

**Barton Willmore, now Stantec on behalf of Anwyl Land Ltd (Representor ID: 0405)**

**Examination into the Warrington Local Plan**

**Matter 3: The Spatial Strategy**

**Housing: Overall Spatial Strategy for Housing**

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

1. Paragraph 124 of the NPPF (2021) sets out that planning policies and decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing, the local market, viability, the availability of infrastructure, the areas character and the importance of securing well-designed and healthy places. The Green Belt provisions of the NPPF build upon this further, stating at paragraph 141 that all other reasonable options should have been considered before releasing land from the Green Belt.
2. Our Client considers that the Plan is aligned with this approach in a broad sense, noting that the existing urban area can accommodate around 11,800 new homes, meaning that there is a requirement to release Green Belt land for approximately 4,500 homes in order for the Council to meet their housing requirement. Notwithstanding this, our Client remains concerned that a number of the proposed sites for Green Belt release have been removed through the evolution of the Plan. Coupling this with uncertainties around some of the proposed allocations, including Fiddlers Ferry (as discussed within our Client's previous Representations, and later within this Statement).
3. As a result, whilst our Client is content that the strategy to maximise the development potential of the existing urban area is sound, they wish to reiterate that even in a best-case scenario, additional land is required and so a release of land from the Green Belt is necessary in order to deliver the housing requirement.

***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?***

4. Appendix 1 of the Local Plan sets out the Council's trajectory and overall housing supply, it indicates that there is a supply of 16,676 dwellings, including 4,891 on Green Belt release sites. Whilst the SHLAA 2021 identifies a housing land supply of 10,965 dwellings over the next 15 years, this includes a small sites allowance of 90dpa. The SHLAA uses density assumptions, a density range of between 30-50 dwellings per hectare (dph) applied to the net developable area, for most sites, whilst a density of 275dph is applied in the town centre and 130dph within Inner Warrington.
5. Our Client supports the recognition of the need to release land from the Green Belt but would again question why a significant number of proposed Green Belt allocations have been removed from the Plan. Additionally, our Client considers that the Plan would benefit additional flexibility in the supply of housing in the event that the proposed allocations, or other sites do not come forward as envisaged by the Plan. As we have previously stated, there are a number of uncertainties relating to the proposed allocations, including Fiddlers ferry, and so it would be prudent for the Council to identify additional land, either through allocation or safeguarding, in order to contribute to any shortfall or slump in the delivery of housing. Our Client considers that their land interest at Mill Lane, Lymm, represents one such example of a site that could serve to provide additional housing supply in the short to medium-term, and thus would provide the required degree of flexibility.

***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?***

6. As set out above, the Council has set out its approach to the spatial strategy to meet the needs of the Borough over the Plan period, which involves the need for Green Belt release. The existing urban area can accommodate around 11,800 new homes, meaning that there is a requirement to release Green Belt land for approximately 4,500 homes in order for the Council to meet their housing requirement.
7. Notwithstanding our Client's previously stated concerns around the lack of Green Belt sites to be released (despite a clear requirement to do so), our Client considers that the Council's justification for Green Belt release is appropriate, particularly as it has been demonstrated that there is insufficient capacity to meet the Borough's housing needs within the Urban Area accordingly, and as such, Green Belt release is required. This approach and justification is compliant with Paragraph 139 of the NPPF and is therefore supported by our Client.

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

8. Our Client considers that a flexibility allowance of 10% is appropriate and allows for sites to come forward differently to how they were envisaged during the production of the Plan (and supporting evidence base). As has been stated above, a degree of flexibility is an important component of the housing supply, and is welcomed. Our Client remains concerned however over some of the components of the supply, and the deliverability of these sites.
9. It is our Client's recommendation that further sites for are identified for either housing allocations during the Plan period, or safeguarded for housing beyond the Plan period. In respect of the latter, our Client considers that a suitable mechanism would be a prudent addition to the Plan, allowing the early development of safeguarded land in the event that the Council is unable to demonstrate an adequate supply of housing.

***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?***

10. The NPPF sets out at Paragraph 140 that, once established, Green Belt boundaries should only be altered where exception circumstances are fully evidenced and justified. It is clear that the Council are able to establish exceptional circumstances for Green Belt release across the Borough.
11. The Council has adopted a housing requirement that seeks to meet the bare minimum of what is acceptable under the terms of the NPPF. The Council's SHLAA has fully evaluated available sites within the Borough and has established the capacity for new homes on non-Green Belt sites. As stated within previous Representations, our Client considers this capacity to be optimistic given the delivery constraints, particularly within the Town Centre and at Fiddlers Ferry.
12. However, even against the lowest housing requirement figure, which takes no account of possible economic growth, and an inflated housing land supply within the SHLAA, there remains a deficit of 2,903 homes. This deficit is against the local housing need / requirement alone and without any additional flexibility to take account of potential slippage. The 10% increase, now factored in raises

the deficit to 4,372 homes. Our Client considers that this heightened deficit provides further justification for the release of land from the Green Belt in order to meet the housing requirement.

13. As stated previously however, our Client is concerned that the Council has not identified sufficient sites for release. Whilst exceptional circumstances (in line with the NPPF) are present currently, they may not be in the future, and so the Council should identify additional sites at this stage to bolster its current supply, and ensure sufficient supply of land for homes in the future (including beyond the current plan period).

***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?***

14. Our Client considers that it is appropriate for a degree of Green Belt release to be adjacent to the main urban area. As a focus for growth, and the most sustainable part of the borough it is clear that it should be a focus for additional land release to meet the Borough's housing requirement.
15. That is not to say however that the growth of other settlements within the Borough should be stifled to facilitate growth within the main urban area. These too have a need for new housing and our Client continues to lack support for the approach taken by the Council as to how and why incremental growth for each outlying settlement is proposed.
16. As has been stated within previous Representations, the Council's justification for incremental growth stems from a 10% growth limit, as confirmed within the Regulation 18 consultation, but in itself is not based upon any substantiated evidence base but rather is based on a housing needs assessment basis.
17. The Council's justification for the 10% limit is in relation to settlement size and to ensure that development is capable of being accommodated without changing the character of the respective settlement, in a sustainable manner to ensure the viability and vitality of that settlement over the Plan period. Our Client remains disappointed in the reduction of development envisaged for settlements outside of the main urban area, noting that this has previously been reduced from 1,100 to 800 homes over the Plan period. It remains our Client's position that insufficient justification or rational has been provided to explain this approach and that the outlying settlements will require a greater level of development than currently planned in order to sustain the viability and vitality.

***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?***

18. Our Client's response in this respect is as per Q6 above.

### **Housing: 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?***

19. Our Client considers that this is a question for the Council to answer, but notes, and welcomes that the more detailed site profiles have now been provided by the Council, to provide some degree of rational behind the selection (and omission) of sites within the Plan.

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

20. Our Client considers that this is a question for the Council to answer, and does not provide comment in this respect at this time.

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

21. Our Client considers that this is a question for the Council to answer, and does not provide comment in this respect at this time.

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

22. As highlighted previously, there has been little evidence provided by the Council thus far as to the justification from those sites selected, and those omitted. More recently however, the Council has prepared site profiles for both the proposed allocations, and the proposed omission sites. Our Client notes that these are dated June 2022 but were only made available on the 11<sup>th</sup> July 2022. Whilst the delay in providing this information has been disappointing, our Client welcomes that these have now been published for review.
23. Notwithstanding this, whilst our Client welcomes the clarity that the site profiles offer, they do consider that they shed light on a degree of inconsistency with how certain sites have been considered. An example of this would be that Omission Site 8 (our Client's land interest) was dismissed owing to being partially within a mineral safeguarding area and buffer zone, whilst also being partially Grade 2 agricultural land, and having a "small" area of known contamination. These are noted as being the reasons for not taking the site forward for allocation, despite there being a number of proposed allocations that currently benefit from similar designations.
24. Fiddlers Ferry (MD3) is one example of such. The site, which is home to a former power station is similarly within a mineral safeguarding area and, although representing a large brownfield site within the Green Belt is subject to extensive levels of contamination, far greater than those at Mill Lane. The assessment of Fiddlers Ferry suggests that the mineral deposits have been sterilised by the former development of the Site but, notwithstanding the significant and unknown costs of remediating the site, said remediation may provide an opportunity to expose the mineral deposit, and extract it prior to development. This does not appear to have been considered and could, at the very least, impact on the timescales for the delivery of the allocation, or indeed the delivery of the allocation at all.
25. Peel Hall (MD4) is another such example of development which has been proposed for allocation despite a known mineral resource being present as well as being Grade 2 agricultural land. Whilst it is accepted that this Site is not within the Green Belt, the relatively poor performance of other sites in a Green Belt sense renders them comparable.
26. Providing further support for this contention is site OS3 (Hollins Green). This site, which is proposed for allocation, is located within the Green Belt, the whole site is Grade 2 agricultural land as well as being within a proposed mineral safeguarding area. This site also has additional known constraints, including an underground pipeline and being within the catchment area of the Rixton Clay Pits SAC. This site is also noted as making a moderate contribution to the Green Belt purposes (as is also the case for our Client's land interest).
27. All of the above examples are sustainably located, are subject to very similar, or in the case of Hollins Green, the same constraints, with additional ones (over and above Omission Site 8) being noted. Despite this, they have been proposed for allocation. Why one site is favourable to another is not clear from the information available, but it is apparent from the site profiles that the Council

has been consistent in its approach. In a context where additional sites and additional flexibility is required in the Plan, our Client considers that there is a strong case for the allocation of their land at Mill Lane for development. This would foster a consistent approach in the consideration of sites through the Plan.

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

28. Our Client's response in relation to this question is as per Q11 above.

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

29. Our Client's response in relation to this question is as per Q6 above.

**Housing: 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?***

30. Our Client does not wish to respond to this specific question at this time but would reiterate their concerns around the deliverability of the Fiddlers Ferry site made through previous Representations and at Q2 and Q11 above.

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

31. Our Client has no comments to make in respect of this question at this time.

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

32. Our Client has no comments to make in respect of this question at this time.

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

33. Our Client has no comments to make in respect of this question at this time.

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

34. Our Client has no comments to make in respect of this question at this time.

**Employment Land**

***Q19 What is the basis for the calculation of the existing supply of employment land within the Borough? What was included and excluded? Is the approach robust and***

*justified?*

35. Our Client has no comments to make in respect of this question at this time.

***Q20 Is it justified to include 31.80ha from the Omega Extension in St Helens in the supply for Warrington? Should a greater area be included given that consent has now been granted for 75ha?***

36. Our Client has no comments to make in respect of this question at this time.

***Q21 On a strategic, Borough wide level, does the scale of employment land required and the existing supply (within Warrington and at the Omega Extension in St Helens) provide the exceptional circumstances to justify altering the Green Belt in principle?***

37. Our Client has no specific comments to make in relation to this question at this time but would reiterate the need to ensure that the level of employment and economic growth envisaged for the Borough through the Plan is paired with a suitable level of housing to accommodate this growth. The Plan represents an opportunity to cater for growth as part of this Plan period but also safeguard land for future development, beyond the Plan period. Said exceptional circumstances may not exist in the future and so it is important that the Council capitalise on the opportunity before them.

***Q22 How were the Main Development Areas for employment (SE Warrington Employment Area and Fiddlers Ferry) selected, what factors were used to assess potential options and what criteria were used?***

38. Our Client has no comments to make in respect of this question at this time.

***Q23 What evidence fed into this process e.g. Economic Development Needs Assessment, Green Belt Assessment etc?***

39. Our Client has no comments to make in respect of this question at this time.

***Q24 How has the process been recorded and documented? What role did the SA have?***

40. Our Client has no comments to make in respect of this question at this time.

***Q25 Which options were considered, why were alternative options discounted and why were the Main Development Areas for employment chosen?***

41. Our Client has no comments to make in respect of this question at this time.

***Q26 Was the methodology applied appropriate and were the conclusions of the process justified?***



42. Our Client has no comments to make in respect of this question at this time.

### **The Green Belt**

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

43. As has previously been demonstrated, exceptional circumstances exist to justify the release of land from the Green Belt, and therefore re-draw the Green Belt boundaries within the Borough. Such circumstances are demonstrable now, but may not be present in the future when either a review of the Local Plan is undertaken or a new plan prepared. As such, and in accordance with paragraph 143(b) of the NPPF, our Client considers that through the Local Plan, the Council should also look to identify areas of safeguarded land in order to meet longer-term development needs, stretching beyond the current Plan period.
44. Additionally, our Client also considered that it would be sensible for the safeguarded land to be caveated with a mechanism to allow for early release if it is demonstrable that the Council has an adequate supply of housing. Safeguarded sites have been noted as being capable of accommodating development and can be a valuable resource if the Plan fails to deliver housing as originally envisaged. This can also reduce reliance on otherwise un-planned, windfall sites and allows for sustainable, planned development across the Borough.

***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?***

45. Our Client has no comments to make in respect of this question at this time.

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

46. Our Client's concerns in respect of the degree of Green Belt land required, and the lack of Green Belt sites subsequently proposed for allocation, as well as the concerns with those that are proposed have been stressed throughout this Statement, and so are not repeated here. As a result of this however, our Client is concerned that, as drafted, Policy GB1 would set a Green Belt boundary that is incapable of meeting the need for housing and as such cannot be considered to be positively prepared. As has been previously stated, 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 the Plan complies with the requirements of paragraph 140 of the NPPF.
47. As a result of this, our Client remains of the view that the boundaries of the Green Belt, as currently proposed, are unsound as they are not positively prepared and do not meet with the requirements of national planning policy. This can however be rectified through ensuring that sufficient land is released from the Green Belt in the form of suite allocations and safeguarded land.
48. In terms of provision 11 of the Policy, which relates to compensatory improvements, 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 that results in land being released from the Green Belt, in accordance with Paragraph 142 of the NPPF. The policy should be rewritten to make it explicit that this provision only relates to development

resulting in a loss of Green Belt land, and not all development proposals.

49. Our Client has previously suggested a revised wording for this aspect of Policy GB1, and remains of the view that this would represent an appropriate amendment to the policy.

### **The Overall Approach to Infrastructure**

***Q30 What are the overall infrastructure requirements as a result of the proposals in the Local Plan? How have these been established and in particular how has the Council worked with other organisations?***

50. Our Client has no comments to make in respect of this question at this time.

***Q31 What role does the Infrastructure Development Plan have and how does it relate to the Local Plan? How will the Infrastructure Development Plan evolve over time?***

51. Our Client has no comments to make in respect of this question at this time.

***Q32 Is there a distinction between infrastructure which is essential for the proposed development to take place and desirable infrastructure?***

52. Our Client has no comments to make in respect of this question at this time.

***Q33 How have costs for infrastructure been established? What are the sources of funding and is this sufficiently clear? Where there is a significant funding gap, how will this be met, is this clear and is it realistic?***

53. Our Client has no comments to make in respect of this question at this time.

***Q34 In overall terms, is it sufficiently clear that essential infrastructure will be provided and delivered at the right time?***

54. Our Client has no comments to make in respect of this question at this time.

### **Viability**

***Q35 Is the methodology used for the Viability Assessment of the Local Plan appropriate and robust?***

55. Our Client has no comments to make in relation to this question at this time.



***Q36 Does it provide a realistic and comprehensive assessment of revenue and costs for the Main Development Areas and site allocations over the plan period?***

56. Our Client has no comments to make in relation to this question at this time.

***Q37 Are all costs included and are the estimates of these justified? How have infrastructure requirements been factored in and how do these correspond to the Infrastructure Development Plan and costs identified in that?***

57. Our Client has no comments to make in relation to this question at this time.

***Q38 What is the basis for the assumptions regarding the phasing of development and the timing of the need for and costs of infrastructure and are these realistic and justified?***

58. Our Client has no comments to make in relation to this question at this time.

***Q39 How do the assumptions on housing delivery compare with the housing trajectory?***

59. Our Client has no comments to make in relation to this question at this time.