

Hearing Position Statement by
Tetra Tech Planning
on Behalf of Ashall Property Ltd

(Respondent Reference UPSVLP 0417)

MATTER 3 – THE SPATIAL STRATEGY

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1. Introduction

1.1 Tetra Tech Planning is representing Ashall Property Limited (our 'Client') in support of their proposed site on Land South of the A56 Chester Road (site reference R18/P2/041 – SHLAA reference 2671). Ashall Property Limited is the operating company for Ashall Walton Ltd who own the Freehold interest of this 8.18 hectares (20.21 acres) site in Walton.

2. Response to Inspectors' questions

Overall Spatial Strategy for Housing

Question 1: Is the strategy to maximise the development potential of the existing urban area for new housing appropriate and justified?

2.1 **No.**

2.2 The strategy is flawed as it is unable to deliver the range and number of dwellings identified as being required over the Plan Period. Instead, it is resulting in unrealistic densities and viability being assumed for the existing urban area, in particular for Inner Warrington.

2.3 The Council's own evidence base identifies a significant need for 433 affordable dwellings per year as per Paragraph 2.1.38 of the UPSVLP. It is evident that the brownfield sites in the existing urban area are not capable of securing sufficient levels of affordable housing to help address the housing affordability crisis in Warrington due to lack of viability. This will be addressed in more detail later in Question 36 as our Client has first-hand experience of this in his role as a director at Lane End Group. Lane End Group has completed a number of developments in Warrington, including the Town Centre.

2.4 Our Client, as part of the Developer Consortium (UPSVLP Respondent ID 0410) has also retained the services of Roger Hannah Associates (RH) to advise and comment on viability matters in general for the Hearing Sessions.

2.5 It is evident that a different spatial strategy is therefore required to address the affordable housing shortfall as well as need for larger family homes.

Question 2: Is the Council's assessment of urban capacity for the plan period (11,785 homes) realistic and justified by evidence?

2.6 **No**

- 2.7 Lichfields have already undertaken a review of Warrington's claimed housing supply on behalf of our Client as part of the Home Builders Consortium. This formed part of our Client's submission to the UPSVLP (Annex 3 of our Client's submission)
- 2.8 This considered sites with a capacity above 50 dwellings. In this category alone we established that some 1,610 dwellings in the Council's stated supply are not deliverable in the Plan period. Our own assessment of approved major residential applications between 10 to 49 dwellings since 2015 up to July 2022 confirm that out of the 34 applications approved, only 8 achieved densities above 130 dph totalling 186 dwellings in total.
- 2.9 Of these 186 dwellings:
- the majority failed to meet the Nationally Described Space Standards;
 - only one site provided private amenity space;
 - the majority failed to meet the Council's parking standards with some sites providing no parking at all; and
 - only four 3-bedroom apartments are proposed, despite larger family homes being identified as the biggest need for Warrington.
- 2.10 The densities that the Council propose to prescribe should take account of the policy requirements as set out in the UPSVLP. This includes need for 65% of dwellings to be larger family dwellings, compliance with NDSS, parking requirements, sustainable urban drainage systems, spatial implications of biodiversity net gain (BNG) and open space requirements. It has not been demonstrated that this has been factored into the prescribed housing densities in Policy DEV1 (page 38 of UPSVLP) for the Town Centre and wider Town Centre Masterplan area.
- 2.11 For the reasons outlined above, we believe the stated urban capacity of 11,875 homes is not realistic or justified.

Question 3: 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?

2.12 Yes

- 2.13 As stated earlier we believe the capacity of the existing urban area should be reduced down and there is insufficient viability on most of the brownfield sites in the Inner Warrington area to provide a suitable level of affordable housing (20% as per Policy DEV2) to help meet the pent-up need for affordable housing.

2.14 Neighbouring authorities have had to release Green Belt land to meet their own housing needs and are unlikely to be able to help meet Warrington's needs. Regardless whether they could or not, Warrington Council should be planning positively to meet its own needs in light of the affordable housing crisis and the Council's employment growth ambitions that form such an integral part of the UPSVLP. There are undoubtedly exceptional circumstances for Green Belt release (in the terms of the NPPF, as explained by recent decisions of the High Court).

Question 6: 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?

2.15 **Yes**, the Council's proposed approach in this regard is justified and supported by our Client.

2.16 Our main concern t this approach is the lack of consistency and clarity on how the Council has decided which sites adjacent to the main urban area should be released. In our opinion the Green Belt sites closest to the main built up area of Warrington, namely Inner Warrington should be viewed more favourably than sites further away.

2.17 For example, our Client's site was initially proposed to be released from the Green Belt as part of the South West Warrington Urban Extension (SWWUE) (Policy Map reference: SW Extension MDA), Policy MD3, in the PSVLP 2019. See extract from the 2019 version of the Policies Map in Figure 1.

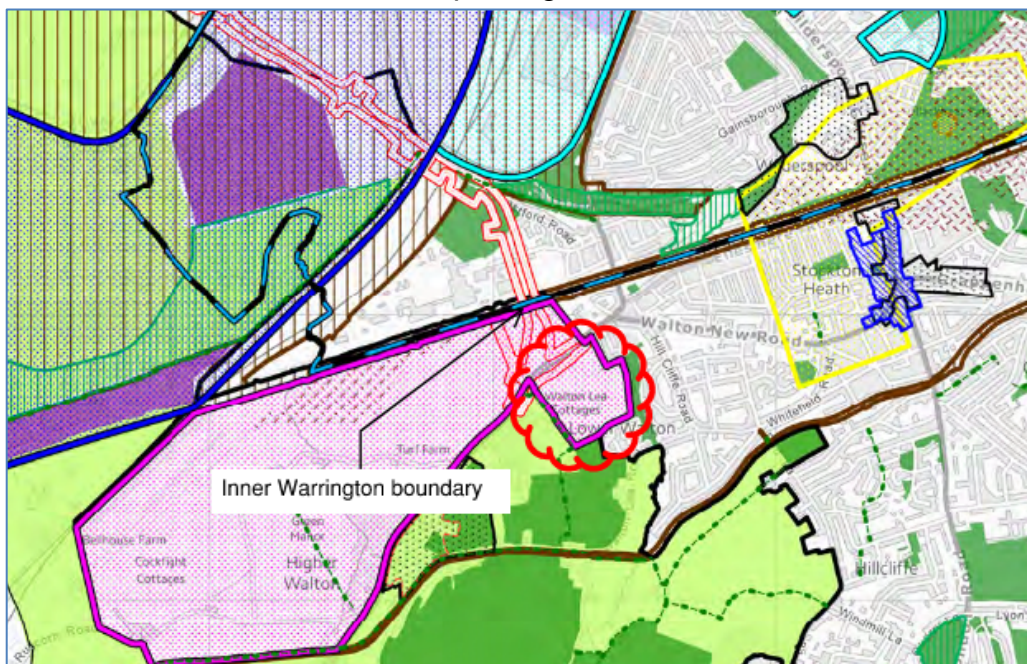


Figure 1. Proposed South West Warrington Extension in 2019 PSVLP.

2.18 Our Client's site is located less than 250m from the area defined as Inner Warrington, less than a kilometre from Stockton Health District Centre, and less than two kilometres from Warrington Town Centre. In comparison, the proposed Green Belt allocations at Fiddlers Ferry and some parts of the South East Warrington Urban Extension (SEWUE) are more than double the distance from Warrington Town Centre. Thelwall Heys is nearly double the distance from Warrington Town Centre as well.

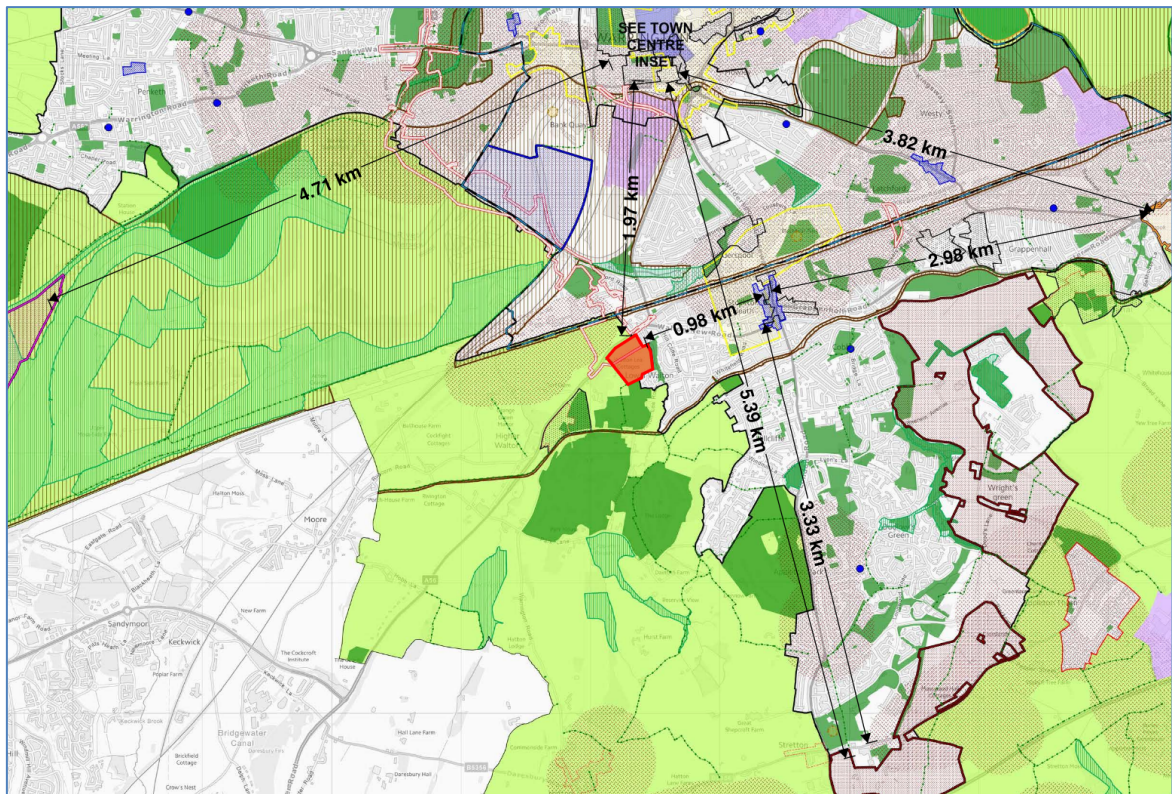


Figure 2. Extract from the current proposed Policies Map showing the relationship to the Town Centre.

2.19 The Council decided to include Fiddlers Ferry as an opportunity site for consideration with the other Main Urban area options [Paragraph 4.15 of Document O1 – Development Options and Site Assessment Technical Report – September 2021]. Fiddlers Ferry has very little connectivity with Warrington's Main Urban Area (MUA) and is approximately 5 kilometres away from Warrington Town Centre. It is debatable whether future residents will travel towards Warrington to access community facilities. It is more likely that the development at Fiddlers Ferry will place more pressures on facilities in Widnes.

2.20 We would therefore question whether it is appropriate to assess Fiddlers Ferry as part of the Main Urban Area for Warrington whilst excluding others such as our Client's site.

2.21 The Council has therefore failed to consistently apply their own strategy of concentrating new development in and around the main conurbation. As such the Plan is unsound.

Question 7: 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?

2.22 **Yes**, we agree that it is appropriate to focus the bulk of housing close to the MUA.

Adjacent to the Main Urban Area

Question 14: 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?

Question 15: What evidence fed into this process e.g. Green Belt Assessment etc?

Question 16: How has the process been recorded and documented? What role did the SA have?

2.23 The Council has only recently (27 June 2022) published two documents, [CD02] and [CD03] which documents the site profiles for the proposed Allocation sites and the Omission sites. Our Client has not previously had the opportunity to comment on this new evidence.

Question 17: Which options were considered, why were alternative options discounted and why were the Main Development Areas (involving Green Belt release) chosen?

2.24 Paragraph 4.15 and 4.16 of Document [O1] state that the Council assessed further Green Belt sites immediately adjacent to the MUA following comments received on the PSVLP in response to the comments that *“additional sites required in the early years of the Plan Period to offset the longer lead in times and potential risks associated with larger urban extensions.”*

2.25 Instead of releasing additional sites, the Council actually reduced the number of Green Belt sites and introduced allocations at Thelwall Heys and Fiddlers Ferry in place of the SWWUE.

2.26 The Council states on page 35 of the Local Plan Site Allocations document [CD03] that it *“only gave additional consideration to sites adjacent to the main urban area which were weak performing in Green Belt terms.”* There are two major issues with this statement :

- (i) Their Green Belt assessment is flawed and in determining which sites should be classed as weak performing. To provide a more balanced and comprehensive review of potential Green Belt sites the Council should at least have assessed

sites with 'Moderate' Green Belt value (according to their own assessment) as well. This was the approach taken by the neighbouring authority St Helens Council in the St Helens Green Belt Review.

- (ii) Contrary to the statement above, the Council did consider and allocate Green Belt parcels with 'Moderate' or 'High' Green Belt significance.

2.27 Our reasons for stating the above will be evidenced in Question 18.

Question 18: Was the methodology applied appropriate and were the conclusions of the process justified?

2.28 **No.**

A. INCONSISTENT APPROACH TO GREEN BELT ASSESSMENT

2.29 The Warrington Borough Council Green Belt Site Assessments (September 2021)[GB4] states on page 171 that our Client's site south of Chester Road (reference R18/P2/041 – SHLAA reference 2671) makes a moderate contribution towards Green Belt purpose 1 to check the unrestricted sprawl of a large built-up area. The Assessment states: "rear of residential development combined with dense tree line and field boundaries form a mixed-durability eastern boundary between the site and the built-up area, which may not be able to prevent sprawl in the long term. The site is connected to the built-up area along this eastern boundary. Given the shape of the built-up area, development of the site would not round of the settlement pattern."

2.30 We do not agree with this assessment, as the Site makes a minimal contribution towards checking unrestricted sprawl. The site abuts residential development located in Brookwood Close, Hill Cliffe Road as well as Springbrook to the immediate east. Whilst there is intervening woodland of 50m wide along some of this boundary, this does not indicate that the site is physically separate from the built-up area. A much stronger defensible boundary exit from the woodland to the west of the Site. This woodland is more than 275m wide and confirms the edge of the built-up area. The development of the Site would not therefore result in further sprawl and should be rated as 'weak' for Green Belt purpose 1.

2.31 The overall assessment for the Site on page 171 of [GB4] states: "The site makes a strong contribution to one purpose, a moderate contribution to two, a weak contribution to one and no contribution to one. In line with the methodology, professional judgement has therefore been applied to evaluate the overall contribution. The site has been judged to make a moderate overall contribution as although it supports a strong degree of openness, the boundaries between the site and the countryside are mostly durable thus any development would be contained and would

not therefore threaten the overall openness and permanence of the Green Belt. The site makes a moderate contribution to checking unrestricted sprawl and assisting in urban regeneration.”

- 2.32 We emphatically disagree that our Client’s site has a strong degree of openness. The site is contained by strong durable boundaries and is well screened by mature woodland belts. There is only a very small part of the site boundary that is not contained, namely an 80m strip along the south boundary. The site is therefore more than 90% contained.
- 2.33 The Council’s assessment has overplayed the contributions that the Site makes to the Green Belt purposes and should instead have an overall rating of ‘weak’ as our assessment has found four ‘weak’ scores and one ‘no contribution’..
- 2.34 The Council’s Site Profiles for Local Plan Site Allocations document [CD02] states on page 4 that the council has not undertaken a Green Belt assessment for the part of the Warrington Waterfront site that is currently in the Green Belt. The reason stated is because it is only “a very small proportion” of the site and it only being a “minor change to the Green Belt boundary”. According to our calculations this area equates to more than 5ha. This **cannot** be considered to be a “very small” area of Green Belt release.
- 2.35 The Thelwall Heys site (MD5) has a much greater degree of openness and the two A - roads, Knutsford Road (A50) and Stockport Road (A56), already provides a strong and logical boundary to the Green Belt. Yet, this site is considered to provide a weak Green Belt contribution by the Council.
- 2.36 There are other Green Belt parcels that are classed as moderate and high significance and yet they have not only been considered but are also proposed for release from the Green Belt. These include for example:
- Fiddlers Ferry (WR73, WR74, WR79) - The Fiddlers Ferry allocation has a high Green Belt significance and includes some greenfield sites with weak boundaries and yet this has been allocated for residential development.
 - SEWUE – Some of the parcels are deemed to be of moderate significance and the Council acknowledges that some of the boundaries are only field boundaries and will need to be strengthened. (R18/P2/113, R18/P2/017, R/18/P2/145).

B. INCONSISTENT APPROACH TO ENGAGING WITH LANDOWNERS

- 2.37 Paragraph 4.23 of the Development Options and Site Assessment Technical Report [O1] states that the Council “*met with each individual developer to explain the rationale for the Council’s decision not to proceed with the wider allocation and provide them with the opportunity to put forward their ideas for a smaller, deliverable allocation.*” This was

only in relation to the landowners on SEWUE after the Council concluded that the SEWUE was not capable of being delivered as originally proposed in the PSVLP.

2.38 There was no such engagement with our client as part of the SWWUE Consortium post PSVLP to consider what smaller deliverable allocations could come forward. This is despite the fact that our Client has positively engaged with the Council throughout. For example, our Client reduced the site area following the PSVLP consultation to accommodate the proposed WWL alignment as illustrated in our Client's UPSVLP representation (see Appendix 1).

C. UNSUBSTANTIATED/ DISPUTED REASONS FOR DISCOUNTING LAND SOUTH OF CHESTER ROAD

2.39 The Council states in their Local Plan Omission Site Profiles report [CD03] that the land is identified as being potentially contaminated. The Client's response to the UPSVLP included a Phase 1 Desk study in Annex 2. This concluded the risk of contamination is low to medium. There is no known source of contamination from previous land uses on the site. The site has been in agricultural use as far back as historic maps of the area is available (at least 1877).

2.40 In light of the Council's comments on potential contamination our Client has instructed another Geo Environmental specialist to assess the potential risk of contamination. Whilst the previous report referenced a former sand pit in proximity to the site to the north, it should be noted that the sand pit was relatively small in size. It also referenced a former mill pond which has since been redeveloped for commercial use and therefore, any issues were likely to have been dealt with at the time. As such the overall risk of contamination is **low**.

2.41 The Council also raises concern about the potential impact of the SWUE on the Western Link. No further detail is provided on what these concerns are. We dispute this point as the SWWUE would help facilitate the WWL as illustrated by the masterplan that accounts for its alignment and financial contributions towards the delivery of the WWL.

The Green Belt

Question 27: Should the Local Plan identify safeguarded land? If so, where and for what purpose?

2.42 **Yes**, in order to comply with the NPPF.

2.43 We note the Council considers sufficient housing land is available within the existing urban area together with the proposed allocations to meet the housing requirements for the Plan period and beyond to 2050. We seriously doubt this is the case, even if the

housing requirement is reduced to 605 dpa beyond the Plan Period. The reasons we say this is plural fold:

- (i) The Council is seriously overestimating the residential capacity of urban area as set out in our response to Question 2;
- (ii) There are major doubts over the deliverability of the Warrington Waterfront MDA should the WWL not be developed.
- (iii) Even if the Council persist with proposing Fiddlers Ferry for housing development (and the Inspectors agree with that approach) the overall housing capacity from Fiddlers Ferry should be substantially reduced.
- (iv) The Council acknowledges that the availability of brownfield sites will continue to decline over time. Through releasing land from the Green Belt now, they also acknowledge that there are not enough brownfield sites now to meet the current plan period housing need. Despite this, the Council is assuming that a staggering 3,024 dwellings will come forward on brownfield sites beyond the Plan Period. The justification for this is given as advances in technology and development trends (Paragraph 4.1.30 of the UPSVLP).

2.44 We recommend that the land to the north of Chester Road (which formed part of the SWUE) should, as a minimum, at least be safeguarded for residential development.

Question 29: In other respects, is the approach in Policy GB1 justified, effective and consistent with national policy? Are any main modifications necessary for soundness?

2.45 **No**

2.46 Insufficient land is proposed to be released from the Green Belt to meet the housing need up to at least 2050. As a minimum, further Green Belt land should be allocated for the Plan Period up to 2038 to meet the additional need arising from the increased standard Method requirement. This equates to an extra 10 dwellings per year or 160 in total (See Lichfields response to Matter 4). We also consider that additional smaller deliverable sites should be allocated because the proposed big allocations (Warrington Waterfront, Fiddlers Ferry, Peel Hall and SEWUE) won't be able to deliver the numbers required in the short to medium term.

2.47 In addition, we consider the approach taken to decide which sites should be released first (sites listed in GB1) is not consistent with national Green Belt policy or policies relating to deliverability. The Council should have identified a clearly documented hierarchical approach to site selection, taking into account:

1. Green Belt function;
2. Proximity to Warrington Inner Area;
3. Direct links to strategic road network;
4. Single Landownership with willing landowner;

5. Short term deliverability prospects;
6. Overriding planning gain beyond draft planning policy requirements.

The overall approach to Infrastructure

Question 34: In overall terms, is it sufficiently clear that essential infrastructure will be provided and delivered at the right time.

2.48 **No.**

2.49 Our response relates specifically to the WWL. The application for the WWL was due to be submitted 14 months ago but it still has not. Discussions with our Client as one of the key landowners for the alignment of the proposed WWL has stalled since January 2021. To date there has been no draft sale agreement or any contractual position.

2.50 As such, the Council does not have control over the land required for the WWL. At best the delivery of the WWL is substantially delayed given the reasons above. The Council itself has stated that the delivery of Warrington Waterfront is intrinsically linked to the delivery of the WWL. Therefore it is unrealistic to assume any housing will be delivered from Warrington Waterfront until the delivery of the WWL is secured.

2.51 At worst if the funding cannot be identified, then the WWL will not come forward.

Viability

Question 36. Does it provide a realistic and comprehensive assessment of revenue and costs for the Main Development Areas and site allocations over the plan period?

2.52 Viability is a major issue for the delivery of residential projects in Warrington Town Centre in general, and in particular should a 20% affordable housing requirement be added.

2.53 In addition, very little affordable housing would have been delivered in the Town Centre in recent years without grant funding from National Government. It would be wrong to assume this grant funding will always be available.

2.54 For the foreseeable future build cost is also likely to keep increasing faster than any growth in sales and rent values on affordable dwellings as the cost of materials keep going up and design standards such as NDSS, Future Homes Standards and Building Regulations ramps up.

2.55 The Council's Viability Assessment Report [Document ID: V2] is therefore wrong to assume that build cost will be going down.

2.56 The Council is heavily reliant on high density development in Warrington Town Centre but has to date failed to take account of the space requirements and costs associated with undercroft parking. Our Client's market intelligence indicate that the lack of parking is becoming a big issue for Registered Providers in the Town Centre. This is not only likely to add cost if it is to be provided for, but it could also suppress rent values if not provided.

3. Actions required to make the UPSVLP sound

3.1 The Council should amend its strategy of relying too much on the existing urban area to meet its housing need, because it is not sound. The Local Plan can be made sound in this regard by:

- Reducing the assumed deliverable capacity of the main urban area of Warrington and allocating more Green Belt sites for residential development on the edge of the main urban area. Revisions will be required to Policy DEV1 of the UPSVLP 2021 to Paragraphs 2 (reduce urban capacity to circa 10,000), 3 (include Land South of Chester Road and others as allocations); and
- Revising Policy GB1 to include additional sites for removal from the Green Belt. This should include a policy mechanism for the release of Safeguarded Land.

3.2 Irrespective of whether the Council do decide to reduce the assumed urban capacity, more Green Belt sites should be released to help meet the identified need for larger family homes, affordable housing and specialist housing for an ageing population.

3.3 This can be achieved by including sites that have been previously promoted, assessed, and consulted on as part of the previous Proposed Submission Version Local Plan 2019(PSVLP 2019). This includes our Client's site which is capable of delivering a 80 bed care home, 70 extra care apartments, 137 dwellings of which 50% will be affordable housing.

Appendix 1: Site Layout as per UPSVLP with WWL



Key	
	Site Boundary
	Existing Trees & Woodlands
	Watercourse
	Green Infrastructure
	Proposed Trees
	Built Form
	Avenues
	Streets
	Lanes (Shared Drives)
	Shared Space Square
	Sustainable Drainage Ponds
	Front & Rear Gardens

Scale 1:1,500 (A3)

0m 10m 30m 60m 100m

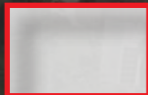










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NORTH

Appendix 2: Site Layout without WWL



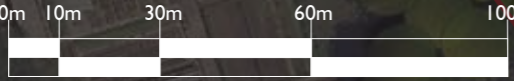
Key

-  Site Boundary
-  Existing Trees & Woodlands
-  Watercourse
-  Green Infrastructure
-  Proposed Trees
-  Built Form
-  Avenues
-  Streets
-  Lanes (Shared Drives)
-  Shared Space Square
-  Front & Rear Gardens



n*ORTH

0m 10m 30m 60m 100m



Scale 1:1,500 (@A3)

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e*SCAPE 10 Years
urbanists 2009 - 2019

Project Title
Chester Road, Walton, Warrington

e*SCAPE Job No.
016-023

Client
Ashall Property

Drawing Number Revision
016-023-P004 **REV G**

Drawing Title
**Illustrative Masterplan/
Indicative Layout**

Scale Date
1:1,500 @ A3 **July'22**

Appendix 3: Proposed Tracked changes to UPSVLP policies

Suggested tracked changes to UPSVLP

Policy DEV1 – Housing Delivery

Housing Requirement

1. Over the 18 year plan period from 2021 to 2038, a minimum of ~~14,688~~14,868 new homes will be delivered to meet Warrington's housing needs. This equates to an average of ~~816~~826 homes per annum.

Housing Distribution

2. The majority of new homes will be delivered within the existing main urban area of Warrington, the existing inset settlements and other sites identified in the Council's Strategic Housing Land Availability Assessment (SHLAA), which together have identified deliverable capacity for a minimum of ~~11,785~~10,173 new homes.

3. The following sites will be removed from the Green Belt and allocated for residential development:

a. South East Warrington Urban Extension – minimum of 4,200 homes of which a minimum of 2,400 homes will be delivered in the Plan Period.

b. Land at Fiddlers Ferry – minimum of ~~1,769~~900 homes of which ~~1,310~~450 will be delivered in the plan period as part of a wider mixed use development.

c. Thelwall Heys – minimum of 310 homes will be delivered in the plan period.

d. Land South of Chester Road – minimum of 207 homes and a care home will be delivered in the plan period.

Policy GB1 - Green Belt

Land removed from the Green Belt

3. The following land has been removed from the Green Belt and the amended Green Belt boundaries are shown in Figure 6:

a. South East Warrington Urban Extension

b. South East Warrington Employment Area

~~c. Land to the east and south of Fiddlers Ferry Power Station~~ c. Land South of Chester Road

d. Thelwall Heys

~~e. Land at Warrington Waterfront~~

f. Land at Croft