

APPEAL BY SATNAM MILLENIUM LIMITED

LAND AT PEEL HALL, WARRINGTON, CHESHIRE, WA2 9TY

APP.M0655/W/17/3178530

ADDENDUM PROOF OF EVIDENCE BY MARTHA HUGHES

MA, Dip TP, MRTPI

9th FEBRUARY 2021

Introduction

This addendum is provided to update my evidence in respect of the following matters;

1. Emerging Local Plan
2. Housing Land Supply
3. Healthcare contribution
4. Public open space

1. Proposed Submission Version Local Plan - update

1.1 The Proposed Submission Version Local Plan (PSVLP) regulation 19 consultation closed in June 19.

1.2 Due to the impact of COVID-19 as well as the Government's proposed planning reforms and new housing calculation methodology Warrington Borough Council has paused work on its Local Plan.

1.3 It is anticipated that the council will now be in a position to progress with the Local Plan in the summer of 2021.

1.4 The Council's position is unchanged in that it is considered that only minimal weight should attach to the PSVLP and moderate weight to the evidence base.

2. Housing Land Supply

2.1 The Council published an updated Housing Delivery Test Action Plan in October 2020. However the Council failed the latest Housing Delivery Test measurement (57% of requirement) and will therefore need to publish another HDT Action Plan within 6 months.

2.2 The Council is aiming to publish an updated SHLAA/ 5yr housing land supply position shortly, but it is not expected to fundamentally change.

2.3 In December 2020 the Government made revisions to the Standard Housing Methodology. Warrington is not one of the largest 20 urban areas where a further uplift is required in calculating the minimum housing need figure. As at February 2021, Warrington's minimum housing need figure under the methodology is 834 homes per annum.

3. Healthcare requirement

3.1 The updated position from the GP practices is set out in the addendum to the proof of evidence of Nick Armstrong. The updated position is that the health care contribution would now be spent towards expansion of two existing practices rather to fund the co-location of the two healthcare practices at a new site location as initially proposed.

3.2 Nick Armstrong's proof sets out that in order to progress with their business cases and financial modelling, the practices need to know whether the residential development at Peel Hall and the associated financial contribution is committed development.

3.3 The Council's Planning Obligations SPD details a standard method of calculation for the healthcare contribution. This does not rely on a specific scheme in order to determine the level of contribution required. This standard calculation is considered to be helpful in providing certainty to developers early in the development process and it is also reasonable to acknowledge that a healthcare provider may not be able to fully determine how to provide for additional capacity until there is reasonable certainty over the future requirement.

3.4 The Planning Obligations SPD sets out how the financial contribution is calculated in relation to the capital cost of health provision based on a standard calculation. The SPD is also clear that the contribution may be used towards either the provision of new facilities or the extension of existing facilities.

3.5 Para 3.116 onwards of the Planning Obligations SPD explains how the requirement of a contribution of £771 per residential unit is arrived at based on the following criteria;

- Each GP should serve 1800 patients on average.
- The NHS's preference is for GP services to be provided as health centres with a minimum of 4 GP's plus support services. This equates to a surgery serving 7,200 patients.
- Similarly each General Dental Practitioner should serve between 1,300 and 1,500 patients on average. Consequently 5 GDP's will service an equivalent patient population as 4 GP's.

- The indicative capital cost for a health centre of sufficient size to meet NHS requirements and to provide some shared community space is estimated to be £2,414,305 based on the latest guidance from by NHS Estates (approximately 500 sq.m. with an additional 250 sq.m. of shared community space).

3.6 Para 3.119 goes on to conclude that based on the estimate for the capital cost and using a household population figure of 2.3 people per dwelling, the estimated capital cost per dwelling is calculated as £771.

3.7 Para 3.120 is clear that depending on the scale of development and the nature of local health facilities serving the area this contribution may be made towards either the provision of new facilities or the extension of existing facilities.

3.8 The 5th schedule of the draft s106 ensures that if the money is not spent by the Council within 7 years, the contribution is returned to the appellant.

3.9 On this basis, it is considered that the updated position from the practices in terms of how the money would be spent to meet the additional demand from the development does not alter the Council's position that the financial contribution meets the CIL tests in that it is fairly and reasonably related in scale to the development, it is necessary to mitigate the effects/ demand resulting from the proposed development and would be directly related to the development in providing additional capacity for future residents of the development. The impact of the proposed development without this contribution would be significant due to pressure upon existing healthcare facilities and lack of provision.

3.10 Without the contribution, the proposal would not accord with policy CS1 of the Local Plan Core Strategy in that it would not be sustainable development that ensures additional provision of social infrastructure needed to support the development.

4. Public Open Space (POS)

4.1 In relation to future submission of detailed POS proposals, the appellant submitted a revised version of the s106 agreement to the Inspectorate and all parties on 22 September 2020 which proposes to remove the obligations relating to POS scheme from the draft s106. The appellant proposed a draft condition relating to POS scheme on 11.1.21.

4.2 The deleted obligations and relevant definitions are set out below;

Amended and deleted definitions;

“Play Facilities” - AMENDED

means the provision of either LEAPs or NEAPs as part of the Development ~~for an area around 0.7 hectares in accordance with~~ and the Public Open Space Scheme location, design and detail of the precise locations of which are same to be approved in writing by the Council as form part of one of the Reserved Matters Applications (in accordance with the Public Open Space Scheme) for the Phase of the Development upon which the Play Facilities are to be located the Approved Details;

“Public Open Space” - AMENDED

means such open space to be made available within the Development to the public in accordance ~~with the provisions of this Deed~~ Approved Details and which, across the Development, will include:

(a) ~~provision for up to 0.7 hectares for Play Facilities; and~~

(b) ~~Parks and, Amenity and Natural Space; and/or~~

(b) ~~Sports Pitches (as applicable); and~~

(c) ~~the Replacement Playing Fields;~~

~~and the quantum, type of open space and detailed location of the Public Open Space is to be determined as part of one of the Reserved Matters Applications (in accordance with the approved Public Open Space Scheme) for the Phase of the Development upon which the relevant Public Open Space is to be located~~

“Public Open Space Scheme” – DELETED

means a scheme which sets out the technical specification, timing, design and layout of the works to be carried out in relation to the Public Open Space on each

~~Phase which includes details of any equipment or built features or play areas to be provided and such scheme can be updated and replaced from time to time provided it is first approved in writing by the Council.~~

Deleted obligations 4th schedule

- *Unless otherwise agreed in writing, the Owners covenant not to undertake cause or permit the Commencement of any part of the Development until the Council has approved the Public Open Space Scheme*
- *The Owners shall procure the delivery of the Public Open Space in accordance with the Reserved Matter Approvals, the Public Open Space Scheme, and where applicable, the Sports Strategy or Scaled Plan(s) and Sports Pitch Specification.*
- *..... the Owners shall not Occupy more than 50% of the Dwellings (rounded to the nearest whole unit) in a Phase in which Public Open Space is to be delivered until that Public Open Space is Complete in accordance with the Public Open Space Scheme PROVIDED THAT the Owners may elect to Occupy the Dwellings to which this paragraph applies prior to delivery of the Public Open Space in that Phase if the Owners have first obtained written approval of the Council PROVIDED ALWAYS THAT the Owners shall continue to comply with paragraph 2 of this Schedule.*

4.3 Management of the POS remains in the draft s106.

4.4 The above obligations were agreed in the previously engrossed s106 agreement (submitted to the 2018 inquiry) therefore the Council considers it would be helpful to all parties to understand the reason for this relatively late change.

4.5 There was no duplication at the time the appellant submitted the revised draft s106 agreement. In 2018 it was an agreed matter that it was appropriate to deal with the POS requirements within the s106 and the Council considers that there has been no change relating to this matter.

4.6 The Council is awaiting a response from the appellant on this matter.