

Cassidy+ Ashton

Architecture + Building Surveying + Town Planning

Warrington Borough Local Plan – Examination – Matter 3

Hearing Statement – Matter 3

ON BEHALF OF PATRICK PROPERTIES LTD.

July 22nd 2022

CASSIDY + ASHTON



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1.0 INTRODUCTION

1.1 This Statement is submitted on behalf of Patrick Properties, in respect to Matter 3 – The Spatial Strategy.

1.2 Under the Spatial Strategy, the relevant Strategic Objectives are as follows:

Objective W1 (Planning for Warrington’s Economic Growth)

Objective W2 (Warrington’s Green Belt)

Objective W4 (Sustainable Travel and Transport)

1.3 With reference to document ‘ID02 – Matters, Issues and Questions identified by the Inspectors’, the key issue is as follows:

Issue: Whether the Spatial Strategy is justified, effective and consistent with national policy, including in terms of the distribution of development across the Borough, site selection, the overall approach to the Green Belt and the overall approaches to infrastructure provision and viability.

The accompanying questions of relevance are set out below.

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?*

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?*

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?*

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?*

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

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

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

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

THE GREEN BELT

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

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

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?*

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?*

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

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?*

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

VIABILITY

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?*

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?*

- 1.4 The Council has submitted the Local Plan to the Government for Examination, during which, amongst other matters, the Inspectors must be satisfied that the Local Plan is positively prepared, justified, effective and consistent with national policy – these being the tests of soundness. The purpose of these representations is to highlight the fact that we do not consider the Plan, as submitted, to meet the tests of soundness and what changes need to be made to rectify this position.

- 1.5 As a starting point, support is expressed in principle for the approach taken by the Council to alter the Green Belt boundaries to meet its housing and employment needs. However, the crux of previous representations and our position for consideration at the Examination is that there has been an overall shortfall in the allocation of sites for employment development.
- 1.6 This hearing statement is specific to the overall spatial strategy – separate hearing statements will be submitted in respect to other matters.
- 1.7 We are of the view, and as will be evidenced in further statements, that the overall shortfall in employment land, in conjunction with the *narrow allocation* of sites for employment development presents somewhat of a deliverability issue for Warrington as they progress through the plan period.
- 1.8 Patrick Properties are the promoters of land known as South Station Place, south of Birchwood railway station. The site is suitable for employment and infrastructure led development and detailed representations have been submitted to the Local Plan [UPSVLP 0436]. This statement does not directly promote the site but in the circumstances of the Local Plan being found unsound in respect to employment land, the site is available together with the adjacent land being promoted by St Modwen [UPSVLP 1420].

2.0 SOUNDNESS

2.1 Soundness is defined in paragraph 35 of the National Planning Policy Framework (NPPF) (Jul. 2021). The Inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy.

2.2 Test 1 - Positively prepared

This means that the Plan should be prepared based on a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.

2.3 Test 2 - Justified

The Plan should be an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.

Our view is that real alternatives have not properly been considered and the Plan is limited in terms of its selection of sites for allocation.

Notably, the Employment Development Needs Assessment (EDNA 2021) does not constitute proportionate evidence and has resulted in a somewhat narrow allocation of sites for employment development.

2.4 Test 3 - Effective

The Plan should be deliverable over the plan period and based on effective joint working on cross boundary strategic matters that have been dealt with rather than deferred, as evidenced by a statement of common ground.

In assessing whether the Local Plan is effective the Inspector will assess whether it is deliverable within the timescale set by the Local Plan.

Our view is that the deliverability of sites (allocations) is key to ensuring the soundness of the Plan. The deliverability of Warrington's employment requirements is questioned, on the basis of the limited selection of sites. It is presented that Warrington as a Borough is at risk of failing to meet identified requirements should any site face delays / unforeseen technical issues.

2.5 Test 4 - Consistent with national policy

The Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Without sufficient allocated land, the Borough's sustainable growth will be compromised. Our view is that the plan is not consistent with the NPPF and will not facilitate the sustainable development of the Borough as a whole.

3.0 EMPLOYMENT LAND

- 3.1 Warrington Council commissioned BE Group to provide an updated Economic Development Needs Assessment (EDNA 2021) to determine the extent of employment land needed and inform the preparation of the Local Plan. The EDNA identified a total need of 316.26 hectares of employment land up to 2038.

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?

- 3.2 Whilst it is acknowledged that Warrington Council have agreed in principle with St Helens Council that the Omega development should contribute to the Borough's employment land, we consider that this is not justified.

- 3.3 The agreement was based on the assumption that Warrington could not meet its own employment land requirements in full. However, we consider that there is in fact sufficient land potentially available within Warrington which is suitable for development and deliverable within the plan period, including that promoted in our own representations.

- 3.4 That being said, *with or without* the Omega allocation, the proposed figure for employment remains too low. We draw support for this opinion from Savills' Employment Needs Assessment previously submitted to the Local Plan [UPSVLP 1420], which provides a far more robust methodology for the calculation of future employment land requirements than the BE study.

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?

- 3.5 Support is expressed in principle for the approach taken by the Council to alter the Green Belt boundaries to meet its employment needs. The Economic Development Needs Assessment (ENDNA 2021) for Warrington assessed the current profile of the Borough's employment supply and the projected needs for the plan period. We suggest that the shortfall between the two alone provides the exceptional circumstances to justify this alteration to Warrington's Green Belt boundaries. Furthermore, given that we believe that the Council's identified employment need as set out in the EDNA is itself a shortfall on Warrington's true requirements, the argument in favour of green belt releases is in fact even stronger.

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?

- 3.6 Our concern with the identification of the Main Development Areas for Employment are not so much with the individual sites but the lack of a broader selection in other parts of the Borough, particularly to the east of the main built up area.

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

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

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

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

- 3.7 Notwithstanding the location, in respect to identifying the quantum of land required, the Economic Development Needs Assessment (2021) concluded that the preferred forecasting method for establishing need, is simply a projection forward of past take-up rates.
- 3.8 As evidenced within Savills assessment, it is presented that this approach is flawed and does not reflect changing demand influenced by such matters as the growth of logistics led by Brexit and the decline of high street shopping. This has subsequently resulted in a significant shortfall in the identified need / allocation of land for employment development. This shortfall is quantified at c.194 hectares. This is set out in more detail in our hearing statement for Matter 5.
- 3.9 When identifying suitable sites for release from the green belt, it is important in the interests of sustainable development (as set out in the NPPF, Para 8) that sites are linked to one another, and to existing infrastructure. Notably, when identifying employment sites focused on industrial and distribution, in achieving the interests of the industry and sustainable development, sites should be located in access of existing high level infrastructure such as the Motorway network, public transport facilities.
- 3.10 Objective W2 of the Spatial Strategy fails to ensure the long-term permanence of the revised green belt boundaries by failing to make sufficient provision for additional employment land.
- 3.11 As presented for Examination in its current format, we are of the view that the Council are open to criticism on the allocation of employment land, the associated restrictive strategy on the location of future development and the impact upon the delivery of required employment facilities, in turn causing investment to be directed away from Warrington as a Borough.
- 3.12 It is submitted that, in light of the above comment, the local plan should ensure that the shortfall in the supply of employment land is addressed and that the additional 194 ha is allowed for over the course of the plan period.

4.0 GREEN BELT

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

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

- 4.1 Para. 4.2.22 of the Draft Local Plan refers to a review of Warrington’s employment land *supply and needs* prior to the end of the plan period; however elsewhere the plan states that the changes to the green belt boundary are long term and there is no requirement for safeguarded land to be provided. Accordingly, there are no further changes to the green belt anticipated prior to 2050. These two approaches are contradictory in that if the review finds there is a need for additional employment land, there will be likely no land available without further green belt releases. Such provision should be made as part of the preparation of this local plan, in order for it to be found ‘sound’.
- 4.2 Para. 143 of the NPPF states, “When defining Green Belt boundaries, plans should ... **where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period ...**” (our emphasis added).
- 4.3 Safeguarded land can provide a fallback position should allocated sites be unable to come forward, whilst also pre-empting opportunities beyond the present plan period.
- 4.4 On the basis that there is an overall shortfall in employment land identified and as such, additional employment land will be required, the identification of safeguarded land is also advised to find the plan ‘sound’.
- 4.5 The limited selection of sites and lack of ‘safeguarded land’ to allow for contingencies presents a deliverability issue, should a review of employment land (prior to the end of plan period) find that additional land is required. This in turn raises doubts over justification of the Plan, i.e. the second test of soundness.
- 4.6 It is noted that the Local Plan references this choice to proceed without any Safeguarded sites on the basis that the other employment sites assessed have one or more *significant constraints*. The crux of the matter is that should any of the allocations face issues and delays to their implementation, Warrington may struggle to deliver their required extent of employment land as set out in the Local Plan before the end of the plan period.

5.0 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?*
- 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?*
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5.1 When identifying suitable sites for release from the green belt, it is important in the interests of sustainable development (as set out in the NPPF, Para 8) that sites are linked to one another, and to existing infrastructure. Given the shortfall in the provision of employment land, the identification of additional land should also include a review of infrastructure requirements and opportunities to integrate development with public transport. The Infrastructure Development Plan should be given greater weight with those proposals set out, particularly in respect to public transport, committed to in the Local Plan.

5.2 Our detailed comments in respect to Infrastructure will be set out in respect to Matter 11.

6.0 CONCLUSIONS

- 6.1 In our view, the Spatial Strategy as proposed is not acceptable / sound. It is heavily dominated by sites in the south of the Borough where infrastructure provision is poorer and the impacts of development upon the environment would be more pronounced. Development to the East of Warrington, where it can be assimilated with public transport improvements – and the wider residential areas - should be included in the spatial strategy.
- 6.2 This would also take into account, as set out in the Proposed Submission Version Local Plan (2021), (Para. 4.2.9) that there is strong market interest for industrial and distribution development in locations linked to the main motorway junctions and this should also be reflected by land allocations for employment development.
- 6.3 Given the shortfall of employment land, we are of the view that there are exceptional circumstances that justify revisions to green belt boundaries but the plan does not go far enough, allocating insufficient employment land using a flawed methodology. The methodology should reflect modern trends in logistics among other sectors and should also allow for the identification of safeguarded land to meet future development needs and avoid the need for an early review of the green belt within the plan period. The Local Plan should also more closely reflect the Infrastructure Development Plan especially in relation to public transport commitments.

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