

Warrington Updated Proposed Submission Version Local Plan

Representations on behalf of Story Homes

Land at Warrington Road, Culcheth

November 2021

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- Appendix 2 Warrington Road Masterplan
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1.0 Introduction

Purpose

- 1.1 Lichfields is instructed by Story Homes [Story] to make representations to the Warrington Updated Proposed Submission Version Local Plan [WUPSVLP 2021] published for consultation by Warrington Council in October 2021.
- 1.2 These representations follow previous representations to the Proposed Submission Version Local Plan in June 2019 [WSP 2019] and representations to the Local Plan Preferred Development Option which were submitted on behalf of Story by other parties in September 2017.
- 1.3 These representations are made in the context of Story’s development interests at Warrington Road, Culcheth
- 1.4 Story fully supports the allocation of the Warrington Road site under policy OS2 in the WUPSVLP 2021. For the reasons set out in these representations, we also consider that there is the opportunity to identify a further parcel of land adjacent to the Warrington Road site for residential development. This area of additional land is identified as Parcel 2 on the location plan at Appendix 1.
- 1.5 The following documents accompany these representations:
- 1 Warrington Road, Culcheth Vision Document (September 2017)
 - 2 Warrington Local Plan - Issues Report
- 1.6 It is a statutory requirement that every development plan document must be submitted for independent examination to assess when it is “sound”, as well as whether other statutory requirements have been satisfied (s.20(5) of the 2004 Act). By s.19 of the 2004 Act, in preparing a development plan document a local planning authority must have regard to a number of matters including national policies and advice contained in guidance issued by the Secretary of State. Such guidance currently exists in the form of the National Planning Policy Framework [the Framework].
- 1.7 There is no statutory definition of “soundness”. However, the Framework states that to be sound a Local Plan should be:
- 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.
- 1.8 In addition, the Framework¹ states that:

¹ National Planning Policy Framework §11

“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.*

1.9 This report demonstrates that a number of policies within the Local Plan require amendments in the context of the tests of soundness established by the Framework.

Structure

1.10 Representations to the following Local plan policies are provided in this report:

- 1 Duty to Co-operate
- 2 Sustainability Appraisal
- 3 Policy DEV1 – Housing Delivery
- 4 Policy DEV2 – Meeting Housing Needs
- 5 Policy GB1 – Green Belt
- 6 Policy INF1 – Sustainable Travel and Transport
- 7 Policy INF5 – Delivering Infrastructure
- 8 Policy ENV7 – Renewable and Low Carbon Energy Development
- 9 Policy ENV8 – Environmental and Amenity Protection
- 10 Policy OS2 – Culcheth
- 11 Policy MD3 – Fiddlers Ferry

1.11 This report is accompanied by an Issues Report which has been prepared by Lichfields on behalf of a Consortium of leading developers and housebuilders operating in the North West housing market including Ashall Land, Barratt Developments (Barratt Homes and David Wilson Homes), Northern Trust, Satnam Developments, Story Homes, and Wainhomes [the Consortium]. The Issues Report sets out the Consortium’s key issues with the emerging Warrington Local Plan and substantiates these concerns to the Planning Inspector Examining the Local Plan.

1.12 It is important to emphasise at the outset that Story welcomes the efforts undertaken to date by Warrington Council in the preparation of this Plan and appreciates the scale of task in preparing a comprehensive Plan. Furthermore, we do not want to cause undue delay to the adoption of the Warrington Local Plan but fear that unless the issues with the Plan are positively addressed,

the Plan may be found unsound and have to go back to the start of the process. The Issues Report has been prepared with the expressed intention of ultimately speeding the process up by ensuring that the current Plan can be altered and found sound at Examination.

- 1.13 Story is keen to ensure that Warrington is not faced with the same situation it was when its previous Local Plan was challenged in the High Court and parts of the plan in relation to housing were overturned.
- 1.14 Story has serious concerns with this version of the Warrington Local Plan, and that to be sound, the issues can be addressed through amendments to the policies, interventions and the introduction of additional sustainable allocations of various sizes in the Green Belt to ensure the housing requirements are met and the Green Belt boundaries endure beyond the Plan period.
- 1.15 The Issues Report covers the following six matters:
- Issue 1: Housing Requirement
 - Issue 2: Staggered Housing Requirement
 - Issue 3: Housing Land Supply Concerns
 - Issue 4: Fiddlers Ferry
 - Issue 5: Viability: Delivery of Affordable Housing and Infrastructure Delivery Issues
 - Issue 6: Failure to Identify Safeguarded Land
- 1.16 The Issues Report is accompanied by a series of Technical Papers which seek to substantiate the points raised within. These Technical Papers are appended to the Issues Report and include:
- Note A – Housing Land Supply Analysis (Appendix A)
 - Note B – Housing Needs Analysis (Appendix B)
 - Note C – Fiddlers Ferry Technical Note (Appendix C)
 - Note D – Viability Technical Note (Appendix D)
- 1.17 The Issues Report should be read in full as it expands in significant detail on the matter raised in our main representations.
- 1.18 Alongside its land at Warrington Road, Culcheth, Story is also promoting additional land at Runcorn Road, Higher Walton (the SWUE) and at Reddish Lane and Rushgreen Road, Lymm, which is capable of coming forward to meet the requirement for new homes. Separate representations on these sites have been submitted on behalf of Story.

2.0 **Duty to Co-operate**

Introduction

2.1 The Council's Duty to Cooperate Statement Update (September 2021) provides a record post the 2019 PSVLP of the DtC work undertaken by the Council as part of its updated Proposed Submission Version Local Plan (2021).

2.2 For the reasons set out below and in the issues report which accompanies these representations, Story has a number of concerns with the Duty to Co-operate process which has been undertaken in relation to Fiddlers Ferry.

Consideration of the DtC

2.3 The main text of the Duty to Co-operate [DtC] Statement (September 2021) does not provide any direct commentary on how Warrington Council is working with neighbouring Local Planning Authorities and other public bodies in delivering Fiddlers Ferry and relies instead on minutes of meetings held with these bodies. From the minutes of the meeting held with Halton Council on 13th July 2021 we note the following action point:

"It was agreed that housing and employment development at the Fiddlers Ferry site would count towards meetings Warrington's needs, but the allocation policy will acknowledge the need for mitigation of impacts on Halton's transport and social infrastructure and ensure a robust Green Belt boundary to maintain separate between Widnes and Warrington".

2.4 The DtC Statement notes that the Council has prepared a separate and updated draft Statement of Common Ground [SoCG-2021] which provides a written record of the progress made by the Council in planning for strategic cross-boundary matters.

2.5 The Statement of Common Ground [SOCG]² suggests that there are still outstanding strategic matters to be resolved between Warrington BC, Halton BC, St Helens BC and Highways England (now National Highways) with regards to the Fiddlers Ferry site, where it states:

"WBC will seek to ensure appropriate mitigation is provided to address any impacts on Halton's transportation and social infrastructure arising from the allocation of Fiddlers Ferry, including agreeing the mechanisms by which any mitigation measures within Halton will be carried out.

WBC will work with Halton, St Helens and Highways England to identify and mitigate any impacts on Junction 7 M62".

2.6 The SOCG³ also suggests that Green Belt issues between Warrington and Halton have still yet to be resolved where it states:

"As WBC and Halton Borough Council progress with their Local Plans, there is a requirement for joint co-operative working to ensure adequate separation between areas of proposed Green Belt release in order to maintain the integrity of the Green Belt between Warrington and Runcorn and between Warrington and Widnes".

2.7 We do not therefore consider that the above matters have been fully resolved and, as such the DtC remains outstanding. In this regard, we note that the relevant authorities have yet to

² Warrington Borough Council Statement of Common Ground (September 2021), page 12

³ Warrington Borough Council Statement of Common Ground (September 2021), page 9

formally sign the Statement of Common Ground at this stage. We are therefore concerned whether the Duty to Cooperate is legally compliant.

- 2.8 In addition, the August 2021 Transport Model Testing is silent on any discussion or agreement in the modelling with the neighbouring Halton Council and although 'engagement' with National Highways [NH] is mentioned, in paragraph 8.106, there is no confirmation of any agreement with NH on any part of the modelling process.

Legal Compliance

- 2.9 For the above reasons, we consider on the basis of the evidence available that the Council has not met its duty to cooperate which is in conflict with the relevant provisions of Section 20 of the Planning and Compulsory Purchase Act 2004.

3.0 Sustainability Appraisal

Introduction

3.1 As part of the Strategic Environmental Assessment [SEA] of the WUPSVLP 2021, AECOM was commissioned by Warrington Council to undertake a Sustainability Appraisal [the 2021 SA]⁴.

3.2 This SA Report reports on the findings of the sustainability appraisal process and includes:

- The scope of the SA (i.e. the background information and methodology)
- Consideration of alternative approaches to the key issues of housing growth and distribution
- Appraisal of reasonable site options
- Appraisal of the Plan (the strategy, allocations and policies considered together)

Consideration of the SEA

3.3 Story has no comment to make on the assessment in the SEA for its site at Warrington Road, Culcheth (SHLAA Ref: 3157) which has been allocated under policy OS2. However, Story has a number of concerns with the assessment of the Fiddlers Ferry site in the SEA and these concerns are detailed below.

Fiddlers Ferry

3.4 The Issues Paper submitted alongside these representations identifies Story's concerns with regard to the SEA process which has been undertaken to assess the proposed allocation at Fiddlers Ferry (Draft Policy MD3) and should be read in detail alongside these representations.

3.5 The SEA assesses the site to be deficient in a number of regards and we consider that these deficiencies have not been properly considered and the negative effects will be greater than assessed. This is likely due to the fact that the site has only been introduced as an allocation at this late stage and insufficient time has been available to compile all of the relevant evidence and fully consider the effects of the site. We do not consider that the site performs as strongly as has been assessed in the SA and there are a number of issues which raise questions over its suitability for allocation, in particular with regard to accessibility which is poor and given the size of the site is likely to result in significant use of the private car, leading to congestion and air quality concerns.

3.6 Story is also concerned that the biodiversity effects have not been properly assessed and may be worse. It is not clear how the Council can make assumptions on the significant impacts on biodiversity as it has not been confirmed at this stage what mitigation is to be provided.

3.7 As a more general point, it is not clear how the Council can make assumptions on the significant impacts on the environment when it is not clear at this stage how the site is to be remediated and what mitigation is required.

3.8 The assessment of the site is therefore considered to be deficient in a number of ways.

Legal Compliance

3.9 Story considers that the SEA in relation to the assumptions made on Fiddlers Ferry is:

- 1 Fundamentally flawed as it results in an unsustainable approach to development.

⁴ Warrington Local Plan Review Pre-Submission Sustainability Appraisal: SA Report (August 2021)

- 2 It is not sound and it is not legally compliant as the assessment of the sites is deficient. Sections 19 and 20 of the Planning and Compulsory Purchase Act 2004 require engagement of the Environmental Assessment of Plans and Programmes Regulations 2004 and Story contends that the work that has been done to meet the requirements of the Regulations is not adequate.
- 3 The identification and delivery of a brownfield site (Fiddlers Ferry) which has other fundamental technical delivery constraints should not surpass the allocation of other more sustainable greenfield releases where it is clearly not justified.

Recommended change

3.10

To address the conflicts above and ensure the Local Plan is sound and legally compliant, it is considered that the Council:

- 1 Needs to provide additional evidence to justify the inclusion of the Fiddlers Ferry Site.
- 2 Needs to re-assess the incorrect and underplayed impacts Fiddlers Ferry will have in the SA and use this to inform the Local Plan strategy.

4.0 Policy DEV1 – Housing Delivery

Introduction

- 4.1 Policy DEV1 sets out the housing requirement for the 18-year plan period from 2021-2038 as a minimum of 14,688 new homes (816 dwellings per annum [dpa]).
- 4.2 The policy identifies the housing distribution which proposes the majority of new homes (11,785 dwellings) to be delivered within the existing main urban area of Warrington the existing inset settlements and other sites identified in the Council’s Strategic Housing Land Availability Assessment [SHLAA].
- 4.3 It proposes to remove the following sites from the Green Belt and allocate them for residential development:
- 1 South East Warrington Urban Extension – minimum of 4,200 homes of which a minimum of 2,400 homes will be delivered in the Plan Period.
 - 2 Land at Fiddlers Ferry – minimum of 1,760 homes of which 1,310 will be delivered in the plan period as part of a wider mixed use development.
 - 3 Thelwall Heys – minimum of 310 homes will be delivered in the plan period
- 4.4 A minimum of 801 homes will be delivered on allocated sites to be removed from the Green Belt adjacent to outlying settlements including 200 homes in Culcheth and 306 homes in Lymm.
- 4.5 The policy proposes a ‘stepped’ housing requirement as follows:
- a 2021 to 2025 (first 5 years) – 678 homes per annum
 - b 2026 to 2038 (years 6 - 18) – 870 homes per annum
- 4.6 Story has a number of concerns with the policy and these concerns are set out in detail in the Issues Report prepared on behalf of the Consortium which has been submitted alongside these representations. Our position on the key issues is summarised below.
- 4.7 Story, also has separate comments on the proposed distribution of development in relation to its land interests at Culcheth and these are set out below.

Housing Requirement

- 4.8 Based on the detailed technical assessment undertaken by Lichfields on behalf of the Consortium (included as Appendix A in the Issues Paper submitted alongside these representations) **a housing requirement of 1,015 dpa is the minimum the Council should be planning for.** This is more closely in line with the 945 dpa target that was proposed in the previous March 2019 WLP submission version draft, which addressed prospective economic growth prospects.
- 4.9 Ideally, the Council should ensure that the housing target aligns with its employment land target. The Consortium is fervently of the opinion that there is absolutely no chance that 816 dpa can sustainably accommodate the increase in workforce that would be associated with 316 hectares of employment land. Based on the Council’s own evidence base (BE Group’s 2021 EDNA Update), the 316 ha of employment land could be expected to align with a level of job growth equal to over 36,260 – more than triple the level realistically associated with 816 dpa. The actual housing target that could robustly accommodate this level of job growth would range from 1,545 dpa to 1,592 dpa by 2039, depending on whether PCU rates are applied.

- 4.10 Story’s view is therefore that a (rounded) target of 1,015 dpa should be taken forward in the WUPSVP, which aligns with the mid-point economic growth, adjusted for PCC rates. This was the approach formerly taken forward by its housing consultants in GL Hearn in 2019, with no robust justification for departing from it and some very clear errors in their latest update which invalidates the conclusions of their 2021 study. Given that this still does not align fully with the Council’s very ambitious employment land target, this figure could legitimately be increased (which would also more closely align with the affordable housing need of 423 dpa, which, at 30%, would equate to 1,410 dpa). The 1,015 dpa would meet over 70% of the total affordable housing need if 30% of all units came forward as social housing.
- 4.11 Story considers that the LHN derived from the Government’s SM2 should only be the starting point for determining WBC’s housing target, and there are clear and indisputable arguments to go significantly higher. The decision by the Council’s housing consultants to abandon the previous alignment with jobs growth is unfounded and supported by a flawed evidence base. In particular, the misalignment with current economic growth, and specifically employment land, objectives, means that the Plan is fundamentally unsound and its evidence misaligned.
- 4.12 Warrington’s historically pro-growth agenda and the high levels of housing delivery that were once a badge of civic pride have long since been abandoned. It is now one of the poorest performing Councils in North West England based on the Housing Delivery Test, yet no effort is being made to boost delivery to help fulfil the Government’s Levelling Up agenda.
- 4.13 Warrington Borough Council has delivered such low levels of housing over the past three years that the HDT would automatically trigger the Framework’s ‘presumption in favour of sustainable development’, which could mean that housing could be delivered through the submission and approval of speculative applications. Indeed, the scale of the difference between the number of homes delivered and the number actually required, at -1,062 dwellings, is so substantial that it would place Warrington in the top 20 worst districts nationwide.
- 4.14 Warrington is clearly a key driver of growth for the Northern Powerhouse – it is economically strong, politically advanced and highly accessible by road and rail, and there is a political vision for the town to become a modern city⁵. As set out on Warrington & Co’s website, the Borough has access to a 2.5 million strong workforce and 2 international airports within a 30-minute drivetime; has 98% superfast broadband coverage and £170 million in highway investments between 2015 and 2021. It also contains a number of prominent European and UK Headquarters including companies such as United Utilities, Electricity North West, MHI Vestas Offshore Wind UK, Sellafield Ltd, Nuvia UK, New Balance, Sonova UK, Cavendish Nuclear, European Metal Recycling and Certas Energy. As part of the wider Cheshire and Warrington LEP area, which is one of the most productive in the country outside London and the South East, Warrington is exceptionally well placed to benefit from the Government’s future investment programme.
- 4.15 The Borough’s economic advantages are described at length in the UPSVLP:
- “This connectivity has enabled the Borough to develop a strong and resilient economy with the town constituting a significant centre of employment in the North West, and being widely recognised as a key driver and contributor to the North West’s economy and a key driver of growth for the UK generally. Warrington is one of the most successful towns in the UK today in terms of economic development, investment, employment rates and growth and over the last ten years has repeatedly been recognised as such in national research and league tables such as the Centre for Cities ‘Cities Outlook’.” [§2.1.7-2.1.8]*

⁵ <https://www.warringtonguardian.co.uk/news/19594814.vision-warrington-modern-city/>

- 4.16 However, the UPSVLP as it stands will fail to build on this promise and does not embrace the spirit of growth, investment and regeneration represented in the Northern Powerhouse strategy and Levelling Up Agenda. If Warrington is to underpin the ‘Northern Powerhouse’ driving growth and reducing national inequalities as envisaged by the Government, the emerging UPSVLP will need to be more pro-active in supporting economic growth and provide a clear vision for boosting housing requirements with a focus on how new infrastructure is likely to support business growth and attract new people to the Borough. At present its entire strategy appears to rely upon older workers staying in the local job market long after retirement.
- 4.17 Furthermore, the very high levels of affordable housing need across the Borough, which could justify an uplift to the housing requirement, have been ignored yet again despite the High Court quashing the housing policies of Warrington’s current adopted Core Strategy back in 2015 partly because WBC had failed to accurately consider whether an increase in the total housing figure included in the WUPSVLP could help deliver the required number of affordable homes⁶.
- 4.18 Although the housing market is complex and can be impacted by macro-economic factors as well as Government policy intervention, it is accepted that increasing the supply of housing assists in suppressing worsening affordability issues. Although it is not the only solution, it is clearly a very important one and one that WBC has most control over. Housing land availability and, by extension, housing supply in Warrington has been restricted and constrained for a number of years by the tightly drawn Green Belt boundaries across the Borough and the lack of a positively prepared and up-to-date plan that identifies sufficient land to meet needs has certainly been a contributing factor to the long-term trend of worsening affordability.
- 4.19 It is worth bearing in mind that the standard method figure is predominantly based on official household projections which are trend-based and effectively ‘lock in’ trends in constrained household formation over the past number of years. Limiting the supply of land through failing to prepare its Local Plan and updating it on a regular basis has constrained the ability of Warrington families to become homeowners.
- 4.20 Although the standard method does apply a modest uplift based on the affordability issues of the authority at the time, it does not take into account worsening trends over time, hence a more significant uplift should be applied and a high housing requirement pursued which is not backloaded.
- 4.21 Bizarrely, Warrington Council goes on to argue that by providing the minimum starting point housing land target, affordability will cease to be an issue in the years to come:
- “In providing a positive plan for growth and based on the principles underpinning the Government’s standard housing method, the Council considers that by the end of the Plan period, house price affordability will no longer be a significant issue in Warrington. In considering the period beyond the end of the Plan, the Council has therefore assumed that no further affordability uplift will be required.”* [§4.1.27]
- 4.22 This approach does not align with the Government’s imperative for high levels of housing, to be delivered as soon as possible, to address the housing crisis:
- “Our plans for a simpler and faster planning process need to be accompanied by a stronger emphasis on the faster delivery of development, especially for Growth areas where substantial development has been permitted. If local communities through the new Local Plan process have identified sites for substantial development over the next ten years and developers have secured planning consents, there should be a presumption that these sites will be built out quickly.”* [Planning for the Future, §2.58]

⁶ Satnam Millennium v Warrington Borough Council (February 2015). EWHC370

- 4.23 This approach is therefore completely at odds with the Government’s requirement to deliver the right homes that are needed as soon as possible. Thousands of Warrington households are in acute housing need now. They cannot be waiting ten years or more for housing to be delivered – this will result in rapidly increasing house prices, worsening affordability, homelessness and poverty. The need for new housing is now.
- 4.24 Based on the detailed technical analysis undertaken by the Council as set out in the accompanying Technical Note on Housing Needs (Appendix B of our Issues Report), to align the proposed economic growth with the housing requirement would derive a housing requirement of at least 1,015 dpa and it is considered that this would address realistic economic growth targets and help to deliver over 70% of the identified affordable housing need.

The Consequences for the Plan’s Soundness Without Modification

- 4.25 In conclusion, without detailed evidence being presented which explores the possibility of increasing the housing requirement in Warrington (which should run through the Sustainability Appraisal testing process), there is a significant risk that the WUPSVLP will be found unsound at Examination and the LPA will need to start the plan preparation process from the beginning again. This would be a similar scenario to the High Court quashing the housing policies of Warrington’s current adopted Core Strategy back in 2015 partly because WBC had failed to accurately consider whether an increase in the total housing figure included in the WUPSVLP could help deliver the required number of affordable homes. In the context of national planning policy and Government’s stated ambitions regarding the levelling up agenda, the Northern Powerhouse aspirations and the need to significantly increase the supply of housing particularly affordable units, there are clear circumstances in Warrington where it is appropriate to consider a significantly higher level of housing provision than the standard method indicates.

Staggered Housing Requirement

- 4.26 The Council seeks to phase the delivery of its housing requirement with a sizeable proportion of the supply being unjustifiably backloaded to the latter period of the plan. However, it is Story’s strong view that the Council should, as a minimum, apply an even approach across the plan period of 816 dpa (although the Story considers that this should be higher – see Issue 1), including in the first 5 years. Story would also advocate an approach that goes beyond this and instead of pushing need to the end of the Plan period, the buffer should instead be brought forward to ensure that a sufficient supply of land comes forward for development in the early years.
- 4.27 The Council considers it can deliver 814 dpa over the first 5 years, but that by manipulating the need down to an untested 678 dpa, it can erroneously claim it has factored in a 20% buffer to the supply, thus avoiding the 5YHLS hurdle it would otherwise fail. This cannot be a satisfactory state of affairs, given that the Council has delivered on average just 562 dpa over the past 10 years⁷ and fails the Housing Delivery Test by a greater margin of any Council in northern England (with the exceptions of Calderdale and Bury).
- 4.28 Whilst it is acknowledged that Warrington has some larger strategic sites on Green Belt land that may come forward in the Plan, this should not be used as an excuse to postpone meeting households needs in full. Whilst the masterplanning and infrastructure investments required to support the development of some sites, including many of the allocations in the Plan, means that they may only produce large numbers of new dwellings in the latter phases of the plan period, this does not apply to all of them and some will undoubtedly be able to deliver homes quickly once the Plan is adopted.

⁷ MHCLG (2021): Table 122, Net additional dwellings¹ by local authority district, England, 2001-02 to 2019-20

4.29 To accord with the Framework [§59], Story considers that, in the future, a balanced strategy should be adopted, identifying a suitable supply of brownfield and greenfield sites that responds to an evidenced-based assessment regarding the size, type and tenure required. This should ensure that supply included in the Plan is capable of meeting specific needs of housing market areas in the sub-region. If a significant proportion of the Plan's supply comprises large strategic sites, then a suitable supply of smaller, deliverable greenfield sites must also be identified to offset the infrastructure challenges strategic sites will face in coming forward any sooner.

4.30 Story realises that brownfield sites play a very important role in the delivery of sustainable development and addressing the housing crisis, but the lack of supply needs to be urgently addressed by the inclusion of additional greenfield and Green Belt sites.

4.31 The most appropriate solution is therefore the identification of smaller, more sustainable and deliverable Green Belt allocations which can assist in meeting the housing needs in the first few years of the Plan. Story considers that an appropriate action would be to identify additional land and increase the housing requirement in the early years of the Plan to increase flexibility and safeguard against any issues faced by the deliverable sites identified in the supply.

The Consequences for the Plan's Soundness Without Modification

4.32 Story considers that the phased approach to housing delivery over the Warrington Local Plan period is fundamentally flawed and unsound, as it is not positively prepared, justified, effective or consistent with national policy. The emerging Plan and its evidence base do not provide any robust justification for including a stepped housing requirement which significantly reduces delivery in the first five years of the Plan.

4.33 This approach conflicts with the objectives of the Framework and Story believes that the approach taken is not sound and will not meet the tests of soundness when the Plan is undergoing Examination in Public.

Housing Land Supply

4.34 An expressed intention of the Framework is to boost the supply of housing in an effort to address the housing crisis. With this in mind, Story is firmly of the opinion that the Council has artificially inflated the claimed supply with the sole intention of trying to minimise the amount of Green Belt land released for housing, regardless of the deliverability of the claimed supply.

4.35 Story has considerable concerns with the majority of the sites included in the Council's supply, and the Council's assumptions on a large number of sites are flawed and do not meet the tests of deliverable and developable as set out in Annex 2 of the Framework. Story considers that the supply is significantly less than envisaged by the Council. Furthermore, the Consortium considers that the Council should not include windfalls in years 1-3 of the plan period, and a further 595 dwellings should also be discounted from the supply based on analysis conducted in relation to the Fiddler's Ferry strategic site.

4.36

As a result, in terms of the supply over the Local Plan period, Story considers that the Council has a shortfall in the developable supply of 2,448 dwellings when assessed against the Borough's LHN (816 dpa). When considered against the housing requirement considered necessary by Story (1,015 dpa), there is a shortfall of 6,388 dwellings. The Consortium's land supply position for the plan period for both scenarios (as well as the Council's position) is set out in Table 4.1.

Table 4.1 Consortium's Land Supply Analysis

	Council's Land Supply Position	Consortium's Land Supply Position (LHN)	Consortium's Land Supply Position (Revised Housing Requirement Figure)
Annual Target	816	816	1,015
2021 to 2038 (18-year plan period)	14,688	14,688	18,270
Flexibility (+10%)	1,469	1,469	1,827
Total Housing Requirement	16,157	16,157	20,097
Council's Overall Developable Supply (Urban Capacity excluding Green Belt Supply)	11,785	11,785	11,785
Supply Reduction (based on Consortium's analysis) (Developable Supply Reduction; Windfall Allowance Reduction; Fiddler's Ferry Supply Reduction)	/	2,448	2,448
Overall Developable Supply (Urban Capacity)	11,785	9,337	9,337
Shortfall in Developable Supply (Urban Capacity against Total Housing Requirement)	/	6,820	10,760
Existing Green Belt Supply	4,372	4,372	4,372
Additional Green Belt Supply Required	/	2,448	6,388

4.37

Story therefore considers that the only option available to the Council to significantly boost the supply of housing and address the clear shortfall is to identify additional Green Belt land for release for housing. As set out in Table 4.1, the Council need to identify additional supply of 2,448 dwellings on Green Belt land if pursuing the LHN housing requirement, or 6,388 dwellings should the Council pursue a figure which accords with the Consortium's revised housing requirement.

4.38

Identifying additional Green Belt land would also help to address Story's concerns in relation to the diversity of the current land supply, as greenfield developments are more able to deliver larger 3 and 4 bedroom homes than constrained sites in the urban area. This will assist in meeting the identified needs in the SHMA for 65% of future market dwellings to comprise 3 and 4 bed dwellings.

4.39 Story considers that that there is a shortfall of at least 1,326 dwellings in the first 5 years of the plan period. As such, it is clear that the Council cannot demonstrate a 5-year supply of housing (at best 3.64 years). The lack of a deliverable supply needs to be urgently addressed by the inclusion of additional greenfield and Green Belt sites.

4.40 Story advocates the identification, through an appropriate evidence base, of a number of small-medium sustainably located Green Belt releases for residential development (i.e. sites with capacity to deliver 200-500 units). These sites would be able to come forward immediately upon adoption of the Warrington Local Plan and negate the need to backload the housing requirement. It would also seek to tackle the ever-worsening housing crisis in the Borough and would ensure that the Council can demonstrate an adequate 5YHLS position.

The Consequences for the Plan’s Soundness Without Modification

4.41 Story consider that there are a number of fundamental issues in relation to the Council’s claimed supply for the plan period, which result in a significant shortfall in the Council’s claimed supply against their total housing requirement for the plan period. The main consequence of failing to identify a sufficient level of housing allocations will be that the Local Plan will be found unsound at Examination or at the very least will be subject to substantive changes at the Examination stage which will delay the formal adoption of the Plan. If this plan is pursued without significant additional allocations it will not be found sound at examination.

4.42 Furthermore, if the Council cannot adequately demonstrate a 5-year supply of housing then the Plan will fail immediately post adoption.

Viability: Delivery of Affordable Housing and Infrastructure Delivery Issues

4.43 The Framework sets out that planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. The Framework also states that to be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged [Annex 2].

4.44 There is also increased emphasis in national planning policy on the importance of considering viability upfront in the planning process, and that the role for viability assessment is primarily at the plan making stage. The Practice Guide states that policy requirements, particularly for affordable housing, should be set at a level that takes account of affordable housing and infrastructure needs and allows for the planned types of sites and development to be deliverable, without the need for further viability assessment at the decision making stage⁸.

4.45 Cushman and Wakefield (on behalf of the Council) has produced a Local Plan Viability Assessment (August 2021) [LPVA] to inform the preparation of the WUPSVLP. Story has reviewed the content and conclusions made within the LPVA. Based on its analysis, the Consortium has significant concerns in relation to the viability of sites, and the subsequent ability of the emerging Local Plan to deliver the required number of affordable dwellings. A separate Technical Note on viability has been prepared by Roger Hannah (Viability Assessment Consultation Response) (November 2021) which sets out in detail the Consortium’s reservations regarding viability and forms Appendix D of the Issues Paper. It should be read in detail alongside these representations.

4.46 The LPVA sets out the general viability assumptions for assumed development typologies that should represent site supply across the plan area, as well as the strategic allocated sites. The

⁸ PPG Paragraph: 002 Reference ID: 10-002-20190509

LPVA concludes that most of the assumed typologies in lower value locations are unviable or marginal based on policy compliant level of affordable housing and other policy requirements. It also concludes that affordable housing is not deliverable in the town centre, and demonstrates that even development with 0% affordable housing is marginal/undeliverable due to the costs of apartment development and the achievable sales values. The Consortium agrees with these conclusions, but considers that the viability position may be even worse than stated.

4.47 The Consortium has specifically reviewed the assumptions made in regard to the development typologies and the conclusions of the report, with detailed analysis of the typology testing set out in the Viability Assessment Consultation Response. The Response identifies significant issues with the viability position across the borough for brownfield site development, highlighting that the overall viability is likely to be worse than as assessed in the LPVA viability testing.

4.48 A review of the appraisal assumptions shows that viability is likely to be overstated for the following reasons:

- 1 GDV has been overestimated in the Town Centre and Inner Warrington typologies;
- 2 The constructions costs in respect of site abnormal/extra over costs and energy requirements in particular, are underestimated across all typologies; and,
- 3 Developer's profit is set at a marginal level on a blended basis across the private and affordable housing.

4.49 The LPVA then goes on to sensitivity test the base results, concluding that the viability can be improved, and that reasonable weight can be attributed to the sensitivity testing. However, the sensitivity analysis only makes positive changes to the appraisal inputs, which in turn generates more positive results. The Consortium considers the sensitivity assumptions to be unrealistic as they are based on reducing costs assumptions which contradicts forecast and market data. It is therefore considered that the sensitivity testing is not plausible and the Consortium disagrees with the LPVA conclusion that "*reasonable weight can be attributed to the sensitivity analyses*" (para. 9.3).

4.50 The WUPSVLP identifies a significant proportion of housing supply on sites within the urban area, specifically within Warrington Town Centre on previously developed brownfield land (the Warrington Town Centre Masterplan sets out a target to deliver 8,000 homes over the plan period). Story has concerns that a significant proportion of the Council's claimed supply is unviable, particularly in the Town Centre and other low value locations in the Borough.

4.51 Given that the LPVA base testing concludes that most of the development typologies cannot deliver a policy compliant level of affordable housing whilst meeting other policy requirements, more comprehensive typology testing should be undertaken. This would assist plan makers with the identification of viable development types in order to ensure that affordable housing needs are met. Based on Roger Hannah's analysis, it is considered that the Council should also identify a greater quantum of greenfield sites in higher value areas. Based on the independent viability testing undertaken by Roger Hannah, these sites are more likely to be viable and able to deliver the requisite quantum of affordable housing.

4.52 Roger Hannah has specifically assessed this typology, providing an example of a greenfield housing site typology of 150 units in a Suburb Mid Value location (Viability Assessment Consultation Response; Figure 14). The appraisal demonstrates that additional typology testing needs to be undertaken for housing schemes in the higher value areas because this type of development can deliver policy compliance in terms of affordable housing, Section 106 contributions, and additional policy costs. Additional testing in this regard would enable plan makers to identify where development, and in what form, should take place to meet policy requirements and achieve affordable housing delivery.

4-53 Furthermore, given the emphasis on the redevelopment of sites within the urban area and Warrington Town Centre (with the prime intention of reducing the quantum of Green Belt losses), it will be very difficult to identify and secure sufficient sites to deliver required infrastructure as part of this current plan. This will create many other problems in the long term including social issues and lack of service provision.

4-54 Identifying a greater quantum of greenfield sites in higher value areas will also help to ensure that the required social and physical infrastructure provision can be delivered, and ensure the needs of residents in new developments are met.

The Consequences for the Plan’s Soundness Without Modification

4-55 No regard has been paid to the viability of delivering a significant quantum of housing in Warrington Town Centre and the impact this will have on the delivery of much needed affordable housing and social infrastructure such as schools and medical centres to cater for future resident’s needs. The consequences of failing to provide the required levels of social and physical infrastructure in a planned and proactive fashion could result in the creation of many unsustainable and substandard communities which lack the basic social infrastructure required to thrive. Furthermore, the ever-growing affordable housing list will continue to spiral which has a direct impact on families across the Borough.

4-56 Story is strongly of the opinion that the failure to identify a sufficient level of housing allocations in the Plan, which have been tested as being viable, will result in the WUPSVLP being found unsound at Examination. At the very least it will be subject to substantive changes at the Examination stage which will delay the formal adoption of the Plan.

Safeguarded Land

4-57 For the reasons identified, Story is strongly of the opinion that the current version of the Warrington Local Plan does not meet the requirements of the Framework as it does not identify sufficient proportions of land to meet needs post 2038 or identify Safeguarded Land which could act as a failsafe in the event that one of the key strategic allocations does not come forward as envisaged. Despite this Plan undertaking a Green Belt Review, no sites have been identified as Safeguarded Land to meet needs beyond the Plan period. Identifying Safeguarded Land does not allocate it for development and the same level of protection is afforded Green Belt provided the Council’s Local Plan is delivering the homes and employment land that it envisaged.

4-58 The land identified in the Plan to meet needs beyond the plan period is predominantly from an increased proportion of unidentified windfall sites and from strategic allocations delivering dwellings beyond the Plan period. There is no certainty that the unidentified windfall sites will come forward as envisaged and required ‘*technological advances*’ to facilitate their delivery and there is considerable concern with regard to the delivery of some of the strategic sites delivering units beyond the Plan period.

4-59 Story is of the opinion that sufficient land is required to meet the future needs for at least 6,499 dwellings or 8,693 dwellings should the Inspector agree with the Consortium that a higher housing requirement is warranted. This land should be identified now and safeguarded to meet the needs beyond the Plan period and ensure that the Green Belt boundaries endure beyond the Plan period too. Story is of the opinion that the land to be identified as Safeguarded should be varied in size and be capable of coming forward in the short terms should the need arise at any point in the plan period. The approach being taken by Warrington differs from that of its neighbouring authorities who do identify safeguarded land as well as large allocations which are delivering units beyond the Plan period (i.e. Cheshire East, St Helens and Halton). This would

allow any future Local Plan Review to allocate the safeguarded sites for development and ensure they are capable of delivering units in the first 5 years post adoption of the Review.

4.60 In the Consortium's opinion, the selection of the most appropriate sites to be safeguarded should be identified in a robust and consistent Green Belt Review and based on a robust Site Selection methodology which considers matters including the sustainability, accessibility, deliverability and viability of the sites.

4.61 As noted in our response to Policy OS2, in addition to supporting the proposed allocation at Culcheth, Story Homes would also like to submit additional land which is identified as Parcel 2 on the location plan at Appendix 1. This land is within the same ownership and is also considered to be fully deliverable as it is available now, offers a suitable location for development now, and is achievable. Parcel 2 measures approximately 4.45ha and has the potential to accommodate approximately 300 dwellings in conjunction with Parcel 1. As illustrated in the Vision Document submitted alongside these representations, this land could be delivered as part of a comprehensive development with the proposed allocation. It is therefore considered that this parcel would be suitable for allocation or identification as Safeguarded Land should the Council seek to release additional land in Culcheth.

The Consequences for the Plan's Soundness Without Modification

4.62 Without the identification of sufficient proportions of Safeguarded Land within this Plan, there is a strong possibility that the Plan will be found unsound at examination as it is not consistent with national policy. Furthermore, the identification of Safeguarded Land within the Plan should be viewed as a positive and represents a positive approach to planning. The identification of Safeguarded Land will futureproof the Plan and ensure that any issues associated with lack of supply not coming forward as quickly as expected can be addressed quickly through a Local Plan Review. This will avoid having to formally commence a new Green Belt Review and site selection exercise which, based on past experience, can be a slow and contentious process.

Housing Distribution

4.63 The distribution of a proportion of the housing requirement to the outlying settlements, including Culcheth, is supported. This will help to support the vitality and viability of local services and increase housing choice in these settlements.

4.64 However, for the reasons set out in these representations, the release of further Green Belt land is required in order for the Council to meet its housing requirement and we consider that additional land for new homes should be allocated around the outlying settlements to help address this requirement.

4.65 In this respect, we note that the WSP 2019 endorsed a higher minimum delivery figure for the outlying settlements of 1,085 homes, compared to the 801 homes now proposed in Policy DEV1. The removal of Green Belt land to accommodate higher delivery figures around the outlying settlements has therefore been previously endorsed by the Council.

4.66 As noted in our response to Policy OS2, in addition to supporting the proposed allocation at Culcheth, Story Homes would also like to submit additional land which is identified as Parcel 2 on the location plan at Appendix 1. It is considered that this parcel would be suitable for allocation or identification as Safeguarded Land should the Council seek to release additional land in Culcheth.

Tests of Soundness

4.67

Story is concerned that Policy DEV1 fails to meet the tests of soundness because:

- 1 **It is not positively prepared:** Without detailed evidence being presented which explores the possibility of increasing the housing requirement in Warrington (which should run through the Sustainability Appraisal testing process), there is a significant risk that the WUPSVLP will be found unsound at Examination.

The NPPF requires Local Plans to provide a strategy which, as a minimum, seeks to meet the area's objectively assessed needs. The WUPSVLP does not meet its housing need in full and by any measure is not positively prepared. It does not meet the NPPF's requirements to 'significantly boost the supply of homes', as it is seeking to reduce its housing target from the previous figure of 945 dpa and move away from any alignment with employment growth. It is story's view therefore that the housing evidence supporting the WUPSVLP is fundamentally flawed, results in a misaligned approach to development, is unsound and is not legally compliant.

The Council cannot demonstrate a 5-year supply of housing as required by the Framework [§68]. The lack of a deliverable supply needs to be urgently addressed by the inclusion of additional greenfield and Green Belt sites.

- 2 **It is not justified:** The WUPSVLP is not based on an appropriate development strategy; nor does it take into account the reasonable alternatives. No assessment has been made regarding the level of housing need that would be needed to meet affordable housing needs in full, and nor has a proper analysis been undertaken to test how many homes would be needed to sustain an employment land target of 316 ha, its significant Town Deal ambitions or the strategic infrastructure investment proposed through the delivery of the Western Link Relief Road. In this regard it is not compliant with paragraph 61 of the NPPF and is unjustified as a result

The emerging Plan and its evidence base do not provide any robust justification for including a phased housing requirement which significantly reduces delivery in the first five years of the Plan contrary to the Framework [§60 and §68].

No regard has been paid to the viability of delivering a significant quantum of housing in Warrington Town Centre and the impact this will have on the delivery of much needed affordable housing and social infrastructure such as schools and medical centres to cater for future resident's needs. The consequences of failing to provide the required levels of social and physical infrastructure in a planned and proactive fashion could result in the creation of many unsustainable and substandard communities which lack the basic social infrastructure required to thrive. Furthermore, the ever-growing affordable housing list will continue to spiral which has a direct impact on families across the Borough.

For the reason set out in these representations, the allocation of land at Fiddlers Ferry is not justified.

- 3 **It is not effective:** The WUPSVLP is not deliverable over the Plan period, which should be lengthened to factor in the inevitable slippage in the adoption date. The Plan identifies very high levels of affordable housing need which cannot be addressed by the 816 dpa overall housing target. It identifies a need for two thirds of its future housing supply to come forward as larger properties, yet its housing allocations are weighted disproportionately towards town centre, high density apartment blocks which cannot physically accommodate the size of properties necessary. The Borough is one of the least affordable in the North West of England, and yet the Council deliberately defers meeting this need until later in the Plan period solely to strengthen its hand at appeals by manipulating its 5YHLS and

considers that this approach will eradicate the affordability issue. The Plan will not effectively address the wider housing crisis facing its residents as a result.

The land identified in the Plan to meet needs beyond the Plan Period is predominantly from an increased proportion of unidentified windfall sites and from strategic allocations delivering dwellings beyond the Plan period. There is no certainty that the unidentified windfall sites will come forward as envisaged and required 'technological advances' to facilitate their delivery and there is considerable concern with regard to the delivery of some of the strategic sites delivering units beyond the Plan Period contrary to the Framework [§143].

- 4 **It is not consistent with National policy:** An expressed intention of the Framework is to boost the supply of housing being delivered in an effort to address the nationwide housing crisis. WBC's recent track record of delivering sustainable development, and specifically the levels of housing so desperately needed, has been abject. WBC's HDT result is the 3rd worst in northern England and one of the top 20 worst performing nationwide. Its solution is not to accelerate housing provision and bring forward a wider range of deliverable greenfield sites that can come forward sooner; instead the Council's plan is to actually make things worse by cutting housing targets and backloading delivery. This 'accounting exercise' will only lead to worsening affordability levels, depress economic growth and result in more residents having to move out of the Borough to meet their housing needs.

In the context of national planning policy [§60-§61] and Government's stated ambitions regarding the levelling up agenda, the Northern Powerhouse aspirations and the need to significantly increase the supply of housing particularly affordable units, there are clear circumstances in Warrington where it is appropriate to consider a significantly higher level of housing provision than the standard method indicates.

The Council seeks to phase the delivery of its housing requirement with a sizeable proportion of the supply being unjustifiably backloaded to the latter period of the plan. This approach conflicts with the objectives of the Framework and Story believes that the approach taken is not sound and will not meet the tests of soundness when the Plan is undergoing Examination in Public.

Story has considerable concerns with the majority of the sites included in the Council's supply, and the Council's assumptions on a large number of sites are flawed and do not meet the tests of deliverable and developable as set out in Annex 2 of the Framework. The supply is significantly less than envisaged by the Council.

The current version of the Warrington Local Plan does not meet the requirements of the Framework [§143] as it does not identify sufficient proportions of land to meet needs post 2038 or identify Safeguarded Land which could act as a failsafe in the event that one of the key strategic allocations does not come forward as envisaged. Despite this Plan undertaking a Green Belt Review, no sites have been identified as Safeguarded Land to meet needs beyond the Plan period.

Recommended Change

4.68

To address the conflict above and ensure the Local Plan is sound, it is requested that the Council:

- 1 Should plan for a **minimum housing requirement of 1,015 dpa**. This is more closely in line with the 945 dpa target that was proposed in the previous March 2019 WLP submission version draft, which addressed prospective economic growth prospects, and will alleviate affordability pressures.

- 2 The Council should, as a minimum, apply an even approach to delivery across the plan period of 816 dpa (although Story considers that this should be higher for the reasons stated), including in the first 5 years. We would also advocate an approach that goes beyond this and instead of pushing need to the end of the Plan period, the buffer should instead be brought forward to ensure that a sufficient supply of land comes forward for development in the early years.
- 3 To accord with the Framework [§59], in the future, a balanced strategy should be adopted, identifying a suitable supply of brownfield and greenfield sites that responds to an evidenced-based assessment regarding the size, type and tenure required. This should ensure that supply included in the Plan is capable of meeting specific needs of housing market areas in the sub-region.
- 4 The only option available to the Council to significantly boost the supply of housing and address the clear shortfall is to identify additional Green Belt land for release for housing.
- 5 Land should be identified now and Safeguarded to meet the needs beyond the Plan period and ensure that the Green Belt boundaries endure beyond the Plan period too. The land to be identified as Safeguarded should be varied in size and be capable of coming forward in the short term should the need arise at any point in the plan period. This would allow any future Local Plan Review to allocate the Safeguarded sites for development and ensure they are capable of delivering units in the first 5 years post adoption of the Review.
- 6 **Story's additional land at Warrington Road, Culcheth (Parcel 2) provides an opportunity for the release and allocation of additional Green Belt land in Culcheth or could alternatively be used to provide Safeguarded Land.**

5.0 Policy DEV2 – Meeting Housing Needs

Introduction

5.1 Policy DEV2 deals with meeting housing needs including affordable housing, housing type and tenure, optional standards, housing for older people, self and custom build, and other needs.

Consideration of Policy

Part 11

5.2 Part 11 of the policy states:

“Residential development should provide a mix of different housing sizes and types and should be informed by the Borough-wide housing mix monitoring target in the table below; the sub-area assessment contained in the Council’s most up to date Local Housing Needs Assessment; and any local target set by a Neighbourhood Plan, taking into account site specific considerations”.

5.3 Table 3 of the Local Plan provides a suggested mix breakdown based on the 2021 Local Housing Needs Assessment [LHNA].

Table 5.1 SVLP 2021 Suggested Housing Mix

	1-bedroom	2-bedrooms	3-bedrooms	4+ bedrooms
Market	5%	30%	50%	15%
Affordable home ownership	20%	40%	30%	10%
Affordable housing (rented)	40%	30%	25%	5%

Source: Table 3 - Warrington Updated Proposed Submission Version Local Plan

5.4 Story considers that the wording of the policy is confusing as it is not clear which assessment would take precedence when considering mix contrary to the Framework [§16(d)]. The supporting text to the policy [§4.1.55] also fails to clarify this matter. It states:

“It should be noted that the breakdown of housing mix identified is a Borough-wide monitoring target. The precise mix should be determined on a site by site basis, taking in account the sub-borough analysis which is contained in the Council’s most up to date Local Housing Needs Assessment. The Council is also aware that Neighbourhood Planning Groups may prepare their own local housing needs assessments to inform the local policies in Neighbourhood Plans.

5.5 We therefore consider that the policy wording should be amended so that the breakdown of mix which needs to be considered is clearer to applicants. Story is also concerned that the policy and supporting text as worded suggest that there is little scope for deviation from the mixes identified. We consider that there should be scope in the policy wording to provide flexibility on mix as this will often be determined by other factors such as local market conditions at the time of an application

Part 13

5.6 Story 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.

- 5.7 Story 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 Practice Guidance⁹ 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.

5.8 With regard these criteria, we firstly note that no need evidence is provided in the SVLP 2021 or the 2021 LHNA to justify the policy requirement.

5.9 With regards to viability, the Viability Assessment [§7.20] states that the NDSS has been applied within the appraisals as the minimum standard. However, it is not clear whether the impact of meeting this standard upon affordability has been considered. The policy approach should recognise that customers have different budgets and aspirations. An inflexible policy approach to NDSS for all new dwellings will impact on affordability and effect customer choice. Well-designed dwellings below NDSS can provide a good, functional home.

5.10 For the above reasons, Story considers that Part 13 of the policy should be deleted.

5.11 If the Council is able to provide sufficient evidence to justify the policy, Story considers that a transitional period should be applied. It is not clear whether a large proportion of new dwellings currently meet the standard, and the cost of such provision may not therefore be factored into current and past land acquisitions. A reasonable transitional period following adoption of a new policy would help enable developers to factor the cost of space standards into future land acquisitions.

Part 14

5.12 Part 14 of the policy states that the Council will require all dwellings to have appropriate outdoor amenity space. Whilst Story supports the provision of outdoor amenity space, the policy provides no clarification on how much space would be required so it is not possible for applicants to determine whether their schemes are policy compliant. Clarification therefore needs to be provided.

Part 15

5.13 Part 15 of the policy states the following:

“The Council will seek that, as a minimum, all homes should be provided to Building Regulation Standard M4(2) ‘Accessible and Adaptable dwellings’”.

5.14 Story recognises the value of providing accessible and adaptable dwellings for those sectors of society which require them. However, the blanket requirement set for these standards is not justified. There is no clear explanation or evidence in the SVLP 2021 or the 2021 LHNA as to why this blanket requirement has been applied and it is not an approach we are seeing in other

⁹ Practice Guidance - ID: 56-020-20150327

North West authorities. No specific figure is provided in the 2021 LHNA as to how many M4(2) dwellings are required and it provides the following broad conclusions¹⁰:

“The forecast changes in the demographic profile indicate a clear need to increase the supply of specialist accommodation and housing to be built to M4(2) and M4(3) housing technical standards”

and

“WBC’s emerging policy position is that all homes should be meet M4(2) standard and 10% of new housing should meet Building Regulation requirement M4(3) Wheelchair user dwellings. This is based on the evidence of need presented in this section, taking viability constraints and the PPG into account”.

5.15 The blanket requirement therefore appears to be policy led rather than informed by evidence.

5.16 Story is also concerned that the LHNA does not fully address the requirements of the Practice Guidance¹¹. For example, no assessment of the accessibility and adaptability of existing stock appears to have been undertaken as required by the Practice Guidance. It could be the case that a significant proportion of the existing stock is capable of helping to meet the identified need which would reduce the need for further provision.

5.17 The evidence does not identify any local circumstances, which demonstrate that the needs of Warrington differ substantially to those across the North West or England. If the Government had intended that evidence of an ageing population alone justified adoption of optional standards, then such standards would have been incorporated as mandatory in the Building Regulations, which is not currently the case.

5.18 The requirement in Part 15 for all homes to meet the optional Building Regulations Requirement M4(2) is therefore completely unjustified and cannot be sought through Part 15 of the policy.

Part 16

Part 16 of the policy states the following:

“The Council will seek that 10% of new housing meets Building Regulation requirement M4(3)‘ Wheelchair user dwellings’ i.e. designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users”.

5.19 Whilst Story generally supports the provision of homes that are suitable to meet the needs of older people and disabled people in principle, we are concerned that the approach to assessing needs for M4(3) dwellings does not align with the Practice Guidance¹².

5.20 For example, the LHNA does not appear to consider the size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes) and appears to focus on meeting this need through standard housing which is likely to artificially inflate requirements for this type of housing.

5.21 Part M of the Building Regulations sets a distinction between ‘wheelchair accessible’ (a home readily useable by a wheelchair user at the point of completion) and ‘wheelchair adaptable’ (a home that can be easily adapted to meet the needs of a household including wheelchair users)

¹⁰ Warrington Local Housing Needs Assessment Update (August 2021) pages 229-230

¹¹ Practice Guidance - ID: 56-007-20150327

¹² Practice Guidance - ID: 56-007-20150327

dwellings. The Practice Guidance¹³ states that policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. Part 16 of the policy does not identify this distinction and as drafted suggest that 10% 'wheelchair accessible' dwellings may be required which could result in 'wheelchair accessible' dwellings being sought when they are not actually required.

5.22 For the above reasons, we consider that the percentage provision for M4(3) housing has not been fully justified and cannot be sought through Part 16 of the policy.

5.23 Story considers that the most effective way to provide sufficient housing to meet M4(3) category requirements in the correct locations would be to increase the proportion of this type of accommodation in specialist housing for older people. This could involve the allocation of specific sites to help meet this need. We recognise that not all wheelchair housing will be provided through such specialist housing and consider that any requirements for M4(3) dwellings on market housing sites could be based on assessments of local need at the time of a planning application.

Part 18

5.24 Part 18 of the policy states:

"In residential development of 10 dwellings or more housing for older people should be provided".

5.25 The explanatory text to the policy [§4.1.63] states that:

"Specialist homes for elderly people range from sheltered accommodation, residential care homes to extra care or adaptable homes depending on the nature of the site and proposals and demand in the local area. For residential care homes a minimum of 80-120 bedroom spaces would be needed to reach the necessary critical mass to run a 24/7 operation. For sheltered housing a smaller number of approximately 30 units (or fewer) is acceptable. Demand for smaller units has been highlighted by colleagues and partners in adult social care".

5.26 The land take for such uses could therefore have a significant impact upon the development potential of sites for general market housing and upon development viability. The Framework [§34] is clear that such policies should not undermine the deliverability of the plan. It is also unclear whether the impact of this requirement upon site viability has been factored into the Council's Viability Assessment.

5.27 Story considers that this requirement is not justified and that this need would be better met through the allocation of specific sites which specifically provide for the types of accommodation identified.

Tests of Soundness

5.28 Story 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.

The Local Plan evidence base does not support Parts 15 and 16 of the policy which set a blanket requirement for M4(2) accessible and adaptable dwellings and a 10% requirement

¹³ Practice Guidance - ID: 56-009-20150327

for M4(3) dwellings. The requirement in Part 18 to provide housing for older people in residential development of 10 dwellings is not justified either.

- 2 **It is not consistent with national policy:** The provision of housing for older people could have a significant impact upon the development potential of sites for general market housing and it is unclear whether the impact of this requirement upon site viability has been factored into the Council's Viability Assessment and assessed on a cumulative basis alongside other policy requirements, contrary to the Framework [§58].
- 3 **It is not effective:** The wording of Part 11 of the policy is confusing as it is not clear which assessment would take precedence when considering mix.

Part 14 provides no clarification on how much outdoor space would be required so it is not possible for applicants to determine whether their schemes are policy compliant.

Recommended Changes

5.29

In order to help ensure the policy is sound it is considered that:

- 1 The wording of Part 11 should be amended so that the breakdown of mix which needs to be considered is clear to applicants. There should also be scope in the wording of Part 11 to provide flexibility on mix as this will often be determined by other actors such as local market conditions at the time of an application.
- 2 Part 13 of the policy should be deleted unless the Council can provide suitable evidence to justify this requirement.
- 3 Clarification therefore needs to be provided in Part 14 on the outdoor amenity space standards sought.
- 4 Part 15 of the policy should be deleted unless the Council can provide suitable further evidence to justify this requirement. Transparent evidence should also be provided to fully explain how any requirement identified has been derived.
- 5 Part 16 of the policy should be deleted unless the Council can provide suitable further evidence to justify this requirement.
- 6 Part 18 should be deleted and land should be allocated that specifically provides for the types of accommodation identified.

6.0 **Policy GB1 – Green Belt**

Introduction

- 6.1 Policy GB1 identifies the areas of land which are proposed for removal from the Green Belt in the Local Plan. The Policy and draft Proposals Map shows Story’s site at Warrington Road, Culcheth as land removed from the Green Belt and allocated for the development of new homes under policy OS2.

Consideration of Policy

Exceptional Circumstances

- 6.2 The WUPSVLP 2021 [§3.4.1 to §3.4.16] sets out the exceptional circumstances sought by the Framework [§140] to justify the release of Green Belt land. This includes a demonstration of the exceptional circumstances for each area, including the outlying settlements, the purpose of which is to increase housing choice and support the vitality and viability of local services.
- 6.3 The Council is considered to have examined that all other reasonable options for meeting its identified need for development and that there is not enough brownfield land to meet its needs and meet the requirements of the Duty to Cooperate. Green Belt release in order to promote sustainable patterns of development is the only option available to the Council.
- 6.4 Story Homes agrees that an exceptional circumstances case has been demonstrated for the release of Green Belt land around the outlying settlements, including Culcheth.

Land at Warrington Road, Culcheth

- 6.5 Story fully supports the removal of the site at Warrington Road, Culcheth from the Green Belt as proposed in Policy GB1 and on the Proposals Map. The land to be released is identified in the 2016 Green Belt Assessment as making a ‘weak’ contribution to the Green Belt purposes. Story Homes agrees with this assessment. Only three parcels around Culcheth fall within this ‘weak’ category’ with the remaining 12 being assessed as ‘strong’.
- 6.6 The ‘Green Belt Site Selection Implications of Green Belt Release’¹⁴ concludes that:
- “The site currently makes a weak contribution to Green Belt purposes. Whilst development of the site would entail a small incursion into undeveloped countryside, the removal of the site from the Green Belt alongside the adjacent site (SHLAA Ref: 3337 / Site Ref: R18/P2/064) will not harm the overall function and integrity of the Green Belt around Culcheth. A new recognisable and permanent Green Belt boundary would be created by strengthening the existing boundaries”.*
- 6.7 Given this ‘weak’ Green Belt contribution and the strong sustainability credentials of the site, land at Warrington Road, Culcheth is appropriate for removal from the Green Belt and is fully supported by Story as an allocation for new homes.

¹⁴ Green Belt Site Selection Implications of Green Belt Release (August 2021)

7.0 **Policy INF1 – Sustainable Travel and Transport**

Introduction

- 7.1 Policy INF1 seeks to deliver the Council objectives of improving the safety and efficiency of the transport network, tackling congestion and improving air quality, promoting sustainable transport options, reducing the need to travel by private car and encouraging healthy lifestyles.

Consideration of Policy

- 7.2 Part 1(j) of the policy states that the Council will expect development to consider how it can be futureproofed, through the provision of measures to support new and emerging technologies, such as Autonomous Vehicles.
- 7.3 Whilst Story recognises the potential benefits of futureproofing development, there can be no guarantee that some forms of new and emerging technology will ever reach the mass market. It is therefore difficult to foresee which forms of technology will need to be supported through development at the current time. In any event, it is likely that technology such as autonomous vehicles will be designed to adapt with existing development, and futureproofing may not therefore be required to accommodate it.

Tests of Soundness

- 7.4 Story is concerned that Policy INF1 would not meet the tests of soundness because:
- 1 **It is not justified:** Story considers that it will not be possible to futureproof development as suggested as it is not possible to foresee what forms of new and emerging technology will ever reach the mass market

Recommended Change

- 7.5 In order to ensure that Policy INF1 is sound, it is considered that Part (j) of the policy should be deleted.

8.0 **Policy INF5 – Delivering Infrastructure**

Introduction

8.1 Policy INF5 requires development to provide or contribute towards the provision of the infrastructure needed to support it.

Consideration of Policy

8.2 Part 6 of the Policy states that:

The Council will only consider the viability of development proposals at the planning applications stage where:

a. required planning obligations are in addition to those considered as part of the Local Plan's viability appraisal; or

b. where there are exceptional site specific viability issues not considered as part of the Local Plan's viability appraisal; or

c. where it can be clearly demonstrated, through a robust site-specific Financial Viability Assessment, that development would not be financially viable if full planning obligations were sought.

In these cases, applicants should provide viability evidence through an 'open book' approach to allow for the proper review of evidence submitted and for reasons of transparency. The Council will then be able to balance the benefits of the proposals against any harm arising from not securing the full planning obligation requirements.

8.3 Story welcomes the proposed mechanism for the consideration of viability at the planning application stage as this will allow any unexpected costs and viability issues to be appropriately addressed.

8.4 We note that a breakdown of s106 contributions for Policy OS2 allocation at Culcheth has been provided in Appendix 13 of the Viability Assessment by category (Primary School, Secondary School, Health etc.). However, whilst this information is welcomed, Story considers that the Council's evidence also needs to include details of how the Policy requirements for the allocation have been derived.

8.5 In this regard, Story notes that there is a lack of transparency in the Infrastructure Delivery Plan [IDP] on this matter. There is no specific breakdown in the IDP of the projects to which the contributions sought by Policy OS2 would contribute so it is not clear whether they are justified.

Tests of Soundness

8.6 Story is concerned that Policy INF5 would not meet the tests of soundness because:

- 1 **It is not justified:** The information provided by the Council does not demonstrate in a transparent way how the contributions sought by Policy OS2 have been derived and what projects they would contribute to.

Recommended Change

8.7 The IDP needs to be reviewed to ensure that the detail of all of the required infrastructure contributions is dealt with on an item by item basis to provide sufficient detail of all of the likely infrastructure contributions required.

- 8.8 This will help to avoid the need for the submission of further viability evidence to be provided at the planning application stage.

9.0 **Policy ENV7 – Renewable and Low Carbon Energy Development**

Introduction

- 9.1 Policy ENV7 sets out the approach and guidance on how development should respond to energy issues across the Borough.

Consideration of Policy

- 9.2 Part 5 of Policy ENV 7 states the following:

“In the strategic housing and employment allocations as defined in Policies MD1 to MD4 and OS1 to OS9 and identified on the Key Diagram/Polices Map the Council will seek to reduce carbon emissions and maximise opportunities for the use of decentralised energy systems that would use or generate renewable or other forms of low carbon energy. In these locations all development will be required to establish, or connect to an existing, decentralised energy network unless this is shown not to be feasible or viable, in which case development will be required to:

a. make provision to enable future connectivity in terms of site layout, heating design and site-wide infrastructure design; and

b. to ensure that at least 10% of their energy needs can be met from renewable and/or other low carbon energy source(s); or

c. to reduce their carbon emissions by at least 10% when measured against the Building Regulation (Part L) requirements at the time that the application is submitted”.

- 9.3 The provision of such networks on medium scale sites is not likely to be practical given size constraints and the viability implications of such provision. At present, the predominant technology for district-sized communal heating networks is gas combined heat and power (CHP). Meeting the Government’s climate target of reducing greenhouse gas emissions to net zero will require a transition from gas-fired networks to renewable or low carbon alternatives such as large heat pumps, hydrogen or waste-heat recovery but at the moment one of the major reasons why heat network projects do not install such technologies is because of the up-front capital cost. For the foreseeable future, it will remain uneconomic for most heat networks to install low-carbon technologies.

- 9.4 The reliance on connection to off-site sources in Part (a) of the policy is also not practical as this may require connections through land outside of the ownership of the applicant and over which they have no control.

- 9.5 Story is also concerned that the cost of providing decentralised energy systems has not been adequately considered in the Viability Assessment and the implications of its provision cannot therefore be properly assessed. The Viability Assessment¹⁵ suggests that the cost assumption made (6% of base build cost) may not be sufficient:

¹⁵ Local Plan Viability Assessment (August 2021) §7.246

“Furthermore, it is acknowledged that there is little publicly available evidence of the costs for establishing, or connecting to an existing, decentralised energy network as we understand that this is an emerging policy requirement in both Warrington and across the North West. Therefore, if the cost assumption proves to be insufficient in reality, it is important that other policy requirements are able to flex to offset any higher developer contributions required to comply with this requirement”.

9.6 Story also notes that no clear justification or evidence is provided for the 10% renewable or low carbon sources requirement or 10% carbon reduction in Parts (b) and (c) of the policy. It appears that the Council has selected an arbitrary figure for this requirement which is based on policy aspiration only and is not supported by any evidence.

9.7 In addition, the Government has confirmed that the new Part L standards will be introduced through Building Regulations from June 2022 and the Future Homes Standard is due to come into force in 2025 which will affect development over the plan period. Story considers that the Local Plan should comply with the Government’s intention of achieving net zero carbon development through the Building Regulations. The proposed policy approach is unnecessary because of the higher levels of energy efficiency standards for new homes proposed in the 2022 Part L uplift and the Future Homes Standard 2025. The appropriate costs should be applied in the viability assessment to account for the provision of these standards. This does not appear to be the case at present as a figure of £2,250 per unit has been applied to meet the standards in parts (b) and (c) of the policy but the Viability Assessment [§7.237] suggests that the average additional cost to meet Part L would be £4,847 per plot.

9.8 Further detail on this matter is provided in the Viability Technical Note included at Appendix 4 of the Issues Report which accompanies these representations. For the reasons identified, it is considered that the energy requirement policy costs, assuming the minimum required level of compliance, should be increased to allow for 10% renewable/low carbon energy sources and Part L regulation compliance.

Tests of Soundness

9.9 Story Homes is concerned that Policy ENV7 would fail the tests of soundness because:

- 1 **It is not justified:** From the Local Plan Viability Assessment, the costs of providing such infrastructure do not appear to have been adequately considered. The policy does not align with the Government’s intention of achieving net zero carbon development through the Building Regulations.
- 2 **It is not Effective:** The delivery of decentralised energy systems is not likely to be practical in most instances and it would currently be uneconomic for most heat networks to install low-carbon technologies.

Recommended Change

9.10 It is considered that Part 5 of Policy ENV7 should be deleted and the Local Plan should comply with the Government’s intention of achieving net zero carbon development through the Building Regulations.

10.0 **Policy ENV8 – Environmental and Amenity Protection**

Introduction

- 10.1 Part 4 of Policy ENV 8 states that the main allocations (Policies MD1 to MD6) and the smaller settlement allocations, which line the M62 corridor (Policies OS1, OS2 and OS6) and all other new development that exceeds the thresholds for requiring a Transport Assessment, as specified in the Council’s Transport SPD, will be required to consider air quality impacts on the Manchester Mosses Special Area of Conservation (SAC). Any proposals that would result in increased traffic flows on the M62 past the Manchester Mosses SAC of more than 100 vehicles per day or 20 Heavy Goods Vehicles (HGVs) per day must devise a scheme-specific range of measures to reduce reliance on cars, reduce trip generation and promote ultra-low emission vehicles.

Consideration of Policy

- 10.2 Story objects to this requirement as there is no clear justification for the vehicle and HGV thresholds identified and they appear to be arbitrary figures. In this regard, we note that in the SVLP 2019, the thresholds were 1,000 vehicles and 200 HGVs and the WUPSVLP 2021 provides no explanation as to why the figure has been dramatically reduced in the latest version of the policy.

Tests of Soundness

- 10.3 As currently worded Story is concerned that Policy ENV8 is at risk of failing the tests of soundness for the following reasons:
- 1 **It is not justified:** There is no clear justification for the vehicle and HGV thresholds identified and they appear to be arbitrary figures which have reduced dramatically since the previous iteration of the SVLP.

Recommended Change

- 10.4 In order for the policy to be found sound at examination Story considers that the following matters need to be addressed:
- 1 Part 4 of the policy should be deleted.

11.0 **Policy OS2 – Culcheth**

Introduction

- 11.1 Policy OS2 proposes to remove land to the east of Culcheth from the Green Belt and allocates the land for a minimum of 200 homes. A plan showing the part of the allocation being promoted by Story is attached at Appendix 1. This land is identified as Parcel 1. A masterplan demonstrating how development could be delivered on Story’s land is attached at Appendix 2. Story fully supports the allocation of the site but we have some concerns with the wording of Policy OS2 as detailed below.

Deliverability

- 11.2 The land being promoted by Story is within single ownership and Story have an agreement with the landowner to bring forward the site for residential development. There are therefore no legal or ownership constraints to the delivery of housing on the site. The site is available for the delivery of housing now, it offers a suitable location for housing and Story Homes is committed to progressing a scheme as soon as the site is allocated. The site is therefore fully deliverable.
- 11.3 As noted below, the site allocation boundary shown on the draft Proposals Map and Figure 23 in the Local Plan includes a rectangular piece of land to the north of the land being promoted by Story. This land is being promoted by other parties. Story considers that the inclusion of this land within the allocation boundary to be appropriate as it will allow the development potential of land to be released from the Green Belt to be maximised. The masterplan attached at Appendix 4 demonstrates that all of the allocation can be delivered as a comprehensive scheme.
- 11.4 An assessment of the environmental and technical constraints on the site has identified that there are no overriding constraints that would prevent it from coming forward for housing development. A detailed appraisal of the highway network and access constraints and opportunities has been undertaken by Croft Transport Solutions. Vehicular access to the Site can be achieved both off Warrington Road and from Holcroft Lane. It is proposed to serve the Site through a primary and secondary access solution. There are no particular capacity constraints to the local highway network which would provide an issue for this additional traffic generation and this will be demonstrated in detail within a Transport Assessment that would accompany any formal detailed application for this Site. There will be no negative highways impacts in relation to the operation of the schools to the north.
- 11.5 Consultation has taken place with HSE with regard to the high pressure gas pipeline which runs through the site in a north to south direction. The pipeline has been heavy brick walled previously by National Grid which minimises the need for the significant consultation zones as depicted on the Council’s policies map. An illustrative masterplan has been prepared by Story which shows the inner/middle consultation zones for the pipeline unpopulated with housing and used as a public footpath/green corridor. Based on this masterplan a formal response from HSE on this matter states that it “would not advise, on safety grounds against the granting of planning permission for the proposed development”. A copy of the HSE response and the associated masterplan are attached at Appendix 3.
- 11.6 The site lies in a highly sustainable location with access to a range of shops, services and facilities within walking distance. Culcheth is served by a wide range of facilities including Culcheth Community Primary School, and Culcheth High School which are located on the opposite side of Warrington Road. These schools are supported by associated community facilities including a leisure centre, children’s dentist and a day nursery. The village centre of

Culcheth provides a range of additional facilities including a Sainsbury's foodstore, post office, GP surgery, pharmacy and public house.

- 11.7 The site is also well served by public transport. Bus stops are located on Warrington Road along the northern boundary with several other bus stops within walking distance. These stops are served by 30 minute services to central Warrington, along with services to other destinations including Leigh and Birchwood where major employment opportunities are available.
- 11.8 The future development of the site will have positive economic, social and environmental benefits and therefore constitutes sustainable development in accordance with the Framework [§8]. The development of the site will bring a number of economic benefits including: additional Council Tax revenues and direct and indirect/induced job creation. Benefits from the construction of the site include the creation of jobs for the local economy where possible and the use of local construction firms and suppliers. Additional residents will also generate more spending power in the local area to enhance the vitality of Culcheth.
- 11.9 The development will also bring a number of social benefits. New homes will meet local needs and attract and welcome new families to the area and affordable housing to meet the identified needs of local residents. Public open space and recreation space would be available for use by both existing and future residents.
- 11.10 The site also offers a number of environmental benefits including access to public transport facilities and existing shops, services and facilities within walking distance of the site; pedestrian and cycle routes; new green infrastructure including green corridors and open space; and, a design which is informed by the existing landscape and incorporates and protects existing features.
- 11.11 In addition to the above community benefits, through local engagement with the Culcheth Community Primary School, Story Homes are also proposing to:
- Provide a new pedestrian crossing on Warrington Road. This will improve pedestrian access and also slow traffic on Warrington Road.
 - Improve the pickup and drop-off process surrounding the nearby educational facilities and the bus lay-bys to improve traffic flows at peak periods. We would welcome a meeting with the Council highways and education departments to establish how these improvements can be brought forward
 - In addition to a network of green infrastructure throughout the Site, Story Homes are also proposing to provide a network of public footpaths across the Site that utilise the recreational value of the new green spaces.
 - Explore with the Council how anti-social behaviour in the unlit play area/skate park to the west of the site can be discouraged and potentially how equipment/facilities can be improved.
- 11.12 The allocation of the site is supported by the evidence in the Development Options and Site Assessment Technical Report¹⁶ which states:

¹⁶ Development Options and Site Assessment Technical Report (September 2021) Appendix 3

“The site is adjacent to the settlement of Culcheth being located to the east of the settlement on Warrington Road. The site is considered to be in a sustainable location and is free from ownership issues, having been promoted by the site owner. There are no known abnormal development costs and the site is in a location of moderate viability. An appropriate vehicular access to Warrington Road (A574) can be achievable within the site edged red with the opportunity to moderate vehicle speeds along Warrington Road and a pedestrian footway could be provided along the site frontage to link into the existing footway network, to improve pedestrian linkage to the local centre. As such, the site would be in accordance with the objectives set out in the draft Warrington Local Plan including objective W1 to strengthen existing neighbourhoods, W2 to facilitate the sensitive release of Green Belt, W4 to promote sustainable modes of transport, and W6 to minimise the impact of development on the environment. It is recommended that the site is brought forward in conjunction with Site Ref: R18/P2/064 and a durable Green Belt boundary would need to be created”.

- 11.13 On this basis, the Development Options and Site Assessment Technical Report concludes that the site should be selected as an allocation for new homes.
- 11.14 In addition to supporting the proposed allocation at Culcheth, Story Homes would also like to submit additional land which is identified as Parcel 2 on the location plan at Appendix 1. This land is within the same ownership and is also considered to be fully deliverable as it is available now, offers a suitable location for development now, and is achievable. Parcel 2 measures approximately 4.45ha and has the potential to accommodate approximately 300 dwellings in conjunction with Parcel 1.
- 11.15 As illustrated in the Vision Document submitted alongside these representations, this land could be delivered as part of a comprehensive development with the proposed allocation. Further detail on Parcel 2 is provided in the Vision Document for the site. An alternative masterplan showing how the comprehensive development could be delivered is attached at Appendix 4.
- 11.16 Story wishes to make clear that this representation deals principally with the land edged red on the plan at Appendix 1 (Parcel 1). It is therefore requested that the Council considers the sites independently. However, if a need for further land for development around Culcheth was identified for any reason, it is considered that Parcel 2 would also be suitable for allocation or Safeguarded Land.

Proposals Map

- 11.17 The site allocation boundary shown on the draft Proposals Map and Figure 23 in the WUPSVLP 2021 includes a rectangular piece of land to the north of the land being promoted by Story. Story considers the inclusion of this land within the allocation boundary to be appropriate as it will allow the development potential of land to be released from the Green Belt to be maximised. This part of the allocation will be served via an existing access onto Holcroft Lane. The masterplan attached at Appendix 4 demonstrates that all of the allocation can be delivered as a comprehensive scheme.

Green Belt Boundary

- 11.18 Story fully supports the removal of the site at Warrington Road, Culcheth from the Green Belt as proposed in Policy GB1 and on the Proposals Map. The land to be released is identified in the 2016 Green Belt Assessment as making a ‘weak’ contribution to the Green Belt purposes. Story Homes agrees with this assessment.

- 11.19 The ‘Green Belt Site Selection Implications of Green Belt Release’¹⁷ concludes that:
- “The site currently makes a weak contribution to Green Belt purposes. Whilst development of the site would entail a small incursion into undeveloped countryside, the removal of the site from the Green Belt alongside the adjacent site (SHLAA Ref: 3337 / Site Ref: R18/P2/064) will not harm the overall function and integrity of the Green Belt around Culcheth. A new recognisable and permanent Green Belt boundary would be created by strengthening the existing boundaries”.*
- 11.20 The masterplan attached at Appendix 2 illustrates how a recognisable and permanent Green Belt boundary would be created by strengthening the existing boundaries.
- 11.21 With regard to the proposed Green Belt boundary, paragraph 10.7.7 of the Local Plan states the following:
- “It should be noted that the Green Belt boundary has been amended in this location to allow for the site allocation and also to address any anomalies that the site allocation would otherwise create. In this instance the Green Belt boundary has been amended so that two residential properties on the corner of Holcroft Lane / Warrington Road (Lion’s Den and Little Lions Cottage) are also removed from the Green Belt. The exceptional circumstances for this change are those put forward in respect of the allocated site and the purpose of this further amendment is to secure a defensible boundary for the settlement of Culcheth”.*
- 11.22 The proposed amendments to the Green Belt boundary in this location are supported by Story and will result in a logical and defensible boundary.
- 11.23 Notwithstanding our comments above, we also consider that an alternative firm and defensible boundary could be created if the Parcel 2 land we have also suggested for allocation was removed from the Green Belt and allocated. This is illustrated on the alternative Masterplan attached at Appendix 4.

Consideration of Policy

- 11.24 Story is committed to working within the Council in a proactive manner in order to bring forward the allocation which is fully supported. However, Story is concerned that elements of the proposed wording of Policy OS2 do not satisfy the soundness tests set out in the Framework and as such the policy may not be found sound at examination. Our response on these matters is set out detail below.

New Homes

- 11.25 Part 3 of the policy seeks the provision of a minimum of 30% of homes to be affordable in accordance with Policy DEV2. Story supports the provision of 30% affordable housing on the site.
- 11.26 Part 4 of the policy requires specific provision to be made for self- build/custom build plots, subject to local demand as demonstrated by the Council’s self-build register. Whilst it is accepted that new development should contribute to achieving an appropriate mix of housing, no evidence has been provided by the Council to demonstrate how the cost of providing self-build plots has been taken into consideration. The Framework states that all viability assessments including any undertaken at the plan making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available. We can find no evidence in the Viability Assessment that this

¹⁷ Green Belt Site Selection Implications of Green Belt Release (August 2021)

cost has been taken into consideration. In the absence of this viability evidence, the Local Plan fails to demonstrate the impact this requirement would have upon the deliverability and developability of sites for market housing.

- 11.27 The Council has a legal obligation to grant sufficient planning permissions to meet the demand for self-build and custom housebuilding. It is considered that the Policy approach would not be effective, as it would provide no guarantee that the Council's obligation to ensure that sufficient self and custom build plots are provided to meet demand, would be achieved. As it is not known what level of provision for such plots could be achieved on schemes by market housing developers, across the borough, the Council cannot rely on these sites as the source of supply to meet this demand. The Council should therefore identify an alternative mechanism to ensure that this demand can be met. Story Homes considers that the only way this can be achieved is through the Council identifying standalone sites which are specifically allocated to meet this demand.
- 11.28 Providing self or custom build on market housing sites will also create issues with the apportionment of planning obligations between the 'market' housing area and self-build plots. It may also be the case that those undertaking custom builds do not wish to accommodate a plot on a 'market' housing site as this may limit the potential for customisation if schemes need to reflect the character of the surrounding development.
- 11.29 Story also notes that the Council's commitment to delivering of self build plots is set out in policy DEV2 so there would still be a mechanism for the Council to secure plots within the local authority area if this requirement is removed from Policy OS2.
- 11.30 Part 5 states that to reflect the site's urban fringe location adjacent to the open countryside the development will be constructed to an average minimum density of 30dph. Story considers that flexibility should be provided in the policy to deliver increased minimum densities in appropriate areas of the site such as the central area. Otherwise, the policy could result in the inefficient use of land by unnecessarily applying lower density requirements where higher density development would be appropriate. This approach would fail to align with the objectives of the Framework [§124] which seeks to promote the efficient use of land with development at high densities where appropriate.

Community Facilities

- 11.31 Part 7 of the policy states that development will be required to make a contribution towards the provision of additional primary care capacity. However, there is no clarification in the policy or the explanatory text as to why such a contribution is required and no evidence is presented to justify it. In addition, it is not clear whether the contribution sought would be financial or involve the provision of facilities on site.
- 11.32 It is considered that this element of the policy would not satisfy the requirements of the Community Infrastructure Levy [CIL] Regulations 2010 (as amended)¹⁸ and the Framework¹⁹ which require planning obligations to meet all of the following statutory tests:
- 1 Necessary to make the development acceptable in planning terms – the wording of the policy and explanatory text do not explain why this is necessary to make development acceptable;
 - 2 Directly related to the development – the wording of the policy and explanatory text do not explain how it would be directly related to the development; and,

¹⁸ Community Infrastructure Levy [CIL] Regulations 2010 (as amended), Regulation 122(2)

¹⁹ National Planning Policy Framework [§57]

- 3 Fairly and reasonably related in scale and kind to the development – the wording of the policy and explanatory text do not explain how this requirement would be fairly and reasonably related in scale and kind to development.

11.33 The Framework and CIL Regulations are clear that all three tests have to be met. For the reasons set out above it is considered that the policy as currently worded would fail all of the tests when applied.

Open Space and Recreation

11.34 Parts 8 and 9 of the policy state:

“8. The development will be required to provide a minimum level of open space in line with the Council’s open space standards in accordance with Policy DC5.

9. Proposals will be required to make a contribution to expanding and enhancing existing or planned built leisure facilities and playing pitch provision that will serve residents of the development”.

11.35 Whilst Story recognises the importance of providing open space within new development, any requirement needs to be CIL compliant, in particular that it is necessary to make the development acceptable in planning terms. The need for these facilities therefore needs to be demonstrated through the appropriate evidence including an assessment of existing provision. On this basis, we consider that the following text should be added to the end of Parts 8 and 9:

“...where assessment of existing provision demonstrates that existing facilities have insufficient capacity to serve the increase in population arising from the development”.

Natural Environment

11.36 Part 11 of the policy requires that a scheme for measurable biodiversity net gain should be demonstrated through the use of the Defra Metric and provided for all development parcels that come forward for planning approval.

11.37 Story recognises the benefits of pursuing opportunities for net gains in biodiversity; however, the Framework does not set out a blanket requirement for all development proposals to achieve this aim. The Framework [§179] states the following with regards to the role of development proposals in delivering net gains for biodiversity:

“promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”

11.38 The Framework [§180] advises local planning authorities to adhere to the following principle when determining planning applications:

“development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”

11.39 Story acknowledges that the Government will mandate biodiversity net gain soon and is factoring in the additional obligations. However, whilst legislation on this matter has recently received Royal Assent, it is understood that there will be a transitional period before the provisions of biodiversity net gain come into effect. Therefore, whilst Story agrees with

conserving biodiversity and geodiversity across Warrington, we do not consider the requirement to deliver net gains across all developments to be consistent with national policy at present.

Green Belt

- 11.40 Part 13 requires a scheme of compensatory improvements to the environmental quality and accessibility of land remaining in the Green Belt to be provided. Financial contributions will be considered where this would help to ensure that the benefits of compensatory improvements can be maximised by providing them in the most appropriate location.
- 11.41 This approach accords with the Framework [§142] and the option of providing financial contributions is supported.

Transport and Accessibility

- 11.42 Part 15 of the policy states that the development will be required to make a contribution towards the delivery of sustainable transport modes. However, no explanation is provided in the policy as to what these sustainable transport modes are and why this contribution is necessary to make the development acceptable. Story notes that the site is well served by existing bus services which provide access to Warrington town centre and local employment opportunities as Birchwood. It is also located within walking distance of a range of shops, services and facilities in Culcheth, as well as well as Culcheth Community Primary School and Culcheth High School on the opposite side of Warrington Road, and will encourage walking and cycling through the provision of pedestrian and cycle routes. In the absence of any evidence to justify this contribution Story is concerned that Part 15 of the policy would not be found sound.

Utilities and Environmental Protection

- 11.43 Part 17 of the policy requires development to be designed to mitigate the impacts of climate change; be as energy efficient as possible and seek to meet a proportion of its energy needs from renewable or low carbon sources in accordance with Policy ENV7. For the reasons set out in our response to Policy ENV7 we object to Part 17 of the policy and consider that it should be deleted.
- 11.44 Part 19 of the policy requires development to mitigate air quality impacts on the Manchester Mosses SAC in accordance with Policy ENV8 (Part 4). Part 4 of Policy ENV8 states that any proposals that would result in increased traffic flows on the M62 past the Manchester Mosses SAC of more than 100 vehicles per day or 20 Heavy Goods Vehicles (HGVs) per day must devise a scheme-specific range of measures to reduce reliance on cars, reduce trip generation and promote ultra-low emission vehicles.
- 11.45 Story objects to this requirement as there is no clear justification for the vehicle and HGV thresholds identified and they appear to be arbitrary figures. In this regard, we note that in the SVLP 2019, the thresholds were 1,000 vehicles and 200 HGVs and the WUPSVLP 2021 provides no explanation as to why the figure has been dramatically reduced in the latest version of the policy.

Tests of Soundness

- 11.46 As currently worded Story Homes is concerned that Policy OS2 is at risk of failing the tests of soundness for the following reasons:
- 1 **It is not justified:** It is not clear from the Local Plan Viability Assessment how the cost of providing self-build plots required in Part 4 has been taken into consideration.
There is no clarification in the policy or the explanatory text as to why a contribution towards primary care is required in Part 7 and no evidence is presented to justify it.

The need for open space and recreation facilities sought in Parts 8 and 9 needs to be demonstrated through the appropriate evidence including an assessment of existing provision.

No explanation is provided as to why a contribution towards the delivery of sustainable transport modes is required in Part 15.

For the reasons set out in our response to Policy ENV7 we object to Part 17 of the policy.

For Part 19, there is no clear justification for the vehicle and HGV thresholds identified and they appear to be arbitrary figures which have reduced dramatically since the previous iteration of the Local Plan.

- 2 **It is not effective:** The Council has a legal obligation to grant sufficient planning permissions to meet the demand for self-build and custom housebuilding. It is considered that the Policy approach in Part 4 would not be effective, as it would provide no guarantee that the Council's obligation to ensure that sufficient self and custom build plots are provided to meet demand, would be achieved. As it is not known what level of provision for such plots could be achieved on schemes by market housing developers, across the borough, the Council cannot rely on these sites as the source of supply to meet this demand. Providing self or custom build on market housing sites will also create issues with the apportionment of planning obligations between the 'market' housing area and self-build plots. It may also be the case that those undertaking custom builds do not wish to accommodate a plot on a 'market' housing site as this may limit the potential for customisation if schemes need to reflect the character of the surrounding development.
- 3 **It is not consistent with national policy:** Part 5 of the policy could result in the inefficient use of land by unnecessarily applying lower density requirements where higher density development would be appropriate. This approach would fail to align with the objectives of the Framework [§124] which seeks to promote the efficient use of land with development at high densities where appropriate.

We do not consider the requirement in Part 11 to deliver net gains across all developments to be consistent with national policy at present as it is understood that there will be a transitional period before the provisions of biodiversity net gain come into effect.

Recommended Change

11.47

In order for the policy to be found sound at examination Story considers that the following matters need to be addressed:

- 1 The requirement in Part 4 for provision to be made for self-build/custom build plots should be deleted from the policy.
- 2 Part 5 of the policy should be re-worded so that provision is made to deliver increased minimum densities in appropriate areas of the site (e.g. in the central area).
- 3 Clarification in the policy or the explanatory text is required as to why a contribution towards primary care is required and the relevant evidence presented to justify it. If this evidence cannot be provided Part 7 of the Policy should be deleted.
- 4 the following text should be added to the end of Parts 8 and 9:
"...where assessment of existing provision demonstrates that existing facilities have insufficient capacity to serve the increase in population arising from the development".
- 5 Evidence of need for a contribution towards the delivery of sustainable transport modes should be provided.

- 6 Part 17 of the policy should be deleted.
- 7 Part 19 of the policy should be deleted unless the Council can provide sufficient evidence to demonstrate how this requirement has been derived and why it is justified.

12.0 **Policy MD3 – Fiddlers Ferry**

Introduction

- 12.1 Policy MD3 allocates land at the former Fiddlers Ferry Power Station site to deliver a mixed-use development comprising approximately 101ha of employment land and a minimum of 1,760 new homes, of which 1,310 homes will be delivered in the plan period.

Consideration of Policy

- 12.2 Story strongly objects to the allocation of the Fiddlers Ferry site as it is considered that insufficient evidence has been provided to justify the allocation of the site and it will not deliver as anticipated.
- 12.3 The Issues Report which accompanies these representations covers this matter in detail and should be read in full. We have provided a summary of the key issues below.
- 12.4 Story does not consider that the Fiddlers Ferry site will deliver as anticipated in the WUPSVLP 2021. We also have concerns with the loss of Green Belt land in this location and the lack of evidence to justify that this is the most appropriate site for Green Belt release. It is not clear why the Green Belt element of this site is required to come forward.
- 12.5 We consider on the basis of the evidence available that the Council has not met its duty to cooperate which is in conflict with the relevant provisions of Section 20 of the Planning and Compulsory Purchase Act 2004.
- 12.6 The SEA assesses the site to be deficient in a number of regards and we consider that these deficiencies have not been properly considered and the negative effects will be greater than assessed. This is likely due to the fact that the site has only recently closed and been introduced as an allocation at this late stage and insufficient time has been available to compile all of the relevant evidence and fully consider the effects of the site. We do not consider that the site performs as strongly as has been assessed in the SA and there are a number of issues which raise questions over its suitability for allocation, in particular with regard to accessibility which is poor and given the size of the site is likely to result in significant use of the private car, leading to congestion and air quality concerns.
- 12.7 The Consortium is also concerned that the biodiversity effects have not been properly assessed and may be worse. It is not clear how the Council can make assumptions on the significant impacts on biodiversity as it has not been confirmed at this stage what mitigation is to be provided.
- 12.8 As a more general point, it is not clear how the Council can make assumptions on the significant impacts on the environment when it is not clear at this stage how the site is to be remediated and what mitigation is required.
- 12.9 The assessment of the site is therefore considered to be deficient in a number of ways.
- 12.10 There is no certainty locally, as well as strategically, that the traffic likely to be generated by a redeveloped Fiddlers Ferry site can be suitably mitigated on the local and strategic road network. It is Eddisons view that in the context of the Framework [para 35] as the evidence supporting the Fiddlers Ferry site is not positively prepared, it is not justified as there is a lack of evidence provided in relation the mitigation of the impacts. It is not consistent with national policy as it fails to meet the requirements of para 104 [NPPF].
- 12.11 Due to the current lack of evidence currently available, it is clear that the Fiddlers Ferry draft allocation is contrary to national policy and at present there is no evidence that the site would

not generate a severe residual cumulative impact on the road network, contrary to para 110 (bullet (d)) and 111 of the Framework.

- 12.12 Fiddlers Ferry is a large, complex brownfield site which is subject to a range of constraints that will need to be addressed at the pre-application, application and development stages. The Regeneration Vision for the site recognises that the site by nature is complex in terms of physical characteristics. Given the number and extent of these constraints, dealing with these matters is likely to result in an extensive application preparation and determination process and the Consortium considers that they will have a significant impact upon the delivery of new homes on the site and the areas which may be capable of coming forward for development.
- 12.13 The Green Belt in this area performs a vital strategic function in separating the towns of Warrington and Widnes. This function would be seriously eroded if this Green Belt was to be released and it would make a major contribution to the coalescence of the two settlements contrary to the Framework [§138] and this matter does not appear to have been fully resolved in the DTC and Statement of Common Ground.
- 12.14 For the reasons identified, we consider that the overall deliverable density on the site is likely to be lower than the 35dph minimum currently identified in Draft Policy MD3 particularly when ones factors in the need for appropriate landscape buffering and the need to deliver at least 65% of the market units as 3 & 4 bedroomed properties to accord with the provisions of the Housing Needs Assessment. The identified capacity of a minimum of 1,760 homes (or 1,310 homes over the plan period) is therefore unlikely to be achieved.
- 12.15 The Roger Hannah assessment demonstrates that the viability of the Fiddlers Ferry site is overstated and that the site is unviable rather than marginal. As such, it is neither deliverable nor developable and its inclusion as a mixed-use allocation is therefore contrary to the Framework [§68]. The ability to deliver much needed affordable housing will be compromised.
- 12.16 The Consortium challenges the notion of the proposed completion of 35 dwellings within the first five years of the plan period. In addition, we consider that the overall delivery trajectory for the site across the plan period is overly ambitious and is unlikely to be achieved for a number of other reasons including:
- 1 The site is currently in the early stages being marketed to potential developers and at the current time the sale of the site has yet to be agreed. Given the size of the site and the potential for multiple developers to be involved, the purchase is likely to be a complex and time-consuming process and there is no clear indication at present as to when disposal will take place. Any delays to the disposal of the site will have a subsequent impact upon the following stages of the delivery of the site.
 - 2 The submission date of any application will be determined by progress on the Development Framework and the approval of this document. Until the site has been disposed and a developer is in place, it is unlikely that any progress will be made on this document. The Development Framework itself will be a complex document which needs to be subject to consultation with statutory consultees and the local community, and potential cross boundary issues before being approved. If a number of developers are involved in the delivery of the site, the preparation of this document is likely to be even more complex as agreement will need to be reached on matters such as the location and delivery of supporting infrastructure and the triggers for this delivery which will add further time to the preparation process.
 - 3 The Consortium considers that the timescales identified for application submission and the time between first permission and delivery of first homes are overly ambitious and unrealistic. It is likely that the process of securing initial outline planning permission will

take significantly longer than envisaged as the site is subject to a number of constraints which will need to be resolved.

- 4 It may be the case that the land promoter or master developer will have to sell the site (or phases/parcels) to a housebuilder before the detailed planning application stage can commence, adding a step to the planning to delivery period and potentially adding additional time to the process.
- 5 The application determination process is therefore likely to be complex and could quite easily extend beyond usual timescales and this will have a knock-on effect on the remaining stages of the application process including the submission of reserved matters and discharge of conditions.
- 6 In reality, the time period to reach first delivery is likely to extend significantly further into the plan period and this will have a resultant impact upon overall levels of delivery on the site.
- 7 The delivery of first dwelling completions will also be affected by a number of other issues including the demolition and remediation of the site. The 2 to 3 year demolition period suggested for Fiddlers Ferry is much shorter than that experienced on other power station sites and we would therefore question whether it is realistic and likely to be achievable. Further time will also be required to undertake the necessary remediation works and the infrastructure and utilities required to serve the first homes.
- 8 The build rates identified in the SVLP are ambitious in some cases and for the reasons identified may not be as high as currently anticipated.

12.17 The above evidence demonstrates that the Fiddlers Ferry site is unlikely to deliver as anticipated. The only way to address this matter and to ensure that much needed market and affordable housing is provided is to allocate other sites for new homes in the Local Plan.

12.18 As a best-case scenario, the Consortium consider that units will not be completed before **2033/34** in accordance with the following timeline:

- Adoption of the Local Plan – **2023**
- Commencement of Development Framework upon adoption of the Plan. Significant levels of technical input required for such a complex site and the best-case scenario for adoption would be end **2025**
- Planning Application(s) to follow in **2026** in accordance with the Development Framework
- First completion 7 years post submission of the planning application. This accounts for extensive negotiation of the planning application including engagement with public consultees, signing of legal agreements, preparation and submission of reserved matters applications, discharging planning conditions, remediating the site, putting necessary infrastructure including access into the site before finally completing dwellings. – First completion expected **2033**

12.19 Although the realisation that the first completion is unlikely to be achieved before 2033, it is imperative that the Council does not seek to exaggerate the supply which can be achieved from this incredibly complex site. There are a multitude of examples from the across the North West for the delivery of strategic sites which take considerable time to commence delivery.

12.20 Applying realistic assumptions on likely lead in times for this site would result in **a shortfall in the Council's proposed trajectory of 595 units** based on the assumptions they have used including the commencement of the delivery of units in years 2025/26. The Consortium is fervently of the opinion that the Council's delivery assumptions are fundamentally wrong and are completely unrealistic and unachievable. No substantive evidence has been provided to

justify their position given the requirement to prepare and adopt a Development Framework for a complex site in advance of the submission of a planning application will cause significant delays in progressing the site towards a permission.

- 12.21 Given the significant number and complexity of the issues raised in relation to the developability of this site, it is considered that the Council's delivery trajectory is completely at odds with the reality of delivering complex strategic sites and the Council need to identify alternative sites to plug the gap in the supply trajectory. Not only that but the Consortium considers that the Council has not followed a logical approach in terms of identifying the most appropriate sites for release from the Green Belt and the loss of this proposed allocation would result in the erosion of the strategic gap between Warrington and Widnes.

Tests of Soundness

- 12.22 Taking the above issues into consideration, the Consortium considers that WUPSVLP 2021 Draft Policy MD3 – Fiddlers Ferry is unsound for the following reasons:

- 1 **It is not positively prepared:** Given the significant number and complexity of the issues raised in relation to the developability of this site, it is considered that the Council's delivery trajectory is completely at odds with the reality of delivering complex strategic sites. The Council needs to identify alternative sites to plug the gap in the supply trajectory. Not only that but the Consortium considers that the Council has not followed a logical approach in terms of identifying the most appropriate sites for release from the Green Belt and the loss of this proposed allocation would result in the erosion of the strategic gap between Warrington and Widnes. It is the consortiums view that the SA in relation to the assumptions made on Fiddlers Ferry is fundamentally flawed, results in an unsustainable approach to development, it is not sound and it is not legally compliant. The identification and delivery of a brownfield site which over exaggerates its impact in the SA should not surpass the allocation of other more sustainable greenfield releases where it is clearly not justified.
- 2 **It is not Justified:** The Consortium is fervently of the opinion that the Council's delivery assumptions are fundamentally wrong and are completely unrealistic and unachievable. No substantive evidence has been provided to justify their position and in any regard given the requirement to prepare and adopt a Development Framework for a complex site in advance of the submission of a planning application will cause significant delays in progressing the site towards a permission.

The identification and delivery of a brownfield site which has other fundamental technical delivery constraints should not surpass the allocation of other more sustainable greenfield releases where it is clearly not justified.

- 3 **It is not effective:** There is no evidence the Fiddlers Ferry site is deliverable over the plan period given, for example, the requirement for off site highway works that are unlikely to be provided on land within control of the site or the adopted highway.

The Consortium considers that if the site comes forward, it will not do so before 2033/34 based on the evidence and justification we have provided. This would result in a shortfall in the Council's proposed trajectory of 595 units based on the assumptions they have used including the commencement of the delivery of units in years 2025/26.

- 4 **It is not consistent with national policy:** An expressed intention of the Framework [§60] is to boost the supply of housing being delivered in the country in an effort to address the housing crisis. With this in mind, the Consortium is firmly of the opinion that the Warrington Council has exaggerated the claimed supply trajectory from the Fiddlers Ferry site and has not grounded their assumptions in reality. Little regard has been paid to the

significant technical constraints associated with this site and the implications that they will have on timescales, viability and delivery of dwellings on the site. Warrington has consistently struggled with maintaining an adequate supply of land over the last few years. If the Plan progresses as drafted, the main consequence of failing to identify alternatives will result in further housing supply issues. The Consortium is strongly of the opinion that the failure to identify a sufficient level of housing allocations in the Plan will result in the WUPS VLP being found unsound at Examination or at the very least it will be subject to substantive changes at the Examination stage which will delay the formal adoption of the Plan.

The Fiddlers Ferry site is not deliverable as defined by the Framework [Annex 2]. It does not currently benefit from planning permission and the timescales for achieving permission are likely to be considerable given that it is not currently in the ownership or control of a site promoter or developer who would bring it forward for residential development.

The site is not available now given the remediation and site clearance required and there are uncertainties over the timescales for this work. Given the extent of remediation / site clearance / infrastructure required and the complexities of delivering the site for other reasons such as biodiversity, viability is questionable and it is not certain whether affordable housing or other contributions could be provided.

The site does not offer a suitable location for development. The accessibility of the site is a significant issue and there does not appear to be any clear solution to addressing this matter. The site is poorly served by public transport and the assessment suggests that the provision of new services is likely to be unviable so it is difficult to see why any local bus service operators would choose to service the site. Given the sites isolated location and limited facilities proposed it will be heavily dependent on existing facilities elsewhere. It is also doubtful whether active travel infrastructure improvements would discourage use of the private car given the distance of the site from Central Warrington and other services such as a secondary school.

Given the amount of development proposed on the site and the distance from central Warrington this is a fundamental concern as this lack of accessibility may result in increased trips by private car and increases in congestion.

The redevelopment of the site would be contrary to the Framework in, for example, paragraphs 104, 110 and 111, and there is no evidence whatsoever to demonstrate that the residual cumulative impacts on the road network would not be 'severe'.

Therefore, there is no realistic prospect that housing will be delivered on the site within five years.

For the reasons identified in this note, the Consortium is of the view that the allocation of the Fiddlers Ferry Site conflicts with national policy in the Framework, including in respect of:

- a Paragraph 32 in relation to sustainability appraisal
- b Paragraphs 68 and 73 in relation to identifying land for homes
- c Paragraphs 104 to 106 and 110 to 111 in relation to promoting sustainable transport
- d Paragraphs 119 and 124 in relation to making the effective use of land and achieving appropriate densities
- e Paragraphs 137 to 143 in relation to protecting Green Belt land
- f Paragraphs 174 to 179 in relation to conserving and enhancing the natural environment
- g Paragraph 186 in relation to air quality

12.23 The Council cannot not therefore rely on the provision of new homes from this site and other sites are needed to address the considerable shortfall this creates.

12.24 **Legal Compliance**

12.25 We consider on the basis of the evidence available that the Council has not met its duty to cooperate which is in conflict with the relevant provisions of Section 20 of the Planning and Compulsory Purchase Act 2004.

12.26 Story considers that the SEA in relation to the assumptions made on Fiddlers Ferry is:

- 1 Fundamentally flawed as it results in an unsustainable approach to development.
- 2 It is not sound and it is not legally compliant as the assessment of the site is deficient. Sections 19 and 20 of the Planning and Compulsory Purchase Act 2004 require engagement of the Environmental Assessment of Plans and Programmes Regulations 2004 and the Story contends that the work that has been done to meet the requirements of the Regulations is not adequate.
- 3 The identification and delivery of a brownfield site which has other fundamental technical delivery constraints should not surpass the allocation of other more sustainable greenfield releases where it is clearly not justified.

Recommended Change

12.27 To address the conflicts above and ensure the Local Plan is sound and legally compliant, it is considered that the Council:

- 1 Needs to provide additional evidence to justify the inclusion of the Fiddlers Ferry Site, including viability evidence.
- 2 Needs to re-assess the incorrect and underplayed impacts Fiddlers Ferry will have in the SA and use this to inform the Local Plan strategy.
- 3 Provide robust evidence to counter the delivery concerns we have identified.
- 4 Reconsider the Green Belt evidence prepared for the site.
- 5 Should ensure that sufficient land is provided in alternative locations to account for any shortfall in provision at Fiddlers Ferry and ensure the housing requirement is met.

12.28 **THE PLAN SHOULD NOT BE SUBMITTED FOR EXAMINATION UNTIL ALL OF THIS INFORMATION HAS BEEN PROVIDED AND A FURTHER ROUND OF CONSULTATION SHOULD BE UNDERTAKEN TO ENSURE THE OPPORTUNITY IS PROVIDED TO MAKE COMMENTS ON ANY FURTHER CHANGES TO THE LOCAL PLAN AND ASSOCIATED EVIDENCE BASE.**

13.0 Conclusions

13.1 These representations set out the key issues Story has with the WUPSVLP and the areas of focus which need to be amended if a sound and deliverable plan that meets the housing and growth needs of residents to 2038 and beyond can be found sound at Examination.

13.2 **Whilst Story Homes has identified some concerns with the WUPSVLP as drafted it notes that it fully supports the allocation of land at Warrington Road, Culcheth [Policy OS2] to deliver a minimum of 200 homes.**

13.3 Story considers that the key issues with the WUPSVLP are:

- 1 **Housing Requirement** – the WUPSVLP seeks to pursue the minimum housing requirement derived from the Standard Method but pays little regard to the need to boost the supply of housing, tackling the affordability issues, aligning the housing requirement with the Plan’s economic aspirations or seeking to boost the supply of affordable housing to meet existing needs. Detailed analysis is set out in the accompanying Technical Paper including reasoned justification for boosting to the housing requirement to 1,015dpa over the Plan period.
- 2 **Staggered Housing Requirement** – the Council has unjustifiably and arbitrarily sought to reduce their housing requirement in the first 5 years. There is no rationale reason for reducing the requirement in the first 5 years aside from arbitrarily seeking to manipulate the figures to be able to demonstrate a 5-year supply upon adoption. The Council seeks to justify the approach due to the number of strategic sites taking longer to deliver units. However, the Council is also advocating that 535 dwellings will be delivered from these sites in the first 5 years. Not only that, there are considerable housing issues in Warrington which will be further exacerbated by the Council’s approach which is the antithesis of positive plan preparation.
- 3 **Housing Land Supply Concerns** – Story are very experienced housebuilders and developers who understand the complexity of the housing market and understand the timescales required to bring sites forward. A detailed Technical Paper on housing land supply concerns has been prepared and is appended to the Issues Report justifying the position. The Council evidence to justify their housing trajectory is flawed and insufficient and having undertaken a detailed review of a sizeable proportion of the supply, Story is of the opinion that at least 2,448 dwellings needs to be removed and replaced by alternative sources of supply. Not only that but the proposed supply pays no regard to the Council’s evidence on housing need which advocated that 65% of the supply needs to deliver 3 & 4 bedroomed properties.
- 4 **Fiddlers Ferry** – the Council has introduced a new mixed-use allocation into the Plan at the latest stage and Story has considerable concerns in relation to the principle of the site’s inclusion. Not only that, the timescales for the delivery of the site as set out in the Plan are fanciful and are not grounded in any sense of reality. A detailed Technical Paper accompanies this Issues Report which sets out in details the considerable issues associated with the site.

The evidence which justifies the Fiddlers Ferry allocation is technically flawed and not legally sound. There are some significant omissions in the evidence, and it is Story’s view that they have deliberately over exaggerated the sustainability merits of the site and hidden its technical failings to avoid allocating more suitable and sustainable greenfield releases. It is Story’s view that the SA in relation to the assumptions made on Fiddlers Ferry is fundamentally flawed, results in an unsustainable approach to development, it is not sound, and it is not legally compliant. The identification and delivery of a brownfield site which

over exaggerates its impact in the SA should not surpass the allocation of other more sustainable greenfield releases where it is clearly not justified. Not only that, Fiddlers Ferry is wholly unviable and as a consequence it is highly questionable whether the development could ever be delivered without significant intervention.

- 5 **Viability: Delivery of Affordable Housing and Infrastructure Delivery Issues** – Story has significant concerns in relation to the viability of a large proportion of the Council’s claimed supply, and the subsequent ability of the emerging Local Plan to deliver the required number of affordable dwellings over the plan period. No regard has been paid to the viability of delivering a significant quantum of housing in Warrington Town Centre and the impact this will have on the delivery of much needed affordable housing and social infrastructure such as schools and medical centres to cater for future resident’s needs. A separate Technical Note on viability has been prepared by Roger Hannah (Viability Assessment Consultation Response) (November 2021) which sets out in detail our reservations regarding viability in the Town Centre and low value locations.

It is clear that the emerging Local Plan in its current form will not deliver on the required quantum of affordable housing or infrastructure provision across the Borough without significant alternative public sector funding being secured, or identifying a number of strategic Green Belt allocations with the ability of delivering reasonable proportions of affordable dwellings. Story is strongly of the opinion that the failure to identify a sufficient level of housing allocations in the Plan, which have been tested as being viable, will result in the WUPSVLP being found unsound at Examination.

- 6 **Failure to Identify Safeguarded Land** –Story is strongly of the opinion that the current version of the Warrington Local Plan does not meet the requirements of the Framework as it does not identify sufficient proportions of land to meet needs post 2038 or identify safeguarded land which could act as a failsafe in the event that one of the key strategic allocations does not come forward as envisaged. Despite this Plan undertaking a Green Belt Review, no sites have been identified as safeguarded land to meet needs beyond the Plan period. Identifying safeguarded land does not allocate it for development and the same level of protection is afforded to safeguarded land as Green Belt provided the Council’s Local Plan is delivering the homes and employment land that it envisaged.

13.4 Story is of the view that significant changes must be made to the current version of the Warrington Local if it is to be found sound at Examination. That said, we consider that the changes required can be made in advance of and through Examination process. There are many examples from across the country where the housing requirement has been increased by a Planning Inspector to make a plan sound. Not only that, Inspectors have also identified additional allocations to meet identified needs and safeguarded additional land beyond that already identified in plans to meet future needs.

13.5 These key issues go to the heart of the Warrington Local Plan and addressing these issues head on is the only way that we believe a positive outcome can be achieve for all concerned.

13.6 **Story’s additional land at Warrington Road, Culcheth (Parcel 2) provides an opportunity for the release and allocation of additional Green Belt land in Culcheth or could alternatively be used to provide Safeguarded Land.**

Appendix 1 Land at Warrington Road, Culcheth



Parcel 1

Parcel 2

A574
B5212

Halcroft Ln

Clarke Ave

Warrington Ave

Warrington Rd

Appendix 2 Warrington Road Masterplan



DESIGNER'S NOTES

- 1 - The layout has been designed so that a unique sense of arrival is created immediately upon arriving at the development. Houses will face outwards towards Warrington Road set back behind attractively landscaped green spaces. A vista towards the arrival green has been created providing a welcoming and inviting environment.
- 2 - A well connected Arrival Green and nodal area, distinct in character it will help visitors navigate further into the development. This area will be framed by feature dwellings facing onto this important area.
- 3 - Courtyard serving higher density plots. Landscaping will soften edges and help delineate public and private realm.
- 4 - Small cul-de-sac serves a crescent of houses.
- 5 - Green space creates positive vista termination at the head of the street, it will allow panoramic views out of the development to the south. Houses are organically formed around it taking advantage of the views. Existing trees retained providing a mature landscape setting. A pedestrian cycle link connects the development together maximising pedestrian permeability.
- 6 - Landscaped green located at the head of this important route. This area will provide a nodal point helping navigate around the development.
- 7 - A series of nodal areas around the development will assist in navigation as well as providing attractive areas.
- 8 - Houses set back from Warrington Road facing out over a landscaped green wedge responding positively with this highly visible area.
- 9 - Landscaped Green will provide an attractive space at the head of the street. It will also provide a buffer between the development and the existing properties to the north. A pedestrian link will connect the development with the wider footpath network around the development.
- 10 - Small courtyard serving higher density plot.
- 11 - Pedestrian link runs north to south through the development. This area utilises the Gas pipe line easement which runs through the site.
- 12 - Pedestrian route crosses the street. Change in carriage width, colour and texture will help calm vehicle speeds. Only one vehicular crossing over the gas pipe line is permitted, this street layout connects Warrington Road with Holcroft Lane whilst discouraging 'rat running' through the development.
- 13 - Linear landscaped areas along the southern boundary will provide a soft edge to this important area. Plot positions and orientations will be organic in form, they will face out taking advantage of the long distant views to the south. Lower density plots will respond positively with this rural edge. A new pedestrian route will provide pedestrian permeability connecting the development together. Existing trees and hedges will be retained and enhanced.
- 14 - Arrival green located at the entrance into the development from Holcroft Lane. This area will create a completely different environment from the arrival green serving the Warrington Road access. This will ensure a unique sense of arrival is created from both access points into the development.
- 15 - Houses will face out onto Holcroft Lane set back behind a landscaped green wedge. Hedge and tree planting will help assimilate the development into the street-scape.

DWG: 019-01
 SHEET SIZE: A0
 SCALE: 1:1000



MASTERPLAN LAND SOUTH OF WARRINGTON ROAD, CULCHETH

Appendix 3 HSE Response

Science Directorate

Jonathan Statham

By e mail:

Rosie Peniston,
Story Homes Ltd

[REDACTED]

Date: 16 June 2017

Dear Ms Peniston,

Pre Application Advice Ref D830 : HSE pre-application advice on proposed development at Warrington Rd, Culcheth resulting from HSE's re-assessment of the adjacent area of thick walled pipeline (15 Feeder Crank / Warrington).

1. Thank you for your request for pre-application advice relating to the proposed development at Warrington Rd, Culcheth.

2. Your initial request involved the reassessment of the risks from a section of major accident hazard pipeline, Transco ref. 1038 operated by National Grid Gas, for which you forwarded a revised pipeline specification and grid references as supplied by National Grid Gas. My colleague Mr D Hill then provided you with an assessment report including a site plan showing the revised HSE Consultation Distances (CD's) in relation to your proposed development site. Further to this work you requested HSE's pre-application advice on the proposed developments, as shown in drawing DWG: 019-01Sheet supplied, in light of this reassessment.

HSE pre-application advice based on the enhanced pipeline specification.

3. Drawing DWG: 019-01Sheet shows that the proposed development is for housing. The proposed scale of development results in this being defined as a sensitivity level 3 development. HSE's reassessment of the enhanced section of the pipeline shows that in the vicinity of the proposed development site the HSE inner and middle consultation distances are both reduced to 3m either side of the pipeline centreline. Drawing DWG: 019-01Sheet shows this area of pipeline routing unpopulated with housing and used as a public footpath. The plan appears to show that the housing is situated in the outer HSE consultation zone, and as such HSE would not advise against this type of development in this location. HSE would not advise against the positioning of the footpath within the inner or middle consultation distance.

4. Based on the revised consultation zones, which, result from the reassessment of the thick-walled pipeline, as specified in our associated pipeline reassessment, and the location of the pipeline and corresponding housing development; **HSE would not advise, on safety grounds, against the granting of planning permission for the proposed development.**

5. This advice is based on the information which you have provided about this pre-planning application and HSE's existing policy for providing land-use planning advice, and is the response which HSE would provide should the development proposal be submitted for formal consultation in its present form. However, HSE's advice in response to a subsequent application may differ should HSE's policy, or the development details have changed by the time the application is submitted.

6. HSE has provided planning authorities with access to the HSE Planning Advice Web App, an online software decision support tool, to consult HSE on planning applications. However, in this case, because the proposal lies in the vicinity of a major accident hazard pipeline for which the pipeline has been thick-walled in sections, Warrington Borough Council should consult HSE directly for advice as the HSE Planning Advice Web App cannot currently take into account any modifications which have been made, to a pipeline since its original notification.

Yours sincerely

Jonathan Statham

[Redacted signature block]



MASTERPLAN
 LAND SOUTH OF WARRINGTON ROAD, CULCHETH

- 2023/04/15 10:27:15
- 1 - The layout has been designed to show a unique variety of housing in several groupings, open spaces, green spaces, and other amenities. The overall layout is designed to be a mix of housing types and densities, providing a variety of housing options for different income levels and lifestyles.
 - 2 - A well-maintained central green and multi-use facility is located in the center of the development, providing a central green space for recreation and community activities. The area will be landscaped with trees and shrubs, and will include a playground and a community center.
 - 3 - Carparking areas are located near the main entrance and along the main roads, providing convenient parking for residents and visitors. The carparking areas will be landscaped with trees and shrubs, and will include a covered area for bicycles.
 - 4 - Small outdoor seating areas are located near the main entrance and along the main roads, providing a place for residents to relax and enjoy the outdoors. The seating areas will be landscaped with trees and shrubs, and will include a table and chairs.
 - 5 - Green spaces are located throughout the development, providing a place for residents to enjoy the outdoors and get some exercise. The green spaces will be landscaped with trees and shrubs, and will include a path for walking and jogging.
 - 6 - A well-maintained central green and multi-use facility is located in the center of the development, providing a central green space for recreation and community activities. The area will be landscaped with trees and shrubs, and will include a playground and a community center.
 - 7 - A series of small green spaces are located throughout the development, providing a place for residents to enjoy the outdoors and get some exercise. The green spaces will be landscaped with trees and shrubs, and will include a path for walking and jogging.
 - 8 - Pedestrian paths are located throughout the development, providing a safe and convenient way for residents to walk and jog. The paths will be landscaped with trees and shrubs, and will include a path for walking and jogging.
 - 9 - Landscaped green spaces are located throughout the development, providing a place for residents to enjoy the outdoors and get some exercise. The green spaces will be landscaped with trees and shrubs, and will include a path for walking and jogging.
 - 10 - A well-maintained central green and multi-use facility is located in the center of the development, providing a central green space for recreation and community activities. The area will be landscaped with trees and shrubs, and will include a playground and a community center.

Appendix 4 Alternative Masterplan



- DESIGNER'S NOTES**
- 1 - The layout has been designed so that a unique sense of arrival is created immediately upon arriving at the development. Houses will face outwards towards Warrington Road set back behind attractively landscaped green spaces. A Vista towards the arrival green has been created providing a welcoming and inviting environment.
 - 2 - A well connected Arrival Green and nodal area, distinct in character it will help visitors navigate further into the development. This area will be framed by feature dwellings facing onto this important area.
 - 3 - Courtyard serving higher density plots. Landscaping will soften edges and help delineate public and private realm.
 - 4- Small cul-de-sac serves a crescent of houses.
 - 5- Central green space creates a distinct and attractive space centrally within the development. It will be highly accessible with good pedestrian and cycle connectivity. It will provide panoramic views into the southern part of the development. Houses will face out onto this important space responding positively with it. Existing high quality trees retained providing a mature landscape setting.
 - 6- Houses will face onto the East-West linear green. Soft landscaped nodal area will highlight the junction running south. Existing high quality trees and hedges retained.
 - 7- Shared surface street will serve houses overlooking the central green.
 - 8- Amenity green will highlight two important junctions serving the most southern parts of the development. House will be carefully positioned and orientated around this important space. Soft landscaping will delineate the public and private realm as well as promote a rural setting to this part of the development.
 - 9- Large detached houses generously spaced will provide a visually permeable edge to the most southern edge of the development. High quality landscaping and boundary treatments will create a soft edge to the development.
 - 10- Enhanced landscaping to the southern edge will soften views into and out of the development.
 - 11- Key nodal with possible views out of the development.
 - 12- Generously spaced houses in large plots will face out of the development overlooking a multifunctional green space area. Enhanced landscaping will soften this edge of the development.
 - 13 - Linear landscaped areas along the southern boundary will provide a soft edge to this important area. Plot positions and orientations will be organic in form, they will face out taking advantage of the long distant views to the south. Lower density plots will respond positively with this rural edge. A new pedestrian route will provide pedestrian permeability connecting the development together. Existing trees and hedges will be retained and enhanced.
 - 14- A series of nodal areas around the development will assist in navigation as well as providing attractive areas.
 - 15- Landscaped green located at the head of this important route. This area will provide a nodal point helping navigate around the development.
 - 16 - Houses set back from Warrington Road facing out over a landscaped green wedge responding positively with this highly visible area.
 - 17 - Landscaped Green will provide an attractive space at the head of the street. It will also provide a buffer between the development and the existing properties to the north. A pedestrian link will connect the development with the wider footpath network around the development.
 - 18 - Small courtyard serving higher density plot.
 - 19 - Pedestrian link runs north to south through the development. This area utilizes the Gas pipe line easement which runs through the site.
 - 20- Pedestrian route crosses the street. Change in carriage width, colour and texture will help calm vehicle speeds. Only one vehicular crossing over the gas pipe line is permitted, this street layout connects Warrington Road with Holcroft Lane whilst discouraging 'rat running' through the development.
 - 21 - Arrival green located at the entrance into the development from Holcroft Lane. This area will create a completely different environment from the arrival green serving the Warrington Road access. This will ensure a unique sense of arrival is created from both access points into the development.
 - 22 - Houses will face out onto Holcroft Lane set back behind a landscaped green wedge. Hedge and tree planting will help assimilate the development into the street-scape.

Land South Of Warrington Road, Culcheth
Masterplan

