We are of the view that this should have taken place in advance of the document being published for consultation. Furthermore, the viability evidence should have accompanied the draft document. Altered Space have grave concerns that the impact of the draft SPD on the deliverability of major developments within the town centre has not been tested.
- 3.14 It is also inappropriate to use site specific viability testing to ascertain whether or not these requirements can be met, especially as many are not based on policy requirements expressly set out in the Development Plan. The document needs to be positive and aspirational but without increasing the burden on new developments.
- 3.15 In conclusion, we recommend that the draft SPD is subjected to a viability assessment which should inform the content of any future draft of the document. It should also be made clear within the document that the SPD only provides guidance as opposed to requirements.



### **Storey Heights**

- 3.16 The document [§4.9] acknowledges that taller buildings may be permissible on the Land at Scotland Road site, subject to meeting specific design guidance contained within the SPD. However, the document does not actually include any specific design guidance or indeed evidence to support the storey heights it refers to as potentially being acceptable.
- 3.17 Draft SPD Policy TS7 suggests that heights of 10-12 storeys may be acceptable at key gateways such as the Land at Scotland Road site. However, no explanation or evidence is provided as to how this has been established. We believe that it is overly restrictive, and that the SPD should not seek to place specific limits on what may or may not be acceptable. It is for applicants to justify based on the individual merits of any proposed development. This matter is addressed further in the following sections where we make suggestions as to how we consider it should be appropriately addressed by the SPD.

### **Town Centre Recovery**

- 3.18 Within the draft SPD there is a notable absence of a strategy for the town centre. The document predominately seeks to provide design guidance and restrictive requirements for residential development. However, increasing the level of residential development in the town centre is only one strand of what is needed to secure its vitality and viability of the town centre up to 2040 and beyond, particularly in the current context of the Covid-19 pandemic.
- 3.19 The document should provide more detailed guidance relating to retail, leisure and other town centre uses and set out a more comprehensive strategy for the town centre's post pandemic recovery.

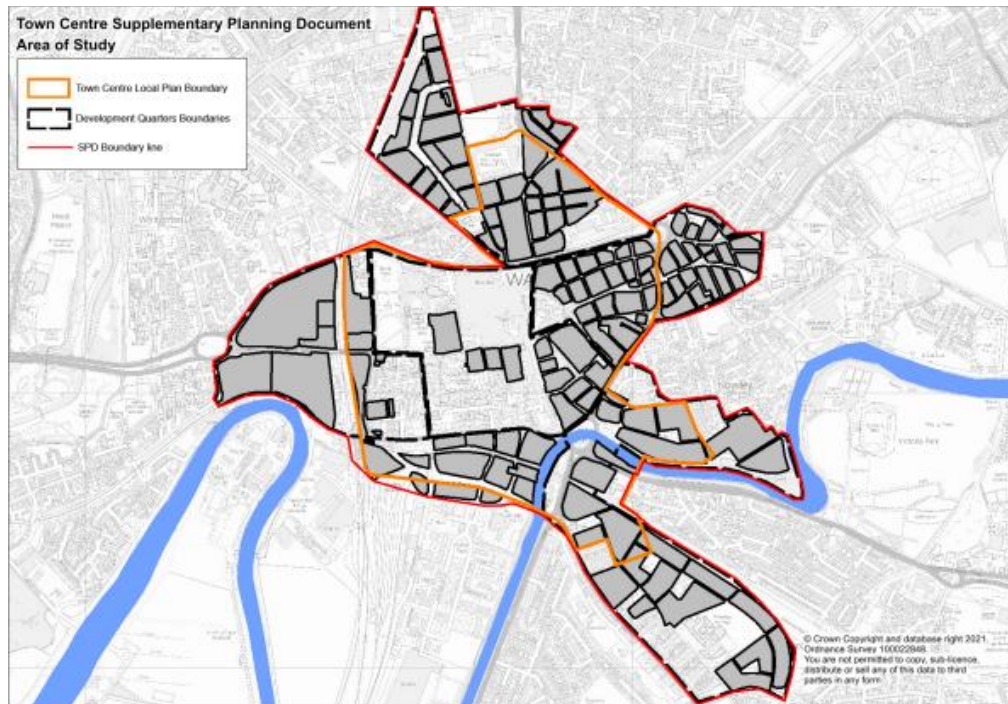
### **General Approach**

- 3.20 In relation to plan making the National Planning Policy Framework [the Framework] states that plans should be prepared positively, in a way that is aspirational but deliverable [§16(b)]. Whilst there is no specific comparable guidance relating to the production of SPDs (which do not form part of the development plan), it is reasonable that Council's should apply this national guidance equally to the preparation of SPDs, as well as Local Plans.
- 3.21 We do not believe that the draft SPD has been prepared positively. The document almost appears to focus on introducing barriers to delivery for schemes that may happen, whilst failing to deal with difficult issues elsewhere. An example of this is the blanket approach to restricting the provision of any car parking on new developments in the central part of the town centre. Whilst Altered Space supports ensuring that new development promotes sustainable transport and reduces car use, there are likely to be instances where a limited provision of car parking is appropriate and beneficial within the central part of the town centre. Furthermore, as the UK moves away from petrol and diesel to electric vehicles, cars are still likely to play a role in a green future and this should not be forgotten. This, along with other issues is addressed in more detail in the following sections.

## **Section 1: Introduction**

- 3.22 Paragraph 1.2 of the draft SPD explains that the proposed SPD area relates to the town centre boundary as defined by the Core Strategy, as well as additional land beyond to the north, north-east, south, south-east, east and west. The proposed SPD boundary is then depicted on Figure 1, an extract of which is included below:

Figure 3.1 Proposed SPD Boundary



Source: Warrington Borough Council

- 3.23 It is important to note that none of the areas extending beyond the town centre boundary that are proposed to be included within the SPD area are subject to any formal designations. Whilst all fall within the wider area designated as ‘Inner Warrington’ under Core Strategy Policy CS 9, this area is subject to completely different policy aspirations that, whilst linked with the town centre, cannot be completely blended with it.
- 3.24 Furthermore, an SPD does not provide a mechanism for the Council to amend the designated town centre boundary. This needs to be done through the Local Plan process and be subject to examination in public.
- 3.25 In addition, the proposed SPD boundary plan located at Figure 1 of the draft SPD shows various parcel blocks within the proposed boundary area. It is unclear what these relate to but they do not appear to have any bearing on the balance of the document. It is unclear why these are shown on a plan that’s purpose is to simply identify the extend of the SPD area. They may well represent potential development parcels, but their purpose is not set out or rationalised. They are therefore misleading. We therefore propose that these seemingly random blocks are **deleted**.
- 3.26 On the basis of the above, we do not believe that the proposed SPD boundary accords with the Local Plan. **As such, the proposed SPD boundary should be amended to relate to the town centre boundary as defined by Policy CS 7 of the Core Strategy.** Alternatively, the distinction in approach should be clear within the document and relate back to the policy designations relevant to the town centre and Inner Warrington separately.
- 3.27 Following on from our comments above, paragraphs 1.4 and 1.5 should be reviewed to clarify that the SPD relates to the town centre boundary as defined by the Core Strategy.
- 3.28 At paragraph 1.15, the draft SPD states that to support the implementation of the SPD, the Council has established a Design Review Panel to review applications that come forwards to ensure that; “*design standards within the SPD are applied and the quality of approved*

*developments does not diminish*". It is noted that reference is made to this elsewhere within the document where it is suggested that engagement with the panel should be undertaken at the pre-application stage. However, if this is to be embedded in the process, the SPD should be updated to include more specific details on what exactly is expected of applicants in this regard. Furthermore, if an independent design review is to be a requirement of the SPD then this should not be a paid process. It should simply be embedded within the pre-application process which is already a paid service. **The draft SPD should therefore provide additional guidance and clarification in respect of the requirements for an independent design review and confirm that this will not be a paid process.**

3.29 At paragraph 1.19, a series of documents are listed in which it is envisaged the SPD will help support the delivery of (in addition to the Core Strategy). A summary of these documents is then provided below between paragraphs 1.20-1.25. The summary of documents provided is not entirely consistent with the documents listed in paragraph 1.19 and therefore requires a review.

3.30 It is also unclear whether or not these additional documents listed form part of the consultation although given none of them appear to have been published alongside the draft SPD we assume that they do not. Furthermore, without being the subject of public scrutiny they cannot form part of the SPD or the guidance therein. Nevertheless, for the avoidance of doubt the status of these documents should be clarified in the next iteration of the draft SPD.

## **Section 2: Design Rationale**

3.31 At paragraph 2.3, it should be clarified that the document relates to Warrington town centre as opposed to Warrington as a whole. There reference to a 'highly liveable environment' is also vague and it is unclear what this means. We would welcome additional text that explains this concept.

3.32 Paragraph 2.5 identifies a series of issues that need to be addressed in order to make Warrington a 'highly liveable environment'. We have not repeated them here. However, we are of the view that the draft SPD has failed to identify some of the most significant and fundamental issues that need to be addressed. A summary of these additional issues is provided below in a format that can be embedded into the document:

- The lack of an established residential population which would help increase footfall and attract investment;
- The need to invigorate the high street in order to adapt to the retail sector's shift away from traditional bricks and mortar to online operations by creating a town centre environment with a more diverse mix of uses;
- The need to develop a robust and effective strategy to ensure that the town centre can adapt to the inevitable long-term changes that will arise in the wake of the Covid-19 pandemic, particularly in the context of the high street;
- The need to reduce air pollution and ensure that future development assists with meeting this goal; and,
- To break down permeability barriers creating a more free flowing and pedestrian friendly environment.

3.33 All of the above are considered to be fundamental challenges facing the town centre and the draft SPD should be **updated** to incorporate them.

3.34 At paragraph 2.7, it is unclear what is meant by the comment; "*An integral part of realising this prosperity is delivering Warrington Town Centre as a highly liveable environment, one that provides a balance between that of the city and suburban living and sees the benefit of both*".

Suburban living is not town/city centre living by definition so it is unclear what this comment is seeking to achieve and how it is applicable to the town centre. It is therefore suggested that the sentence is **reviewed**.

- 3.35 Reference is made at paragraph 2.21 to the First and Last Mile Transport Masterplan [FLMTM]. It is stated that the FLMTM is fundamental to the delivery of Warrington as a 'liveable environment'. However, the only document published alongside the draft SPD is an executive summary of the FLMTM. If the FLMTM is to form an intrinsic part of the SPD as suggested in paragraph 2.21 then the document needs to be published in its entirety alongside the SPD. Both the FLMTM and the SPD also need to make it clear who is responsible for delivering the requirements outlined within as these costs cannot be borne by adjacent developers. It is assumed that the requirements of the FLMTM will be funded and delivered by the Council but this should be made clear within the SPD.
- 3.36 Paragraph 2.22 refers to the NDSS and suggests that the Council will seek to apply these standards to development proposals within the town centre. However, the NDSS cannot be applied without a Local Plan Policy and no such policy exists within the Core Strategy. To be clear, the SPD does not provide a mechanism for securing the provision NDSS when there is no corresponding policy trigger within the Core Strategy. The Written Ministerial Statement [WMS] relating to the introduction of NDSS made it clear and that they should only be used where there is "a clearly evidenced need" and "where their impact on viability has been considered". Even if the SPD could introduce the requirement, there is no evidence on need, and no evidence on viability. As such, the paragraph should be **deleted**. Further comments are provided on other amenity standards, dual-aspect dwellings and single-aspect north facing dwellings within the commentary in subsequent sections.
- 3.37 In respect of paragraph 2.23, the reference to BREEAM should be **deleted** as the Council cannot require a certain BREEAM standard to be met.

### **Section 3: Town Scale**

- 3.38 Paragraph 3.2 states that; "*Applicants bringing forward development proposals are expected to review all the design principles at the Town Scale*". However, there may be instances where all of the design principles at the town scale are not applicable. It is suggested that the sentence is updated as follows; "***Applicants bringing forward development proposals are expected to have regard to the Town Scale design principles where appropriate***".
- 3.39 Paragraph 3.3 states that the Town Scale principles support the implementation of the FLMTM and that reference to it should be made by applicants. However, the FLMTM has not even been published and does not form part of the current consultation the draft SPD. The draft SPD cannot introduce a requirement to comply with a document that is yet to be published. In any case, the FLMTM should be an initiative that is funded and delivered by the Council. It should not seek to place additional design, delivery and cost burdens on development.

#### **Guidance Box TS1**

- 3.40 Guidance Box TS1 follows paragraph 3.3 and sets out main principles in relation to a proposed street hierarchy. We have the following comments:
- TS1.1 – Figure 4 of the SPD does not show the granularity of the FLMTM so it would be possible to accord with one and not the other. Better options may emerge, and this should not mean the aims of the SPD or FLMTM are compromised.
  - TS1.2 – Is worded in a manner that suggests that the Council will seek to restrict development that is not funding the FLMTM. It is considered that TS1.2 be **deleted**. The

FLMTM addresses a number of existing issues and it is not for new development to address existing issues.

- TS1.3 – It is unclear what “near” might mean. The choice of words should be more explicit, so the consequences of this requirement are clear.
- TS1.4 – It is not clear whether the last sentence of this bullet applies to just TS1.4 or all the preceding requirements.
- Figure 4 (Street Hierarchy) – A significant number of roads within the town centre are omitted from the proposed street hierarchy. This does not make sense and it is recommended that the street hierarchy is applied to the entire town centre.

3.41 An additional general point is that the guidance is worded in the same manner as a policy, using restrictive phrases such as “*must be adhered to*” and “*will not be permitted*”. The text needs reviewing to ensure that it is clear that it is guidance and not policy. **Please note that this comment applies to all of the Guidance Boxes included within the draft SPD and is not limited only to TS1.**

3.42 At paragraph 3.4, we support the aspiration to shift Warrington towards becoming a pedestrian-focussed town centre. However, the paragraph is currently phrased in a manner that suggests that the FLMTM will only be delivered through new development. It does not acknowledge that delivery of the FLMTM itself may facilitate development / regeneration and therefore its delivery should not be tied to new developments. This should therefore be revisited. Furthermore, the paragraph refers to the full delivery of the FLMTM being rolled out as the town centre regeneration proceeds, but the document does not explain what this actually means.

3.43 In respect of paragraph 3.5, the text needs to be **updated** to make it clear that “*establishing strategic pedestrian routes*” is the role of the SPD and/or the FLMTM and that it is not down to individual applicants to interpret the location of these strategic routes.

3.44 Paragraphs 3.8 to 3.14 go on to describe the following three typologies within the proposed street hierarchy:

- Traditional Streets;
- Informal Streets; and,
- Pedestrian Priority.

3.45 In a broad sense, we do not consider that these three typologies fully deal with the range of circumstances that exist within the town centre. For example, Scotland Road does not neatly fit within the ‘Pedestrian Priority’ typology as suggested by Figure 4.

3.46 We do not consider ‘Traditional Streets’ to be the correct typology for a car focussed option. This is more akin with streets accommodating residential development e.g. terraces. The typology should be **updated** to ‘Vehicular Priority Routes’ or similar.

3.47 In respect of paragraph 3.9, it should be clarified that Figure 5 has had regard to guidance such as Manual for Streets and LTN 1/20 (Cycle Infrastructure Design). It is also unclear from Figure 5 which element of the Traditional Streets typology it is supposed to represent.

### **Guidance Box TS2**

3.48 Guidance Box TS2 seeks to define key gateways in relation to the town centre, albeit some of them are located beyond the town centre boundary. The proposed gateways are: Northern Gateway, Southern Gateway, Eastern Gateway, Western Gateway and Central Station Rail Gateway which includes the Land at Scotland Road site. The box simply seeks to explain the geographical location of each gateway. Surprisingly, no further information is provided in terms

of the purpose of and aspirations for each gateway. It is therefore unclear what evidence underpins the logic behind the designation of these gateways and what they are trying to achieve. It is recommended that undertaking analysis and providing this in the form of reasoned justification would assist in understanding their role and purpose as it is currently unclear what role they play and why some of them are identified. It is therefore **recommended** that further work is undertaken to establish the purpose of the proposed gateways.

3.49 It is also unclear why “*The improvement of these areas is of strategic importance to the delivery of Warrington as a highly liveable place*”. For example, there is no obvious link between the proposed Northern Gateway and making the town centre a ‘highly liveable’ place. The language of the document needs amending so that it can be readily understood and interpreted.

3.50 In terms of Figure 7, the blobs shown on the plan do not relate to the description of the proposed key gateways in Guidance Box TS2. The key gateways should be clearly defined with mapped boundaries.

### **Guidance Box TS3**

3.51 Guidance Box TS3 follows paragraph 3.16/Figure 7 and relates to car parking and the town centre travel plan. We have the following comments:

- TS3.1 – Whilst we support car free developments if appropriate, this is not always the case. The text should be **updated** to allow for some parking where there a need to create commercially viable developments, and especially where there is a mix of uses and provision for servicing.
- TS3.2 – There will be instances where some car parking is required to make a development deliverable and commercially attractive. On this basis there should not be a ban on parking as suggested here. The text therefore needs to be **updated**. Zero parking or near zero should be acceptable. We suggest that the requirement for justification is applied to developments proposing above 5% parking provision as opposed to all developments.
- TS3.3 – Further information should be provided on what might be considered acceptable.
- TS3.4 – It is unclear what the Council’s strategy is to support zero parking for developments within the central area. If developments are to be banned from providing their own parking within the central area, further information should be provided explaining how the Council will support developments by making cost effective parking available to residents. This will be important for investors and developers as they will need to be satisfied that the market is not going to be unduly constrained by the absence of available parking in the locality.
- TS3.5 – It is unclear how this will be interpreted and what this cost might be. For example, it is not clear whether this is calculated on the spaces that have not been provided. Also, the costs of a parking space might vary from £500 at grade to £12,000 in a multi-storey, or £15,000 plus for basement parking (please note these figures are indicative). We recommend that a fixed and transparent figure is identified.

3.52 It is also surprising that Guidance Box TS3 completely focuses on eradicating cars from the town centre when it is in fact likely that cars will continue to have a significant role in future greener societies. The Government is supporting the transition from petrol and diesel to electric vehicles and current policy is to ban the sale of all new petrol and diesel cars in the UK by 2030. On this basis, the current approach to TS3 is considered to be short-termist and the Guidance Box should be revisited to recognise the continued role that cars are likely to play in the future due to green technology. As a starting point, there should be a requirement to make provision for electric vehicle charging points on all spaces provided within the town centre.



3.53 Please note that our comments on Guidance Box TS3 apply equally to the subsequent paragraphs [§3.17-3.26] and that the text here should also be reviewed on the same basis.

3.54 Additional points on the supporting text to Guidance Box TS3 are as follows:

- §3.17 – As per earlier comments it needs to be clarified how the implementation of the FLMTM will be funded. This burden should not be placed on developers;
- §3.21 – This should be updated to clarify specifically what is meant by “*car parking provision below the standards...*” e.g. 50-70% (as an example).
- §3.22 – Further information is required on the Council’s strategy on public car parks to replace existing at grade temporary provision in the central area, e.g. Golden Square and Time Square.
- §3.23 – States that a Town Centre Travel Plan has been developed. However, Appendix 2 simply provides a graphical flyer explaining what it is. The travel plan needs to be shared with developers or made publicly available. A summary travel plan is insufficient to comment on if it is being relied upon within the SPD or to be required to be complied with by future developments.
- §3.24 – It is reasonable to require a developers travel plan to respond to the requirements of a wider strategy e.g. the specified Town Centre Travel Plan. However, it is unclear what is meant by requiring developers to contribute to both their own travel plan and a separate Town Centre Travel Plan. This is counterproductive and is likely to lead to duplication. The approach to this should be reviewed and updated.
- Figure 8 – How has the proposed Central Area boundary been established? Whilst it may be reasonable, the document should include justification and/or analysis that supports its designation.

### **Guidance Box Ts5**

3.55 Turning to Guidance Box TS5 which relates to green infrastructure, we have the following comments:

- TS5.2 – It should be explained how this links with the Council’s open space standards.
- TS5.3 – Suggests that proposals should provide “*year-round colour*”. Particularly in respect of tree planting developers would be required to plant evergreen trees within the town centre. This is not typical of urban areas and is unlikely to be considered acceptable by the Council’s landscape officer. It also potentially conflicts with the requirement for native species elsewhere. The requirement needs to be revisited and rephrased and details provided as to how this could be interpreted by reference to suitable species etc.

3.56 In terms of the subsequent supporting paragraphs [§3.35-3.40] we have the following comments:

- §3.36 – Figure 9 demonstrates that this is already the case. The issue should be the delivery of pedestrian and cycle routes to these parks. These should be shown on the diagram.
- §3.37 – As per earlier comments, clarity needs to be provided on the delivery of the FLMTM and an explanation given on how it fits with adoptions and how the Council will lead by example.
- §3.38 – It is highly unlikely that any development within the town centre will be able to provide a physical quantum of open space in accordance with the Council’s open space standards for residential development. Negotiating a position on a case by case basis is welcomed although little regard can be given to open space standards in terms of

geographical quantum. There should simply be a focus on providing high quality public open spaces and public realm as appropriate on a site by site basis.

- §3.39 – These routes should be identified within the SPD in order to provide clarity and allow for them to be planned for.
- §3.40 – There is conflict between the statements of year-round colour and native species.

### **Guidance Box TS6**

3.57 Guidance Box TS6 relates to roofscape. We have the following comments:

- TS6.3 – The application of this is unclear as it suggests that the historic roofscapes of the town centre will be applied universally even if they are not relevant to the context of the development site. The text should be **updated** to make the application of this point clearer.
- TS6.4 – It is unclear what is meant by accommodation in roof spaces. The wording is vague and suggests that additional residential development should be proposed on roof spaces. This is highly unlikely to be practical or deliverable. It is recommended that the word accommodation is **deleted**.

3.58 In a broad sense, the direction of this proposed guidance is unclear and appears to conflict with other propositions within the draft SPD. It appears to suggest that all flat, mono-pitched or large planed roofs will be unacceptable. However, it is unlikely that any other solutions will be feasible for developments that seek to provide high-density residential accommodation in accordance with the aspirations of the Town Centre Masterplan. Furthermore, the draft SPD does not appear to be accompanied by any form of townscape analysis so the premise on which TS6 is based is unclear. It is recommended that a Contextual and Urban Analysis exercise is undertaken to support an updated version of TS6.

3.59 In terms of the subsequent supporting paragraphs [§3.41-3.46] we have the following comments:

- §3.41 – Further clarity is required on the concept of roofscapes and how it will be applied.
- §3.43 – Should be updated to refer to; “*The **remaining** historic fabric of Warrington...*”.

### **Guidance Box TS7**

3.60 Guidance Box TS7 relates to “The Human Scale and Taller Buildings”. We have the following comments:

- TS7.2 – The sentence does not appear to make sense and needs to be reviewed. Furthermore, it is unclear whether it will be applied to all buildings or just appropriate buildings. There may be instances where animation is not possible, practicable or necessary, so another option is required and takes priority. The guidance should be clearer in this respect.
- TS7.3 – We do not consider TS7.3 to make sense. It is certainly not providing any guidance. A tall building is simply a tall building, and this is a matter of perception and individual judgement. The SPD should not seek to apply a threshold and if it did, it should not be as vague as what is currently propositioned in TS7.3. The statement does not currently add any value or provide any relevant guidance for development and should therefore be **deleted**.
- TS7.4 – It does not appear from the published information that any townscape analysis been undertaken to support this assertion. There are numerous two storey buildings in and around the town centre as well as buildings greater than 5-storeys.

- TS7.5 – The reference to the Historic England guidance should be moved to the supporting text.
- TS7.6 – This is too prescriptive and negatively worded. It suggests that the Council is seeking to backtrack on the aspirations it has itself promoted over a number of years. In addition, it is unclear why the text suggests a maximum of 10-12 storeys as the SPD does not appear to be accompanied by any evidence or analysis to support this. In our view, this seeks to unduly constrain development and individual applications should be assessed on their own merits. Any requirements proposed in the SPD should be justified by evidence to support them and therefore it is recommended that a Contextual and Urban Analysis is undertaken to support the currently unevidenced assertions made within the draft SPD.

It is suggested that TS7.6 is updated as follows; “*Significant buildings of height **will be considered at key gateways and along the A49. Individual application proposals seeking to introduce tall buildings will be considered on their own merits. Reference should be made to the guidance at the neighbourhood scale and planning applications should be accompanied by justification for the storey heights proposed by way of a contextual appraisal***”.

3.61

In terms of the subsequent supporting paragraphs [§3.47-3.55] we have the following comments:

- §3.47 – It is unclear why a link has been made between the fact Warrington is a town and the ability for it to be traversed comfortably by a person walking. This is also the case for a large number of smaller cities. Furthermore, the height of buildings has absolutely no bearing on this issue as this does not affect walking distances and therefore it is unclear why it is referenced here. It is recommended that these paragraphs are reviewed and **updated**.
- §3.48 – Neither the draft SPD or the supporting suite of published documents provides any guidance on the footprint and massing of buildings as referred to here. This is perhaps a missed opportunity.
- §3.49 – It is unclear what the purpose of this paragraph is. It does not provide any guidance and should therefore be **deleted**.
- §3.50 – This sentence needs to be reworded to reflect the fact that it has already been acknowledged that taller buildings than the perceived “*general datum of up to 3-5 storeys*” are acceptable in gateway locations.
- §3.51 – This paragraph is considered to be unduly negative and it is suggested it is reworded as follows:

“*The Council recognises that there are areas of the town centre where **the development of tall buildings is appropriate**. As a guide, this includes along the corridor of the A49 that runs north/ south along the eastern periphery of the town centre and to the northern side of the River Mersey at Wharf Street where **in the region of 8 storeys of development is likely to** be appropriate. Taller buildings yet still **will** also be appropriate within the identified Gateway Areas where they have a role **in creating key landmarks within the town centre as well aiding navigation for those traversing the town centre on foot and are properly justified through contextual analysis.***”

- §3.52 – This completely contradicts the restrictive and negative language used throughout the rest of the section. The text elsewhere should be updated in line with our suggestions and this paragraph **deleted**.
- §3.53 – It is unclear why this paragraph is phrased in such a negative and restrictive manner, especially given the lack of evidence that has been provided to support the

proposed approach. Any proposed restrictions should be supported by a Townscape/Contextual and Urban Analysis that is embedded within the SPD.

- §3.55 – This should be reviewed in line with the Framework and National Design Guide. It is unclear why words such as ‘credible’ and ‘technically’ have been used. The sentence needs to be **updated**.

### **Guidance Box TS8**

3.62 Guidance Box TS8 relates to the historic environment. We do not provide specific comments on the guidance box although have some comments on the supporting paragraphs [§3.56-3.66] which can be summarised as follows:

- §3.63 – The historic urban fabric of the eastern part of the town centre has not seen significant disruption. It was and remains largely industrial. It is unclear what is meant by the phrase ‘coarser urban grain’. It is recommended that a figure is provided that the specifically defines the ‘eastern’ and ‘western’ parts of the town centre as referred to.
- §3.64 – It is unclear where is specifically referred to by the ‘eastern half’ of the town centre but it is unlikely that any regeneration proposals will remove or divert any of the major vehicular routes that run to the east of the town centre. It is also unclear how this statement is relevant to the historic environment. It is suggested that it is **deleted**.
- §3.65 – Again, it is unclear what is meant by coarser urban grain. Further guidance should be provided on the criteria stated as being applicable to a ‘strong street pattern’. At present the statement is relatively meaningless.

## **Section 4: Neighbourhood Scale**

3.63 Firstly, it is important to flag up that the Gateways referred to in Section 4 are not consistent with those set out in Section 3. Section 3 [Guidance Box TS2] identifies the following gateways:

- Northern Gateway;
- Southern Gateway;
- Eastern Gateway;
- Western Gateway; and,
- Central Station Rail Gateway.

3.64 In contrast, Section 4 [Figure 11 and all supporting text] identifies the following gateways and quarters:

- Time Square and the Cultural Quarter;
- The Stadium Quarter;
- The Southern Gateway;
- Bank Quay Gateway;
- Eastern Gateway; and,
- Town Centre Riverside.

3.65 If these are not the same thing, the text does not currently make this clear and it is highly misleading. As such, the gateways/quarters that are considered to exist need to be **reviewed**. Whilst it is understood that gateways and quarters can be distinguished, there is some crossover that is not properly explained or rationalised.

- 3.66 This is a particular issue for the Land at Scotland Road site as Guidance Box TS2 states that the site is located within the Central Station Rail Gateway. This is then contradicted in Section 4 [§4.9] where it is suggested that the site is located within the Eastern Gateway. This clearly needs to be **reviewed** and clarification provided on which set of gateways is correct.
- 3.67 Paragraph 4.1 does not explain the proposed relationship between ‘gateways’ and ‘neighbourhoods’ and how it is envisaged that they will interact. The language used is jargonistic and does not actually explain what is trying to be achieved.
- 3.68 In respect of paragraphs 4.2 and 4.3, further guidance should be included on what the factors that will define a neighbourhood are actually perceived to be. For example, does this simply mean residential development or are there other attributes that will be required to create a neighbourhood? More thought should be given to this and the guidance **updated**.

### **NS1 - Warrington Masterplan Development Quarter Ambitions and Town Centre SPD Principles**

- 3.69 Paragraph 4.5 focuses on Times Square and the Cultural Quarter. This is essentially the retail core of the town centre. Whilst it is likely that as things evolve there will be increased scope for residential development in this area, it is unclear that there is any scope for residential development to a degree that would amount to the specific creation of a residential neighbourhood in this area. It is therefore unclear why this part of the town centre headlines the part of the document relating to neighbourhoods.
- 3.70 Paragraph 4.6 relates to the Stadium Quarter. Again, this is highly confusing as it suggests that the central railway station (and bus station) is located within this quarter whilst elsewhere in the document it is at the heart of the ‘Central Station Rail Gateway’.
- 3.71 Paragraph 4.9 and the subsequent bullets relate to the Eastern Gateway. For the purposes of these representations we have assumed that the Land at Scotland Road Site falls within this gateway, albeit that the title might change when the inconsistencies with the proposed gateways is addressed.
- 3.72 In a broad sense, the comments in relation to the Eastern Gateway do not acknowledge that other opportunities such as the potential for commercial office space also exist. Paragraph 4.9 should be **updated** to acknowledge this. In addition, existing retail uses such as those within the Cockhedge Shopping Centre will need to be incorporated and rationalised in the context of new development, even if this is on a temporary basis. It would be beneficial if guidance was provided on this. In terms of the subsequent bullets associated with paragraph 4.9 we have the following comments:
- Bullet 1 – This does not make sense. How can retail and commercial be ancillary to residential development where there is existing retail and commercial development in this location that may not be redeveloped. Furthermore, the reference to houses should be **deleted** as there are limited if any opportunities to provide traditional housing.
  - Bullet 2 – The aspiration to achieve active frontages conflicts with the comment above suggesting that retail and commercial can be ancillary only. These are fundamental components to achieving active frontages. It is unclear what is meant by ‘integrating human scale’. Likewise, the statement refers to repairing urban grain but does not state where this is required.
  - Bullet 3 – Part of the retail park is proposed for retention and need to be integrated with the redevelopment proposals. It is suggested that the paragraph is updated as follows; “*The former Council offices at New Town House together with the **western part of the** retail park at the Cockhedge Centre are expected to come forward for redevelopment. Taller*

*buildings on this site **will** be permissible **subject to the applicant demonstrating that they are appropriate and respond positively to the existing context and surroundings**. Development proposals should incorporate new **public open spaces** on the site.”*

- Bullet 4 – The area referred to is already located within the town centre so it should perhaps refer to linkages with other parts of the town centre. It is unclear what Section 106 contributions are being referred to here and this should be **deleted**. In any case, linkages that do not relate specifically to any development proposals should be delivered as part of the FLMTM which should be implemented and funded by the Council.
- Bullet 5 – This refers to identified routes but does not state what they are, or where they are. In the context of the Land at Scotland Road proposals we assume that it is referring to Scotland Road. However, Scotland Road is adopted highway so it’s unclear how the development could compromise the implementation of the FLMTM.
- Bullet 6 – The Town Centre Travel Plan seeks to resolve existing issues and it is unclear how this is related to forthcoming development proposals that will be required to provide their own Travel Plans. It is neither proportionate or fair to seek to put this burden on developers on top of travel planning measures relating to proposed developments. Likewise, developers cannot be required to fund streetscape improvements that are unrelated to the development proposed.
- Bullet 8 – It is unclear why specific reference is made to noise and air quality as the draft SPD does not appear to be accompanied by any evidence to suggest it is a particular issue. Indeed, our own evidence that will be submitted in due course alongside the planning application for Land at Scotland Road suggests that it is not. Further clarity should be provided on what is meant by ‘poor residential amenity’ and a ‘poor view’. In terms of private and communal amenity space, rather than stating a lack of which is vague, it should be stated what standards will be applied.
- Bullet 9 – Again, this is vague. Clarity should be provided on what connections the Council is seeking to achieve within the Eastern Gateway and why.
- Bullet 10 – Reference is made to additional detailed guidance for the Eastern Gateway, but it is unclear what this is, when it will be prepared and what it will cover. It is also unclear why it is not covered in the SPD. The Council’s intentions should be set out in order to provide clarity for developers.

3.73 The following section deals with the ‘Town Centre Riverside’ quarter. Similar bullets are provided as per the other gateways. However, a diagram is also provided at Figure 12 which visualises the proposals referred to in the bullets. It would be helpful if this was provided for all of the quarters/gateways.

### **NS2 - Creating Strong Connections across Neighbourhoods**

3.74 Figure 13 and the subsequent paragraphs [§4.12-4.14] refer to key connections/routes. Two routes are identified on Figure 13, an east-west connection between Bank Quay Station and Victoria Park and a north-south connection from the stadium through the town centre to the river. In terms of the route between Bank Quay Station and Victoria Park, paragraph 4.12 goes on to explain the importance if the two destinations but does not actually explain why the route between the two destinations itself is important. The same is the case for the northern route. Whilst both routes pass important landmarks and priority areas for regeneration, it is not explained why anybody would regularly walk between the destinations identified.

### NS3 - Provision of Public Open Space in Neighbourhood Developments.

3.75

Section NS3 relates to the provision of public open space and includes a Guidance Box and supporting text [§4.15-4.20]. We do not have any comments specifically on Guidance Box NS3, but comments on the text below are relevant and should be incorporated. In terms of the supporting text we have the following comments:

- §4.15 – It is suggested that; “*open external spaces should be responsive to orientation to maximise sunlight penetration across the day and year*”. The only way of achieving this would be to place open/external spaces in areas with no built development around them. This is not achievable and in any case is contrary to the aspirations to regenerate the town centre.
- §4.17 – NS3 relates to public open spaces so it is unclear why reference is made here to private spaces. The second part of this paragraph is confusing and the proposal to provide boundary treatments in a visually unobtrusive manner is likely to be challenging and compromise other matters such as creating permeable and pedestrian friendly environments.
- §4.18 – Again this refers to public and private spaces then suggests that developers should seek to make these spaces available to the wider population of the town centre wherever possible. This needs **updating** as private spaces clearly cannot be made available to the public.
- §4.19 – Clarification is required on the type of spaces being referred to. In terms of the comments around Architectural Liaison/Secured by Design Officers, this cannot be a requirement as it is placing a burden on developers to work with third party organisations that they can guarantee will participate. Furthermore, the SPD cannot require developments to achieve the Secured by Design accreditation.
- §4.20 – It is not the job of developers to review the FLMTM if the proposals are adopted by the Council. The text here should be updated to state that proposals should have regard to the FLMTM.

### NS4 – Visual Consistency

3.76

Section NS4 relates to visual consistency and achieving a cohesive pattern of development to give identity to neighbourhood areas. In terms of the NS4 Guidance Box we have the following comments:

- NS4.1 – States that development proposals should respond to the neighbourhood within which they are located but the SPD does not define any neighbourhoods. It is also stated that proposals must respond to the town centre as a whole in addition to the neighbourhood it sits within. However, there may be instances where it is not possible to respond to both given the varying context in different parts of the town. This should be **updated** to define the neighbourhoods and provide guidance on what is expected in different locations. It is also unclear what is meant by “*visual consistency in proposals needs to be reinforced*”.
- NS4.3 – The reference to visual consistency should be updated to state that; “*Corresponding design proposals should enhance and improve neighbourhoods **and complement the existing** environment of the town centre.* The reference to building methods in NS4.3 should also be **deleted**.”
- NS4.4 – This contradicts the early comment which states that new developments should be ‘visually consistent’ with existing development. This approach is supported and NS4.3 should be updated in line with our comments.

3.77

In terms of the subsequent supporting text [§4.21-4.25] we have the following comments:

- §4.21 – It is suggested here that only brick should be used for new development in Warrington town centre. However, brick is generally limited to 5-6 storeys only and it is clearly not appropriate to provide taller buildings e.g. in gateway locations as supported by the SPD entirely in brick. Clearly such developments would need to include cladding or panelling systems. The statement conflicts with other aspirations and has no regard to commercial viability. It should therefore be **deleted**.
- §4.22 – The reference to landscape should be to landscaping. For larger scale developments which need to respond to the characteristics of a broader range of surroundings, a limited palette of facing materials and colours may not always be appropriate. The statement should be **updated** to acknowledge this.
- §4.23 – It is unclear what “*judicious screening*” means and how it should be interpreted.
- §4.24 – “*Under these headings*” is unnecessary and should be **deleted**.
- §4.25 – As indicated previously, if a Places Matter Review is obligatory for all developers then it should be a free service paid for and provided by the Council. There is however no basis to require it.

#### **NS5 – Create Clear Central Focal Points**

3.78 Section NS4 seeks to provide guidance on creating clear central focal points and links to existing and new communal facilities. We have no comments on Guidance Box NS5. In terms of the supporting text [§4.27-4.29] we have the following comments:

- §4.28 – The SPD should identify the existing community and cultural facilities referred to here or at the very least explain what they are. It is also unclear what is meant by sustainable access? Given by definition the SPD relates to the town centre surely the majority will be in walking distance in any case.
- §4.28 – It is unclear what is meant by maximising the incorporation of green infrastructure. The Core Strategy sets out the policy requirements in respect of public open space. Is this seeking the provision of infrastructure beyond what is required? Any such requirement would need to be supported by viability evidence which has not currently been provided.
- §4.29 – It is unclear whether or not the features referred to here are included within the green infrastructure mentioned above. It is unlikely that developments will be in a position to provide monuments or halls and the reference to these should be **deleted**.

#### **NS6 – Make it Accessible with Multi-Generational Appeal**

3.79 Section NS6 seeks to provide guidance on making developments accessible with multi-generational appeal. In terms of Guidance Box NS6 we have the following comments:

- NS6.1 – It should be explained what inclusive access best principles are being referred to.
- NS6.2 – it is suggested that this is updated to state; “*Residential development proposals should support the diversification of residential and household types and tenures **and if appropriate** create multi-generational neighbourhoods within the town centre, including homes for families and older people*”.

3.80 In terms of the supporting text [§4.30-4.35] we have the following comments:

- §4.30 – It is unclear what this means for developments in the town centre. Does it simply relate to access or does the Council envisage there being other factors? This should be considered further and clarified.
- §4.31 – Statements are made here around “*appropriately sized and designed dwellings*”. However, no explanation is given as to what is meant by this. As such, the guidance is vague



and will not assist developers. The comments around dual-aspect apartments are also contradictory. It is not possible to provide arranged around a courtyard. How could a dual aspect element be incorporated into each unit whilst achieving this arrangement? Furthermore, the provision of dual aspect apartments are likely to have a significant impact on development viability and the draft SPD is not accompanied by any evidence in this regard.

- §4.32 – Build to Rent [BTR] and/or Private Rented Sector [PRS] developments cannot be mixed with other tenures. This is recognised within the Framework and PPG with the discounted market rent tenure type for affordable.
- §4.35 – This is inconsistent with NS6.3 which refers to compliance with the Equalities Act, the Framework and Building Regulations. There are no grounds to require developments to exceed Building Regulation standards.

## Section 5: Urban Block Scale

3.81 The description of what is meant by urban block scale at paragraph 5.2 is not considered to fully explain what is meant by the concept. At paragraph 5.4, the language should be updated to state; “*Access and servicing of any development proposals should **have regard to** predominant patterns*”.

3.82 At paragraph 5.5, it is assumed that the final sentence is referring to travel plans, and this should be clarified. Turning to paragraph 5.6, it is unclear what travel plans have to do with urban block and therefore why they are referenced here. Outline schemes may only provide a framework travel plan. Travel plans are also occupier specific so speculative schemes may not be able to provide one at the application stage.

### UB1 – Active Street Frontages

3.83 Section UB1 seeks to provide guidance on planning the ground floor of buildings to maximise active street frontages. In terms of Guidance Box UB1 we have the following comments:

- UB1.1 – It is unclear what is meant by across the day and throughout the week.
- UB1.2 – This requirement contradicts the purpose of what is trying to be achieved by UB1.2. Whilst not the only types of active frontages, the most predominant type of active frontages are retail, leisure and other commercial uses. It is unclear why the uses and quantity of street level accommodation needs to be agreed with the Council in advance of submission. This would typically be discussed as part of the planning application process.
- UB1.3 – It may not be appropriate to provide street level residential uses for all urban blocks and this should be acknowledged. Reference is made to areas that are primarily residential areas. The SPD should explain either in text or diagrammatic form where these areas are. This will allow developers to respond to the requirement.
- UB1.4 – Requiring all entrances and non-residential uses such as commercial retail/ leisure spaces to be located with good visibility and be inclusive to all in their accessibility does not take into account the fact that this may not always be possible, for example where there are topographical issues.

3.84 In terms of the supporting text [§5.7-5.13] we have the following comments:

- §5.8 – it is stated that functional ground floor arrangements of buildings should not come at the cost of delivering active street uses. This has no regard for matters such as waste storage and servicing which often need to be located in accessible areas.

- §5.9 – This refers to a maximum density at which a successful ground floor can be delivered but does not explain what it is. In any case, it is unclear why this would be the case.
- §5.10 – The requirements set out here are highly unlikely to be possible for applications submitted in outline. This should be acknowledged. In terms of basement levels, the SPD cannot introduce a requirement for applicants to justify their inclusion. No such policy exists within the development plan or in the Framework. In fact, it is not a planning matter unless wider viability issues are being raised. Again, it is unclear why an applicant is required to demonstrate that there is credible demand for street-level non-residential uses. Firstly, it contradicts the aspiration to achieve active frontages and secondly the test is policy compliance, not demand. Finally, it would not be possible to agree the size and quantum of accommodation with the Council at the pre-app stage in the case of outline applications. This should be acknowledged.
- §5.13 – It may not always be possible for habitable rooms to be located facing the street to create natural surveillance. This statement is too prescriptive and should be **deleted**.
- Figure 14 – This figure does not show any defensible space as referenced in paragraph 5.13 above it.

### **UB2 – Properly Plan for the Servicing of Buildings**

3.85

Section UB2 seeks to provide guidance on planning for the servicing of buildings. In terms of Guidance Box UB2 we don't have any comments. In terms of the supporting text [§5.14-5.23] we have the following comments:

- §5.14 – Plant, vehicle parking, cycle storage and refuse areas can be provided within the curtilage of buildings or the buildings themselves. The text should be **updated** to reflect this.
- §5.15 – It will often not be possible to provide access to servicing and back of house areas in a manner that is convenient and easy to use anywhere other than on a building frontage.
- §5.17 – Reference should be made here to the necessary standards for cycle provision.
- §5.18 – It would be beneficial if clarity was provided here on the standards and expectations for building servicing. Reference is made here to the Design Guidance note DGN1 Parking and Servicing 2015. However, we have been advised by the Council on sites in other locations that this is out of date.
- §5.22 – There is no policy basis to require a post room to be located close to the reception area of a building. This should be **deleted**.
- §5.32 – In the case of mixed-use developments, it may not be practical for servicing to always take place during the quietest part of the day whilst also avoiding night time servicing.

### **UB3 – Green Spaces and Amenity Space within Urban Blocks**

3.86

Section UB3 seeks to provide guidance on green spaces and amenity space within urban blocks. In terms of Guidance Box UB3 we have the following comments:

- UB3.1 – Not all amenity spaces have to be green. It is suggested that the text is updated as follows; “*Development proposals should include provision for **open** spaces, play spaces **(if appropriate)** and linkages to surrounding green infrastructure within Urban Blocks*”.
- UB3.2 – This has to be considered in the context of viability. It is suggested that the text is updated as follows:

***“Subject to commercial viability considerations, roofscapes of proposed, new urban blocks should be utilised for amenity purposes in a manner that contributes positively to the townscape of the Town Centre”.***

3.87 In terms of the supporting text [§5.24-5.29] we have the following comments:

- §5.24 – The use of mature trees is unlikely to be appropriate in all situations/species.
- §5.25 – The SPD should explain where the new green spaces and infrastructure referred to will be located.
- §5.26 – Why is there a requirement to provide linkages with other open space if on site provision is also expected?
- §5.28 – It’s unclear how amenity accommodation within roof spaces can be provided in a manner that creates a positive contribution to the townscape of their location. By virtue of their location, these spaces will barely be visible except from a limited number of vantage points.

#### **UB4 – Instilling a Sense of Community**

3.88 Section UB4 seeks to provide guidance on providing designs and layouts that instil a sense of community and provide opportunities for incidental social interactions. In terms of Guidance Box UB4 we have the following comments:

- UB4.1 – It is unclear how these areas can be specifically designed to achieve this.
- UB4.2 – There is no policy requirement for this. A developer cannot be forced to provide amenity spaces in reception areas. In some instances, this may be possible/beneficial but in others it might not be.

3.89 In a general sense, whilst some of the principles may be beneficial, these things cannot be required specifically to cause the occurrence of neighbourly interactions and incidental social interactions.

3.90 In terms of the supporting text [§5.31-5.37] we have the following comments:

- §5.31 – If this a requirement further details should be provided in terms of the measures that are expected. However, the draft SPD does not explain why these measures are required or necessary in planning terms.
- 5.33 – Why should residents lounges and informal workspaces be located specifically off entrance reception areas. This goes significantly beyond the remit of what the SPD should be addressing.
- 5.34 – Again, the location of building and community notices is not a planning matter and should not be included within the SPD.
- 5.36 – In reference to circulation areas, stating that they should be designed to provide a ‘pleasant environment’ and ‘encourage their use simply beyond moving through them as quickly as possible’ is vague and again this is not a planning matter. Layouts that deliver extended runs of double loaded corridors are efficient and make developments viable and deliverable. Issues such as this should be considered on their own merits on a site by site basis.

#### **UB5 – Respond to Noise and Air Quality Issues**

3.91 Section UB5 regards noise and air quality and how issues related to these matters can be addressed over time. In a general sense, it is unclear why the SPD is seeking to specifically

address these issues. It is a validation requirement that these issues are addressed as part of any planning application and both would feature on the agenda of any pre-application discussions.

3.92 We have no specific comments on Guidance Table UB5 but have the following comments on the supporting text [§5.38-5.43]:

- §5.41 – Refers to a design-led response to air quality issues. It is unclear how a design led response is possible in relation to air quality. This is an issue that should be addressed as part of the FLMTM. It also states here that external amenity spaces such as balconies and terraces should be carefully located. This conflicts with comments elsewhere in the document that encourages their use wherever possible. It should also be noted that landscaping and trees have very little impact in terms of noise mitigation.

### **UB6 – Incorporate Sustainable Approaches of Design**

3.93 Section UB6 relates to sustainable design. In terms of Guidance Box UB6 we have the following comments:

- UB6.1 – There is no policy requirement at present for development in Warrington to exceed Building Regulation standards.

3.94 In terms of the supporting text [§5.44-5.50] we have not provided specific comments. However, we do not believe there is any policy basis for the majority of the requirements specified. This needs to be **reviewed** in line with the development plan. The BREEAM guidance referenced is not planning guidance and carries no weight.

3.95 Paragraph 5.50 states that developments will be required to contribute towards sustainable modes of transport. However, the SPD relates to a town centre with train and bus stations and other excellent sustainable transport provision already in place.

## **Section 6: Dwelling Scale**

3.96 As per our previous comments, the reference to the NDSS at paragraph 6.2 should be deleted as there is no policy basis to require this. Likewise, the statement that single-aspect dwellings will not be permitted should also be deleted as all developments will have a north aspect and it will not be possible to accommodate.

### **DS1 – Size and Arrangement of Dwellings**

3.97 Section DS1 seeks to provide guidance on dwellings that are appropriately sized and arranged to create well-designed homes now and in the future. In terms of Guidance Box DS1 we have the following comments:

- DS1.1 – The phrase appropriately sized is vague and further clarity should be provided on what is meant by this.
- DS1.2 – As per earlier comments compliance with the NDSS is not a policy requirement and this should be **deleted**. In addition, an explanation should be provided as to what the standards referenced in relation to built-in-storage actually are.
- DS1.3 – This is not a planning matter.
- DS1.4 – Again, there is no policy requirement to require developers to do this and this requirement cannot be secured by the SPD.

3.98 In terms of the supporting text [§6.4-6.7] we have the following comments:

- §6.4 – It is unclear what is meant by a highly liveable dwelling. A definition of this should be provided. The reference to the NDSS needs to be deleted as per our comments elsewhere as

this must be underpinned by evidence and a local plan policy which is not the case in this instance.

- §6.5 (+ Table 1) – This should be **deleted**.
- §6.6 – Developers would maximise habitable room sizes in any case as there is a commercial imperative to do this. The reference to the NDSS needs to be **deleted**.
- §6.7 – Further information should be provided on what specific demographic groups are being referred to. The Housing our Ageing Population Panel for Innovation (HAPPI) is not a policy requirement and reference to this should be **deleted**.

## **DS2 – Dwelling Layouts**

3.99 Section DS2 seeks to provide guidance in respect of dwelling layouts. In terms of Guidance Box DS2 we have the following comments:

- DS2.1 – There is no policy basis to require developments to exceed Building Regulation standards. It is unclear what is meant by a ‘holistic approach to sustainable residential design’.
- DS2.2 – There is no basis to require all dwellings to be dual aspect. There is no evidence to suggest single aspect units, whether or not north facing, fail to provide a reasonable level of amenity. Bearing in mind there are an indeterminate amount of north facing single aspect units across every town and city in the Country, there is no assessment or evidence as to why Warrington is different. Firstly, this is not always practical and secondly, such a requirement would have significant implications on the forms of development that could be delivered, service and access arrangements, the number of cores and the orientation of buildings as well as commercial viability. Secondly, there is no guidance as to how this can be implemented in a commercially viable way bearing in mind likely scale of development and the other aspirations of the SPD. The draft SPD is not accompanied by any viability evidence that suggests that this requirement would be commercially viable in Warrington Town Centre. The requirement should therefore be **deleted**.
- DS2.3 – Likewise, this should be **deleted**.
- DS2.4 – This is not a matter that can be controlled by the developer per se. The ability to do this would be driven by the nature of the specific site. The requirement should therefore be **deleted**.
- DS2.5 – Likewise, this is not always possible. However, the Council have interface standards that must be adhered to. On that basis, the requirement should be **deleted**.

3.100 In terms of the supporting text [§6.8-6.13] we have the following comments:

- §6.9 – Maximising the height of glazing within rooms may in some instances conflict with Building Regulations.
- §6.10 – Glazing design is not relevant to planning.
- §6.11 – It is suggested that dual aspect dwellings provide tangible benefits but no evidence of further explanation of these benefits is provided.
- §6.12 – Evidence should be provided to support the assertion that dual aspect apartments are a highly efficient means of realising an appropriate density for a town centre. It is unclear how the two are linked. It is unreasonable to require applicants to provide dwellings that are entirely dual aspect. As set out above, this is dependent on the shape and orientation of the site.
- §6.13 – Please refer to comment above in respect of DS2.4.

- Figure 18 – This relates specifically to a house, but no example is provided as to how this would work in an apartment which is the most likely dwelling type to be provided in the town centre.

### **DS3 – Private External Amenity Space**

3.101 Section DS3 seeks to provide guidance in respect of the provision of private external amenity space to all dwellings. In respect of Guidance Box DS3 we have the following comments:

- DS3.2 – This will not be achievable for all developments, particularly apartment schemes and there will be a need to provide communal private spaces. The text should be updated to specify that private amenity space can be communal.
- DS3.4 – This should be updated to state that where the provision of private external amenity space has not been possible, communal private amenity space should be provided.

3.102 In terms of the supporting text [§6.14-6.20], we have the following comments:

- §6.14 – This requirement conflicts with the aspirations of UB4 which seeks to provide communal spaces and create opportunities for socialising.
- §6.15 – It is unclear how communal and private spaces can complement each other.
- §6.16 – It is stated that the design of external amenity spaces should be considered to maximise their usage throughout the year. However, no guidance is provided on how this could be achieved. It is also unclear how wintergardens could be provided in place of balconies when the document suggests that this would be required for each dwelling.
- §6.18/6.19 – There is no policy basis for the suggested size standards for external private amenity space and comments around wintergardens and therefore this should be **deleted**.
- §6.20 – It is stated that balconies should be designed as to provide some protection from elevated external ambient noise sources, but no guidance is provided on how this could be achieved.

### **DS4 – Noise and Air Quality Issues in Dwelling Design**

3.103 Section DS4 seeks to provide guidance on addressing noise and air quality issues through dwelling design. In respect of Guidance Box DS4 we have the following comments:

- DS4.1 – It is unclear how dwellings can be designed in a way that can specifically mitigate noise and particularly air quality issues.
- DS4.2 – It may not be possible or indeed reasonable to consider ventilation at the pre-app stage, particularly in the case of outline applications. This should be **deleted**.

3.104 In respect of the supporting text [§6.21-6.22] we have the following comments:

- §6.21 – No out of the ordinary noise or air quality issues have been identified within Warrington town centre that would require a specific design led approach that would deviate from the norm.
- §6.22 – A link is made between providing sufficient levels of glazing and delivering highly liveable homes for the town centre, but it is unclear what is actually meant by highly liveable homes. In respect of comments relating to the pre-app stage, please refer to the comment above in relation to DS4.2.

## **Section 7: Planning Obligations**

3.105 Section 7 relates to planning obligations.

- 3.106 Paragraph 7.2 states that the contributions identified in the SPD are necessary to mitigate the impact of increasing developments. However, the draft SPD is not accompanied by any viability evidence that considers whether it is financially viable to provide identified planning obligations alongside other requirements sought through the SPD e.g. all apartments must be dual aspect.
- 3.107 Paragraph 7.5 explains that in order to satisfy the Council that a scheme cannot meet the full range of planning obligation requirements the applicant will be required to submit a full Viability Assessment. This is noted. However, the guidance set out within the draft SPD should be subject to viability testing as part of the evidence base to support it.
- 3.108 Paragraph 7.9 sets out the types of contributions that will be prioritised which we comment on in turn:
- Contribution for the FLMTM – This is not referenced in the development plan, nor is it referenced within the Planning Obligations SPD. As such, there is no policy basis to seek financial contributions towards the delivery of the FLMTM which should be a Council initiative.
  - Contribution for the Local Cycling and Walking Infrastructure Plan – More information is required as to which elements of this plan contributions would be sought for. In any case, this is not referenced within the Planning Obligations SPD and there is no policy basis to require a contribution towards its implementation.
  - Contribution towards the Mass Transit Bus Strategy – The town centre already benefits from excellent public transport, with rail and bus hubs located in the heart of the town centre. It is unclear why this is required.
- 3.109 It is considered that all of the above is unnecessary and that financial contributions towards sustainable transport should measures should be secured through standard travel planning obligations.
- 3.110 Paragraph 7.10 relates to financial contributions for public open space. It acknowledges that the method used for calculating public open space requirements, which utilise a formula based on the site area is unlikely to be appropriate for calculating the provision of public open space for high density developments on relatively small town centre plots. It also acknowledges that the threshold to provide on-site publicly accessible open space may also not be appropriate. This should be **updated** to acknowledge that it definitely is not appropriate. If applied, it is likely that this would constrain a significant number of developments from coming forwards in the town centre. In our view, the provision of open space associated with developments in the town centre should be assessed on a qualitative basis and agreed with the Council on a case by case basis.
- 3.111 Paragraph 7.11 states that; “*Where new publicly accessible public realm and green open space is required on town centre development sites, then the Council will expect it to be laid out, managed and maintained by the developer*”. This is unreasonable and the requirement should be **deleted**. Given the other aspirations of the draft SPD which seek to achieve new development that is integrated and cohesive with the existing town centre, the space created by developments will often integrate seamlessly with existing public areas that are adopted. Whilst there may be some instances where management and maintenance by the developer is appropriate, there will be other instances where it makes sense to adopt public areas provide as part of redevelopment.
- 3.112 The Planning Obligations SPD should be updated as a matter of urgency [§7.12], with an updated version published alongside the next iteration of this SPD. Developers should then be given an opportunity to comment further.

## Section 8: Design and Planning Application Process

- 3.113 Section 8 seeks to provide guidance for developers in respect of the design and planning application process. Paragraph 8.2 states that applicants and designers will need to evidence and record their design approach. This is something that any applicant would do within the Design and Access Statement in any case. It is also stated that applicants should undertake a rigorous analysis of typology and context should be undertaken with context taking into account spatial, transit, social, economic historic and heritage factors and cultural context. It is unclear what is meant by this and additional information should be provided explaining why it is necessary to provide analysis of each of these typologies and what is expected from applicants.
- 3.114 Paragraph 8.3 refers to applicants undertaking an external design review with Places Matter. As set out previously, if this is to be embedded in the process it should be a service that is offered and paid for by the Council. It states that the panel review should be undertaken “sufficiently early” in the design process. This is vague and further clarity should be provided on which stage of the process the review is expected to take place.
- 3.115 Paragraph 8.4 suggests that applicants seeking to utilise outline or hybrid applications will need to first agree it with the Council as early in the pre-app stage as possible. It is in the gift of the developer as to what type of application they submit, and this is often driven by factors beyond planning matters. The SPD cannot seek to prevent applicants from submitting applications in outline or hybrid form, nor can it require developers to agree this with the Council when doing so. As is the case elsewhere across the country, matters that cannot be established at the outline stage can be secured through planning conditions.
- 3.116 Paragraph 8.5 states that; “*supporting information should include enough drawing information to convey design proposals properly and clearly, in context, with sufficient detail for the Council to be able to properly assess development proposals*”. It is unclear if this is suggesting that additional information or detail is required to that which would typically be provided as part of a planning application submission. In the case of a detailed application, a full suite of detailed drawings would be submitted in any case.
- 3.117 Paragraphs 8.10-12 relate to the Warrington Design Panel that has been set up with members of Places Matter. We do not repeat our previous comments on this here. However, we would like to reiterate that the Council cannot force applicants to engage with a third party. Furthermore, no information or contact details are provided for members of the panel. This should be included.



## 4.0 Conclusions

- 4.1 In summary, Altered Space continue to support the regeneration of Warrington town centre, particularly in the context of the Land at Scotland Road proposals. They also support the preparation of the town centre SPD in principle. However, as set out within these representations, we have significant concerns with the document as currently prepared. Firstly, a significant number of the requirements proposed within the draft SPD are not supported by any policy basis. Secondly, the document focuses almost entirely on providing restrictive guidance in relation to residential development and fails to consider any of the other significant issues that town centres are currently facing. This is a missed opportunity.
- 4.2 Furthermore, the prescriptive and detailed nature of the much of the proposed guidance is likely to have implications that would add significant abnormal costs to developments in the town centre that far exceeds what is necessary to make the development acceptable. It is apparent that this has not yet been fully considered and there is a lack of evidence in respect of viability. Given that many of the sites within the town centre are likely to be subject to viability issues, this is a fundamental matter that will underpin the delivery of the Council's aspirations. As such, the content of the draft SPD needs to be subject to a viability assessment. This will also ensure that developments are able to provide the maximum level of financial contributions that is viably possible.
- 4.3 Altered Space recognise that this is an evolving process and moving forwards are keen to engage positively with the Council in respect of the draft SPD and ensuring that its requirements are deliverable.





