

Warrington Local Plan EiP

Matter 1: Procedural / Legal Requirements

On behalf of Taylor Wimpey, Bloor Homes, Lone Star Land and Mulbury (Grappenhall) Limited.

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Document Management.

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1. Matter 1 – Procedural / Legal Requirements

Plan Preparation and Scope

- 1.1. We refer back to our Regulation 19 Representations throughout this document and Appendix 1, 3D, 4 and 5.

Q1. Has the preparation of the Local Plan been in accordance with the Local Development Scheme in terms of its form, scope and timing?

- 1.2. Some timings have been marginally missed with regard to the Sept 2021 LDS. However, significant delays to the submission of the Local Plan have occurred since the previous LDS (2019). The 2019 LDS advised that submission of the Local Plan would occur in October 2019 and Examination in February 2020.

- 1.3. Had the Council submitted the Local Plan in line with the 2019 LDS, the Council's Standard Methodology Local Housing Need figure would have stood at 909 dpa compared to the current 816 dpa. Whilst we discuss housing need under Matter 4, our gravest concern is that in delaying the submission of the Local Plan, the Council have manipulated a position resulting from evident shortfalls in the Government's Standard Methodology for calculating Local Housing Need. This is because the 2014 HH Projections result in year on year reductions each time the baseline year is moved forward as the principal growth in household need from the 2014 HHP was forecast in the first 10 years rather than the latter 10 years.

Q2. Have requirements been met in terms of the preparation of the Local Plan, notification, consultation and publication and submission of documents?

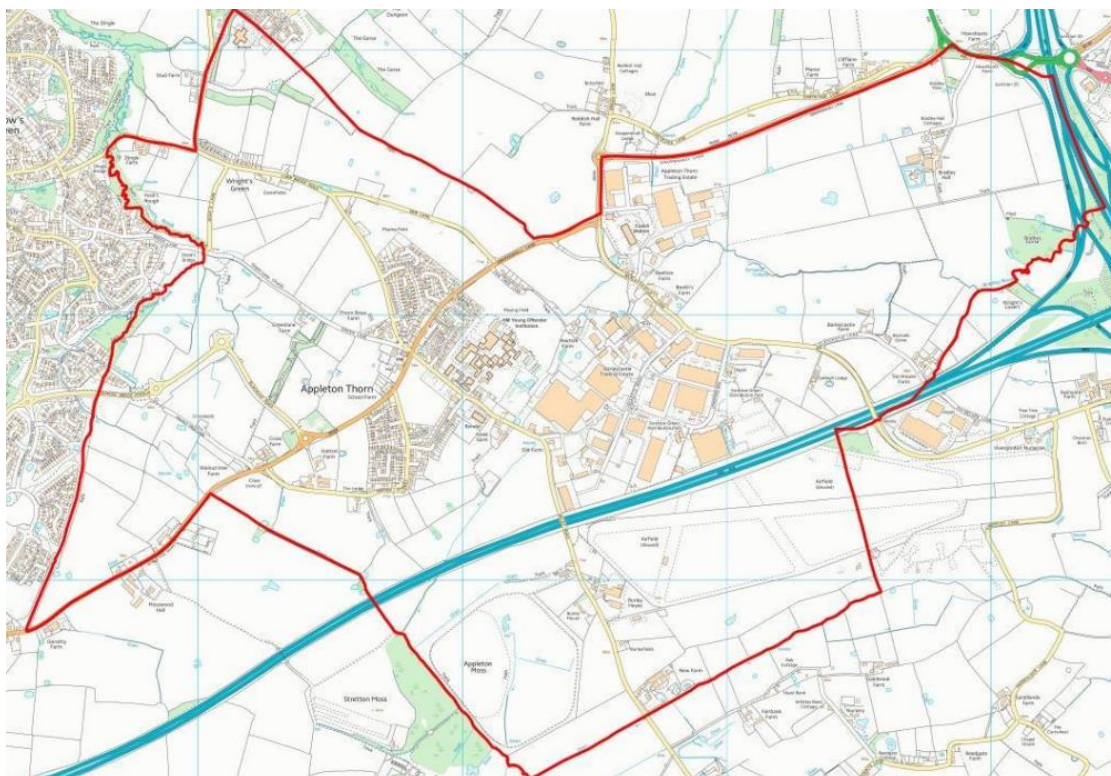
- 1.4. The six-week consultation period was insufficient to fully digest, consider and adequately respond to the full extent of the changes to the first Regulation 19 WLP. This is because the associated evidence base documents were only first published alongside the second Regulation 19 WLP. Should we make any comments in our Hearing Statement in addition to those raised in the representations to the second Regulation 19 consultation, we respectfully request that they are considered during the examination.

Q3. Has the preparation of the Local Plan complied with the Statement of Community Involvement?

- 1.5. No comment.

Q4. How does the Local Plan relate to the Appleton Parish Thorn Ward Neighbourhood Development Plan and how would it be affected by the adoption of the Local Plan?

- 1.6. The Appleton Parish Thorn Ward Neighbourhood Development Plan forms part of the adopted development plan for Warrington and is the only made NP in Warrington. The designated NP area is extensive as shown on the plan below.



- 1.7. There are two Main Development Areas identified in the WLP; South East Warrington Employment Area and South East Warrington Urban Extension (in part) that fall within the NP area. As such, the Neighbourhood Plan would be significantly affected by these proposals given the NP makes no reference to them as development options.
- 1.8. Where a Local Plan contains a policy that is intended to supersede another policy in the adopted development plan it must state that fact and identify the superseded policy¹.
- 1.9. It must therefore be made clear in the WLP which policies in the Appleton Parish Thorn Ward Neighborhood Development Plan would be superseded by strategic or non-strategic policies if the WLP were adopted². Appendix 3 in the WLP currently only lists those policies in the Core Strategy which are intended to be superseded if the WLP is adopted.

Q5. What existing and proposed Supplementary Planning Documents (SPD) are there? What is the intended relationship of SPDs with specific policies in the Local Plan and what purpose will they serve? Is this clear and appropriate?

- 1.10. With regard to existing SPD's we note that the Warrington Town Centre Supplementary Planning Document (SPD) was adopted on 21 June 2021. It supplements the adopted Core Strategy and aids the delivery of the Town Centre Masterplan³. It is set out in the Warrington Town Centre SPD that is intended to be revised on adoption of the Local Plan to

¹ Regulation 8(5), The Town and Country Planning (Local Planning) (England) Regulations 2012

² NPPF, para 30

³ Para 1.10, 1.16 and 1.17, Warrington Town Centre SPD

cover all formal changes⁴ but this is not made explicit within the WLP⁵. Clarity is required and we reserve judgement on the implication on the delivery of town centre sites for housing delivery to be discussed under Matter 8 – Housing Supply.

Q6. What is the intended status of the Illustrative Development Concept drawings and Illustrative Concept Plans for the Main Development Areas?

1.11. No comment.

Q7. What is the intended role of Development Frameworks for Main Development Areas? How will the Local Plan relate to these and masterplans?

1.12. On page 218 of the 2021 SA, the Council's response to one of the issues raised by AECOM in relation to the SEWUE allocation (Policy MD2), suggests the Development Frameworks will be prepared as SPDs but this is not then made clear in the Local Plan itself.

1.13. We note that the Council had advanced its own Draft Development Framework documents for the former Warrington Garden Village area that encapsulates the now proposed South East Warrington Urban Extension and South East Warrington Employment Area. We have included this Development Framework at Appendix 3A and 3C in our Regulation 19 representations. We will refer to these documents in more detail under Matters 6b and 6f.

Sustainability Appraisal

Q8. How has the Sustainability Appraisal (SA) informed the preparation of the Local Plan at each stage and how has it been recorded/reported?

1.14. We direct the Inspector to our Regulation 19 representations and Appendix 4.

1.15. AECOM have carried out the Sustainability Appraisal (SA). This has been reported as follows:

- Sustainability Appraisal: Interim SA Report (July 2017) – published at the time of the Preferred Development Option Regulation 18 consultation – it does not constitute an 'SA Report' as defined by the Regulations, but it does document the stages of SA that were undertaken to help influence the plan-making process⁶
- Sustainability Appraisal: SA Report (March 2019) – published at the time of the first Regulation 19 consultation;
- Sustainability Appraisal: SA Report (August 2021) (2021 SA Report) – published at the time of the second Regulation 19 consultation.

1.16. For reasons set out under subsequent questions and within our Reg 19 representations, we consider the Council's 2021 SA falls short of key requirements, fails to provide sufficient reasons to move away from previously considered strategies assessed within the former

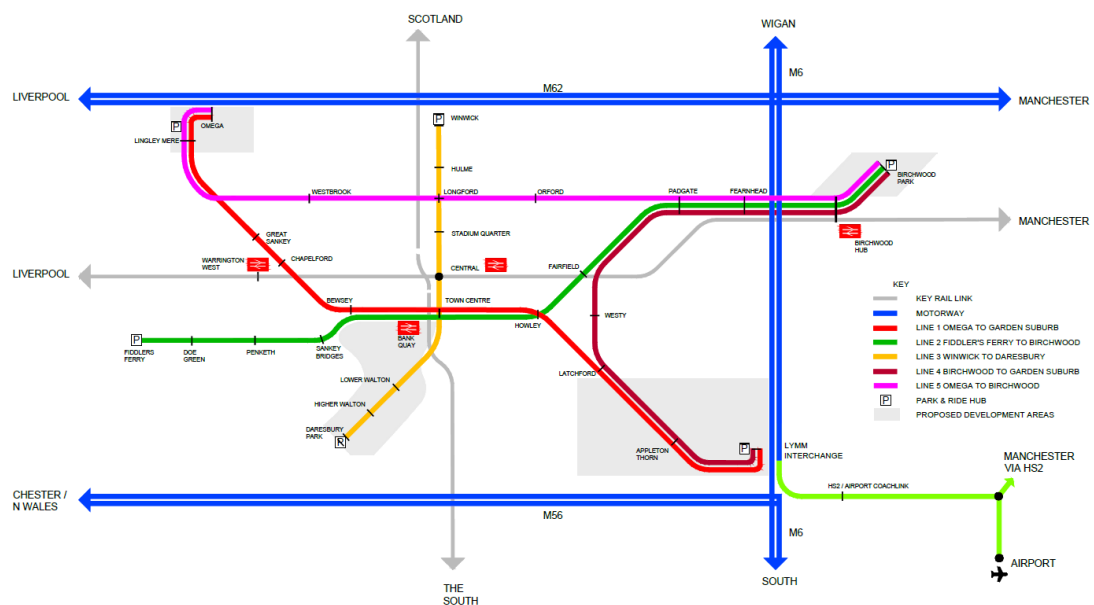
⁴ Para 1.15, Warrington Town Centre SPD

⁵ Para 6.1.5, Local Plan

⁶ Para 1.1.5, Interim SA Report

Sustainability Appraisals, and fails to document the social and economic impacts and applying the minimum annual housing requirement as calculated from the Standard Methodology.

- 1.17. Prior to addressing these points, we have previously highlighted that site proforma and plans of sites are missing from the SA and referenced evidence based reports including land in control of this consortia.
- 1.18. Bloor Homes parcel of land (site ref: **R18/152**) is depicted on Figures 6.1 and 6.2. However, the site assessment proforma for that site and the other following parcels have not been published alongside the Submitted Local Plan.
 - **R18/P2/125A** and **R18/P2/125B** (Taylor Wimpey),
 - **R18/P2/113** (Mulbury Homes Grappenhall Limited); and
 - **R18/P2/116** (Lone Star Limited).
- 1.19. Figure 6.2 (page 76) also omits Taylor Wimpey’s land controlled between the A50 and Junction 20, M6 and is north of Cliff Lane (site reference **P18/P2/125C**). This land was previously put forward for employment/commercial development in the Regulation 18 and 1st Regulation 19 Drafts of the Local Plan.
- 1.20. The SA has also failed to assess any options for a Park and Ride facility notwithstanding the fact that this is explicitly set out as a development aim in the adopted Local Transport Plan 4 (see image below taken from Figure on page 13 of Appendix 3D of our Reg 19 reps).
- 1.21. Taylor Wimpey’s parcel P18/P2/125C would accord with the schematic location demarked by the ‘P’ to the west of the M6 opposite Lymm Interchange and provides an obvious terminal for any mass transit system deployed by the Council in South Warrington. The SA references the mass transit system but does not explore how its required infrastructure will be delivered, which we consider to be a major omission. See our response to Question 16 below.



Q9. How and when were options considered for: a) The overall scale of housing and other growth; b) the broad distribution of development across the Borough; c) potential Main Development Areas and site allocations; and d) policy approaches.

1.22. Please see our Regulation 19 representations and Appendix 4.

1.23. **Overall Scale of Housing Growth** – For ease of reference, the table below shows the overall scale of housing growth considered during the SA process.

Stage	Reported	Options
Regulation 18 Consultation	Interim SA Report (July 2017)	Scenario A - 955 dwelling per annum (dpa) – objectively assessed need Scenario B - 1,113dpa – devolution bid Scenario C - 1,332dpa – higher growth level
First Regulation 19 Consultation	SA Report (March 2019)	Scenario D - 735dpa – standard method (2016 base) Scenario E - 909dpa – standard method Scenario F - 945dpa – economic growth scenario
Second Regulation 19 Consultation	SA Report (August 2021)	Scenario D - 735dpa – standard method (2016 base) Scenario E - 909dpa – standard method Scenario F - 945dpa – economic growth scenario Scenario G - 816dpa – standard method rebased

1.24. The SA Report (August 2021) fails to test 1,113 dpa (Scenario B) as a reasonable alternative, which was the Council’s preferred housing growth option during the Regulation 18 consultation, aligned with Warrington’s previous devolution bid and therefore presented a positively prepared approach.

1.25. Whilst we note that Cheshire and Warrington were not successful in their first round bid for devolution, it nonetheless represents a valid ‘reasonable alternative’ in the context of the SA process as it presented a ‘policy on’ approach that had previously been sort by the Council and other devolution bids could be made in the future and there are reports that Cheshire and Warrington would be at the top of the Government’s list when considering further rounds for devolution. It therefore continues to represent a reasonable alternative.

1.26. We also take issue with the Council’s approach in discounting 945dpa as the preferred option when this was previously preferred in the first Regulation 19 WLP⁷. Insufficient reasoning has been provided to discount it within the SA. Indeed, both the 1,113 dpa and 945 dpa figures were deemed to be the optimal development options in previous SA’s and it was confirmed that these levels of growth could occur without unduly adverse social or

⁷ See comments on **Matter 4: Housing Need and the Housing Requirement**

environmental impacts. The Council' rationale is set out in the Development options and Site Assessment Technical Report (Sept 2021) but this does not refer to the outcomes set out in the 2021 SA report and simply seeks to align housing growth with the minimum local housing need figure generated by the Standard Methodology.

1.27. The 2021 SA Report says that the positive socio-economic effects recorded for the options under Scenario G (816 homes per annum) are slightly lower when compared to Scenarios E (909 homes per annum) and Scenario F (945 homes per annum) but that the effects are still significant (Appendix C, page 299). However, the socio-economic impacts of Scenario G (816 homes per annum) have not been thoroughly considered or explored within the 2021 SA Report.

1.28. **Broad Distribution of Development** – For ease of reference, the table below shows the broad distribution of development considered during the SA process. We agree with the Council's approach in this regard.

Stage	Reported	Options
Regulation 18 Consultation	Interim SA Report (July 2017)	Scenario A – Green Belt release only in proximity to the main Warrington urban area Scenario B – Majority of Green Belt release adjacent to main urban area with incremental growth in outlying settlements Scenario C – Settlement extension in one or more settlement with remainder of growth adjacent to the main urban area
First Regulation 19 Consultation	SA Report (March 2019)	As above
Second Regulation 19 Consultation	SA Report (August 2021)	As above

1.29. The Council's assessment of these options is set out in the Development Options and Site Assessment Technical Report (September 2021)⁸. This provides sufficient justification for the preferred high-level option (Scenario B) for Green Belt release adjacent to the main urban area with incremental growth in outlying settlements.

1.30. **Main Development Areas** – For ease of reference, the table below shows the Main Development Areas considered during the SA process.

Stage	Reported	Options
Regulation 18 Consultation	Interim SA Report (July 2017) (add	Garden City Suburb to the south east of the Warrington main urban area of approximately 8,000 homes

⁸ Appendix 2

	in page references)	<p>Garden City Suburb of approximately 6,000 homes and an urban extension to the south west of Warrington of up to 2,000 homes</p> <p>Garden City Suburb of approximately 6,000 homes & an urban extension to the west of Warrington of up to 2,500 homes</p> <p>Garden City Suburb of approximately 4,000 homes and an urban extension to the south west of Warrington of up to 2,000 homes and urban extension to west of Warrington of up to 2,500 homes</p> <p>Dispersed pattern of Green Belt release immediately adjacent to the main urban area</p>
First Regulation 19 Consultation	SA Report (March 2019) (add in page references)	<p>Garden Suburb to the south east of the Warrington of around 4,200 homes and urban extension to the south west of around 1,600 homes</p> <p>Garden Suburb of around 4,200 homes and an urban extension to the west of Warrington of around 1,600 homes</p> <p>Garden Suburb of around 4,200 homes and an urban extension to the north of around 1,600 homes</p> <p>Garden Suburb of around 4,200 homes and dispersed Green Belt release adjacent to main urban area</p> <p>Garden Suburb of around 2,400 homes, urban extension to the south west of around 1,600 homes and dispersed Green Belt release adjacent to main urban area</p> <p>A more dispersed pattern of Green Belt release adjacent to the main urban area.</p>
Second Regulation 19 Consultation	SA Report (August 2021) (add in page references)	<p>South East Warrington Urban Extension of approximately 2,400 homes, South Warrington Urban Extension of approximately 1,700 homes</p> <p>South East Warrington Urban Extension of approximately 2,400 homes, Fiddlers Ferry of approximately 1,300 homes</p> <p>South East Warrington Urban Extension of approximately 2,400 homes, Fiddlers Ferry of approximately 1,300 homes, Thelwall Heys at approximately 310 homes</p> <p>South Warrington Urban Extension of approximately 1,700 homes, Fiddlers Ferry of approximately 1,300 homes, Thelwall Heys at approximately 310 homes</p> <p>South Warrington Urban Extension of approximately 1,700 homes, Fiddlers Ferry of approximately 1,300 homes</p>

1.31. **The SA Report (August 2021) fails to test the Garden Suburb as a reasonable alternative which was previously preferred at the time of the Preferred Development Option and first Regulation 19 WLP.** This is despite the fact that this persisted as the Council's preferred development option throughout the emerging local plan process in the regulation 18 and first Regulation 19 consultation, as referenced in Appendix 3 of our Regulation 19 Representations.

1.32. The Council seem to discount the larger Garden Suburb on 'deliverability' grounds but provide no evidence on this and fail to disclose any of the substantial amount of master planning, cash flow, and highway infrastructure modelling the landowner group (which included Homes England). We note that much of this work was subject to a non-disclosure agreement at the time but we think it is only right that the Inspector has sight of this information during the course of the examination process. However, we can confirm that WSP were jointly commissioned by the larger landowner group and provided evidence to demonstrate that the required infrastructure could be delivered and presented work to the Council that this was the case.

Options for the South East Warrington Urban Extension

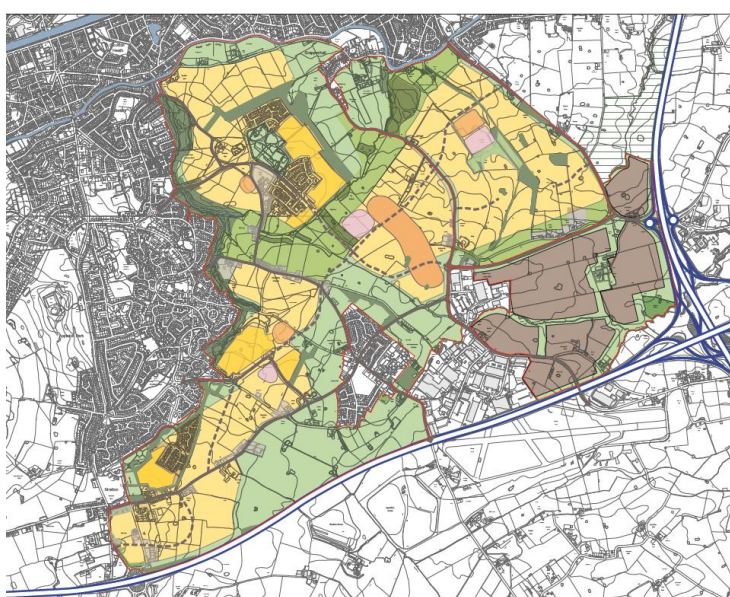
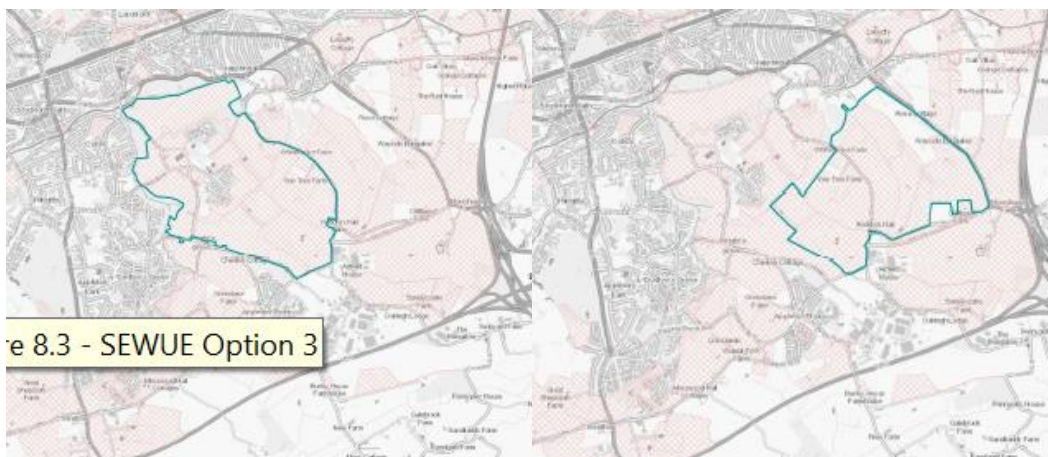
1.33. Four options have been considered for the South East Warrington Urban Extension in the SA process. For ease of reference these are shown below. These were informed by submissions we made to the Council in February 2021 as referenced at paragraph 1.43 in Appendix 3 of our Regulation Representations and illustrated and summarised in Appendix 3E and 3F.

1.34. Notwithstanding our submissions, the Council have purposefully chosen not to re-assess the entire Garden Suburb option as presented on the first Plan at Appendix 3E (Pegasus Option 1) albeit we accept it has been fully assessed in previous iterations of the SA.

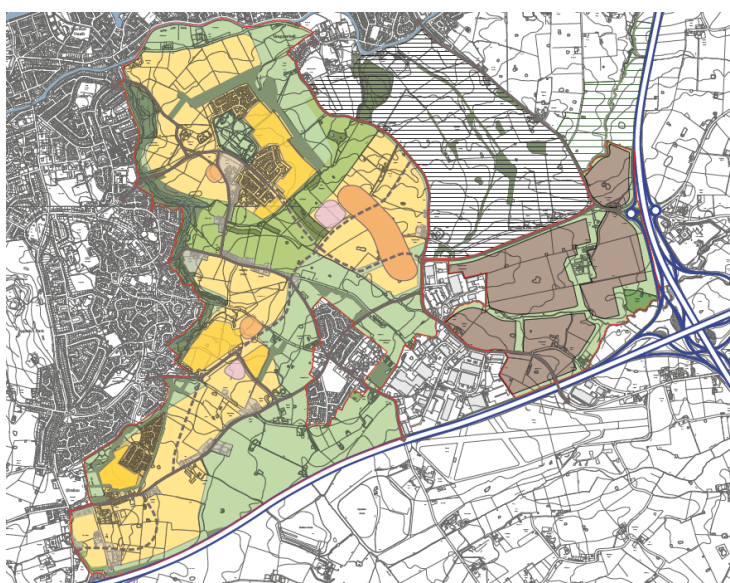
1.35. The 2nd Pegasus Option in Appendix 3E included an option for allocated land up to Broad Lane and land located between Broad Lane and the A50 would be safeguarded for future development. The hatched area on this plan represents the suggested safeguarded land. Despite being put to the Council at the same time as the other various options assessed by the Council, this option has been specifically excluded from consideration but clearly represents another suitable alternative.

1.36. Council - Options 1 to 4





Pegasus – Option 1



Pegasus – Option 2

1.37. Both of the Pegasus option utilise robust and defensible Green Belt boundary options (significantly more so than the site option boundaries tested by the Council).

- 1.38. The land highlighted in Yellow and hatched on the plans above is also all within the control of the following landowners who all pledged to work together to deliver the wider Garden Suburb proposals and collectively spent a significant amount of time preparing evidence to corroborate this (prepared by WSP):
- Homes England
 - Miller Homes
 - Taylor Wimpey
 - Bloor Homes
 - Mulbury (Grappenhall) Limited
 - Hollins Strategic Land
 - Langtree
 - Lone Star Land; and
 - Mr Philip Moseley (Reg 19 representor: ID1267).
- 1.39. As such, the land within the Garden Suburb is within the control of experienced land promoters, housebuilders and Homes England who have the scope to assist in infrastructure delivery albeit the respective landowners.
- 1.40. It was confirmed to the Council that the necessary highway requirements could be delivered and a highway scheme prepared by WSP (see Figure 4.1, page 13, Appendix 8 of our Reg 19 reps) was endorsed by the Council's consultants. All of this route fell within the ownership of those parties listed above without the need to attain further 3rd party land.
- 1.41. Work was prepared by the landowner group and the council to demonstrate the scheme was viable and there were various cashflow options prepared. Build out rates were shown to reflect the fact that at least eight outlets could commence on site and our housing trajectory provided with the representations to the second Regulation 19 WLP identified that they could peak at around 300 dpa. Whilst high, this could be achieved based on the strength of the housing market in South Warrington, the range and number of developers with interests, and the scale of Garden Suburb which has the scope to serve different communities and neighbourhoods. In any event, slower build out rates around 250 dpa would still allow for the infrastructure to be delivered in a timely manner.
- 1.42. The Council should plainly have re-tested the original Garden Suburb option in the latest SA and the Pegasus Option 2 as reasonable alternatives on the basis that they would:
- Deliver strong, defensible Green Belt boundaries defined by M56, Grappenhall Lane, Broad Lane and the A50.
 - Provides the necessary land to deliver the east west links between the A49 and A50 and public transport improvements that connect the new communities to the South East Warrington Employment Area.

- Provides the necessary land to deliver Mass Transit Route throughout this part of Warrington, as envisaged by the adopted Warrington Local Transport Plan 4.
- Create a centrally located District / Neighbourhood Centre and Country Park around Grappenhall Heys, as advocated through the Council’s own master planning process and testing of the site undertaken at the Regulation 18 and 19 stages of the Local Plan.
- Provides a large area of compensation land with greater public access to open countryside and ecological enhancements

Q10. Has the methodology for the SA been appropriate?

1.43. See points above and our Regulation 19 representations and Appendix 3, Section 3, Point 1, which relate to the methodology of the SA in that it has failed to provide adequate weighting across the three strands of sustainable development.

Habitats Regulations Assessment

Q11. How was the Habitats Regulations Assessment (HRA) for the Local Plan carried out and reported?

1.44. AECOM has been commissioned by the Council to undertake the Habitat Regulations Assessment (HRA). This has been recorded / reported as follows:

- Habitat Regulations Assessment (March 2019) – published at the time of the first draft Regulation 19 WLP.
- Updated Habitat Regulations Assessment (August 2021) – published at the time of the second draft Regulation 19 WLP.

1.45. The HRAs have considered, amongst other things, the Main Development Areas as proposed at the time of the first and second Regulation 19 consultations, as shown on the table below.

Stage	Reported	Main Development Areas
First Regulation 19 Consultation	Habitat Regulations Assessment (March 2019)	Warrington Waterfront Garden Suburb South West Urban Extension Land at Peel Hall
Second Regulation 19 Consultation	Updated Habitat Regulations Assessment (August 2021)	Warrington Waterfront South East Warrington Urban Extension Fiddlers Ferry Land at Peel Hall

		Thelwall Heys South East Warrington Employment Area
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Q12. Was the methodology used thorough and appropriate noting concerns raised by Natural England, particularly around the justifications used for screening out impacts, the assessment of impacts associated with mineral extraction and the assessment of air quality impacts?

- 1.46. The methodology of the HRA has not been appropriate as reported in the Update Habitat Regulations Assessment (August 2021) as it fails to consider the Garden Suburb as a reasonable alternative despite it having lower potential for adverse impacts on the Mersey Estuary SPA / Ramsar than Fiddlers Ferry – this is particularly important to highlight given the Council's broad support for the Garden Suburb as a reasonable option in the SA Report (August 2021).
- 1.47. The Council's failure to consider the Garden Suburb as a reasonable alternative in the Update Habitat Regulations Assessment (August 2021) has resulted in a process which does not pass the legal requirements⁹. Explanation is provided as follows.
- 1.48. The Habitat Regulations Assessment (March 2019) found that the Garden Suburb is not expected to lead to likely significant effects either alone or in combination with other plans and projects on the Mersey Estuary SPA / Ramsar. This site is therefore screened out from further analysis¹⁰.
- 1.49. The Garden Suburb is not considered in the Updated Habitat Regulations Assessment (August 2021), since at that time the Council has already excluded it as a Main Development Area and instead included the South East Warrington Urban Extension and Fiddlers Ferry as Main Development Areas, effectively in its place.
- 1.1. With regards to Fiddlers Ferry, the Updated Habitat Regulations Assessment (August 2021) finds that:
- All qualifying species (i.e. shelduck, teal, pintail, golden plover, dunlin, black-tailed godwit and redshank) of the SPA / Ramsar have been recorded in the tetrad encompassing this allocation¹¹
 - The Mersey Estuary SPA/ Ramsar is located 3.6km to the west of the Fiddlers Ferry development area – this distance is sufficiently close to the proposed development site that likely significant effects could arise due to increased recreational pressure and air quality¹²

⁹ Regulation 61 and 62, The Conservation of Habitats and Species Regulations 2017

¹⁰ Page 38, Habitat Regulations Assessment (March 2019)

¹¹ Para. 4.6, Updated HRA (August 2021)

¹² Page 45, Updated HRA (August 2021)

- Moreover, development locations in the western parts of Warrington could constitute functionally-linked habitat for birds for which the SPA is designated – this site is therefore screened in for further analysis¹³
- The Mersey Estuary SPA/ Ramsar zone of influence may extend to the western half of the Warrington Borough – as such, there is the possibility that the allocation of residential or employment development through Green Belt release (such as at MD3 – Fiddlers Ferry) could lead to likely significant effects on the integrity of the SPA/Ramsar¹⁴

1.2. Given the Council's broad support for a larger Garden Suburb as a reasonable option it would plainly have qualified as a reasonable alternative that should have been considered in the Updated Habitat Regulations Assessment (August 2021).

Q13. Has an appropriate level of assessment of the in-combination effects of the allocations and infrastructure proposed, particularly in the South of the Borough, been undertaken?

1.3. No comments.

Q14. What is the current position regarding the suggested update to the HRA to address concerns expressed by Natural England regarding the potential impact of the Local Plan on Holcroft Moss within the Manchester Mosses Special Area of Conservation?

1.4. The position regarding the suggested update to the HRA to address concerns expressed by Natural England is set out in the Warrington Borough Council – Statement of Common Ground (April 2022)¹⁵. This sets out that the 'in combination effects' of air quality on Holcroft Moss within the Manchester Mosses Special Area of Conservation has not been fully assessed in the HRA, and that as such the HRA is incomplete and will be required to be updated in agreement with Natural England prior to examination. At this moment in time, we are not aware of the HRA being completed. We reserve the right to comment on this further during examination.

Other matters

Q15. Does the Local Plan include policies in relation to the mitigation of and adaptation to climate change? If so, which?

1.5. Section 19 of the 2004 act requires development plans to be designed to secure development and the use of land to contribute to the mitigation of, and adaptation to, climate change.

1.6. The Environment Act also requires climate change issues to be addressed through the Local Plan. and we would therefore expect to see policies associated with bio-diversity net gain within the Local Plan. Many of the policies reference the climate change agenda but do

¹³ Ibid

¹⁴ Page 26, Updated HRA (August 2021)

¹⁵ Para 4.70, Warrington Borough Council – Statement of Common Ground (April 2022)

not specifically state how development and the use of land will contribute to the mitigation of or adaptation to climate change.

- 1.7. With regard to the use of land, we point to one specific site, Fiddlers Ferry, which suffers from being remote from the principal settlement or any of the other larger villages (therefore potentially increased vehicle movements).
- 1.8. The southern parcel of land proposed for 900 homes also sits firmly within a river estuary area, is surrounded by flood risk areas and is only lifted outside of the floodplain because of the ash deposits located on there which have not been compounded to provide suitable ground for foundations. This parcel of land should therefore be treated as falling within an area that is highly susceptible to any adverse climate change conditions and associated flood risks from either sea level changes or fluvial flooding.
- 1.9. We also note that ecological issues were raised by AECOM in the 2021 SA on page 219 in relation to this allocation, where they make the following recommendation:

Seek to ensure that any increased recreational pressures seen as a result of enhancing public access to nature do not lead to any detrimental impacts upon species or habitats (In particular, consider how this will be addressed at Fiddlers Ferry and other developments along the River Mersey corridor).

- 1.10. The Fiddlers Ferry allocation comprises 1,310 new dwellings in the plan period (1,760 in total) and 101ha of employment land, and the Trans Pennine Trail directly connect the site to the Mersey Estuary SPA and Ramsar that runs along the St Helens Canal. Policy MD3 – Fiddlers Ferry (part 29) also requires the development to include improved cycling and walking routes connecting to the Trans Pennie Trail. We also note that the Updated HRA (February 2021) concludes that the site is sufficiently close to the Mersey Estuary SPA and Ramsar that likely significant effects could arise due to increased recreational pressure.

Q16. Has the Council had regard to the other relevant specific matters set out in S19 of the 2004 Act (as amended) and Regulation 10?

- 1.11. Whilst we have provided the Executive Summary of the LTP at Appendix 3D of our Regulation 19 Representations, the full LTP4, its associated appendices and supporting documents should be provided as part of the Examination Library evidence base as we would expect to see the Local Transport Plan form an important piece of evidence for the Local Plan.
- 1.12. Indeed, as required by S19 (2a) and (2j) of the 2004 Act and Regulation 10a, Local Plan must be prepared with regard to policies developed by a local transport authority in accordance with Section 108 of the Transport Act 2000 (i.e. policies within the adopted Local Transport Plan).
- 1.13. The Council adopted LTP4 in 2019. LTP4 is referred to in the Submitted Local Plan at various locations but there is no synopsis of its core objectives or policies, nor any clear plans as to how certain core infrastructure envisaged in LTP4 will be delivered.
- 1.14. Providing significant enhancements to public transport in Warrington is a critical component of LTP4 on the basis that section 3 confirms the very high car ownership levels at 81% and above national average of 71% and the nature of the New Town. LTP4 sets out the case for a ‘transformational change’ at Section/Figure 3.10.

- 1.15. LTP4 Policy PT11 states: **We will identify options and delivery mechanisms for a mass transit system for Warrington.** As previously highlighted, a tube-style plan is provided in LTP4 with a cross town centre route and orbital route through the Garden Suburb proposals advocated in the previous draft Local Plan along with park and ride facilities.
- 1.16. The support for Mass Transit was 46% from people who agreed that this should be explored further and as highlighted at 4.2.4, there was *'strong support for the mass transit proposals amongst respondents under the age of 35'*.
- 1.17. As advised on page 49 of LTP4, the mass transit routes identified are to:
- Deal with existing corridors with high demands for travel
 - Support the growth of the town centre, and
 - Connect key employment areas to new and existing residential areas.
- 1.18. Ultimately, we do not consider the submitted Local Plan is in accordance with LTP4 in promoting the SEWUE and SE Employment Area as separated allocations and policies because this fails to deliver the Mass Transit routes to the largest proposed development locations in the Submitted Local Plan. Such an approach also runs contrary to paragraphs 104 and 105 of the NPPF.
- 1.19. Conversely, the March 2019 Regulation 19 Local Plan was fully in accordance with LTP4 and therefore this Local Plan could be modified and found sound accordingly.
- 1.20. The 2021 LTP Update report indicates that there is an ongoing study for the Mass Transit priority that was commissioned in June 2020. We question if this is now available?
- 1.21. In 2019 on behalf of the wider landowner group involving Homes England and the list of landowners under paragraph 1.38 above, it was demonstrated by WSP to the Council that the Mass Transit routes through the Garden Suburb could be delivered on land within the full control of the wider landowner group. Taylor Wimpey also individually confirmed to the Council that they would be able to implement the route on their land to connect to Grappenhall Lane/Broad Lane roundabout providing a suitable link for Mass Transit through to the A50.

Q17. How have issues of equality been addressed in the Local Plan?

- 1.22. We await the Council's response to this question. In the meantime, we would point the Inspector to the Equality Impact Assessment Form provided as part of the LTP4 (to be provided by the Council). We will direct the Inspector to the initial comments in the Background Information and Context Box and we note the range of positive impacts the Local Transport Plan policies are to have on a range of different groups.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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