

**Barton Willmore, now Stantec on behalf of Miller Homes (Respondent No. 0435)**

**Examination into the Warrington Local Plan 2021-2038**

**Hearing Statement**

**Matter 3 – The Spatial Strategy**

Issue - whether the Spatial Strategy is justified, effective and consistent with national policy, including in terms of the distribution of development across the Borough, site selection, the overall approach to the Green Belt and the overall approaches to infrastructure provision and viability.

Please note that this Hearing Statement relates to Miller's interests outside of the SEWUE. Separate statements have been prepared jointly with Homes England which address points related to the SEWUE.

*Overall Strategy for Housing*

**Q1. Is the strategy to maximise the development potential of the existing urban area for new housing appropriate and justified?**

1. Policy DEV1 of the Submission Version Local Plan commits to the delivery of a minimum of 14,688 new homes between 2021 and 2038 (average of 816 homes per annum), 11,800 of which to be delivered in the existing urban area. This equates to approximately 654 homes per year, for the duration of the 18-year Plan period, coming forward from currently identified mainly Previously Developed Land (PDL) sources.
2. The principle of maximising the development potential of the existing urban area for new housing is admirable. However, this must be balanced with the need, to ensure that the housing needs of Warrington are met.
3. There are 2 key issues with this policy aspiration in terms of how achievable it is.
4. Firstly, the minimum number of homes required from within the urban area is 11,785 based on Table 1 of the WLP. This equates to 655 per annum. Given the nature of Warrington it is assumed that the vast majority of these are proposed to be delivered on Previously Developed Land (PDL).
5. It is noted that this annual requirement significantly exceeds the number of homes delivered on PDL in the last 6 years according to data within the Council's Annual Monitoring reports for those years.

<b>Monitoring Year</b>	<b>Homes on Previously Developed Land</b>
2015/16	580
2016/17	509
2017/18	384
2018/19	511
2019/20	468
2020/21	480

*Figures taken in relation to monitoring data for HOU3 from the AMR for the relevant year*

6. The Annual Monitoring Report (AMR) for the period: 1st April 2020 – 31st March 2021 was published in June 2022. The AMR confirms 480 dwellings were delivered on PDL sites in that reporting year. While this represents 81% of the total housing delivery (592 units), it remains that the gross number is insufficient in terms of meeting housing targets.
7. It is important to note that the Council remains significantly below delivering the PDL target in the WLP even without added competition from other allocated sites, including those within the Green Belt, being present. There is no evidence provided as to why this source of supply will increase significantly as a result of the WLP being adopted.
8. This is particularly the case as many PDL sites would be able to come forward without the benefit of a local plan allocation. It is notable that they have not, despite a lack of housing land supply being present and the Council failing to meet the Housing Delivery Test.
9. Secondly, of sites identified as deliverable in the Plan period, a significant number of these are in the urban area.
10. It is agreed that the urban area is a logical and sustainable place to focus some residential development through the WLP. However, over 2,244 of identified homes between 2021/22 and 2025/26 are on sites of more than 0.25 hectares in the urban area. Many of these remain in active employment, or other uses.
11. In addition to this, the SHLAA (EiP Reference H4) shows in Table 3.3 that of the forecast completions between 2021/22 and 2025/26 only 1,694 of these have planning permission. This leaves a balance of 550 that do not benefit from an extant planning consent.
12. As such, there is a significant question over the ability to meet housing needs in the shorter term.
13. Furthermore, there are viability issues existing in lower value areas such as the town centre which will also affect delivery rates. The reliance on the town centre to deliver a significant proportion of the housing requirement therefore carries significant risk due to the uncertainty associated with the deliverability of key sites here.
14. The reliance on areas of low land value, with associated viability issues, to deliver a significant proportion of the housing requirement means that there is a high risk of a reduced level of, or no, affordable housing being delivered.

15. Indeed, the viability evidence produced by the Council (as produced by Cushman and Wakefield – August 2021 – EiP Reference V2) shows that all Town Centre typologies are unviable (table under Paragraph 8.5), as are the majority of Inner Warrington typologies. In addition to this, the specific Waterfront Site Allocation is also considered to be unviable (table under Paragraph 8.26).
16. This is particularly pertinent as the cost of building materials has risen greatly in recent months. As such, Sites that are already unviable at the time they were assessed are likely to have a higher build cost and thus will need additional support to make them deliverable. No information is currently available in terms of how this funding gap will be addressed.
17. While the Council states that 30% of the Waterfront allocation (Policy MD1) and 20% of homes on developments of 10 or over in the Town Centre and Inner Warrington (Policy DEV2) should be affordable, this is highly unlikely given the viability issues that area present based on the information available.
18. Such a reliance on these areas to provide housing is therefore likely to limit the amount of affordable housing delivered during the plan period, meaning that needs will not be met and the current shortage of affordable housing in the Borough will continue to be exacerbated in the midst of a worsening housing crisis.
19. On this basis, the WLP strategy is not likely to be deliverable in this regard, meaning that the identified market and affordable housing needs will not be met.
20. The potential impact of the non-delivery of sites is particularly acute in Warrington given the restrictions of Green Belt resulting in no alternative source of delivery without undertaking a time-consuming local plan review. In the meantime, the housing needs for the Borough would go unmet.
21. In order to address this issue, the WLP should seek to increase the number of greenfield sites allocated in alternative areas, which offer much more certainty of delivery within the Plan period and are more likely to viably deliver affordable housing. Such sites would complement, rather than replace the sites currently identified in the housing supply to strike a more appropriate and deliverable balance.
22. As a minimum, and as an alternative, the Council should safeguard suitable sites in the Green Belt for residential development should housing delivery fail to meet requirements, in order to avoid the need for further Green Belt reviews during the Plan period.

**Q2. Is the Council's assessment of urban capacity for the plan period (11,785 homes) realistic and justified by evidence? Has the development potential of the existing urban area been maximised, for example in terms of specific identified sites, an allowance for smaller sites and optimising densities?**

23. As set out above, the Council is over-reliant on urban capacity throughout the plan period, and in effect the capacity has been maximised beyond what is considered realistic. The annual delivery

requirement has not been close to being achieved over the past 6 years. Therefore, the proposed capacity is not justified.

24. On this basis, the Council should allocate or safeguard additional sites adjacent to the main urban area and outlying settlements.

**Q3. On a strategic, Borough wide level, does the scale of housing growth required, the capacity of the existing urban area and the inability of neighbouring authorities to accommodate any of Warrington's housing needs provide the exceptional circumstances to justify altering the Green Belt in principle?**

25. Yes. There are clear exceptional circumstances to justify Green Belt release at the Borough wide level in order to meet development needs across the Plan period and beyond, particularly in the context of the Council adopting a housing requirement that seeks to deliver the minimum number acceptable as per the NPPF. Further, the town centre capacity is optimistic given the constraints set out above, so capacity may be even lower which further justifies Green Belt release.

**Q4. What is the basis for a flexibility allowance of 10% in terms of the housing requirement? Is this justified?**

26. A flexibility allowance of 10% appears to be justified. However, we have concerns about the requirement itself which are expressed in the Matter 4 Hearing Statement.

**Q5. What is the basis for the removal of land from the Green Belt to accommodate at least 4,821 homes in the plan period (see Policy DEV1) given the figure of 4,372 in Table 1 of the Local Plan, particularly as 10% flexibility has already been factored in?**

27. We are supportive of the release of Green Belt land to address the housing shortfall in the Borough. However, as stated above, concerns regarding the deliverability of a significant number of homes within the Council's trajectory means that exceptional circumstances would remain for further release of additional sites in sustainable Green Belt locations to increase the range of sites available and to avoid the need for further Green Belt review either during the Plan period or in planning for the next Plan period.

28. The Council's assumptions that underpin the housing need and supply beyond the Plan period are not adequately justified and it is likely that additional allocations or safeguarded sites will be required to ensure that paragraph 140 of the NPPF is met.

29. This can be rectified by ensuring that sufficient land is released from the Green Belt now in the form of allocations, or safeguarded land, to ensure that these needs are met.

**Q6. In terms of high-level options for Green Belt release, what is the basis for the chosen approach i.e. the majority of Green Belt release adjacent to the main urban area with incremental growth in outlying settlements? Why was this chosen ahead of other options? Is this justified?**

30. This approach is logical and justified. However, as set out above, further Green Belt land must be released in the form of additional allocations or safeguarded land if the Council's requirement is to be met in full and the Green Belt boundaries to endure beyond the Plan period.

**Q7. What is the basis for the overall split of housing allocations and Green Belt release between land adjacent to the main urban area (at least 4,020 homes in Policy DEV1) and outlying settlements (at least 801 homes in Policy DEV1)? Is this justified?**

31. No response provided.

*Outlying Settlements*

**Q8. How were the site allocations in the outlying settlements selected, what factors were used to assess potential sites and what criteria were used?**

32. It is agreed that the general spatial strategy, which includes allocating sites in outlying settlements, is sound. However, several Site Allocations in the outlying settlements, and the basis for their selection, cannot be considered sound. These are covered fully in hearing statements on Matters 7a, 7d, and 7e.

**Q9. What evidence fed into this process e.g. Green Belt Assessment, flood risk data etc?**

33. The evidence in terms of Green Belt purposes relating to Miller's land interests at Croft (Omission Site Profile 26), Stretton (Omission Site Profile 27), Lymm (Omission Site Profile 28), and Winwick (Omission Site Profile 25) is inaccurate.

34. A full response provided in relation to the proposed and potential allocations at Croft, Lymm, and Winwick in the Hearing Statements on Matters 7a, 7d, and 7e.

**Q10. How has the process been recorded and documented? What role did the SA have?**

35. A full response provided in relation to the proposed and potential allocations at Croft, Lymm, and Winwick in the Hearing Statements on Matters 7a, 7d, and 7e.

**Q11. Which options were considered, why were alternative options discounted and why were the site allocations chosen?**

36. As set out above, it is agreed that the overall spatial strategy is sound.

**Q12. Was the methodology applied to site selection appropriate and were the conclusions of the process justified?**

37. The results of the SA in relation to proposed allocations at Winwick are inaccurate, meaning that site selection has not been proven to be appropriate. This matter is covered in full in the Hearing Statement provided on Matter 7e.
38. The Hollins Lane, Winwick Site (Omission Site Profile 25) should have been classified as a more sustainable option than the land chosen for allocation. This is one example, and there may be others, which raises questions over the appropriateness and/or application of the Council's methodology.
39. As per the Inspector's request this point is not covered in full here but within the Hearing Statement on Matter 7e.

**Q13. Is the scale of housing growth in each of the outlying settlements justified?**

40. As stated above, the WLP should allocate more land for development in order to compensate for uncertainty associated with the delivery of identified SHLAA sites, principally in the Town Centre. Outlying settlements could play a key role in this delivery through the allocation and/or safeguarding of omission sites that could deliver housing in the short to medium term.
41. This is particularly the case in terms of the shorter term supply of housing, particularly given the issues with adopting a stepped requirement as expressed in the Matter 4 Hearing Statement provided.
42. Furthermore, additional allocations, or the provision of safeguarded land, in the current Green Belt is required in order to ensure that boundaries endure beyond the Plan period, as required by national policy.
43. Land under the control of Miller at Croft (Omission Site Profile 26), Stretton (Omission Site Profile 27), Lymm (Omission Site Profile 28), and Winwick (Omission Site Profile 25) has the potential to provide circa 940 new homes, including affordable housing in sustainable locations. These sites are available and deliverable, as demonstrated in previous submissions to the WLP process. In the case of Croft, Lymm and Winwick they offer the opportunity to delivery new homes early in the plan period with minimal additional infrastructure required.

*Adjacent to the main urban area*

**Q14. How were the Main Development Areas adjacent to the main urban area involving Green Belt release (SE Warrington Urban Extension, Fiddlers Ferry and Thelwall Heys) selected, what factors were used to assess potential options and what criteria were used?**

44. We are supportive of the Council's allocation of the SE Warrington Urban Extension, and the justification that underpins it.

**Q15. What evidence fed into this process e.g. Green Belt Assessment etc?**

45. No response provided.

**Q16. How has the process been recorded and documented? What role did the SA have?**

46. No response provided.

**Q17. Which options were considered, why were alternative options discounted and why were the Main Development Areas (involving Green Belt release) chosen?**

47. No response provided.

**Q18. Was the methodology applied appropriate and were the conclusions of the process justified?**

48. No response provided.

*The Green Belt*

**Q27. Should the Local Plan identify safeguarded land? If so, where and for what purpose?**

49. Yes. As set out above, the Council is over-reliant on urban capacity throughout the plan period, and in effect the capacity has been maximised beyond what is considered realistic. The annual rate of delivery necessary to meet the Plan's housing requirement has not been close to being achieved over the past 6 years, during a period where Green Belt significantly constrained supply.
50. As stated in reference to DEV1, the Council's assumptions that underpin the housing need and supply beyond the Plan period are not adequately justified and it is likely that additional allocations or safeguarded sites will be required to ensure that paragraph 140 of the NPPF is met. On this basis, safeguarded land must be identified in order to avoid the Plan being unsound.
51. Further, the adjusted boundaries of the Green Belt as currently proposed on the WLP Policies Map are, in some cases, unsound because they are not positively prepared and do not meet national policy, as they currently do not allow development needs to be met, enduring beyond the Plan period.
52. Whilst we consider further allocations to be the most appropriate solution, safeguarded land, as a minimum alternative should therefore be provided adjacent to sustainable outlying settlements such as Lymm, Croft and Winwick. Miller's interests in these locations are suitable for this purpose.
53. The purpose of this is to add security that the housing requirement will be met in the event that there is significant issues with non-delivery of town centre, or other, strategic allocation.
54. In addition, it means that a further review of the Green Belt in a future Local Plan, or in an earlier review of the WLP, is less likely.

**Q28. What is the basis for the inset settlements (excluded from the Green Belt) and Green Belt settlements (washed over)? Is the list of settlements in each category justified in each case?**

55. No response provided.

**Q29. In other respects, is the approach in Policy GB1 justified, effective and consistent with national policy? Are any main modifications necessary for soundness?**

56. Policy GB1 does not pass the NPPF paragraph 35 test.

57. It is not positively prepared, as the current proposed Green Belt boundary in a broader sense does not allow for an appropriate quantum of development that would meet the needs of the Borough.

58. It is not justified, because evidence suggests that town centre redevelopment is unviable and not deliverable as claimed in the Plan, therefore there is a significant risk that this will not come forward and, consequently, that more extensive Green Belt release is required.

59. It is not consistent with national policy, because the extent of retained Green Belt is likely to fail to meet the NPPF requirement at paragraph 140 to endure beyond the Plan period.

60. Additional Green Belt land should be removed and allocated, or safeguarded, to meet the needs within and beyond the Plan period.

61. On provision 11 of GB1, the policy is currently unclear and ambiguous as to which developments will have to provide these improvements to the remaining Green Belt. It is assumed that this would only relate to development on land that has been released from the Green Belt through this Plan, in accordance with paragraph 142 of the NPPF. On this basis, the policy should be reworded as follows to make it explicit that this provision only relates to development that is coming forward on former Green Belt land, and not all development proposals (amendments underlined):

*"Where development proposals result in land being removed from the Green Belt, or are part of an allocation on land formerly in the Green Belt, a scheme of compensatory improvements to the environmental quality and accessibility of land remaining in the Green Belt will be required to be provided. Financial contributions will be considered where this would help to ensure that the benefits of compensatory improvements can be maximised by providing them in the most appropriate location."*