

Warrington Local Plan EIP

Matter 1: Procedural / Legal Requirements

Hollins Strategic Land

22 July 2022

1 Introduction

- 1.1 This hearing statement is made by Hollins Strategic Land (HSL) to the Warrington Local Plan Examination in Public (EiP) and follows previous consultation representations to the local plan process which promoted the Warrington Garden Suburb - WGS). HSL is advocating the reinstatement of the WGS as an omission site along with other developers and landowners who previously formed part of the WGS landowner group (referred as Omission Site Profile: 24) and other landowners who have a vested interest in delivering the WGS.
- 1.2 In summary, HSL do not consider the Local Plan, as submitted, is legally compliant or sound.
- 1.3 HSL consider that the submitted Local Plan is unsound in a number of areas:
- i. The overall housing requirement of 14,688 dwellings over the plan period (2021 to 2038) is too low (816dpa). The circumstances in Warrington provide clear justification for a higher housing requirement than the standard method:
 - a. Most significantly, the housing requirement does not align with projected levels of economic growth.
 - b. The housing requirement should be increased to address affordable housing need.
 - ii. The housing requirement should not be phased to reduce delivery in the early years of the plan period. This would compound the supply of housing needs at a time when they should be met as urgently as possible. Instead of phasing the requirement, the correct approach is to boost supply in the early years of the plan, and this can be done through the reinstatement of the WGS.
 - iii. Insufficient housing land has been identified in the short term, and overall, to meet the identified requirement (let alone a higher figure). There is a significant overreliance on the existing main urban area, existing inset settlements and SHLAA sites, despite such sites failing to deliver and the Council's own evidence demonstrating that significant elements of the SHLAA supply are not viable.
 - iv. The plan proposes no robust flexibility to respond to change, for example non-delivery of allocations such as Fiddler's Ferry or SHLAA sites. In the absence of such flexibility, there is a real risk that housing need issues will be further exacerbated in Warrington.
 - v. The plan proposes too much emphasis on delivering high housing densities:
 - a. At least 130 dwellings per hectare (dph) on sites that are within the defined town centre of Warrington.

- b. At least 50 dph on sites that are within the wider town centre masterplan area and those sites adjacent to a district centre or in other locations that are well served by frequent bus or train services.
- vi. This reliance on high density development conflicts with the borough wide housing target of 65% of market homes being 3-bed or larger as identified in the Local Housing Needs Assessment (LHNA 2021).
- vii. There is no conceivable way that the identified affordable housing need (433dpa) which equates to 52% of the overall requirement could be met in full, yet the Council has failed to consider whether it would be appropriate to increase the housing target to make further provision for social housing needs.
- viii. The plan fails to provide safeguarded land to meet longer term development needs and to provide permanence to the Green Belt.

1.4 The following key changes are therefore necessary to make the Local Plan sound:

- i. The plan period should be extended to cover at least a 20 year period 2021-2041 and ensure that longer term needs are properly considered over a 30-year period from adoption.
- ii. The housing requirement needs to be increased to at least 943dpa to properly align housing and economic growth and to meet the identified affordable need.
- iii. The supply of housing sites should be boosted significantly and diversified through the allocation of additional deliverable sites.
- iv. Additional Green Belt land release is required.
- v. Safeguarded land should be identified, to meet development needs post 2038.
- vi. Warrington Garden Suburb must be reinstated in full.

2 Issue: Whether the Council has complied with the relevant procedural and legal requirements.

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

- 2.1 A significant change in the spatial strategy of advancing a lower housing number and deletion of the Garden Suburb proposal led to an updated LDS in September 2021. Prior to that, significant delays occurred in submitting the Local Plan 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. The delays in submitting the Local Plan now provides the Council the opportunity to formulate a plan based on a lower housing requirement of 816 dpa as opposed to 909 dpa at 2019.
- 2.2 The current LDS makes no attempt to set a forward path for implementation of policies / allocations or future SPDs. This is not a forward plan but a retrospective ad-hoc jumble of policies cobbled together in an attempt to submit a Local Plan by what is now a non-defunct deadline to have plans submitted by 2023.

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

- 2.3 We raise concern with the 2021 / 2022 evidence base availability and its retrospective nature to align with what is effectively a U-turn strategy focused on suppressing housing growth over the plan period.

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

- 2.4 We reserve the right to make comment at the hearing session.

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?

- 2.5 We reserve the right to make comment at the hearing session.

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?

- 2.6 Further clarity is required on the intended relationship of SPDs with the Local Plan. As proposed, the Local Plan is not clear in this regard.

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

- 2.7 Our understanding is that the Concept drawings and plans must be purely illustrative and should have no statutory status as part of the Local Plan.
- 2.8 We reserve the right to make comment at the hearing session and subsequent sessions relating to the Main Development Areas.

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

- 2.9 We reserve the right to make comment at the hearing session and subsequent sessions relating to the Main Development Areas.

Sustainability Appraisal

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

- 2.10 Issues with the SA arise as a result of the Council's U-turn approach which now reduces scale of development proposed and shortens the plan period from 20 years to 18 years. We see no justification to establish a housing requirement of 816dpa and there is no justification to shorten the plan period, particularly in an area where green belt boundaries are being redetermined through the plan.
- 2.11 The resulting change in approach leads to a significant reduction in housing numbers and with that a significant change in the Council's spatial strategy. Such changes of significance would ordinarily have been best approached by a new development plan strategy rather than retrofitting the evidence base to prop up a flawed strategy in the first instance. Instead, the LPA added 'bolt-on' options to an already loaded SA thereby creating a conflicting evidence base.
- 2.12 The long and short of it is that the Council's 2021 SA fails to provide justification to support the current spatial strategy and removal of the Garden Suburb allocation from

the Plan. More concerning is that submitted Local Plan ultimately fails to assess the wider social and economic impacts of applying the minimum annual housing requirement as calculated from the Standard Methodology such as affordable housing and infrastructure.

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

(d) Policy approaches

2.13 The overall scale of growth was determined in 2016/17. Council supported economic led growth and with that a higher housing requirement to align with growth in jobs and to address affordable needs.

2.14 With specific reference to our interest area being the Warrington Garden Suburb, this concept has been considered since 2016 and continued to be the main focus until a change in approach to reduce housing numbers and shorten the plan period.

Q10. Has the methodology for the SA being appropriate?

2.15 The methodology for the SA has been appropriate up to a point before the housing need figure was lowered and the plan period shortened leading to the subsequent removal of the Garden Suburb allocation. We raise concerns with recent changes and how they have been developed.

2.16 We reserve the right to make comment at the hearing.

Habitats Regulations Assessment (2019 and 2021)

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?

2.17 In addition to the concerns raised by Natural England regarding the potential impact of the Local Plan on Holcroft Moss, the HRA does not have proper regard to the proximity of Fiddlers Ferry within the Upper Mersey Estuary Local Wildlife Site and its potential impacts.

2.18 We reserve the right to make comment at the hearing.

Other Matters

Q.15 Does the Local Plan include policies in relation to the mitigation of and adaptation to climate change? If so, which?

- 2.19 Fiddlers Ferry site adjacent River Mersey estuary –
- 2.20 One thing that isn't picked up by the SA in relation to climate change is in relation to the potential for sea level rises and what impacts this might have on the Mersey Estuary and Fiddlers Ferry
- 2.21 We reserve the right to make comment at the hearing.

Q.16 Has the Council had regard to the other relevant specific matters set out in S19 of the 2004 Act (as amended) and Regulation 10?

- 2.22 With reference to Reg 10 (a) the revised Local Plan fails to have regard to the policies of Local Transport Plan 4 (LTP4) adopted December 2019. The removal of the Garden Suburb, as was proposed in the submission version Local Plan (2019), means that vision and transport policies contained within the LTP4 such as PT11 'Mass Transit System' and other transport infrastructure items will be severely prejudiced. LTP4 set out a vision to support economic and housing growth in line with the 2019 submission version Local Plan. Its vision and policies sought to identify a strategy that supports the growth in the number of trips arising from the growth planned in 2019. It is not clear how the revised plan translates the policy objectives of the LTP4 in light of removing the Garden Suburb policy. Para 6.21 of LTP4 set out a policy objective to deliver a 'Mass Transit Network' for Warrington and set itself a target to increase the mode share for bus and mass transit use for journey to work to 15% through scoping Light Rail/Tram and Bus Rapid Transit infrastructure. The removal of the Garden Suburb as proposed in the submission version Local Plan (2019) significantly impedes this policy objective and as a consequence the Local Plan fails to meet legal requirements in this regard.
- 2.23 In 2019 on behalf of the wider landowner group involving Homes England and the 'Garden Suburb' identified promoters with land interests, 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. HSL confirmed its ability as national land promoter and a local regional based housebuilder (Hollins Homes) to ensure essential infrastructure would be delivered and housing completions delivered in a timely manner in line with the trajectory. HSL made submissions along with the landowner group outlining a developer-led phased approach to delivering the Garden Suburb.

Q.17 How have issues of equality been addressed in the Local Plan

- 2.24 The Local Plan fails to address the issues of equality by not providing sufficient homes and policies to ensure housing need for older people and those with specialist needs is met throughout the period of the Local Plan.

Paul O'Shea *BA(Hons) PGdip TP MRTPI*

Director