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WARRINGTON
Borough Council

Warrington Borough Council

Local Plan

Preferred Development Option

Regulation 18 Consultation

Standard Response Form

July 2017

2: Questions

Question 1

Do you have any comments to make about how we've worked out the need for new homes and employment land in Warrington over the next 20 years?

Response:

Question 2

Do you have any comments to make about how we've worked out the number of homes and amount of employment land that can be accommodated within Warrington's existing built up areas?

Response:

Question 3

Have we appropriately worked out the amount of land to be released from the Green Belt, including the amount of land to be 'safeguarded'?

Response:

Question 4

Do you agree with the new Local Plan Objectives?

Response:

Question 5

Do you have any comments to make about how we've assessed different 'Spatial Options' for Warrington's future development?

Response:

Question 6

Do you have any comments to make about how we've assessed different options for the main development locations?

Response:

Question 7

Do you agree with our Preferred Development Option for meeting Warrington's future development needs?

Response:

Question 8

Do you have any comments to make about our Preferred Development Option for the City Centre?

Response:

Question 9

Do you have any comments to make about our Preferred Development Option for the Wider Urban Area?

Response:

Question 10

Do you have any comments to make about our Preferred Development Option for developing the Warrington Waterfront?

Response:

Question 11

Do you have any comments to make about our Preferred Development Option for the Warrington Garden City Suburb?

Response:

Question 12

Do you have any comments to make about our Preferred Development Option for the South Western Urban Extension?

Response:

Question 13

Do you have any comments to make about our Preferred Development Option for development in the Outlying Settlements?

Response:

Question 14

Do you agree with our approach to providing new employment land?

Response:

Question 15

Do you agree with our suggested approach for dealing with Gypsy and Travellers and Travelling Showpeople sites?

Response:

Question 16

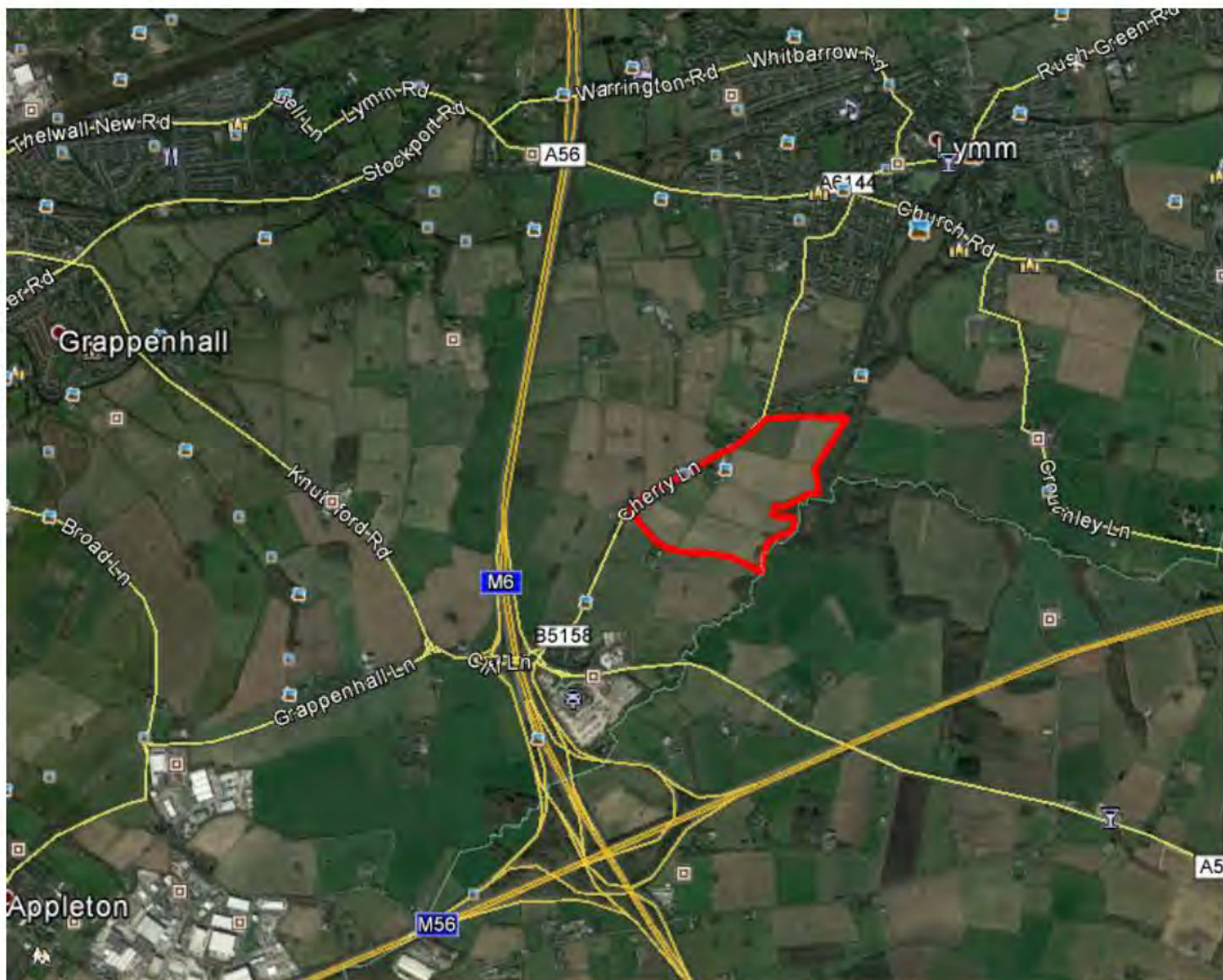
Do you agree with our suggested approach for dealing with Minerals and Waste?

Response:

Question 17

Having read the Preferred Development Option Document, is there anything else you feel we should include within the Local Plan?

Response:



Warrington Borough Local Plan – Preferred Development Option Regulation 18 Consultation

Representations on behalf of the High Legh
Estate

INTRODUCTION

These representations, made by Fisher German on behalf of the High Legh Estate (hereafter referred to as my client), relate to land at Cherry Hall Farm, Lymm. They incorporate comments on the Warrington Local Plan Preferred Development Option Consultation document.

These representations are structured around the Questions identified by the Council, but seeks to address only those questions of relevance to my client's interests.

My client owns land at Cherry Hall Farm, Lymm. The site extends to approximately 37.6 hectares in area, and a plan showing the site's boundaries is enclosed with these representations. The site has previously been submitted to the Council's 'call for sites' exercise.

We welcome the latest consultation on the Council's Preferred Development Option. For the reasons outlined in this response, concerns are raised at the evidence and justification in reaching the proposed development needs requirements and the demonstration that the Preferred Development Option can be delivered in the timescales envisaged. The Green Belt Assessment evidence is queried as well.

The land at Cherry Hall Farm is extremely well placed to contribute to the housing and employment supply within Warrington Borough in the short term. The land is in a sustainable location, accessible, unconstrained and would appear as a logical extension of the current urban form. The site continues to receive developer interest and significant interest from a wider range of commercial, leisure and light industrial businesses who are attracted by the location of the site. Whilst it is currently within the designated Green Belt, for the reasons outlined within these representations, we strongly believe that it represents an ideal opportunity to increase land supply in the short term through development on a highly sustainable site.

WARRINGTON BOROUGH COUNCIL LOCAL PLAN PREFERRED DEVELOPMENT OPTION - REGULATION 18 CONSULTATION

Question 1

Do you have any comments to make about how we've worked out the need for new homes and employment land in Warrington over the next 20 years?

Warrington Borough Council is currently reviewing its Local Plan following the High Court challenge on the housing requirement, and the emerging evidence underpinning the borough's growth needs and economic development ambitions. It is clear through the emerging evidence base that the local planning authority has very challenging housing and employment land requirements targets to deliver.

It is clear in national planning policy and guidance that the Objectively Assessed Housing Need is only the starting point for identifying the housing requirements for Warrington Borough and that other factors such as employment growth are factors that must be taken into consideration.

The Mid Mersey Strategic Housing Market Assessment Update – Warrington Addendum (May 2017) calculates an OAHN of 955 dwellings per annum. The SHMA adds that to plan for higher employment growth, 1,113 dwellings per annum would be required to support the Devolution Deal economic ambitions. It is this figure which is proposed as the housing target in the current consultation. It represents an approximate 14% increase from the previous SHMA housing need figure, as part of the 2016 Local Plan Review consultation.

The Council's position to take forward a higher housing requirement figure is supported, particularly given the criticisms at the earlier stages with the High Court challenge and more recent Mid-Mersey SHMA evidence base work.

However, it is noted that the Mid-Mersey SHMA identifies a range of 835 dwellings per annum to 1,332 dwellings per annum. The Council's proposed provision of 1,113 dwellings per annum is towards the centre of this range, and there is no apparent justification as to why this figure is being progressed over a higher dwelling per annum figure.

Warrington Borough will be familiar with the neighbouring Cheshire East Local Plan examination which closed earlier this year. During the examination in public several issues were raised by the Inspector regarding the housing and economic growth figures:

Failing to specifically consider and quantify all relevant economic and housing factors, including market signals and the need for affordable housing. The proposed level of housing appeared inadequate to ensure the success of the overall economic, employment and housing strategy.

The relationship between economic growth and housing provision is complex but important. If there is insufficient provision of new dwellings across the authority area to accommodate new employees, the economic strategy will not be realised without significantly increased levels of

commuting into the area. This situation is a risk; it is neither sustainable nor desirable, a point made by the Inspector in his initial findings for the Cheshire East Local Plan Examination.

Paragraph 6.6 of the consultation document states that the Council is aware it will need to undertake a more detailed review of its affordable housing policy to reflect changes to national planning policy and the latest evidence on the Borough's affordable housing need. This is an important piece of the evidence basis because it will impact on the Council's overall housing needs. It is essential that this work is progressed immediately.

Finally, the extent to which the Council has demonstrated its Duty to Cooperate in line with requirements in the NPPF. It is particularly important that the housing needs of Halton and St Helen Boroughs have been adequately addressed through this process, particularly with the increases proposed in the latest SHMA evidence for both authorities.

Question 2

Do you have any comments to make about how we've worked out the number of homes and amount of employment land that can be accommodated within Warrington's existing built up areas?

Overall, the aim to maximise development opportunities within the existing built up areas is supported. The urban capacity assessment concludes that 15,429 dwellings can be accommodated on such land.

Paragraph 48 of the NPPF states that local planning authorities can make an allowance for the delivery of residential development via windfall sites. These are predominantly previously developed sites located within settlement boundaries.

Whilst the principle of developing such sites is not in doubt, the Council should be cautious in its approach not to over rely on such sites where delivery has been an issue in the past. Further evidence should be provided which is robust and clear on the land availability, achievability, suitability and, very importantly, viability. The viability issue is particularly acute when the Council has ambitious affordable housing targets to deliver. Such previously developed sites often have costs associated with infrastructure delivery and site remediation/clearance which could impact on delivery of the full affordable housing policy requirement (which, as acknowledged in paragraph 6.6 of the consultation document, is an outstanding policy matter).

Question 3

Have we appropriately worked out the amount of land to be released from the Green Belt, including the amount of land to be 'safeguarded'?

National planning policy makes it clear that when altering Green Belt boundaries consideration should be given to whether land needs to be safeguarded land to meet longer term development needs. The identification of land to be both released and safeguarded from the Green Belt is welcomed. The amount of land to release is dependent on several assumptions as set out in paragraph 4.18 of the consultation document. As outlined in the Question 2 response to this consultation, the assumptions on delivery rates in the urban areas

need thorough review and justification as well because this can also impact on the amount of land to release in the Green Belt.

There is clear evidence that exceptional circumstances exist which justify revisions to the Green Belt around Warrington. These include:

- The objectively assessed housing need for Warrington is, as outlined in these representations, very high and requires a step change in delivery.
- As stated above, there is a limited supply of land available within the built-up areas when compared with the extent of the housing need. There are constraints on the supply of non-Green Belt land which is suitable for sustainable development.
- Furthermore, the ability to deliver the required development needs outside of the Green Belt is unlikely. It would also result in a strategy that is contrary to the principles of sustainable development. Achieving sustainable development without impinging upon the Green Belt would be very difficult.
- Only with thorough justification on the land to be developed in the built-up areas, can a full assessment of Green Belt land requirements be undertaken.

Question 5

Do you have any comments to make about how we've assessed different 'Spatial Options' for Warrington's future development?

Three spatial options have been considered by the Council and the preferred option 2 would include the majority of Green Belt release adjacent to the main urban area with incremental growth in outlying settlements.

The approach outlined in option 2 is broadly supported because it would disperse development across the local planning authority including outlying towns and villages. At this stage however, the Council has not refined its development allocations for the areas outside of the main development locations. Again, this option requires refinement of the urban capacity for development.

It is recognised that there would be a benefit to distributing some level of growth across the authority area to meet more local needs, whilst still delivering large scale housing growth in and around the main urban area.

Question 7

Do you agree with our Preferred Development Option for meeting Warrington's future development needs?

If sites are identified of the right type and in the right location, there is no reason why a higher than proposed housing level could not be delivered. A range of sites is required, some of which will be in the Green Belt.

The strategic allocations included in the Preferred Development Option cannot come forward until infrastructure has been provided; nevertheless, there are other sites which could come forward in the shorter term.

Whilst this strategy has merits and allows for the creation of new sustainable developments with the critical mass required to support and deliver necessary infrastructure and services, it isn't without risk. Large scale strategic release/allocations can involve very long lead in times and demand massive investment in supporting infrastructure - which the Plan acknowledges. Delivering this infrastructure in a timely way will be critical to securing the boost in housing supply which the Warrington Borough Local Plan is looking to achieve.

An alternative and arguably more balanced approach would be to allow for a greater number of smaller sites (which don't involve such major infrastructure investment up front) alongside some larger allocations. This approach would facilitate a more dispersed development distribution and potentially allow more housing development to take place on a range of sites simultaneously; thus, boosting housing delivery, a core objective of the Council's Local Plan and National Planning Policy. For the reasons outlined below, land at Cherry Hall Farm could come forward sooner and contribute towards meeting development needs.

Question 13

Do you have any comments to make about our Preferred Development Option for development in the Outlying Settlements?

Paragraph 4.71 of the consultation document states that specific site allocations have not yet been identified in the 'outlying settlements.' A review has been undertaken of each site submitted to the 'call for sites' exercise in terms of their basic characteristics and Green Belt performance. The submission version of the Local Plan will confirm the allocation of individual sites.

Land at Cherry Hall Farm, Lymm

In terms of identifying suitable sites, it is considered that the land at Cherry Hall Farm, Cherry Lane, Lymm represents a logical and deliverable option for mixed use employment and housing.

The land is in a highly suitable and appropriate location to meet the future housing and employment land needs of Warrington, on the edge of Lymm town close to both Lymm and Warrington.

The land at Cherry Hall Farm, Cherry Lane, Lymm, is located east of the M6 and north of the M56 motorways. The wider area combines both urban and rural features, characterised by its edge of town location. Urban land uses close to Cherry Hall Farm include residential development to the north at Lymm and the Lymm motorway service station to the south west of the site. This site was previously submitted at the Local Plan Review stage in 2016.

The site extends to approximately 37.5 hectares in area and a plan showing the site's boundaries is enclosed with these representations.

The site is well-located given its proximity to the motorway network, less than 1 km from the Lymm services junction for the M6. The site is also near Lymm town along the B5158 Cherry

Lane. The site boundaries are well defined, particularly along the eastern edge with the woodland area providing a strong boundary.

The site comprises agricultural land with some farm buildings at Cherry Hall. Warrington Council's online mapping shows the site comprises Grade 3 quality agricultural land. There are no physical or environmental constraints affecting this site. Its development would not result in the loss of a historic site. The site does not impact a Listed Building, Conservation Area, Scheduled Ancient Monument or Historic Park and Gardens. The site is outside of Flood Zones 2 and 3 in accordance with the Environmental Agency Flood Risk Map for Planning, therefore it is at low risk of flooding.

There are no known environmental health and safety issues that would affect would be occupiers and neighbouring areas. The existing and previous land uses have been agricultural and hence there is little prospect of there being any unexpected issues relating to the ground conditions. The Council's online mapping shows the southern half of the site has a buffer zone extending east-west through the site, for the Essar Oil (UK) Ltd Stanlow-Carington pipeline. Any proposals would therefore be consulted upon with the relevant bodies.

Site Deliverability

The land at Cherry Hall Farm could be available for development and as a suitable site, should be allocated in the Local Plan. The site's suitability includes no ownership or legal impediments to the release of land for development. There are no major obstacles to the delivery of the development and the site is not known to require remediation or decontamination prior to construction.

The site could provide mixed use residential, employment (B1 business use), retail and leisure uses. The SHLAA submission stated that the site could be available for development within 1-2 years; the site would require clearance and vacancy of current tenants. Otherwise, the site is available and could come forward for development. In terms of developer interest, the site continues to receive many requests from businesses to use the land for employment and other commercial use, and these would make use of the redundant farm buildings as well. This is no surprise given that the site is strategically located close to the M6 and Lymm services junction. It is close to nearby Warrington and Lymm towns. The site is most closely linked with Lymm and would provide a well-connected development along Cherry Lane, which is an important connection between Lymm and the M6 motorway. As acknowledged in the Green Belt Assessment, development would not harm the historic character of Lymm.

Initial assessments of the land at Cherry Hall Farm have not identified any significant issues which would preclude or unduly restrict development. The High Legh Estate is committed to undertaking further technical work as the Local Plan progresses, including a masterplan for the land uses and design principles. We would ensure this is shared with the Council in due course.

In addition, releasing this significant site of limited environmental value and constraint would help to maintain the environment and rural character value of other parts of the Warrington Borough area where development might be directed under some of the Development Options being considered within the Local Plan Review.

Local Plan Objectives

Regarding the Local Plan objectives set out in paragraph 4.38 of the consultation document, mixed-use development at Cherry Hall Farm could contribute to the following strategic objectives:

- W1 - The creation of new sustainable neighbourhoods and delivering a minimum of 22,260 new homes (equating to 1,113 per year) between 2017 and 2037; plus, supporting Warrington's ongoing economic success by providing 381 hectares of employment land between 2017 and 2037.
- W2 - To facilitate the sensitive release of Green Belt land to meet Warrington's long-term housing and employment needs, whilst ensuring the revised Green Belt boundaries maintain the permanence of Warrington's Green Belt in the long term.
- W4 - To provide new infrastructure to support Warrington's growth, reduce congestion and promote sustainable transport options, whilst reducing the need to travel and encouraging active lifestyles.
- W5 - To secure high-quality design which reinforces the character and local distinctiveness of Warrington's urban area, its countryside, its unique pattern of green spaces and its constituent settlements whilst protecting, enhancing and embracing the borough's built and natural assets.
- W6 - To minimise the impact of development on the environment through the prudent use of resources and ensuring development is energy efficient, safe and resilient to climate change and makes a positive contribution to improving Warrington's air quality.

The precise measures for contributing towards meeting these objectives would be subject to discussion with the Council and the community.

Green Belt Assessment

The Council's latest evidence in its Green Belt Assessment (July 2017) concludes that the site performs a strong contribution overall to the five Green Belt purposes. We disagree with this conclusion and present below an alternative assessment of the land at Cherry Hall Farm. The site is assessed against the five purposes of the Green Belt as set out in paragraph 80 of the NPPF. This is set out below, and demonstrates that the site is suitable for release from the Green Belt.

Green Belt Purpose	Assessment
To check unrestricted sprawl of large built-up areas	<p>No Contribution: Based on the Green Belt Review assessment of other similar parcels, the site is not adjacent to the Warrington urban area and therefore does not contribute to this purpose.</p> <p>The site has development adjacent to its northern boundary. The other boundaries are strongly defined by roads (B5158 Cherry Lane), hedgerows and woodland area. The site is flat in nature and has clear field boundaries which are reinforced by existing hedgerow.</p> <p>The conclusions for parcel 8 – which included Cherry Hall Farm - in the previous Green Belt Assessment rightly</p>

	acknowledge there are strong boundaries for this parcel, with woodland areas and the M6 motorway.
To prevent neighbouring towns merging into one another	No Contribution: The site is located to the south of Lymm. The site development would reduce the actual gap but not the perceived gap between the towns. Furthermore, the gap is already narrower in other places. The M6 ensures that separation is retained. Overall, the site makes a weak contribution to preventing towns from merging.
To assist in safeguarding the countryside from encroachment	<p>Moderate Contribution: The site is connected to the countryside on three sides. These boundaries consist of tree and hedge lined field boundaries along with Cherry Lane on the western boundary edge, which are durable and would prevent further encroachment if the site was developed. The existing land use is a mix of open countryside and a group of farm buildings. Residential development lies adjacent to the northern boundary.</p> <p>The site is well connected to the open countryside on three sides, however there is built development which is within the Green Belt at the farm. The site continues to receive many requests from businesses to use the land for employment and other commercial use, and these would make use of the redundant farm buildings as well.</p> <p>The site supports a moderate degree of openness as it contains less than 20% built form and moderate levels of vegetation. Overall the site makes a moderate contribution to safeguarding the countryside from encroachment due to its moderate openness and mix of durable and non-durable boundaries.</p>
To preserve the setting and special character of historic towns	No Contribution: Lymm is a historic town however the site is not within 250m of its Conservation Area. The site does not cross an important viewpoint of the Parish Church.
To assist in urban regeneration, by encouraging the recycling of derelict and other urban land	Moderate contribution: The Mid Mersey Housing Market Area has 2.08% brownfield urban capacity for potential development, therefore the site makes a moderate contribution to this purpose.
Overall Assessment	Moderate-weak contribution (based on the Green Belt Assessment 2016 Report Table 4 assessment criteria).

This assessment has concluded that the land at Cherry Hall Farm performs a moderate-weak contribution overall to the five Green Belt purposes. The 'strong' assessment conclusion in the latest report is flawed because it appears to have weighted the third test – safeguarding the countryside from encroachment – above the other tests, which it offers little contribution towards. Given that the Table 4 qualitative scoring system in the 2016 Assessment states no weighting or aggregation of scores was applied, it is difficult to conclude that the site performs strongly overall in its Green Belt purposes.

Summary

The site assessment of land at Cherry Hall Farm has demonstrated the sustainability, suitability and achievability of this available site. The assessment summarised above concludes that the site is in a sustainable location with comprehensive access to key services and facilities at Lymm, and is in close proximity to transport networks.

The assessment has indicated how the site is free from constraints, making it suitable for development in the short-term. The existing farm buildings could come forward with the wider site being developed thereafter through a comprehensive masterplanning approach.

The site could be made available to provide an important contribution to the housing and employment land supply in Warrington Borough over the next five years.

CONCLUSION

Given the challenging circumstances faced by Warrington Borough Council, as set out in detail in these representations it is vital that further land is released from the Green Belt to meet the development needs now and in the future (including for the next Plan period). The NPPF is clear that Green Belt reviews should ensure that boundaries can endure beyond the plan period, so the identification of safeguarded land must also be considered at this stage.

The High Legh estate are keen to work with the Council and promote a masterplan for a mixed-use development on land at Cherry Hall Farm. The development would be sympathetic to the site surroundings and provide economic benefits including employment and inward investment for the local community around Lymm. The mixed-use development is well-located to existing centres and would be a beneficial resource to users of the motorway network nearby.

The land at Cherry Hall Farm should be considered in the next stages of Local Plan preparation to meet the housing and employment needs in the short to medium term, given the challenging targets set by Warrington Borough Council with its Preferred Development Option.