

Warrington Updated Proposed Submission Version Local Plan

Representations on behalf of Story Homes

Land at Runcorn Road, Higher Walton

November 2021

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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 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 in Warrington at Runcorn Road, Higher Walton. A plan showing this land is attached at Appendix 1.
- 1.4 The Runcorn Road site formed part of part of the South West Urban Extension [SWUE] allocation under Policy MD3 in the Proposed Submission Version Local Plan. However, the SWUE allocation has been deleted in the WUPSVLP 2021. For the reasons set out in these representations, Story consider that the SWUE should be re-allocated for residential development.
- 1.5 Story Homes is very concerned that the Council has decided to move away from a Plan that was aspirational in its ambitions to facilitate growth, to going for the bare minimum, business as usual. This sudden contradiction is deeply concerning and is not robustly justified. Story Homes formerly had an advanced draft allocation in the Plan for land at Higher Walton (South West Urban Extension). Story Homes have worked collaboratively with the landowners and the Council for a number of years on the delivery of the site, and consider its removal wholly unjustified. The plan and its evidence base is unsound and fundamentally flawed.
- 1.6 This representations report is accompanied by the following documents:
- 1 Warrington Local Plan - Issues Report
 - 2 Runcorn Road, Higher Walton - Vision Document
 - 3 Warrington South West Urban Extension - Development Prospectus
 - 4 SWUE Noise Assessment
 - 5 SWUE Landscape Sensitivity Assessment
 - 6 SWUE Secondary School Position Note
 - 7 SWUE Agricultural Land Classification Report
 - 8 SWUE Heritage Appraisal
- 1.7 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].
- 1.8 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.

1.9 In addition, the Framework¹ states that:

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

For plan-making this means that:

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

1.10 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

1.11 Representations to the following Local Plan matters and 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 ENV7 – Renewable and Low Carbon Energy Development
- 8 Policy ENV8 – Environmental and Amenity Protection
- 9 Section 10 – Site Allocations

¹ National Planning Policy Framework §11

10 Policy MD3 – Fiddlers Ferry

- 1.12 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.
- 1.13 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.
- 1.14 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.
- 1.15 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.
- 1.16 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
- 1.17 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)
- 1.18 The Issues Report should be read in full as it expands in significant detail on the matter raised in our main representations.
- 1.19 Alongside its land at Higher Walton, Story is also promoting additional land at Warrington Road, Culcheth and at Reddish Lane, Lymm which are 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 meeting 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 a number of concerns with the assessment of the Fiddlers Ferry and SWUE sites 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.

SWUE

3.9 For the reasons set out in our response to Section 10 of the WUPSVLP 2021 (Site Allocations), Story considers that the findings of the 2021 SA in relation to the Air Quality effects of the SWUE are not justified. The effects have been overstated, and the SWUE would in fact have lower effects, even when considered in combination with the South East Warrington Urban Extension [SEWUE].

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

Legal Compliance

- 3.10 Story considers that the SEA in relation to the assumptions made on Fiddlers Ferry and the SWUE 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 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

- 3.11 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.
 - 3 Revisits and re-considers the findings of the SA on the SWUE and updates the incorrect and overplayed impacts the SWUE will have on Air Quality.

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 concerns with the proposed distribution of development in relation to its land interests at Runcorn Road, Higher Walton which formed part of the previously allocated SWUE (Policy MD3).

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 homes – 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. **There is sufficient headroom to re-allocate the SWUE. The SWUE has previously been accepted a suitable for allocation in the WSP 2019 and it should be re-allocated to meet the shortfall of new homes we have identified.**

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 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

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

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 as 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.

The Consequences for the Plan’s Soundness Without Modification

- 4.61 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

- 4.62 The Council’s overall spatial strategy of optimising development potential in the existing urban area, releasing Green Belt to provide strategic allocations and distribute development to outlying settlements is generally supported. However, Story objects to the overall distribution strategy on the basis that the allocation of the South West Urban Extension (SWUE) site is no longer proposed and the allocation of land at Fiddlers Ferry is not justified.

We provide further detail as to why we consider that the re-allocation of the SWUE is justified in these representations, including our response to Section 10 of the WUPSVLP – Site Allocations. We provide further details on our objection to the Fiddlers Ferry allocation in our response to Policy MD3.

For the reasons stated, Story considers that the SWUE site should be removed from the Green Belt and re-allocated for residential development.

Tests of Soundness

- 4.63 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 deletion of the of the SWUE allocation and the allocation of land at Fiddlers Ferry are 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. In light of the comments to be made in relation to the Fiddlers Ferry Site and the wider supply issues within the trajectory the Council needs to reallocate SWUE to ensure that the Plan is sound. 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

4.64

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. As part of this process the SWUE should be re-allocated to support the delivery of new homes.
- 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 **The SWUE site should be removed from the Green Belt and re-allocated for residential development.**

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.
- 6.2 The WSP 2019 [Policy MD3] and draft Proposals Map excluded the SWUE from the Green Belt. However, this land has been identified as Green Belt in the WUPSVLP 2021. Story objects to the deletion of the SWUE allocation and the inclusion of this land within the Green Belt. The site was considered to be suitable for allocation in the WSP 2019 and it should be re-allocated for residential development in the WUPSVLP for the reasons we have set out in these representations.

Consideration of Policy

Exceptional Circumstances

- 6.3 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. Story Homes agrees that an exceptional circumstances case has been demonstrated for the release of Green Belt land and notes that in the WSP 2019 this previously included a demonstration of the exceptional circumstances for the release of the SWUE, the purpose of which was to provide a new sustainable community supported by local infrastructure and services, facilitated by the Western Link. Story considers that this exceptional circumstances case still exists and that the removal of the site from the Green Belt continues to be justified on this basis.
- 6.4 In addition, for the reasons we have identified in these representations, additional Green Belt release is required in order to meet the requirement for new homes we have identified over the Local Plan period and beyond. This need is much greater than set out in the exceptional circumstances case in the WUPSVLP 2021 given the requirement and supply issues we have identified and there is no alternative but to release more Green Belt land to address these matters.

The SWUE

- 6.5 The Green Belt evidence base produced to support the WUPSVLP 2021 does not provide a wholesale review of the Green Belt in Warrington. Instead it focusses on the sites which are now identified for allocation in the WUPSVLP. The documents produced are:
- Green Belt Assessment – Fiddlers Ferry (April 2021)
 - Green Belt Assessment – Garden Suburb Options (April 2021)
 - Green Belt Site Selection – Implications of Green Belt Release (August 2021)
- 6.6 The ‘Green Belt Site Selection – Implications of Green Belt Release’ suggests [§1.1] that the Council will be combining all of the previous assessment work into a Green Belt Site Assessments Collated Report, to be published as part of the consultation on the WUPSVLP. However, this collated document has not been included in the evidence base documents at the time of writing.
- 6.7 Story would also question why there has been a partial review of the Green Belt at the sites now proposed for allocation in isolation. We would have expected other Green Belt sites to have been assessed on a similar basis at this stage to ensure that all reasonable alternatives were properly considered to ensure consistency and robustness.

- 6.8 The SWUE has not therefore been considered in this most recent Green Belt assessment work and the Green Belt evidence base work produced for previous iterations of the emerging Local Plan remains the most up to date information available for the site. This evidence suggests that the site is suitable for removal from the Green Belt.
- 6.9 The 2016 Green Belt Assessment was undertaken at two levels, for both ‘general areas’ and specific land parcels. In terms of the general area assessment, the whole of the SWUE, including Story’s land at Runcorn Road, falls within Area 14, which has been assessed as making an overall contribution of ‘moderate’.
- 6.10 At land parcel level, the majority of Story’s land at Runcorn Road falls within Parcel WR65 which also includes a significant proportion of the SWUE site to the east. This parcel is identified as having a ‘moderate’ contribution.
- 6.11 All of Story’s land at Runcorn Road is assessed in the Council’s July 2017 Additional Site Assessments of Call for Sites Responses and SHLAA Green Belt Sites as part of a much wider area (Site R18/125). It is assessed as making a ‘moderate’ contribution in this document.
- 6.12 Given this ‘moderate’ Green Belt contribution, the exceptional circumstances demonstrated for the release of the SWUE and the strong sustainability credentials of the site, Story’s land at Runcorn Road is considered to be appropriate for removal from the Green Belt.
- 6.13 Part of the land which Story is promoting fell within an area of Green Belt land adjacent to the south west corner of the allocation boundary of the SWUE as previously proposed. This area of land is shown on the plan at Appendix 2. Story considers that any new policy for the site could facilitate Green Belt compliant uses in this area, (e.g. SUDs drainage, open space etc) to serve the wider development and maximise development potential of the allocation, whilst also providing a more permanent development edge to the allocation and retention of the Green Belt between Halton and Warrington.
- 6.14 As this area of Green Belt would be retained for Green Belt compliant uses, it is considered that this approach will contribute to protecting any resultant strategic gap and maintain the separate identity of Moore Village to the west.

Tests of Soundness

- 6.15 Story is concerned that Policy GB1 would not meet the tests of soundness because:
- 1 **It is not positively prepared:** Additional Green Belt release is required in order to meet the requirement for new homes over the Local Plan period and beyond.
 - 2 **It is not justified:** The release of the SWUE site from the Green Belt has previously been confirmed as acceptable in principle through the allocation of the site in the WSP 2019. The evidence base demonstrates that the site makes a limited contribution to the Green Belt purposes.
 - 3 **It is not effective:** Additional deliverable and developable land needs to be released from the Green Belt to meet needs over the plan period.
 - 4 **It is not consistent with national policy:** The policy is contrary to the Framework [§143] as given the requirement and supply issues we have identified there is no guarantee that the Green Belt boundaries will not need to be altered before the end of the plan period.

Recommended Change

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

- 1 Removes the SWUE site from the Green Belt and allocates the site for residential development.
- 2 Should the Council determine that the re-allocation of the SWUE is not necessary at this point in time, it is considered that the land should be identified as safeguarded land to help meet development needs beyond the Plan Period.

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 ENV7 – Renewable and Low Carbon Energy Development**

Introduction

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

Consideration of Policy

- 8.2 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”.

- 8.3 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.

- 8.4 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.

- 8.5 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 Assessment¹⁴ suggests that the cost assumption made (6% of base build cost) may not be sufficient:

¹⁴ 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”.

8.6 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.

8.7 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.

8.8 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

8.9 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

8.10 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.

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

Introduction

- 9.1 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

- 9.2 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 SVLP 2021 provides no explanation as to why the figure has been dramatically reduced in the latest version of the policy.

Tests of Soundness

- 9.3 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

- 9.4 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.

10.0 Section 10 – Site Allocations

Introduction

- 10.1 Section 10 of the Local Plan identifies the main development areas and site allocations to help meet the housing requirement over the Plan Period. Story objects to Section 10 of the Local Plan as currently proposed, as the Plan fails to allocate land at Higher Walton for residential development.
- 10.2 Policy MD3 of the WSP 2019 proposed to remove 113ha of land to the south west of Warrington from the Green Belt and allocate the site as a sustainable urban extension known as the South West Urban Extension [SWUE]. The majority of Story’s land at Higher Walton formed part of this allocation. The allocation sought to deliver around 1,600 homes supported by a range of infrastructure. Story fully supported the proposed allocation of the South West Urban Extension site.
- 10.3 Story is working collaboratively with the other developers promoting the SWUE allocation, these being Peel Investments (North), Ashall Property and Riley Properties Limited (‘the SWUE Consortium’) who remain supportive and committed to the allocation. The SWUE Consortium is committed to continuing to work together, and with Warrington BC to, secure the delivery of much needed housing and associated infrastructure at the earliest opportunity. A Memorandum of Understanding (MoU) has been prepared jointly by the SWUE Consortium members and sets out their commitment to delivering the South West Urban Extension in a collaborative manner. A copy of this memorandum of understanding is attached at Appendix 2.
- 10.4 Within the WSP 2019 the SWUE allocation was intended to be delivered from Year 7 of the Plan Period (2023/24). As identified in Appendix 1 – Housing Trajectory and Stepped Housing Supply in the 2019 version of the Local Plan. The Consortium fully supported the principle of this allocation and policy.
- 10.5 With regard to the deletion of the allocation the WUPSVLP 2021 [§3.3.17] states:
“The previous version of the PSVLP (2019) included the South West Urban Extension. This was given further detailed consideration, but options including this urban extension did not perform as well as the chosen spatial strategy. In particular, the South West Urban Extension would not enable the brownfield regeneration benefits of Fiddlers Ferry or such wide ranging infrastructure benefits as the South East Warrington Urban Extension. The Council also has concerns about the potential impact on the Western Link”.
- 10.6 Further information on the consideration of the site for allocation is included in the 2021 Development Options and Site Assessment Technical Report.

Development Options and Site Assessment Technical Report

- 10.7 The 2021 Development Options and Site Assessment Technical Report considers five options for development in the Main Development Locations, these being:
- **Option 1** - An urban extension to the south east of Warrington of around 2,400 homes and an urban extension to the south west of around 1,700 homes.
 - **Option 2** - An urban extension to the south east of Warrington of around 2,400 homes and development of Fiddlers Ferry opportunity site for 1,300 homes.
 - **Option 3** - An urban extension to the south east of Warrington of around 2,400 homes, development of Fiddlers Ferry opportunity site for 1,300 homes & development at Thelwall Heys of 310 homes.

- **Option 4** – Urban extension to the south west of around 1,700 homes, development of Fiddlers Ferry opportunity site for 1,300 homes and development at Thelwall Heys of 310 homes
- **Option 5** - Urban extension to the south west of around 1,700 homes & development of Fiddlers Ferry opportunity site for 1,300 homes

10.8 With regard to the SWUE it notes [§4.11]:

“Having reviewed representations to the previous PSVLP consultation, the Council considers that this remains a reasonable option, providing a residential led sustainable urban extension supported by a local centre and new primary school. The Council recognises that the developers promoting the site consider the site could accommodate more homes than the 1,600 proposed in the previous PSVLP and for the purposes of options assessment the Council has used a capacity of 1,700”.

10.9 The development of the SWUE is therefore considered as part of Options 1, 4 and 5. Story notes that the 2021 Options Assessment identifies a number of benefits of allocating the SWUE site including:

- 1 It is of a sufficient scale to provide a range of services to support a new residential community including a local centre, primary school, health facility and a network of open spaces. Its location will ensure good access to Stockton Heath District Centre and, subject to the future delivery of the Western Link, Warrington Town Centre.
- 2 Green Belt release for the South West Urban Extension will involve moderate performing Green Belt sites. Revised boundaries would be likely to ensure permanence in the long term (consisting predominantly of A roads and the canal).
- 3 Focussing the majority of development around the main urban area will assist in promoting active transport and will support public transport services.
- 4 The physical extent of the extension provides scope to: preserve ecological and heritage assets; provide extensive additional open space for recreational and ecological value as part of Warrington’s wider green infrastructure network; and to provide landscape buffers between new development and existing natural / built / heritage assets.
- 5 Urban extensions of this scale also provide the opportunity to incorporate high design standards from the outset.
- 6 Development on the site can be achieved without impacting on the Borough’s minerals resources.
- 7 Development adjacent to the main urban area would reduce the need to travel and promote public transport and thereby contribute to air quality and climate change reduction objectives.
- 8 The scale and mix of development provides the opportunity to promote energy efficient development schemes.

10.10 However, Option 3 is identified in the Technical Report as the preferred option. The results of the options assessment suggest that the options including the SWUE have not been identified as the preferred option because:

- 1 With reliance upon the delivery of the Western Link to facilitate development of the SWUE there would be limited opportunity for the delivery of new homes early in the plan period.
- 2 Concerns about the potential impact of the SWUE on the Western Link. It states that trips generated from this development are likely to push traffic back into the town centre and

inner Warrington, offsetting one of the key intended benefits of the Western Link in reducing congestion in these areas and freeing up substantial brownfield development capacity. It notes that to mitigate the impact of these developments it is likely that significant additional capacity will need to be provided at the junctions of the Western Link and the A57 and the A56. The scale of improvements required to these junctions is likely to raise significant engineering, deliverability and viability issues.

- 3 There is insufficient capacity within secondary schools in south Warrington to support the site.
- 4 South Warrington has limited existing built leisure provision and the site is likely to put pressure on existing infrastructure.
- 5 It does not offer any flexibility beyond the Plan Period and there may be the need for Safeguarding of additional sites to ensure the long term permanence of revised Green Belt boundaries and to contribute to the Plan's 30 year vision.

10.11 For the reasons we set out in these representations Story strongly disagrees with the above assessment and considers that the SWUE should be re-instated as an allocation.

South West Urban Extension (SWUE)

10.12 The SWUE site comprises approximately 119 ha of land to the south-west of the built-up area of Warrington. It currently comprises a mix of agricultural land and associated buildings and property.

10.13 The site is bounded by the Manchester Ship Canal to the north and the West Coast railway line to the north west. To the south east, the A56 forms the boundary, with a parcel of land to the south of the A56, immediately adjoining Walton and the Warrington settlement boundary, included. The Bridgewater Canal encloses the site at its southern boundary. At the eastern extent, the boundary follows Bellhouse Lane and Runcorn Road. An area of industrial uses lies on the northern side of the Ship Canal, including Port Warrington and Salvay Interlox Ltd.

10.14 Story's land at Higher Walton comprises four parcels with a combined area of approximately 21.28ha. These parcels are.

- Land south of Runcorn Road (east): approx. 7.34 ha
- Land south of Runcorn Road (west): approx. 1.39 ha
- Land east of Bellhouse Lane: approx. 10.75 ha
- Land north of former railway line: approx. 1.75 ha

10.15 A plan showing these areas of land is attached at Appendix 1.

10.16 Further details of Story's land at Higher Walton and the SWUE are provided in the following documents submitted alongside these representations:

- 1 Runcorn Road, Higher Walton - Vision Document
- 2 Warrington South West Urban Extension - Development Prospectus
- 3 SWUE Noise Assessment
- 4 SWUE Landscape Sensitivity Assessment
- 5 SWUE Secondary School Position Note
- 6 SWUE Agricultural Land Classification Report
- 7 SWUE Heritage Appraisal

Deliverability

- 10.17 The Framework [Annex 2] states that for housing sites to be considered deliverable, they should be available now, offer a suitable location for development now, and be achievable, with a realistic prospect that housing will be delivered on the site within five years.
- 10.18 The land being promoted by Story is owned by one landowner under one single title and Story has an agreement with the landowner to promote the site. The delivery of the site is not therefore subject to any legal or ownership constraints. The site is available for the delivery of housing now, it offers a suitable location for housing and can be delivered in the first 5 years.
- 10.19 As noted above, Story is working collaboratively with the other developers promoting the SWUE ('the SWUE Consortium'). A Memorandum of Understanding (MoU) has been prepared jointly by the SWUE Consortium and sets out the Consortium commitment to delivering the South West Urban Extension in a collaborative manner. A copy of this Memorandum of Understanding is attached at Appendix 2.
- 10.20 A significant amount of technical assessment work has been undertaken on behalf of the SWUE Consortium, both collectively and individually. As part of this process, Story has undertaken an evaluation of the technical and environmental constraints that could prevent or restrict the development of its land. This technical assessment work demonstrates that, subject to obtaining planning permission, there are no insurmountable obstacles to immediate development on Story's land or the SWUE site as a whole. The site is therefore fully developable in accordance with the Framework [Annex 2].

Sustainable Development

- 10.21 National policy seeks to ensure that new developments are located in areas which limit the need to travel and offer a genuine choice of transport modes. The site would promote a sustainable pattern of development due to its relationship with the existing services and facilities in the area. The site lies within an area which benefits from being in close proximity to a range of local schools, services and facilities, together with employment opportunities. Moore and Higher Walton are both located within a 10 minute walk of the site and provide a number of facilities including, Moore County Primary School, Moore Village Pre-School, Moore Village Store and Post Office, The Red Lion Public House, St John the Evangelist Church and The Walton Arms Public House. Local employment opportunities are available at Daresbury Park to the south of the site.
- 10.22 There are bus stops providing access to frequent bus services along Runcorn Road which run to destinations including Warrington and Runcorn town centres.
- 10.23 The sustainability of the SWUE was recognised in the WSP 2019 [§3.3.11] which noted:
"The South Western Extension is of sufficient scale to support a range of local services and will be facilitated by the Western Link. Residents will have good access by all means of travel to employment, shopping and recreational facilities in the Town Centre and the wider urban area".
- 10.24 Notwithstanding the existing local services, development will also contribute to supporting infrastructure on the site including a primary school, local centre facilities with the ability to provide a range of units within Use Classes E and F.2.
- 10.25 The development of the site for housing will bring a number of benefits in line with the principles of sustainable development. The future development of the site will have positive

economic, social and environmental benefits and therefore constitutes sustainable development in accordance with the NPPF [§8].

Economic Benefits

- 10.26 From an economic perspective, the development of the site will contribute towards building a strong, responsive and competitive economy within Warrington. The delivery of high-quality housing on the site will contribute to ensuring that population growth within Warrington is focused in an area close to employment opportunities, and allocations such as the South East Warrington Employment Area which can be easily accessed via a sustainable transport network. The site will allow new working age families to settle in Higher Walton which will help to ensure a resident labour force in the area that is capable of supporting sustainable economic growth will not result in large increases in in-commuting from elsewhere in the region. The development of the site will bring a number of 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 local services.

Social Benefits

- 10.27 From a social perspective, the development of the Site will support the creation of a strong, vibrant and healthy community by increasing the supply of housing in a sustainable location. The proposed development will comprise a high-quality built environment and will be designed to meet the needs of the area and complement the character of the surroundings. 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, including play areas for children, would be available for use by both existing and future residents.

Environmental Benefits

- 10.28 From an environmental perspective, the development provides the opportunity to deliver a number of 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.
- 10.29 No environmental constraints have been identified that would inhibit the future allocation and development of the site.
- 10.30 Story therefore considers that the site is fully deliverable and should be re-allocated in the Local Plan. Should the Council determine that allocation of Higher Walton is not necessary at the current time, it is considered that the land should be identified as Safeguarded Land to help meet development needs beyond the Plan Period.

Green Belt

- 10.31 For the reasons set out in our response to Policy GB2, Story considers that an exceptional circumstances case still exists for the site.
- 10.32 Its contribution to the Green Belt purposes has been assessed as limited by the Council's own evidence and its suitability for release has previously been established through the draft allocation of the site in the WSP 2019.

- 10.33 Given the ‘moderate’ Green Belt contribution, the exceptional circumstances demonstrated for the release of the SWUE and the strong sustainability credentials of the site, Story’s land at Runcorn Road is considered to be appropriate for removal from the Green Belt.
- 10.34 Part of the land which Story is promoting fell within an area of Green Belt land adjacent to the south west corner of the allocation boundary of the SWUE as previously proposed. This area of land is shown on the plan at Appendix 3. Story considers that any new policy for the site could facilitate Green Belt compliant uses in this area, (e.g. SUDs drainage, open space etc) to serve the wider development and maximise development potential of the allocation, whilst also providing a more permanent development edge to the allocation and retention of the Green Belt between Halton and Warrington.
- 10.35 As this area of Green Belt would be retained for Green Belt compliant uses, it is considered that this approach will contribute to protecting any resultant strategic gap and maintain the separate identity of Moore Village to the west, in line with discussions with the relevant Local Authorities.

The Western Link Road

- 10.36 When the SWUE was allocated in the WSP 2019, the intention was that it would be facilitated by the Western Link Road. On this basis, Policy MD3 sought a proportionate contribution from the allocation towards the delivery of the Link Road. It is not therefore clear why the Council now has concerns with the potential impact of the site upon the Link Road.
- 10.37 Story fully supports the delivery of the Western Link and the wider SWUE consortium is discussing the issue of land assembly with WBC as the land south of Chester Road that is in Ashall Property Ltd’s ownership is required to facilitate the southern terminal junction at Chester Road.
- 10.38 The highways justification for the removal of the SWUE in the WUPSVLP 2021 has been assessed for Story by highways consultant Eddisons and is attached at Appendix 4. A summary of this assessment is provided below.
- 10.39 This highways note concludes that there is nothing whatsoever in the 2021 evidence documents to suggest that the evidence base used for the current Local Plan documents should have led to the removal of the SWUE site.
- 10.40 The WSP 2019 included an assessment of potential allocation sites across the Borough, which included the SWUE and a number of other strategic allocations. At this time, the Local Plan did not include the Fiddlers Ferry site and included a number of conclusions based on a comprehensive evidence base.
- 10.41 Part of this evidence base would have been informed by the i-Transport ‘Transport Appraisal’ in support of the SWUE from 2019. This document concluded that the residual cumulative traffic impacts of development on the site will not be severe and therefore, in accordance with the NPPF, development should not be prevented on transport grounds. Overall, it concluded that this assessment confirms that the South West Urban Extension is suitable for allocation in the Council’s Local Plan and will form a sustainable development that can provide much needed housing.
- 10.42 The WSP 2019 considered all of the evidence available and determined that the site was appropriate for allocation. As such, the Council has clearly considered the evidence base in sufficient detail to allow the inclusion of the SWUE site within the Local Plan just two years ago.
- 10.43 In August 2021, a letter was received from WBC that identified that the Council was proposing a number of significant changes to the previous Proposed Submission Version Local Plan (2019)

due in large part to a reduction of the Plan’s housing requirement and the allocation of the Fiddlers Ferry site for employment and housing following the closure of the power station in March 2020. As a result of this, the Council advised that not all of the land proposed for allocation in the previous version of the Plan is now required, and following the completion of a further options assessment process, the South West Urban Extension was no longer proposed to be allocated in the Local Plan.

10.44 These is absolutely no evidence for this assertion whatsoever. None of the 2021 submission documents include any such modelling results on the basis of the SWUE allocation. There is no transparent consideration of the modelling or design of the junctions at either end of the Western Link either to be able to conclude that there would be ‘significant, engineering, deliverability and viability issues’ as a result of the SWUE.

10.45 Notwithstanding the 2019 Local Plan documents, the Development Options and Site Assessment Technical Report dated September 2021, states in paragraph 4.11, in relation to the SWUE site, that:

“Having reviewed representations to the previous PSVLP consultation, the Council considers that this remains a reasonable option, providing a residential led sustainable urban extensions supported by a local centre and new primary school. The Council recognises that the developers promoting the site consider the site could accommodate more than the 1,600 proposed in the previous PSVLP and for the purposes of options assessment the Council has used a capacity of 1,700”.

10.46 The Development Options and Site Assessment Technical Report dated September 2021 document continues, on Page 91, to state the following ‘concerns’ over the SWUE allocation:

“Trips generated from the development are likely to push traffic back into the town centre and inner Warrington, offsetting one of the key intended benefits of the Western Link in reducing congestion in these areas and freeing up substantial brownfield development capacity. To mitigate the impact of these developments it is likely that significant additional capacity will need to be provided at the junction of the Western Link and the A57 and the A56. The scale of improvements required to these junctions is likely to raise significant engineering, deliverability and viability issues”.

10.47 This Statement is clearly contrary to the evidence that was submitted to the Local Plan just two years ago. There is no evidence to justify this change of conclusion within any of the Local Plan documents.

10.48 In conclusion, there is nothing whatsoever in the 2021 documents (listed on the first page of the Eddisons note) to suggest that the evidence base used for the current Local Plan documents should have led to the removal of the SWUE site. As such, the Council’s decision to remove the SWUE is contrary to paragraph 35(b) of the Framework which requires ‘an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence’. This has not been justified.

10.49 We also note from the Infrastructure Delivery Plan [IDP]¹⁵ that there is currently a significant funding gap of £77,500,000 for the Western Link Road scheme. The IDP does not confirm how this funding gap is to be addressed but we understand that it will be met by the Council. Background information on the scheme¹⁶ suggests that the Council is currently working on a major scheme business case which will be submitted in late 2022. As Policy MD3 of the WSP 2019 previously sought a proportionate contribution from the SWUE site, it would have helped

¹⁵ Infrastructure Delivery Plan (September 2021) Appendix 1

¹⁶ <https://www.warrington.gov.uk/western-link>

contribute to addressing this funding gap and is still capable of doing so if it is re-instated as an allocation. The allocation of the site would therefore assist the Council in delivering the Western Link.

- 10.50 The 2021 Development Options and Site Assessment Technical Report suggests that with reliance upon the delivery of the Western Link to facilitate development of the SWUE there would be limited opportunity for the delivery of new homes early in the plan period. However, we do not consider this to be the case.
- 10.51 Policy MD3 of the WSP 2019 sought to prevent any development of the site being permitted until funding has been secured and a programme of delivery has been confirmed for the Western Link. However, the Council did not provide any evidence to justify delaying determining any planning applications until the funding and delivery programme had been confirmed. Such an approach would unnecessarily stall the delivery of residential development which is capable of coming forward in the early years of the plan.
- 10.52 Technical highways work undertaken on behalf of the SWUE Consortium¹⁷ indicates that a first phase of housing can be delivered on the site before the Western Link is operational without having a 'severe' impact on the existing highway network and any mitigating highway works required can be undertaken within the adopted highway without the requirement for any third party land. The number of units which could be delivered prior to the Western Link would need to be assessed as part of any future planning application for development on the site.
- 10.53 We do not therefore consider that there is a reliance upon the delivery of the Western Link to facilitate development of the SWUE and the site is capable of delivering new homes early in the Plan Period to help deliver a 5 year supply. We consider that the site could deliver early and that the Western Link should not be the trigger to facilitate the site. We consider that the ability of the site to deliver early in the Plan Period should have been factored into the assessment of the site in the Development Options and Site Assessment Technical Report. This early delivery would contribute to avoiding the need for a stepped housing trajectory in the Local Plan and should therefore weigh favourably in the consideration of the site in the Development Options Report.

Education

- 10.54 It is not clear why capacity within secondary schools in south Warrington has been raised as an issue in relation to the site. The allocation of the site in the WSP 2019 demonstrates that this was not a reason to discount the site at that time. In this regard, Policy MD3 in the WSP 2019 sought a contribution towards additional secondary school places to accommodate the scheme and it is not clear why a similar contribution now would not be appropriate to deal with this matter. There is no available information in the evidence base from the Local Education Authority or other parties to suggest that this is a matter which cannot be mitigated. It is Story Homes' view that this is not a robust argument in relation to the reasons why the site was not carried forward as an allocation. The Secondary School Position Note prepared by education specialists EFM and submitted alongside these representations concludes that this matter should not prevent the SWUE being included as a Local Plan allocation.

Built Leisure Provision

- 10.55 The 2021 Development Options and Site Assessment Technical Report considers that South Warrington has limited existing built leisure provision and the site is likely to put pressure on existing infrastructure but no further evidence of existing provision or impact is provided to

¹⁷ i-Transport Transport Appraisal (November 2021)

substantiate this position. As the site was allocated in the WSP 2019, this was not a reason to discount the site at that time and Policy MD3 in the WSP 2019 sought a contribution towards built leisure facilities to accommodate the scheme. It is not clear why a similar contribution now would not be appropriate to deal with this matter.

10.56 In addition, we note that draft Policy MD2 for the South East Warrington Urban Extension seeks the provision of a leisure facility. If this facility was to be delivered, it would provide another facility on the southern side of Warrington in close proximity to the SWUE site and development on the SWUE site would be capable of supporting it.

10.57 We do not therefore consider that impact on built leisure provision provides a valid reason to discount the site.

Flexibility Beyond the Plan Period

10.58 The 2021 Development Options and Site Assessment Technical Report suggests that the SWUE does not offer any flexibility beyond the Plan Period and there may be the need for the safeguarding of additional sites to ensure the long term permanence of revised Green Belt boundaries and to contribute to the Plan's 30 year vision. However, the site is intended to help meet the requirement for new homes over the Plan Period and for the reasons we have set out in these representations we consider that the Local Plan needs to allocate additional land for new homes which the site would contribute to addressing. We do not therefore consider that this is a valid reason to discount the site.

10.59 In addition, as noted in the Issues Report which accompanies these representations, we consider that the Council needs to identify specific areas of Safeguarded Land in order in order to meet longer-term development needs beyond the plan period, in accordance with the Framework [§ 143]. This will provide a failsafe in the event that one of the key strategic allocations does not come forward as envisaged.

10.60 We therefore consider that flexibility beyond the plan period does not provide a valid reason to discount the site. In any event, it may be the case that the site contributes to delivery beyond the plan period depending upon the final capacity which is achieved.

Sustainability Appraisal

10.61 The 2021 SA [pages 410 to 411] notes that the allocation of the SWUE site would have a number of positive effects including in relation to:

- 1 Economy
- 2 Health
- 3 Accessibility
- 4 Housing
- 5 Water Quality
- 6 Biodiversity

10.62 Its impact on flooding is assessed as being neutral.

10.63 When considered in isolation, the SWUE site is assessed in the SA as having 'moderate negative effects' on Air Quality. The South East Warrington Urban Extension [SEWUE] is also given the same assessment score in isolation. However, when assessed as part of Option 1 (i.e. an urban extension to the south east of Warrington of around 2,400 homes and an urban extension to the south west of around 1,700 homes), the SA records the cumulative impact of the two sites as 'major negative effects'.

- 10.64 When compared to the results on the SA¹⁸ for the WSP 2019, when both sites were proposed for allocation, it is not clear how this conclusion has been reached. At that stage, the two sites were considered as ‘Option 1 - Garden Suburb to the south east of the Warrington of around 4,200 homes & urban extension to the south west of around 1,600 homes’. Whilst the number of homes assessed for the SWUE was 100 less at that time, we note that an additional 1,800 homes were assessed on the SEWUE. The Air Quality assessment for this Option in the 2019 SA was ‘minor negative effect’ and it was noted that positive effects could be generated. It states [page 270]:

“Option 1 is predicted to have a minor negative effect on air quality as there would be an increase in trips concentrated to the south east of the borough through the development of the Garden Suburb. This could increase emissions from transport, having a negative effect on air quality on routes into the town centre, and to/from the M56 and J20 of the M6 in particular. Though it is not likely that new or existing communities in these areas would be exposed to poorer levels of air quality, this option focuses the majority of new growth to the south east, and therefore traffic (and air quality) implications are more likely to be pronounced. However, a south west extension could equally contribute to air quality issues, but focused more towards the town centre. In combination with increased traffic from the south east extension, this could have negative effects on the town centre AQMA. However, the western link road ought to help minimise these effects, and its closer proximity to services and facilities may also reduce the amount of trips into the town centre. A minor negative effect is predicted, with potential for a moderate negative effect (should mitigating factors not be effective). Conversely, should the south west extension be an important contributor to a western link road then notable positive effects could be generated with regards to alleviating congestion through the town centre AQMA”.

- 10.65 Despite the fact that an additional 1,700 homes were assessed, the Air Quality effects of the two schemes were therefore considered to be less than the 2021 SA records. Story notes that the Western Link is still proposed for delivery and the SWUE is capable of contributing towards the cost of providing this infrastructure.
- 10.66 Story therefore considers that the findings of the 2021 SA in relation to Air Quality are not justified, the effects have been overstated, and the SWUE would in fact have lower effects, even when considered in combination with the SEWUE.

Fiddlers Ferry

- 10.67 For the reasons we have set out in our response to Policy MD3, we consider that the Fiddlers Ferry allocation will fail to deliver as anticipated and alternative housing land should be allocated to address any shortfall in provision.
- 10.68 In addition, whilst parts of the Fiddlers Ferry site comprise brownfield land, it should be noted that the allocation includes the removal of 82 ha of land from the Green Belt to help accommodate the proposed new homes on the site. Our concerns with the release of this Green Belt land are set out in detail in our response to Policy MD3.

Conclusion

- 10.69 The information submitted with these representations demonstrates that Story’s land at Higher Walton:
- 1 Is in a highly sustainable location in close proximity to the existing services and facilities.

¹⁸ Warrington Local Plan Review Pre-submission Sustainability Appraisal: SA Report (March 2019)

- 2 Makes a moderate and weak contribution to the key purposes of the Green Belt and is therefore suitable for release given the lack of more suitable land for release.
- 3 Provides an opportunity to create a high-quality development which is sympathetic and responsive to the surrounding area.
- 4 Would provide a more suitable location for residential development than some of the draft allocations identified in the Local Plan, including Fiddlers Ferry.
- 5 Has the potential to contribute towards the provision of the Western Link for which the Infrastructure Delivery Plan currently identifies a significant funding gap.

10.70 There are no physical constraints or other potential impacts or environmental conditions which could preclude the development of the land for housing.

10.71 The suitability of the removal of the land from the Green Belt and allocation for residential development has previously been established through the allocation of the SWUE site in the WSP 2019.

10.72 For the reasons we have set out in these representations we consider that the Local Plan needs to allocate additional land for new homes, including affordable housing, which the site would contribute to addressing.

Tests of Soundness

10.73 Section 10 of the Local Plan is considered to fail the tests of soundness for the following reasons:

- 1 **It is not positively prepared:** The WUPSVLP 2021 as drafted fails to provide a strategy which will meet objectively assessed need and boost supply contrary to the Framework [§60] and further land for new homes needs to be identified.
- 2 **It is not justified:** The release of the SWUE site from the Green Belt and its allocation for new homes has previously been confirmed as acceptable in principle through the allocation of the site in the WSP 2019. The findings of the 2021 SA in relation to Air Quality on the SWUE are considered to be flawed and contradict previous evidence on this matter. The identification and delivery of a brownfield site at 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.
- 3 **It is not effective:** Additional deliverable and developable land needs to be identified to meet needs over the Plan Period.
- 4 **It is not consistent with national policy:** The omission of Story's land at Higher Walton as a residential allocation as part of the SWUE will not support the delivery of sustainable development contrary to the policies in the Framework. Insufficient deliverable land has been identified contrary to the Framework [§68].

Recommended Change

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

- 1 Allocates Story's land at Higher Walton for residential development as part of the re-allocation of the SWUE site.
- 2 Revisits and re-considers the findings of the 2021 SA and updates the incorrect and overplayed impacts the SWUE will have on Air Quality.

- 3 Should the Council determine that allocation of Higher Walton is not necessary at the current time, it is considered that the land should be identified as Safeguarded Land to help meet development needs beyond the Plan Period.

11.0 **Policy MD3 – Fiddlers Ferry**

Introduction

- 11.1 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

- 11.2 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.
- 11.3 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.
- 11.4 Story does not consider that the Fiddlers Ferry site will deliver as anticipated in the WUPSVP 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.
- 11.5 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.
- 11.6 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.
- 11.7 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.
- 11.8 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.
- 11.9 The assessment of the site is therefore considered to be deficient in a number of ways.
- 11.10 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].
- 11.11 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.

- 11.12 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.
- 11.13 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.
- 11.14 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.
- 11.15 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.
- 11.16 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.

11.17 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.

11.18 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**

11.19 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.

11.20 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.

- 11.21 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

- 11.22 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

11.23 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.

11.24 **Legal Compliance**

11.25 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.

11.26 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

11.27 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.

11.28 **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.**

12.0 Conclusions

12.1 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. In summary, 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.

12.2 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.

12.3 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 achieved for all concerned.

12.4 **For the reasons above and other reasons identified in these representations we consider that the SWUE site should be removed from the Green Belt and re-allocated for residential development.**

12.5 **Should the Council determine that allocation of the site is not necessary at the current time, it is considered that the land should be identified as Safeguarded Land to help meet development needs beyond the Plan Period.**

Appendix 1 Land at Runcorn Road, Higher Walton



SITE Land at Runcorn Road,
Higher Walton

DRAWING
Location Plan

DRAWN BY ABC DATE Sept '17
CHECKED BY - SCALE NTS @A3

ISSUE	DRAWING NUMBER	REVISION
-	-	-

Revisions

ISSUE	DRAWING NUMBER	REVISION
-	-	-

Appendix 2 SWUE Memorandum of Understanding

Memorandum of Understanding

Between: Peel L&P Investments (North) Limited,
Story Homes Limited, Riley Properties Limited and
Ashall Property Limited

**Warrington Borough Council Local Plan 2021-38
Proposed Submission Version (September 2021):
Warrington South West Urban Extension**

November 2021

1. Introduction

- 1.1 This Memorandum of Understanding (MoU) has been prepared jointly by Peel L&P Investments (North) Limited, Story Homes Limited, Riley Properties Limited and Ashall Property Limited; hereby known as the South West Urban Extension Consortium (or 'the Consortium').
- 1.2 This document relates to the South West Urban Extension (SWUE), previously identified for residential development in the Warrington Proposed Submission Version Local Plan (March 2019) in Policy MD3 – South West Urban Extension. The SWUE allocation has since been removed from the Warrington Proposed Submission Version Local Plan (September 2021).
- 1.3 This document sets out the Consortium commitment to delivering the South West Urban Extension in a collaborative manner.

2. Background

2.1 The SWUE was previously allocated in the Warrington Proposed Submission Version Local Plan (March 2019) in Policy MD3 – South West Urban Extension to deliver:

- A new residential community of around 1,600 homes
- A two-form entry primary school
- A mixed-use local centre providing a health facility and a range of units
- Variety of high-quality open space including a new Local Park, playing pitches and play spaces.

2.2 Within the Warrington Proposed Submission Version Local Plan (March 2019) the SWUE allocation is intended to be delivered from Year 7 of the Plan Period (2023/24) continuing beyond the Plan Period. As identified in Appendix 1 – Housing Trajectory and Stepped Housing Supply in the 2019 version of the Local Plan. The Consortium fully supported the principle of this allocation and subsequent policy.

2.3 Collaboratively the site is under the control of Peel L&P Investments (North) Limited, Story Homes Limited, Riley Properties Limited and Ashall Property Limited. The Consortium Group collectively own a significant majority of the site, this includes the access points and locations for key pieces of infrastructure required to deliver the development. Through representations previously submitted, and meetings with Warrington Borough Council, the Consortium Group have consistently expressed clear support for the site's allocation and also the Council's decision to bring forward an ambitious growth-led Local Plan.

2.4 The iterations of the Warrington local Plan and subsequent evidence base documents, up to the 2019 Version, clearly show support for the allocation of the SWUE. Warrington Councils South Warrington Urban Extension Framework Plan Document (June 2017) shows clear support for the site and the benefits it could bring to the wider area.

“The Development of the SWUE site presents a significant positive opportunity for Warrington, which will help to meet housing land supply requirements in the following years... This will be a significant opportunity for Warrington to create a new sustainable urban extension to the south west of Warrington.”¹

2.5 The SWUE Consortium Group has been working collaboratively to refine proposals for the scheme at South West Warrington. Over the duration of the Local Plan production the Consortium Group has engaged and worked with the Council and enhanced the Masterplan to reflect this progression. This has been informed via the instruction or update of technical evidence, ensuring that the proposals are technically deliverable.

2.6 Following the consultation on the Warrington Proposed Submission Version Local Plan (March 2019), Warrington Borough Council has proposed a number of changes to the Local Plan. These include:

- A reduction in the Housing Requirement from 945 to 816 dwellings per annum (dpa)

¹ Warrington Borough Council: South Warrington Urban Extension Framework Plan Document (June 2017) p.39

- The allocation of Land at Fiddlers Ferry for both employment and residential development
 - The subsequent removal of draft allocations including the South West Urban Extension
- 2.7 The SWUE allocation has now been removed from the Warrington Proposed Submission Version Local Plan (September 2021). The Consortium are disappointed in the Councils decision to remove this allocation given that the scheme aligned with the wider ambitions of the Local Plan and were supported in principle by the Council themselves.
- 2.8 The Consortium Group considers it vital that Warrington Borough Council progress with an ambitious growth-led Local Plan which ensures appropriate levels of housing and economic development are pursued. The Consortium Group is disappointed in the Councils change in stance on housing need and growth, between the 2019 and 2021 Submission Version Local Plan, which has resulted in the SWUE being removed from the Plan.
- 2.9 The Consortium Group consider that this removal is unjustified. In addition, the Group is concerned that the Council has decided to move away from a Plan that was growth-led, to a version of the Local Plan which seems to adopt the minimum requirement as dictated by the Standard Method. This sudden contradiction is deeply concerning and is not considered to be robustly justified.
- 2.10 The Consortium remains fully committed to promoting the SWUE for residential development and have previously demonstrated through technical evidence that the site is a sustainable and deliverable option for development within the Borough. This will be demonstrated further in the combined and independent representations to the current Local Plan consultation.

3. Commitment

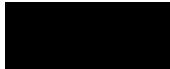
- 3.1 Despite the loss of an allocation at SWUE, the Consortium members are fully committed to work collaboratively in order to promote the site for development.
- 3.2 The Consortium are also fully committed to continue to work with Warrington Borough Council in order to develop a sustainable and deliverable vision for SWUE, subject to an allocation in the future iterations of the Local Plan.
- 3.3 The Consortium agrees that development at the SWUE should be comprehensive and coordinated. A Development Prospectus has been prepared and agreed by all Consortium members to demonstrate how the site could be brought forward for development in a comprehensive manner. It demonstrates how the individual and collective land ownerships are complementary and can contribute towards meeting the housing needs of Warrington in accordance with the overarching vision and objectives of the Local Plan.
- 3.4 The Consortium Group notes that the SWUE has the ability to deliver homes earlier than the anticipated trajectory, as seen within the Warrington Proposed Submission Version Local Plan (March 2019).
- 3.5 The Consortium have collectively and separately undertaken significant technical work to ensure that there are no insurmountable obstacles to the delivery of residential development and can demonstrate clear achievability.
- 3.6 The Consortium are committed to working with Warrington Borough Council (as Local Planning Authority and Local Highway Authority) and have held a number of joint meetings with the Council.
- 3.7 The Consortium remains committed to continuing to work in partnership with the Council to secure the delivery of housing on the SWUE at the earliest opportunity.
- 3.8 Finally, the Consortium Group remains in agreement that the Warrington South West Urban Extension remains deliverable, achievable, available and viable.

4. Declaration

Signed on behalf of Peel L&P Investments (North) Limited:

Name: Steven Underwood

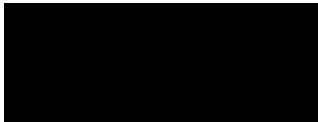
Date: 12/11/2021

Signature: 

Signed on behalf of Story Homes Limited:

Name: John Winstanley

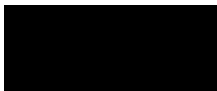
Date: 12/11/2021

Signature: 

Signed on behalf of Riley Properties Limited:

Name: Stafford Clever

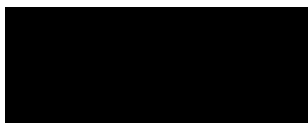
Date: 12/11/2021

Signature: 

Signed on behalf of Ashall Property Limited:

Name: Scott Ashall

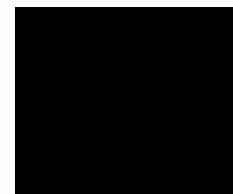
Date: 

Signature: 

Appendix 3 Land Proposed for Green Belt Compliant Uses



Appendix 4 Eddisons Transport Note



**SOUTH-WEST URBAN EXTENSION, WARRINGTON
TRANSPORT AND HIGHWAYS APPRAISAL TO LOCAL PLAN PROCESS – NOVEMBER 2021**

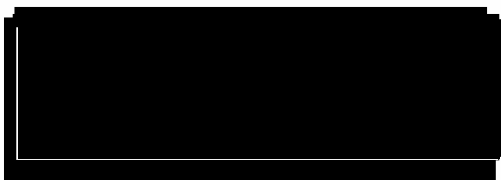
Introduction

Eddisons have been instructed by Story Homes and Ashall Property Ltd, to advise on the pertinent highways issues contained with the latest documents submitted by Warrington Borough Council (WBC) as part of the emerging Warrington Local Plan process. This advice is specifically targeted on the South West Urban Extension that was included in the Council's 2019 Proposed Submission Version Local Plan as policy MD3: South West Urban Extension but has now been removed from the Council's updated Submission Version Local Plan (UPSVLP).

WBC is currently consulting on its UPSVLP, which will guide development in the Borough to 2037. The UPSVLP has undergone a number of significant changes since the previous iteration of the Plan (2019) including a reduction in the number of houses required and a reduced plan period which in turn resulted in the removal of the number of sites required to be removed from the Green Belt. The draft allocations removed include: South West Urban Extension (1,600 homes), Phipps Lane, Burtonwood Village (160 homes), Massey Brook Lane, Lymm (60 homes). The Plan also seeks to move away from the Garden Suburb concept in South Warrington (4,200 homes previously), and instead now includes a new proposal for the South East Warrington Urban Extension with a reduced capacity of 2,400 new homes in the Plan period. The Plan seeks to introduce one significant site into the Plan at the Former Fiddlers Ferry Power Station following its closure as a power station in March 2020. The Plan anticipates the delivery of 1,310 dwellings within the Plan Period with a further 450 dwellings beyond the Plan period.

Considered Documents

This note will consider the content of the following documents and highlight any potential highways and transport implications with the current Local Plan documents:



- Transport Model Testing of the WBC Local Plan dated August 2021.
- Warrington Western Link Note by Mott Macdonald dated September 2021.
- Development Options and Site Assessment Technical Report dated September 2021.
- Warrington Local Plan Review - Sustainability Appraisal dated August 2021.
- Review of the Warrington Local Plan – Proposed Submission Version Local Plan – March 2019.
- Proposed Submission Version Local Plan - Responding to Representations Report dated 2019.

Assessment of the SWUE Site

The Proposed Submission Version Local Plan document from March 2019 included an assessment of potential allocation sites across the Borough, which included the SWUE and a number of other strategic allocations. At this time, the Local Plan did not include the Fiddlers Ferry site and included a number of conclusions based on a comprehensive evidence base.

Part of this evidence base would have been informed by the i-Transport 'Transport Appraisal' in support of the SWUE from 2019. This document concluded the following:

The site will include a mix of uses, enabling local active travel, and is close to a comprehensive range of facilities and services at Stockton Heath and Warrington town centre. The draft allocation will therefore support and promote sustainable development and sustainable travel patterns with residents able to meet day-to-day needs locally. This confirms its suitability as a location for development. The site will meet the transport related objectives and policies of the Council's PSLP. Specifically it will meet objective W4 of the Local Plan and, considering the five accessibility criteria defined by the Council, it will result in positive effects.

The Warrington Western Link will provide significant additional capacity in the central Warrington Road network and will assist in facilitating the full SWUE development proposals. The Council has conducted traffic assessments using its traffic model to demonstrate that the traffic flows generated by the full PSLP development, including 1,800 dwellings on the SWUE, can be accommodated on the surrounding highway network with a complementary package of infrastructure including WWL.

The residual cumulative traffic impacts of development on the site will not be severe and therefore, in accordance with the NPPF, development should not be prevented on transport grounds.

Overall, it is therefore concluded that this assessment confirms that the South West Urban Extension is suitable for allocation in the Council's Local Plan and will form a sustainable development that can provide much needed housing.'

The Proposed Submission Version Local Plan document from 2019 fully considered all of the evidence available and made a number of clear recommendations for the Local Plan allocations, which remain valid as they were drawn only 2 years ago.

These include the following statements:

- Para 3.3.11 - The South Western Extension is of sufficient scale to support a range of local services and will be facilitated by the Western Link. Residents will have good access by all means of travel to employment, shopping and recreational facilities in the Town Centre and the wider urban area.
- Para 3.3.28 - The Western Link will provide a new road connection between the A56 Chester Road and the A57 Sankey Way, crossing the Manchester Ship Canal, the West Coast Mainline and the River Mersey, making a significant contribution to addressing congestion within Warrington. It will enable the development of the Waterfront area, including Port Warrington. Through reducing traffic levels on the existing road network, it will facilitate the development of the South West extension and a greater level of development within the Town Centre and across Inner Warrington.
- Para 3.4.10 - The South West Extension will provide a new sustainable community supported by local infrastructure and services and will be facilitated by the Western Link
- Para 10.3.3 - The development will be designed to support walking and cycling for local trips. It will benefit from the new Western Link and improved public transport to enable access to the Town Centre, Stockton Heath, the Waterfront development, the new Garden Suburb and other major employment areas, including Daresbury.
- Para 10.3.7 - Development cannot come forward until the funding and the programme for the delivery of the Western Link have been confirmed. This means the first homes are anticipated to be completed in 2023/24, with the urban extension completed in full by the end of the Plan period in 2037.

- Para 10.3.11 - The South West Urban Extension performed well in terms of the assessment against the objectives of the Local Plan, the requirements of the Government's National Planning Policy Framework and the Local Plan's Sustainability Appraisal. The proposed Western Link will also pass through the eastern edge of the allocation site.
- Para 10.3.12 - The urban extension is of a sufficient scale to provide a range of services to support a new residential community in this part of Warrington, including a local centre, primary school, health facility and a network of open spaces. Its location will also ensure good access to Stockton Heath District Centre, Warrington Town Centre, the major development at Warrington Waterfront and other major existing and proposed employment areas, including Daresbury.

Story Homes and Ashall Property Ltd remain wholly supportive of the WWL and indeed are discussing the issue of land assembly with WBC at its southern end as the land south of Chester Road that is in Ashall Property Ltd's ownership site is required to facilitate the southern terminal junction at Chester Road.

Part of the Council's 2019 evidence base included the Proposed Submission Version Local Plan- Responding to Representations Report dated 2019. Within this document there are a number of 'themes' that refer to the various allocated sites at that time. Pertinent to the assessment of the SWUE are Themes 15 and 23 which are listed below together with the WBC responses to each matter:

'Theme 15: Exceptional Circumstances for Green Belt Release:

The South West Extension will provide a new sustainable community supported by local infrastructure and services and will be facilitated by the Western Link

Theme 23: Scale of Development in South Warrington:

Given the number or nature of representations made to the Preferred Development Option consultation, the Council has carried out a fundamental review of the technical evidence base and options assessments that underpin the emerging Local Plan. Having undertaken this work and taken into account the representations, the Council considers the general locations for development in south Warrington, as presented in the PDO, to be sustainable.'

As such, the Council has clearly considered the evidence base in sufficient detail to allow the inclusion of the SWUE site within the Local Plan just two years ago.

In August 2021, a letter was received from WBC that identified that the Council was proposing a number of significant changes to the previous Proposed Submission Version Local Plan (2019) due in large part to a reduction of the Plan's housing requirement and the allocation of the Fiddlers Ferry site for employment and housing following the closure of the power station in March 2020. As a result of this, the Council advised that not all of the land proposed for allocation in the previous version of the Plan is now required, and following the completion of a further options assessment process, the South West Urban Extension was no longer proposed to be allocated in the Local Plan.

There is absolutely no evidence for this assertion whatsoever. None of the 2021 submission documents include any such modelling results on the basis of the SWUE allocation. There is no transparent consideration of the modelling or design of the junctions at either end of the WWL either to be able to conclude that there would be 'significant, engineering, deliverability and viability issues' as a result of the SWUE.

Notwithstanding the 2019 Local Plan documents, the Development Options and Site Assessment Technical Report dated September 2021, states in paragraph 4.11, in relation to the SWUE site, that:

'Having reviewed representations to the previous PSVLP consultation, the Council considers that this remains a reasonable option, providing a residential led sustainable urban extensions supported by a local centre and new primary school. The Council recognises that the developers promoting the site consider the site could accommodate more than the 1,600 proposed in the previous PSVLP and for the purposes of options assessment the Council has used a capacity of 1,700.'

The Development Options and Site Assessment Technical Report dated September 2021 document continues, on Page 91, to state the following 'concerns' over the SWUE allocation:

'Trips generated from the development are likely to push traffic back into the town centre and inner Warrington, offsetting one of the key intended benefits of the Western Link in reducing congestion in these areas and freeing up substantial brownfield development capacity. To mitigate the impact of these developments it is likely that significant additional capacity will need to be provided at the junction of the Western Link and the A57 and the A56. The scale of improvements required to these junctions is likely to raise significant engineering, deliverability and viability issues.'

This Statement is clearly contrary to the evidence that was submitted to the Local Plan just two years ago. There is no evidence to justify this change of conclusion within any of the Local Plan documents.

In conclusion, there is nothing whatsoever in the 2021 documents (listed on the first page of this note) to suggest that the evidence base used for the current Local Plan documents should have led to the removal of the SWUE site. As such, their decision to remove the SWUE is contrary to paragraph 35 of the Framework (bullet (b)) which requires 'an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence'. This has not been justified.

Assessment of Fiddlers Ferry Site

The Transport Model Testing of the WBC Local Plan dated August 2021 has included an assessment of the inclusion of the Fiddlers Ferry site within the modelling exercise. Paragraphs 9.6 to 9.11 of the report are summarised below:

9.6 Fiddlers Ferry was not an allocated site in the previous modelling of the PSVLP 2019.

9.7 The development is proposing to deliver 1,310 homes through Green Belt release and 89.68Ha of employment land on a Brownfield site during the Plan Period with a further 450 homes beyond the Plan Period (a further 450 homes are projected to be delivered beyond the Plan period and these will be considered in the sensitivity analysis).

9.8 To provide access to the development, a number of assumptions were made in the modelling to facilitate the development traffic accessing the existing network and can be found in Chapter 5 above. However, no specific off site mitigation measures were included in the modelled network outside the development site itself.

9.9 Given the proximity of the development site to Halton, consideration has been given to the trip rate and trip distribution patterns and adjustments made to the matrix to reflect likely travel patterns.

9.10 In the immediate vicinity of the development, delays, flows and V/C ratios all increase as the development traffic is added to the existing local network, particularly along the A562 heading towards both Halton and Warrington. There are also increases on the local network heading to/from M62 J7 and the A557 Watkinson Way.

9.11 A number of junctions experience increases in delay, both within Warrington and Halton, which will need to be considered for improvement when further detailed work on the development site is undertaken to help mitigate the impacts of the development.'

Our view is that the results of that modelling on a network wide basis has not been presented in sufficient detail to establish any view as to how the network is likely operate with the Fiddlers Ferry site in the 2038 future assessment year.

In addition, the presentation of the modelling results do not allow any sort of comparison between the results of junction and network modelling from the previous Local Plan development strategy, ie with the SWUE, for example, and without the Fiddlers Ferry site, and the one being progressed now, ie without the SWUE, for example, and with the Fiddlers Ferry site.

This should be a critical thread of how the Local Plan strategy has evolved in recent years and should provide the evidence that the current strategy is more beneficial in transport terms than the previously proposed one, or at the very least acceptable in terms of, in this case, traffic impact on the local and strategic road network.

Moreover, there is no detailed traffic impact analysis contained within any of the Local Plan documents that would allow an assessment of the impact of the Fiddlers Ferry site and a confirmation that all of the mitigation required to ensure that the impact of the proposals was not 'severe', in the context of the Framework, could be delivered without requiring third party land.

It is clear from the August 2021 report, for example on the 'Analysis of Metric' information on Page 69, that the Fiddlers Ferry site will increase traffic flows along the A562 (see below).

Analysis of Metric:

Scenario 0 vs. Scenario 2

- Network change in Scenario 2 – A49 improvements and Parkside A&B, Highways England Concept Scheme at M56 J10; Highways England Concept Scheme at M6 J20 Lymm; and SEWUE & SEWEA enabling infrastructure. As there is additional highway infrastructure and capacity in Scenario 2, the PSVLP 2021 demand can choose to access the core network via alternative routes.
- For both AM and PM flows, there are increases in the immediate vicinity of the key development (both increases and decreases as result of re-routing effects):
- Increases in flow along the A562 (Fiddlers Ferry)
- Small decreases along the A49 corridor, increases along the A50 (SEWUE & SEWEA);
- Decreases through Appleton Thorn village as traffic is using the new SEWUE infrastructure; and
- Parkside Link and the new SEWUE link both show large increases as these are not present in Scenario 0 with traffic choosing to use these new links in Scenario 2. The Parkside link is causing large re-routing as the development demand is not explicitly being modelled in this assessment (all growth outside of the borough is based on NTEM), only the highway impact of a new link. The A49 improvements in the vicinity of M62 J9 are resulting in small decreases in flow on the Winwick link, Winwick roundabout and the A49.

The A562 is the main local highway route between Warrington and Widnes with a number of key junctions along its length, including the Fiddlers Ferry Gyratory in Widnes to the west, the 'Lane End' junction and the A57 roundabout junction towards Warrington town centre, to the east.

There are comments in the August 2021 report that suggest that mitigation can be provided on the local highway network that would be able to be provided to accommodate the traffic that would be generated by a redevelopment of the Fiddlers Ferry site.

This is confirmed in Paragraphs 9.10 and 9.11 (detailed above) with increases in flow along the A562, the A557 (in Widnes) and to and from the M62 Junction 7.

However, the August 2021 document provides no evidence of any agreement on the network modelling that has been carried out within the 2021 Local Plan documents with the neighbouring Halton Council and National Highways (NH), although 'engagement' with NH is mentioned, in paragraph 8.106. In addition, no mitigation has been agreed with either Halton Council or NH on their network to ensure adequate mitigation of the Fiddlers Ferry site.

In this context the Framework (2021) states at para 27 that in order to demonstrate effective and on-going joint working, strategic policy making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency". Given the cross-boundary implications of Fiddlers Ferry on Halton and Warrington we would expect that this should be clearly set out and the relevant highways authority provides open transparent documentation of the assessment work and predicted impacts.

Given the strategic importance of these routes and the regional status of Junction 7 of the M62, there is absolutely no certainty whatsoever that the infrastructure required to accommodate the Fiddlers Ferry site can be achieved.

For example, the 'Lane End' junction, which is the A562/Liverpool Road junction, is a signalised arrangement that is inevitably going to be impacted by any redevelopment at the Fiddlers Ferry site. This junction is very constrained on all sides by existing development and any physical mitigation to improve the capacity of this junction is highly likely to require the acquisition of third party land and there is no certainty of this land being acquired.

In addition, the gyratory system at the A562/A557 (Fiddlers Ferry Junction) is a junction that serves as the approach route to the Mersey Gateway bridge to the south. As with the Lane End junction, this signalised intersection is constrained on all sides by existing development and third party land. Once again, any physical mitigation to improve the capacity of this junction is highly likely to require the acquisition of third party land.

As such, it is clear that there is no evidence 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.

Another issue with the current Local Plan allocations is the lack of alignment between the Transport Model Testing of the WBC Local Plan dated August 2021 document and the Development Options and Site Assessment Technical Report dated September 2021.

The latter document refers to 5 development options which are covered within the report. These are listed below with the various sites included within each one from the table in paragraph 4.5.12 of the document.

	Reg19b Option 1	Reg19b Option 2	Reg19b Option 3	Reg19b Option 4	Reg19b Option 5
Urban Constant	11,750	11,750	11,750	11,750	11,750
Outer Settlements	801	801	801	801	801
South East Warrington Urban Extension	2400	2400	2400	/	/
South Warrington Urban Extension	1700	/	/	1700	1700
Fiddlers Ferry	/	1300	1300	1300	1300
Thelwall Heys	/	/	310	310	/
Total	16,651	16251	16,561	15,861	15,551

Appendix 5 of the document subsequently includes a summary of the various options under a title of 'Options Assessment of Main Development Locations' on Page 84 of the document.

None of these options are referred at all in the Transport Model Testing document dated August 2021. As such, there is no comparison that can be made between the impacts of the various Local Plan options at all. This would include an appropriate cumulative assessment of the Local Plan options from the Development Options and Site Assessment Technical Report, which as far as we understand, is the most recent of the Local Plan evidence documents available.

Similarly, the 5 Options are also not referred to in the Warrington Western Link Note by Mott Macdonald dated September 2021.

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.

Sustainability

We have also considered the findings of the Appraisal of Urban Extension Options in Appendix G of the Sustainability Appraisal (SA) dated August 2021. We note that there are a number of issues with the Fiddlers Ferry site which raise questions over its suitability for allocation.

In particular, it is clear from the SA that the Fiddlers Ferry site performs poorly in terms of accessibility in comparison to the other growth areas considered and is assessed as having a 'minor negative' effect. With regard to this matter the SA states:

'It should be noted that only one bus route serves this area, making a regular service and capacity potential issues, with the scale of development being unlikely to increase the viability of new services being delivered (though employment growth on site could contribute towards viability alongside residential growth). The site is likely to deliver some limited onsite services such as a primary school and local shops and potential flexible health space. However, it is somewhat isolated in terms of accessibility to other shops and services, and secondary school, and as such may promote some car dependency. The scale of growth would be somewhat likely to deliver active travel infrastructural improvements, potentially making active travel more viable, however the site is over 5km from central Warrington and as such, some potential active travel potential journeys may instead be taken by private motor vehicle. Whilst the site could lead to some increases in congestion, especially at peak journey times (with the A562 and A57 most likely to be negatively affected), the size of the site increases the viability of infrastructure improvements intended to mitigate the effects of increases in traffic volumes. Overall, development in this location is predicted to lead to minor negative effects as accessibility would not be ideal in terms of walkability or public transport further afield.'

This 'minor negative effect' compares very poorly with the alternative sites which are also assessed within the 'accessibility' section of Appendix G, as follows:

- South-East Warrington Urban Extension – a combination of moderate positive effect and minor negative effect.
- Thelwall Heys – neutral effect.
- South West Urban Extension - minor positive effect.

The accessibility of the Fiddlers Ferry site is therefore a significant issue and there does not appear to be any clear solution or strategy contained in the plan or policy to address 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 which will inevitably increase the reliance of the use of the private car which is clearly contrary to current local and national planning policy. 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 will result in increased trips by private car and may lead to increases in congestion which we have already highlighted is unlikely to be able to be suitably mitigated on land within the control of the Fiddlers Ferry site in any event.

We therefore consider that the site is likely to have a 'major negative' effect in terms of accessibility.

For the reasons set out above, we consider that the SA vastly underestimates the impact of the Fiddlers Ferry site and the scheme is likely to have a major negative effect upon sustainability.

In conclusion, the Fiddlers Ferry allocation does not meet the NPPF tests of soundness set out below from paragraph 35 of the Framework:

- *Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence* – this has clearly not been carried out given the previous iteration of the Local Plan which provided a suitable range of housing allocations and the evidence to justify each of them, including the SWUE.
- *Effective – deliverable over the plan period* – 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.

- *Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies within this Framework* – this note has demonstrated that the redevelopment of the Fiddlers Ferry site is likely to 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’.

Conclusions

In summary, it is clear from this note that on transport and accessibility grounds Fiddlers Ferry is not justified, effective, or consistent with National Policy and should not be presented as a sustainable alternative to the SWUE.

The Council are not justified in their statement on Page 91 of the Development Options and Site Assessment Technical Report dated September 2021 that appears to be a significant factor in the Council’s decision to remove the SWUE from the Local Plan and promote the Fiddlers Ferry as an alternative.

For example, consideration of the 2019 and 2021 Local Plan documents clearly shows that:

- The Fiddlers Ferry site is likely to require major off site highway mitigation works which are unlikely to be deliverable on land owned by the site or on adopted highway.
- The Fiddlers Ferry site is poorly served by public transport and is not considered sustainable in transport terms.
- The Fiddlers Ferry site compares poorly in terms of accessibility to all of the other large residential allocation sites considered in the latest Local Plan evidence base.
- The SWUE has already been demonstrated by the Council as one that can ‘encourage sustainable travel with the improvements being promoted in this part of the town and on the Chester Road corridor and ensure that residents can walk or cycle easily into the core of the town centre and the nearby major employment areas to reduce the reliance on the private car’.
- The previous Council evidence demonstrated that the SWUE could be delivered in conjunction with the WWL and ensure that there were likely to be no ‘severe’ impacts resulting from its redevelopment.

- Story Homes and Ashall Property Ltd remain wholly supportive of the WWL and indeed are discussing the issue of land assembly with WBC at its southern end as the land south of Chester Road that is in Ashall Property Ltd's ownership site is required to facilitate the southern terminal junction at Chester Road.

The latest evidence documents submitted in support of the emerging plan do not provide any transport based justification for the removal of the SWUE site in favour of the potential redevelopment of the Fiddlers Ferry site.

There is no evidence that the current Local Plan strategy, which includes the Fiddlers Ferry site, is acceptable in transport terms and the Council have been inconsistent in their approach and evidence base. The Local Plan, as proposed, is therefore unsound when considering the Framework.

