

# **EiP Statement**

## **Warrington Updated Proposed Submission**

### **Version Local Plan 2021-2038**

#### **Homes Builders Consortium**

#### **Representor ID UPSVLP 0410**

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**Our ref** 64052/01/RCA/MKR

**Date** 22<sup>nd</sup> July 2022

### **Subject Matter 3 – The Spatial Strategy**

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#### **1.0 Introduction**

- 1.1 Lichfields is instructed by a Consortium of leading developers and housebuilders, namely Ashall Property, Barratt Developments (Barratt Homes and David Wilson Homes), Metacre Ltd, Satnam Developments and Story Homes [the Consortium], to make representations on its behalf to the Warrington Updated Proposed Submission Local Plan 2021 to 2038 (September 2021) [WUPSVLP].
- 1.2 This Written Statement has been prepared in response to the Matters, Issues and Questions raised by the Inspector for the Matter 3 Examination in Public [EiP] hearing session on The Spatial Strategy.
- 1.3 Separate representations have been submitted on behalf of the Consortium in respect of Matters 4,6a,6c,8 and 9.
- 1.4 This Statement should be read in conjunction with the Consortium's response to these other Matters, as well as its previous submissions on the WUPSVLP (Representator ID UPSVLP 0410). Members of the Consortium have also prepared separate Written Statements to the Matters that are of interest to them individually, but not collectively to the Consortium.
- 1.5 The ultimate objective of the Consortium is to see the adoption of a sound and aspirational development plan for Warrington, which provides suitable land in sustainable locations to ensure that sufficient housing land is available to meet all types of future housing needs throughout the plan period. The Consortium are of the opinion that the soundness issues can be addressed through main modifications amendments to the policies and the introduction of additional sustainable Green Belt allocations to meet housing need.
- 1.6 In light of the Inspector's specific issues and questions, this Statement expands upon the Consortium's previous representations made throughout the WUPSVLP preparation process. Where relevant, the comments made are assessed against the tests of soundness

established by the National Planning Policy Framework [NPPF] and the National Planning Policy Practice Guidance [Practice Guidance].

## 2.0 Questions

### 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?*

2.1 No.

2.2 The Consortium considers that the strategy for maximising development in the existing urban area represents an overreliance on brownfield land and will not accommodate the objectively assessed housing needs of Warrington over the plan period. The NPPF [§11a] requires all plans to promote a sustainable pattern of development that seeks to meet the development needs of the area. In pursuing a strategy that prioritises sites solely on their location within the existing urban area, the Council is not being led by robust evidence on the distribution of housing needs across the Borough.

2.3 The Council has sought to maximise the capacity of the existing urban area under every spatial option it has assessed. The Council's claimed urban capacity is 11,785 dwellings of the total stated plan requirement of 16,157 dwellings (with the 10% flexibility allowance). Therefore, the Council has only assessed the spatial distribution options for accommodating the remaining 4,372 dwellings (27% of its stated requirement). A robust assessment of the distribution of need across the Borough must be undertaken by the Council in the first instance. This robust evidence should inform the extent to which the capacity of the existing urban area can meet the identified housing needs, and to what extent Green Belt sites are required to meet the need.

2.4 The NPPF [§119] requires strategic policies to set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of brownfield land. The Consortium considers that the Council's current strategy for maximising the development potential of the existing urban area, prioritises making use of brownfield land over accommodating the objectively assessed housing needs of Warrington, and where the housing needs arise across the Borough. This approach is not based on proportionate evidence and is not justified in the context of the tests of soundness.

*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?*

2.5 No.

2.6 On behalf of the Consortium, we undertook an assessment of Warrington's claimed housing land supply<sup>1</sup>. This assessment was submitted in the Consortium's Housing Land Supply

<sup>1</sup> Consortium's Housing Land Supply Technical Note (November 2021) prepared by Lichfields

Technical Note to the Regulation 19 consultation. In this Technical Note, we undertook a detailed assessment of sites with a minimum capacity of 50 dwellings and concluded that the capacity of the existing urban area is overstated by the Council and the actual capacity is less than the Council's assessment of 11,785 dwellings.

- 2.7 Our assessment concluded that 1,610 dwellings of the supply from the urban area was not developable within the plan period<sup>2</sup>. This represented 23% of the supply assessed. We only assessed sites of 50 or more dwellings but consider that there would be similar issues with a proportion of the smaller sites not assessed. Therefore, the actual urban capacity over the plan period is likely to sit between 9,074 and 10,175 dwellings.

*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?*

- 2.8 Yes.

- 2.9 The Consortium considers that the Council's evidence demonstrates that exceptional circumstances exist to justify changes to Green Belt boundaries. The Council has clearly considered the other reasonable options for meeting the minimum number of homes required over the plan period and demonstrated that it does not have enough non-Green Belt land to meet these needs. This approach is consistent with many of Warrington's neighbours (Cheshire East, Halton and St Helens) who have all released Green Belt sites to meet their identified development needs recently. Halton and St Helens plans have been found sound at Examination and have subsequently been adopted in 2022 and Cheshire East consulted on main Modifications until May 2022.

- 2.10 However, the Council has overstated the capacity of the existing urban area and is too reliant on the delivery of Fiddlers Ferry (see Matter Paper 6c) and Warrington Waterfront (see Matter Paper 6a). Therefore, additional Green Belt sites must be released to meet the identified housing needs of Warrington over the Plan period and beyond. Not only that, as part of this Green Belt review, the Council should also identify safeguarded land to meet the long terms needs beyond the Plan period.

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

- 2.11 The Council's justification for the 10% flexibility allowance is to 'allow for market choice and in the event that specific sites do not come forward' (WUPSVLP §4.1.11). To account for specific sites in the supply not coming forward, it would be more appropriate to apply a discount to the relevant elements of the supply.

- 2.12 The Consortium considers that applying a flexibility allowance to the housing requirement is an acceptance by the Council that exceptional circumstances exist to justify going above the standard method figure in the context of the NPPF [§61]. The flexibility allowance is

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<sup>2</sup> The full assessment of each site assessed is included in Section 5.0 of the Consortium's Housing Land Supply Technical Note

essentially an uplift of 10% against the standard method LHN figure for Warrington (from 816 dpa to 896 dpa). However, the Council states that the 10% figure is a 'benchmark' and has not provided robust evidence to justify why the uplift above LHN should be 10% specifically. The Council must undertake a robust assessment to determine the appropriate uplift. A 16% uplift would bring the average annual figure up to 945 dpa, in line with what was recommended in GL Hearn's 2019 LHN assessment for the Council.

- 2.13 The Consortium's assessment of housing need concluded that a housing target of 1,015 dpa should be pursued to align its requirement with the employment land target<sup>3</sup>. This represents an uplift of 24% against the standard method figure.

*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?*

- 2.14 The Development Options and Site Assessment Technical Report (September 2021 - §4.1-4.2) states that the Council has assessed options that are within a range of 5% above and 5% below the 10% flexibility benchmark when considering the potential options for Green Belt release. It claims that this ensures that sufficient flexibility is provided within the land supply, but without resulting in the loss of excess amounts of Green Belt.

- 2.15 The Council has removed land from the Green Belt to accommodate 4,821 dwellings to reflect its preferred options (from its two-stage options assessment). These were:

- 1 **Stage One (High Level Green Belt Release Options):** The Council's preferred option was: *'Majority of Green Belt Release accommodated adjacent to main urban area with incremental growth in outlying settlement.'* (Council's Development Options and Site Assessment Technical Report, §2.20-2.37)
- 2 **Stage Two (Options for the Urban Area):** The Council's preferred option (Option 3) was: *'An urban extensions to the south east of Warrington of around 2,400 homes, development of Fiddlers Ferry opportunity site for 1,300 homes & development at The Wall Heys of 310 homes.'* (Council's Development Options and Site Assessment Technical Report, §4.34-4.47)

- 2.16 The capacity from these areas and from Green Belt sites in outlying settlements (801 dwellings), totals 4,821 dwellings. The Council's approach in removing Green Belt land to accommodate a development capacity in excess of the 4,372 figure is supported by the NPPF [§121], which states that local planning authorities should take a proactive approach in identifying land to meet development needs, and also in paragraph 16b which states that Plans should be prepared positively in a way that is aspirational, but deliverable. However, as set out in response to question 4 above, the Consortium considers that the Council should pursue a higher housing requirement. This would require the removal of additional Green Belt land to accommodate more than the 4,821 homes figure currently proposed.

<sup>3</sup> As set out in Section 4.0 of the Consortium's Housing Need Technical Note

*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?*

- 2.17 The Council claims that its chosen approach (Option 2) performs best against the WUPSVLP objectives and in terms of SA/SEA. It considers that focusing the majority of Green Belt release adjacent to the main urban area provides the best development option to ensure the sustainability of Warrington's growth as a whole; enabling incremental growth to the outlying settlements. It is unclear how the Fiddlers Ferry site is placed within this assessment, given that it is not adjacent to the main urban area or in an outlying settlement.
- 2.18 The Council's justification for dismissing Option 1 (all Green Belt release adjacent to main urban area) is that it does not provide the same benefits for the outlying settlements as Option 2. The Council dismisses Option 3 (Green Belt release adjacent to main urban area complemented by a sustainable extension to one or more outlying settlements and incremental growth to remaining settlements) because it claims it results in greater character impacts in the settlements and provides a weaker contribution to supporting the sustainable growth of the main urban area.
- 2.19 Members of this Consortium have different opinions on the whether the Council's chosen approach is justified.

*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?*

- 2.20 Under its preferred approach for Green Belt release (Option 2), the Council has used the approximate capacity of 1,000 dwellings to be allocated in outlying settlements. The Council's justification for this capacity is that it represents a benchmark of 10% growth in each settlement, which it considers can be accommodated by existing infrastructure whilst not impacting the overall character of the settlement.
- 2.21 Members of this Consortium have different opinions on the whether the split is justified.

## **The Green Belt**

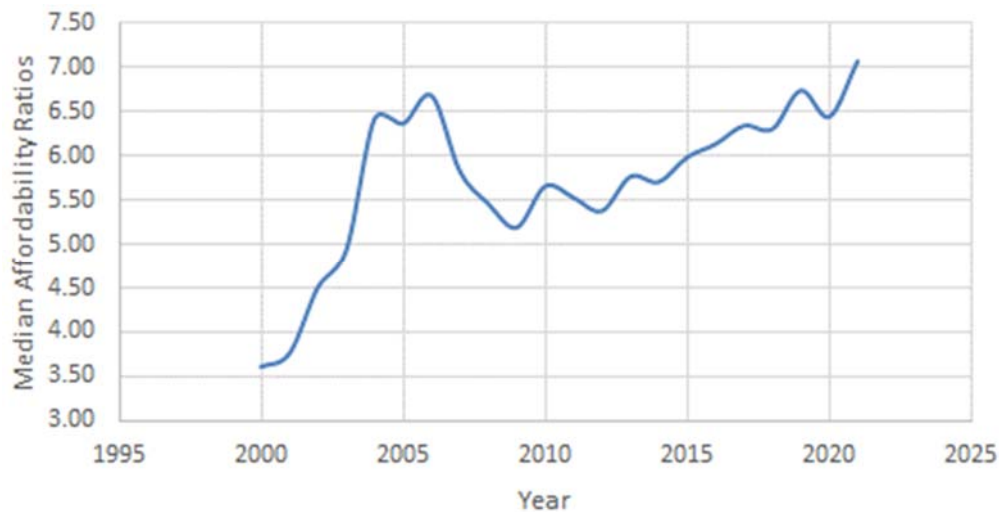
*Should the Local Plan identify safeguarded land? If so, where and for what purpose?*

- 2.22 The Council's justification for not identifying Safeguarded Land is that some of the development opportunities identified in the WUPSVLP have a longer-term delivery trajectory and it forecasts the annual housing requirement to reduce to 605 dpa. We consider that, as a minimum, the Council must plan to deliver the standard method requirement of 816 dpa beyond the plan period.
- 2.23 The Council's rationale for the reduction to 605 dpa beyond 2038 is the lower annual average household growth from 2028-2038, derived from the 2014-based projections. There is no logical reason why the Council would select the arbitrary period 2028-2038 to project forward beyond the plan period. Furthermore, no affordability uplift is applied as

‘the Council considers that by the end of the Plan period, house price affordability will no longer be a significant issue in Warrington’ (WUPSVLP, §4.1.27). In GL Hearn’s document entitled: *Developer Rebuttals to Warrington Local Plan*, it states that ‘the Council has also considered that delivery in line with the standard method in the plan period would mean that affordability pressures will no longer be a significant issue post 2038’ (p.18).

2.24 The Consortium strongly refutes this approach and considers it is fundamentally flawed. The 2021 median affordability ratio in Warrington (7.08) is higher than it has ever been previously and has effectively doubled over the previous 20 years (see Figure 1).

Figure 1 Warrington Median Affordability Ratios



Source: ONS (2022)

2.25 We have also critiqued the Council’s indicative longer-term housing supply for the period 2038-2050 in the Consortium’s Issues Report<sup>4</sup>. The Council’s claimed supply of 7,487 over this period is comprised of the following:

- Additional supply within the Plan from flexibility – 1,948 dwellings
- Garden Suburb (South East Urban Extension) – 1,800 dwellings
- Fiddlers Ferry – 450 dwellings
- Waterfront delivery – 265 dwellings
- Assumed brownfield development – 3,024

2.26 Firstly, it is inappropriate for the Council to claim that the ‘*additional supply within the Plan from flexibility*’ can also be relied on as a component of supply beyond the Plan period. By very definition, the additional supply has been identified for flexibility within the plan period. The flexibility has been incorporated to ensure a continuous supply of land if sites do not come forward as envisaged, which the Council clearly envisages is a strong

<sup>4</sup> This is set out under ‘Issue 6’ of the Consortium’s Warrington Local Plan Issues Report (November 2021)

possibility. A site may not come forward as envisaged for a host of reasons and there is no guarantee these would be overcome in the 12 years beyond the plan period.

- 2.27 The Council's assumed brownfield development capacity of 3,024 dwellings is a speculative figure derived from projecting forward the average level of assumed brownfields development from the last five years of the plan period. This is despite the Council accepting (§5.14 of the Development Option and Site Technical Report) that the availability of brownfield sites is likely to decrease over time, especially as the Council has sought to maximise the capacity of the urban areas in the first instance through the WUPSVLP spatial strategy. Therefore, we consider that brownfield development capacity is unlikely to be a reliable source of supply beyond the plan period.
- 2.28 The Council is also heavily reliant on two large strategic sites to meet a significant proportion of its needs beyond the plan period. There is no guarantee that these sites will be able to meet the distribution of housing needs beyond the plan period.
- 2.29 The NPPF [§140] states that strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. For the reasons set out, we do not consider that the Council has robustly demonstrated that it has enough supply beyond the plan period to negate the need to identify Safeguarded Land. With permanence in mind, the Council must remove additional sites from the Green Belt and safeguard them to meet housing needs beyond the plan period.

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

- 2.30 Policy GB1 is not effective because Part (3) of the policy does not remove enough land from the Green Belt to meet the identified housing needs of Warrington over the plan period. The Council must identify and remove additional deliverable and developable Green Belt sites through main modifications to make up for the overstated capacity of the existing urban area and the delivery constraints of the larger allocations, including Fiddlers Ferry and Warrington Waterfront.
- 2.31 Furthermore, Policy GB1 states that the Council will maintain the general extent of the Green Belt to at least 2050. This approach is not justified or consistent with national policy because the Council cannot currently accurately quantify Warrington's housing needs beyond the end of the plan period. This is why the NPPF [§33] requires spatial development strategies to be reviewed at least once every five years. The Council has not sought to identify any Safeguarded Land, which would support its objective to maintain the extent of the Green Belt to 2050. The Consortium notes that neighbouring authorities St Helens and Cheshire East have both identified Safeguarded Land through their recent Local Plans.
- 2.32 For Policy GB1 Part (1) to meet the tests of soundness, the Council must identify several Safeguarded Land sites across the Borough, which would provide flexibility beyond the plan period to respond to the future housing needs of the Borough.