

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ROYAL COURTS OF JUSTICE
PLANNING COURT

Case No. CO/4055/2014



B E T W E E N:

SATNAM MILLENNIUM LIMITED

Claimant

- and -

WARRINGTON BOROUGH COUNCIL

Defendant

ORDER

Before Mr Justice Stewart

IT IS ORDERED THAT

- 1 The parts of the Warrington Borough Council Local Plan Core Strategy dated July 2014 set out in the appendix to this Order be quashed.
- 2 The Defendant pay the Claimant's costs in the sum of £84,000.

*Stewart P Stewart
19/2/15*

APPENDIX

Warrington Borough Council Local Core Plan Strategy Extracts

Underlined wording to be quashed

- 1 Policy W1 : “to secure the regeneration and renewal of the older areas of the town, strengthen existing neighbourhoods and make the most efficient use of infrastructure, ensuring development brings benefits to the host communities whilst:
 - Delivering a minimum of 10,500 new homes (equating to 500 per year) between 2006 and 2027; and (...)” (page 22)
- 2 Policy CS2: “Sufficient land for housing, including conversions of existing buildings, is available to accommodate an annual average of 500 dwellings (net of clearance) between April 2006 and March 2027, and a minimum of 10,500 dwellings over the whole period”. (page 28)
- 3 Paragraph 6.38: “The evidence supports that whilst the primary focus at Omega should be employment land related development, the Plans overall target of up to 277 hectares can be met without relying on the entirety of the site in this regard. Consequently the opportunity is being taken to deliver around 1,100 new homes as a sustainable urban extension to West Warrington, which will be guided by a clear framework for the development of the whole site which includes a new commercial hub to support employees and residents within the site and surrounding area. Delivery of housing at the site will continue the momentum instigated by Chapelford Urban Village in West Warrington, and make an important contribution to the Plan wide housing target including the percentage of new homes delivered on previously developed land.” (page 35)

- 4 Policy CS 8: "In the interests of creating a sustainable business community, ancillary uses of an appropriate scale and nature to provide a business services hub to serve the development as a whole, such as retail, leisure, hotel and conference facilities will be supported. Provision is made for the development of about 1,100 dwellings within the plan period. Retail development may also be acceptable. (...)" (page 36)
- 5 Paragraph 7.11: "The Local Plan Core Strategy now proposes to increase the borough's housing requirement by 30% to an annual average rate of 500 dwellings. This will be achieved by maintaining the existing focus on the re-use of previously developed land and the regeneration of Inner Warrington, accompanied by a relaxation of the current restraint on new planning permissions to enable sustainable development to proceed across the town as a whole and within Lymm and Culcheth, and also to allow smaller scale developments in other settlements in accordance with policies for the Green Belt. This option performs best in relation to the achievement of strategic objectives and sustainability objectives (...)". (page 42)
- 6 Chapter 14 – West Warrington. Vision - in 2027 "Employment development has advanced at Lingley Mere and the identified strategic location for employment (Omega) is a model of good design and sustainability. The opportunity has also been taken to deliver around 1,100 new homes as a sustainable urban extension, the delivery of which has been guided by a clear framework for the development of the whole site which includes a new commercial hub to support employees and residents within the site and surrounding area." (page 126)
- 7 Chapter 14 – Omega "the location is a key employment site in the borough and sub-region that will meet the future requirement of land for research and development, light and general industry and storage/distribution. It also has the potential to accommodate new office development through extant planning

consents and remaining land which may not be able to be accommodated within the Town Centre and other central areas. Alongside the primary employment focus of the site, around 1,100 new homes will also be delivered in the form of a sustainable urban extension, which will continue the delivery momentum of Chapelfold within West Warrington and comprise one of the Borough's key housing sites. To ensure the wider site is as sustainable as possible, there is an opportunity to develop a range of ancillary uses including hotel and conference facilities and appropriate services to support employees and residents at the site subject to strategic policies set out elsewhere in the Local Plan Core Strategy. Development on the site should be a model of low carbon sustainability. " (page 127)

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