



Warrington Local Plan Examination in Public Hearing Statement

Matter 3: Spatial Strategy

On behalf of Richborough Estates Ltd.

In relation to land at Cherry Lane Farm, Lymm

Participant ID: 0430

July 2022

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Version 2

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1 INTRODUCTION

- 1.1 Asteer Planning LLP has been instructed by Richborough Estates Ltd (“Richborough”) to prepare this Hearing Statement in relation to the Updated Proposed Submission Version Local Plan (“SVLP”) and the Matters, Issues and Questions (“MIQs”) posed by the Inspectors.
- 1.2 Richborough controls the site at Cherry Lane Farm site in Lymm (Site Number: 0430¹) which has been promoted through the Local Plan process since 2017. The site is wholly deliverable (being suitable, available and achievable) for residential development and could deliver significant public benefits, as demonstrated robustly by the evidence presented in duly made representations in June 2019 and in November 2021 (Rep ID number: 0430/07).
- 1.3 This Statement responds directly to the Inspectors’ MIQs at Matter 3; however, it should be read in parallel with previous representations. Separate statements have been prepared in respect of the following matters and should be read in conjunction with this Statement:
- Matter 4 (Housing Need);
 - Matter 6a (Warrington Waterfront);
 - Matter 6c (Fiddlers Ferry);
 - Matter 7d (Lymm Allocations);
 - Matter 8 (Housing Land Supply);
 - Matter 9 (Other Housing Policies); and
 - Matter 14 (Monitoring and Review).
- 1.4 It is our view that there is the potential to consider Main Modifications to SVLP that identify additional sites in order to reduce the plan’s reliance on urban and strategic sites. In summary, it is considered that:

¹ Omission Site Ref 22 (SHLAA Ref: 2705, Site Refs: R18/051, R18/101 and R18/P2/024)

1. The capacity and level of development envisaged in the urban area is overstated. There is an over-reliance on urban sites that have delivery issues, questionable density assumptions and challenges in relation to viability.
2. The Green Belt (“GB”) assessment approach, if revisited, should consider the merits of the site at Cherry Lane Farm. Whilst in many cases we do not dispute the findings of the assessment, the arbitrary nature of the GB purpose 4 assessment criteria restricts sites where high-quality design, sensitive typologies and character development can strengthen the character of Conservation Areas.
3. The Council has not undertaken a Sustainability Appraisal (“SA”) of the Cherry Lane Farm site. An assessment provided in this Statement demonstrates that the site has excellent sustainability credentials, and should be considered if further deliverable sites are assessed via Main Modifications.

1.5 It is our view that any Main Modifications to the SVLP should:

- a) Reduce the over-reliance on the urban area by undertaking a realistic estimate of urban capacity;
- b) Provide a realistic trajectory for the development of complex strategic sites (see our response to Matters 6a and 6c);
- c) Provide a consistent assessment of sites based on their sustainability and Green Belt contribution;
- d) If required, allocate additional sites in sustainable outlying settlements, such as Lymm, to support a more balanced spatial strategy; and,
- e) If further sites are not identified, consider the safeguarding of deliverable sites to mitigate any under-delivery and ensure that land is identified to meet needs beyond the Plan Period.

1.6 Cherry Lane Farm has been demonstrated to be deliverable and could make a significant positive contribution towards meeting both affordable housing and overall housing needs early in the Plan Period. It is Richborough’s view that, if additional sites are required to balance the SVLP’s spatial strategy, Cherry Lane Farm should be either allocated or safeguarded for residential development during the next Plan Period.

2 HOUSING: OVERALL SPATIAL STRATEGY FOR HOUSING

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?

2.1 Whilst Richborough does not object to maximising the capacity of urban sites, it is important that any assessment of urban capacity is realistic. In summary, we consider that the Council's assessment of urban capacity is:

- **Over-reliant on urban sites** – the urban capacity of 11,785 dwellings is not disseminated in the SHLAA in terms of spatial distribution; however, the Housing Trajectory enclosed at Appendix 1 of the SVLP states that the 'Wider Urban Area' will deliver 1,040 new homes in 2021/22 (78% of the total trajectory) and 2,244 (55%) of all new homes in years 1-5 of the Plan. The Council's historic delivery brings this trajectory into question - the Council has failed the Housing Delivery Test ("HDT") each year since the HDT's inception in 2015/16. The most recent HDT Action Plan (October 2020) recorded a delivery rate of just 55% in the first monitoring period. This is substantially below the national requirement and there is some concern over the Council being able to deliver 1,328 homes in 2021/22, 1,040 of which form part of the urban capacity. If the Council only delivered 55% of the housing requirement for 2021/22 this would be just 664 units. Many of these urban sites have constraints surrounding land contamination, land assembly, flooding and infrastructure – which mean that urban sites, particularly in Warrington and lower value areas, have viability challenges which could result in the under-delivery of affordable housing and important community infrastructure.
- **Town Centre density assumptions** – the SHLAA (2021) applies a density of 275 dph in appropriate locations in the Town Centre and 130 dph in Inner Warrington. Appendix 4 of the SHLAA provides justification for high density development by setting out permissions and pending applications for high density schemes. However, it identifies no new permissions in the past 3 years, since 2019, which highlights the complexity in progressing these types of schemes through the planning system. There is therefore concern over high density delivery, particularly in a market that may have reached a saturation point when competing with regional centres in Liverpool and Manchester.
- **Deliverability of the Town Centre Masterplan Area** – the Southern Gateway Area ("SGA") is identified to deliver 1,300 dwellings in the Town Centre Masterplan and in

the Council's urban capacity assumptions. Five of the principal sites in the area (sites I1 – I5) are identified in the Council's SHLAA 2021 under two parcels - references 2482 (128 dwellings) and 2677 (estimated to be 130 dwellings). Parcel 2677 is the Riverside Retail Park and is identified as being 'constrained'. Both parcels have significant constraints including contaminated land and issues with flood risk; and are in part a retail park which is in operational use. There are reservations that the full 1,300 dwellings in the SGA will be delivered within the Plan Period, as well as the deliverability of the wider Masterplan Area (which is proposed to deliver 6,549 dwellings). Analysis of Warrington Waterfront allocation (Policy MD1), which is part of the Town Centre Masterplan, is provided in our response to Matter 6a – which will be difficult to deliver in the Plan Period due to a lack of certainty around funding and the delivery of essential infrastructure.

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?

- 2.2 It is considered that exceptional circumstances exist to justify altering the GB, and the under-delivery of urban or major strategic sites will only serve to underline the need to support the delivery of additional sites in the GB.

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?

- 2.3 If additional sites are required through Main Modifications, in the context of assumptions on urban capacity and strategic site delivery, the spatial release of GB should consider additional growth in outlying settlements which have excellent existing services and facilities, such as Lymm.
- 2.4 The Council had previously allocated an additional 60 residential units in Lymm (Massey Brook: 3316), which was removed from the SVLP at the request of the landowner. Lymm, is a key settlement for growth and has the ability to support substantially more housing to meet the needs of the Borough. Deliverable sites in highly sustainable outlying locations will support the delivery of homes early in the Plan Period, helping the Council to meet its overall requirement and 5 year housing land supply.

3 HOUSING: OUTLYING SETTLEMENTS

Questions 8, 9, 10, 11

- 3.1 These questions relate to the strategy, evidence and assessment of alternatives that has underpinned the Council's site selection in outlying settlements. Our consolidated response to these questions is provided in response to Q12 below.

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

- 3.2 The site selection process has not been consistently applied and, if any further sites are required to be identified, then Cherry Lane Farm should be re-assessed based on the following assessment.

Green Belt

- 3.3 The GB assessments are not consistent for all potential sites assessed within the Plan. In relation to Cherry Lane Farm, the Council stated:

"As the site was assessed as marking a Strong contribution to Green Belt purposes it did not proceed to the next stage of the site selection process for the outlying settlements. As such, no detailed SA of the site has been undertaken."

- 3.4 Notwithstanding the fact that Richborough disagrees with this assessment, it is unclear how the Council has subsequently progressed with the allocation of GB parcel WR79 within the Fiddler's Ferry allocation, which is identified as also making a 'strong contribution' overall to the GB.
- 3.5 Table 3.1 sets out a comparative analysis of the GB assessment for allocated sites, as well as Richborough's GB assessment for Cherry Lane Farm.

Table 3.1: Green Belt Comparative Assessment

GB Purpose	Fiddlers Ferry (MD3 / WR79)	Fiddlers Ferry (MD3 / WR73)	Pool Lane (OS3)	Rushgreen Road (OS5)	Massey Brook Lane ²	Cherry Lane (WBC)	Cherry Lane (Richborough)
1	No Contribution	No Contribution	No Contribution	No Contribution	No Contribution	No Contribution	No Contribution
2	Moderate Contribution	Strong Contribution	Weak Contribution	No Contribution	Weak Contribution	No Contribution	No Contribution
3	Strong Contribution	Moderate Contribution	Strong Contribution	Moderate Contribution	Strong Contribution	Strong Contribution	Weak Contribution
4	No Contribution	No Contribution	No Contribution	No Contribution	No Contribution	Strong Contribution	Weak / Moderate Contribution
5	Moderate Contribution	Moderate Contribution	Moderate Contribution	Moderate Contribution	Moderate Contribution	Moderate Contribution	Moderate Contribution
Overall	Strong Contribution	Moderate Contribution	Moderate Contribution	Weak Contribution	Moderate Contribution	Strong Contribution	Weak Contribution

3.6 In relation to Purpose 4, the arbitrary approach that assigns a ‘strong contribution’ to land which is within 250m of conservation area is flawed. Simply because a site is adjacent to a Conservation Area does not, by default, result in a strong contribution to the Green Belt, and therefore the omission of a site from the site selection or SA process.

3.7 Whilst the 250m is a useful barometer to determine the proximity of sites to a Conservation Area, this approach alone does not determine the contribution a site makes to preserve the setting and special character of historic towns.

3.8 If additional sites are required to be identified / allocated through Main Modifications, in the context of assumptions on urban capacity and strategic site delivery, then the

² Site has been removed at the request of the landowner.

assessment of Cherry Lane Farm should be revisited based on the above assessment and the SA for the site set out below.

Sustainability Appraisal

- 3.9 The Council has not undertaken a SA of Cherry Lane Farm due to its Green Belt conclusions. Richborough has undertaken its own assessment of the Cherry Lane site against the SA as follows:

Table 3.2: SA of Cherry Lane Farm Site³

SA Objective	Score	Commentary
EC1. Loss of employment land	Green	No loss of employment land.
EC2. Distance to Principal Road Network	Green	Site located within 450m of the principal road network.
EC3. How close to key employment sites	Green	Job opportunities available within central Lymm, which provides access to wider job opportunities via public transport.
HW1. Supported by community facilities	Green	Community facilities within 1,200m
HW2. Access to local natural greenspace	Green	The proposed development will deliver a new Country Park (4.86 ha). Lymm Dam is also a major recreational area that can be accessed by foot / bicycle.
HW3. Access to formal play space	Green	See above.
ACC1. Access to nearest primary school	Green	Cherry Tree Primary School is located c. 250m northwest of the site.
ACC2. Access to nearest secondary school	Light Green	Lymm High School is located c. 1.6km east of the site.
ACC3. How well served is the site by a bus	Light Green	A regular bus service is located on the A56 c. 465m north of the site.
ACC4. How accessible is the site to train Station	Yellow	The nearest train station is Birchwood, located c. 4.8km north of the site.
ACC5. Distance to GP service/ health centre	Green	The Lakeside Surgery is located c. 450m north of the site.
HO1. Will development meet housing need	Green	The site is available and all units will be delivered within 5 years.
NR1. Potential impacts on air quality	Light Green	The site is c. 1.15km east of the M6 AQMA.
NR2. Remediation of contaminated land	Light Green	The site has not been subject to historical development and is unlikely to be contaminated.
NR3. Loss of High Quality Agricultural Land	Light Green	The site comprises c. 12ha. Of this, 4.86ha will be retained as a Country Park, and therefore only 7.14ha of agricultural land will be subject to built development.

³ Measurements have been taken as the crow flies.

SA Objective	Score	Commentary
NR4. Groundwater Source Protection Zone		The site is not located within a Groundwater Source Protection Zone.
NR5. Site within identified flood zone		The site is within Flood Zone 1.
RU3. Potential to safeguard/sterilise minerals		The site is not located within a Minerals Safeguarding Area.
BNH1. Proximity to designated heritage assets		The site is within 50m of the Lymm Conservation Area. However, whilst the Council's SA criteria suggests "negative effects [are] likely", it is not considered this assessment takes into account design and landscaping mitigation to integrate a new development with the local townscape and landscape.
BNH2. Effect upon heritage assets		Whilst the site is located within proximity to the Conservation Area, design measures could be incorporated to deliver an architecturally sympathetic design which reacts to the local environment.
BNH3. Capacity for landscape to accommodate		The site has a high capacity to accommodate residential development whilst respecting its character, vernacular and functionality.
BG1. Impact on European Site/ SPA/ SAC		The site is not within the catchment area of an internationally / nationally designated ecological site.
BG2. Potential impact on a SSSI		See above.
BG3. Potential impact on Local Wildlife Site		Lymm Dam LWS is located adjacent to the east of the site. However, suitable mitigation can be employed to reduce the effects on ecologically designated sites.
BG4. Potential impact on TPOs		No TPOs located on site.
RU1. Use of previously developed land		The site is greenfield. However, the Council cannot deliver sufficient housing land within brownfield sites or the urban area, and as such, GB sites are required to meet the housing needs of the Borough.
RU2. Access to HWRC		Woolston Community Recycling Centre is located c. 4.3km northwest of the site.

3.10 Cherry Lane Farm is a highly sustainable development opportunity which can deliver housing within proximity to key services and amenities. In relation to ecology and heritage, suitable design evolution and consideration of the likely effects and mitigation would ensure the proposals sufficiently mitigate the effects of the development, such that negligible effects are realised.

3.11 Table 3.3 sets out a comparison of the Cherry Lane Farm SA against other sites in Lymm. This includes Warrington Waterfront (MD1), Fiddlers Ferry (MD3) and Massey Brook Lane, which has been included for comparison purposes to establish the SA criteria which has been achieved for a draft allocation.

Table 3.3: SA Comparison

SA Criteria	Fiddlers Ferry (R19/006a)	Warrington Waterfront (MD1)		Pool Lane (OS3)		Rushgreen Road (OS5)	Massey Brook Lane (3316) ⁴	Cherry Lane (Richborough)
		K5	K7	1528	1622			
EC1	Green	Green	Green	Green	Green	Green	Green	Green
EC2	Green	Green	Green	Green	Green	Green	Green	Green
EC3	Green	Green	Green	Green	Green	Green	Green	Green
HW1	Yellow	Green	Green	Green	Green	Green	Green	Green
HW2	Green	Green	Green	Yellow	Green	Yellow	Yellow	Green
HW3	Red	Red	Red	Green	Green	Green	Green	Green
ACC1	Green	Yellow	Red	Green	Green	Green	Green	Green
ACC2	Yellow	Green	Green	Green	Green	Green	Green	Green
ACC3	Red	Red	Yellow	Green	Green	Green	Green	Green
ACC4	Yellow	Green	Green	Yellow	Yellow	Yellow	Red	Yellow
ACC5	Yellow	Green	Green	Green	Green	Green	Green	Green
HO1	/	Yellow	Yellow	/	/	/	/	Green
NR1	Green	Green	Green	Yellow	Yellow	Green	Yellow	Green
NR2	Green	Green	Green	Yellow	Yellow	Green	Green	Green
NR3	Red	Green	Green	Green	Green	Green	Green	Green
NR4	Green	Green	Green	Green	Green	Green	Green	Green
NR5	Green	Green	Green	Green	Green	Green	Green	Green
RU3	Yellow	Green	Green	Red	Red	Red	Green	Green
BNH1	Green	Green	Green	Green	Yellow	Green	Green	Yellow
BNH2	Green	Green	Green	Green	Yellow	Green	Green	Green
BNH3	Green	Green	Green	Green	Green	Green	Green	Green
BG1	Yellow	Green	Green	Green	Green	Green	Green	Green
BG2	Green	Green	Green	Green	Green	Green	Green	Green
BG3	Red	Green	Green	Red	Yellow	Green	Green	Yellow
BG4	Green	Green	Green	Green	Green	Green	Green	Green
RU1	Green	Yellow	Yellow	Yellow	Green	Green	Red	Yellow
RU2	Green	Green	Green	Green	Green	Green	Green	Green

3.12 Based on the Council’s SA framework, the Cherry Lane Farm site scores the highest against a number of the sustainability criteria applied in the site selection process. On this basis, the site should be considered for allocation if the Inspectors consider that there is a need for further housing land to be identified via Main Modifications to the plan.

⁴ Site has been removed at the request of the landowner

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

- 3.13 An increased proportion of development could be allocated from the Warrington urban area to the outlying settlements. The SVLP places a significant overreliance on heavily constrained development sites in the main urban area which will struggle to deliver in the short to medium term.

4 HOUSING: THE GREEN BELT

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

- 4.1 Due to potential delays to the constrained Fiddlers Ferry and Warrington Waterfront sites (refer to our Statements on Matters 6a and 6c), and concerns with the delivery of development in the urban area, we consider that allocating additional sites that are sustainable, viable and deliverable would support a balanced spatial strategy. If this is not proposed via Main Modifications, we consider that safeguarded sites should be identified to mitigate any under-delivery that occurs during the Plan Period.
- 4.2 The NPPF is clear that there is a need to ensure that Green Belt boundaries will not need to be altered at the end of the Plan Period, and that where necessary local authorities should identify in their plan areas of safeguarded land, in order to meet longer term development needs that extend beyond the Plan Period.
- 4.3 Strategic policies are required to look ahead over a minimum of 15 year period from adoption. The current NPPF goes further and considers that where there are large scale developments such as new settlements or significant extensions to existing villages and towns that form part of a spatial strategy, that policies should be within a vision that looks further ahead, at least 30 years. The PAS 'good plan making guide' states that safeguarded land should be '*considered beyond the 15 years of the plan... the notion is to make any changes to the Green Belt more permanent, i.e. probably two plan lifespans*'.
- 4.4 If additional sites are required through Main Modifications, we consider that Cherry Lane Farm should be allocated in the SVLP for the reasons set out in this statement. However, in the event that this is not the case, the site should at a minimum be safeguarded to address any shortfall during the Plan Period.