

Warrington Local Plan 2021-2038: Examination in Public

Hearing Statement by Peel L&P (Holdings) UK
Ltd and Peel Ports (representor no. UPSVLP
0438)

Matter 3: The Spatial Strategy

July 2022

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Our reference

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1. Introduction

- 1.1 This Statement is prepared by Turley on behalf of Peel L&P (Holdings) UK Ltd and Peel Ports Group (hereafter called ‘Peel’ and ‘Peel Ports’ respectively) in respect of the examination of the Warrington Local Plan 2021-2038. It provides a joint response by Peel and Peel Ports to the Matters, Issues and Questions (‘MIQs’)¹ identified by the Inspectors in respect of Matter 3: The Spatial Strategy.
- 1.2 In overall terms, Peel and Peel Ports are fully supportive of the emerging Local Plan and consider it imperative that Warrington has an up-to-date Local Plan, and one which provides the policy tools for the planning system to support sustainable growth, in accordance with national planning policy. Notwithstanding such support, Peel/Peel Ports have identified a number of issues and concerns relating to the soundness of specific policies within the Updated Proposed Submission Version Local Plan (‘UPSVLP’). These concerns relate specifically to:
- The removal of strategic policy support and recognition – established through Policy CS11 of the adopted Warrington Core Strategy – that Port Warrington was a strategic opportunity of scale and had the potential to develop into a multi-modal facility; and
 - The removal of proposed land use allocations² supporting the expansion of Port Warrington and associated Warrington Commercial Park (‘WCP’) from the UPSVLP.
- 1.3 Amendments to the relevant policies are suggested, without which those policies are not considered sound. The representations³ and the comments set out in this Statement demonstrate how such concerns can be readily addressed through the suggested Modifications to the policies such that the UPSVLP can be found sound.

¹ ID02

² The 2019 Regulation 19 Proposed Submission Version Local Plan (PSVLP) proposed to remove land around Port Warrington and the WCP from the Green Belt and, through draft Policy MD1, proposed an expansion of the Port for B2/B8 uses of some 185,000 sq m and a new business hub for B1, B2 and B8 of some 65,000 sq m

³ Warrington Updated Proposed Submission Version Local Plan 2021-2038: Representations on behalf of Peel L&P (Holdings) UK Ltd and Peel Ports – Paper 1: Regulation 19 Representations

2. Matter 3: The Spatial Strategy

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

- 2.1 The Inspector will be aware that, for a number of years, and building on the strategic policy provisions set out in the Warrington Core Strategy⁴, Peel and Peel Ports has worked extensively in partnership with WBC to promote the vision of Warrington Waterfront with an important element being the delivery of a modern, expanded Port Warrington, a new Warrington Commercial Park (WCP) and a new regionally important Country Park.
- 2.2 These elements were endorsed and included as important, specific land use allocations – along with confirmation and endorsement of exceptional circumstances - in the previous Regulation 19 version of the local plan.
- 2.3 Peel and Peel Ports submitted representations⁵ to the UPSVLP re-affirm the position that exceptional circumstances can be demonstrated for an expanded Port Warrington and the WCP that the case behind expanding Port Warrington and WCP are weighty and significant.
- 2.4 However, rather than being a high priority in the UPSVLP, the plan does not take into account the specialist justification and need for an expanded Port Warrington to Peel Ports who are a leading maritime business and the primary facilitator in the movement of national and international freight imports and exports across the North West economy. This is not consistent with national planning policy⁶ in plan-making terms and is also against the plethora of national and regional planning and economic policy⁷ which seeks to support the delivery of port infrastructure to serve the UK economy.
- 2.5 Moreover, the specialist justification is not reflected in any of the plan’s revised evidence base, including the refreshed Economic Development Needs Assessment (EDNA), the Development Options and Site Assessment Technical Report (DOSATR) and Sustainability Appraisal (SA). Any reference to the proposals are within the context of the Council’s reasoning for why the allocations were subsequently removed from the

⁴ Policy CS10 states that there is a strategic opportunity to regenerate land close to the town centre and inner Warrington Waterfront and Arpley Meadows to create a new quarter consisting of residential and employment development, transport infrastructure, green infrastructure and a country park. Policy CS11 identifies Port Warrington as a ‘Strategic Opportunity’ which has the capability to become a multi-modal port facility utilising the ship canal with an opportunity for rail freight. The policy recognised that the expansion of Port Warrington beyond its existing demise may be capable of demonstrating very special circumstances to justify a departure from national Green Belt policy by virtue of its fixed location within the Green Belt and the potential for multi-modal sustainable transport benefits and contributing to promoting wider sustainable growth.

⁵ See Representations on behalf of Peel L&P (Holdings) UK Ltd and Peel Ports –Regulation 19 Representations – Paper 2 – Case Making Document

⁶ See sections 6.18 – 6.20 of Representations on behalf of Peel L&P (Holdings) UK Ltd and Peel Ports – Paper 1: Regulation 19 Representations

⁷ See chapter 4 of Representations on behalf of Peel L&P (Holdings) UK Ltd and Peel Ports – Paper 1 and chapter 5 of Case Making Document – Paper 2

UPSVLV; namely the assertions around the perceived ecological impact and highways impact on the Warrington Western Link Road (WLLR). As our submitted representations detail, these asserted impacts are unfounded and/or can be adequately mitigated.

- 2.6 The current proposed employment allocations do not present a sound and reasonable alternative to meeting specialist needs at Port Warrington and WCP. These allocations seek to meet strategic/general B8 employments needs not the identified development needs arising at the Port of Warrington. The current proposed allocations do not provide the identified benefits that the WCP can offer in providing supporting ancillary employment land to Port Warrington and its ability to re-balance employment provision across the borough and in particular, provide employment provision close to Warrington Town Centre and contribute towards the regeneration of Warrington Waterfront.
- 2.7 In revising the plan, the Council has therefore given insufficient weight to (a) Peel and Peel Ports own evidence base for Port Warrington and WCP not only in terms of specialist need and benefits but also in respect of constraints and proposed mitigation and (b) its own conclusions on the suitability, viability and deliverability of Port Warrington and WCP stated with the previous iteration of the plan and its associated evidence base.

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

- 2.8 Yes. Peel and Peel Ports considers the additional port infrastructure and development is needed at Port Warrington and is needed during this plan period. However, in considering a sound plan, and given the points that have been raised concerning the insufficiency and flexibility of the plan in terms of employment supply⁸, there is also a need to consider the plan's approach to safeguarding.
- 2.9 The previous version of the Local Plan (i.e. the PSVLP) sought to rely upon the expectation that Fiddlers Ferry would likely be decommissioned during the plan period and that this effectively would be utilised as a significant windfall for future employment needs beyond the plan period. However, the UPSVLV adopts an alternative strategy⁹ which relies upon small windfall opportunities; further employment land from Omega (in St Helens) and a commitment to review employment needs before the end of the plan period. Peel and Peel Ports considers this new approach¹⁰ ineffective, unjustified and unsound. The current draft plan undertakes no considered assessment of longer term needs and makes no provision whatsoever for the need for safeguarded land for employment purposes. There is no justification contained within the plan or its evidence base which explains the approach which has been adopted.

⁸ See Matter 5 Statement submitted on behalf of Peel on behalf of Peel L&P (Holdings) UK Ltd and Peel Ports

⁹ See paragraphs 3.3.25-26 and 4.2.19-4.4.22 Updated Proposed Submission Version Local Plan

¹⁰ See paragraphs 6.49-56 of Paper 1

- 2.10 It is Peel and Peel Ports view that needs for employment development will continue beyond the plan period at least at the current rates and Green Belt boundaries will come under development pressure during the plan period. For the UPSVLP to effectively make no provision to meet these needs is unjustified. It makes it inevitable that Green Belt boundaries will need to be reviewed at the end of the plan period if not before¹¹.
- 2.11 To rectify soundness, the UPSVLP should undertake an objective assessment of the need for safeguarded land having regards to potential ongoing development needs. It should identify and allocate suitable safeguarded sites subject to policy protection that makes clear the circumstances in which they could be brought forward for development. Peel and Peel Ports considers that the UPSVLP should make provision to meet employment needs for a period of at least five years beyond the plan period.

¹¹ Contrary to NPPF paragraph 143c) and e)

3. Modifications Requested

3.1 To rectify soundness, Peel and Peel Ports proposes the following modifications:

- (1) In order to provide more flexibility and choice in supply and to meet the specific need for growth at the Port, relevant policies¹² of the UPSVLP should be amended and the land-use allocations for Port Warrington and WCP be reinstated.

A proposed redrafting of Policy MD1 is provided in Appendix 2 of our representations¹³. Minor consequential amendments should be made to Policy MD4 and GB1.

Whilst the approach set out in (1) is strongly Peel's preference, an alternative policy approach would be to safeguard Port Warrington and WCP to meet future development needs beyond the plan period but also support their development during this plan period through a criteria-based policy which would determine the need for the proposals.

A proposed modification to Policy MD4 is provided below:

Port Warrington and WCP

Port Warrington will meet an identified need for an extended state of the art Port Facility, enabling Warrington to take advantage of the increased use of the Manchester Ship Canal for freight linked to investments at the Port of Liverpool and opportunities for port related manufacturing and port centric logistics and distribution. It will support the ability of Peel Ports to handle, transact and process cargo against growing freight demand and will attract businesses to Warrington who will benefit from a port-side location and create a large number of jobs for Warrington residents. Its location provides a unique opportunity in the longer term to connect the Ship Canal to the rail network as well as the strategic road network, providing a more sustainable transport solution than traditional road to road freight distribution.

Located between the Port and new residential community, the Warrington Commercial Park (WCP), functionally connected and an integral part to meet Port growth, will provide a range of flexible employment space. It will also provide space for small and medium sized enterprises looking to establish and grow their business close to Warrington Town Centre.

Land to facilitate the expansion of Port Warrington and the WCP defined on the Policies Map will be safeguarded for development and protected from development. However, in order to ensure this infrastructure is provided at the right time and to ensure there is sufficient flexibility to respond to changing

¹² Policies MD4 (Economic Growth and Development), MD1 (Warrington Waterfront) and GB1 (Green Belt)

¹³ See Appendix 2 of Representations on behalf of Peel L&P (Holdings) UK Ltd and Peel Ports – Paper 1: Regulation 19 Representations

circumstances, the delivery of an expanded Port Warrington and WCP would be supported to come forward during this plan period should it be satisfactorily demonstrated that:

- *There is a proven need for the development to come forward during this plan period*
- *There is an agreed mitigation strategy for the loss of part of Moore Nature Reserve in accordance with national policy*
- *There is no significant adverse effects on any European site of International Importance for nature conservation including the Mersey Estuary Special Protection Area/Ramsar site*
- *Suitable access to both the expanded Port and the WCP can be achieved and that the proposals would not have a severe impact on traffic movements in the area; and*
- *A programme is agreed for the implementation of on-site infrastructure including the potential additional berth or rail infrastructure.*

- (2) Upon adoption, the draft plan should undertake an objective assessment of the need for safeguarded land having regard to potential on-going wider development needs. It should identify and allocate suitable safeguarded sites subject to policy protection that makes clear the circumstances in which it could be brought forward for development. In making provision for safeguarded land to meet employment needs, it should be for a minimum of five years beyond the plan period.

Turley Office



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