

# **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 5: Economic Growth and  
Development

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’)<sup>1</sup> identified by the Inspector in respect of Matter 5: Economic Growth and Development.
- 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 allocations<sup>2</sup> 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 representations<sup>3</sup> 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.

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<sup>1</sup> ID02

<sup>2</sup> 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

<sup>3</sup> 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 5: Economic Growth and development

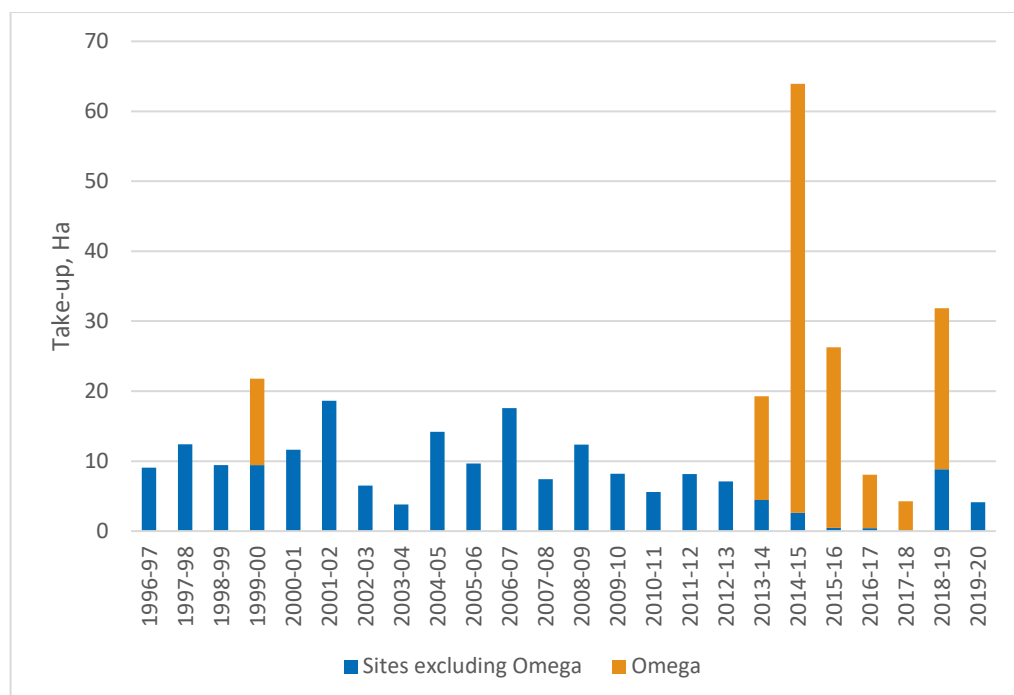
**Q1: Is the Economic Development Needs Assessment 2021 justified in basing the need for employment land on historic take up rates rather than jobs growth forecasts?**

- 2.1 Yes. The Economic Development Needs Assessment ('EDNA') [Document EC2] presents a reasoned justification accounting for the make-up of historic and forecast commercial floorspace delivery in Warrington to use take-up rates as a basis of calculating future need.

**Q2: What effect has the development of the Omega site had on past take up rates and is it justified to assume such take up rates will continue over the plan period?**

- 2.2 Table 20 of the EDNA [Document EC2], presented graphically at **Figure 2.1** below, shows that the development of the Omega site has had a positive impact on past take-up rates, particularly in more recent years.

**Figure 2.1: Employment Land Take-up, 1996 – 2020**



(Source: Table 20, EDNA)

- 2.3 Whilst the EDNA calculates an average take-up of 14.22 ha over the period 1996 – 2020, looking just at the six years 2013 – 2019 in which Omega has seen recent delivery, the annual rate of take-up was 22.8 ha per annum.

- 2.4 As we set out in our representations<sup>4</sup>, it is arguable that this more recent period is representative of the true scale of demand for such land currently where it is available and acknowledging the significant demand drivers for such land. Where it remains the case that demand for employment land and specifically land to accommodate logistics is running at very high levels across the North West, in particular in areas with strong strategic road connections such as Warrington, there is good reason to expect this to be sustained where the demand from growth in e-commerce continues. At the current point in time there is no evidence to suggest that this will abate significantly, at least in the short-medium term<sup>5</sup>.
- 2.5 As the EDNA observes, in the face of this strong demand and reflecting clearly defined plans for development: *“nearly two thirds of the Local Supply and all the remaining Strategic Supply are likely to have been developed within five years”*.
- 2.6 This reinforces the importance of ensuring adequate flexibility and choice in the total planned supply. Not meeting this need in a sufficiently flexible manner will threaten Warrington’s status as a key driver of the economy as existing development land is used up, with potential development and investment being lost to other regions of the UK and potentially overseas.
- 2.7 As a result, Peel and Peel Ports consider the need for more land allocations for employment purposes to ensure a sufficient, adequate choice of supply is maintained throughout the plan period. This inevitably will require further land release from the Green Belt. However as currently drafted, the UPSVLP does not provide any sufficient flexibility. Nor does it make provision for safeguarding. As such, it is considered highly likely that the Green Belt will come under development pressure through the plan period and Green Belt boundaries will not endure. The UPSVLP is therefore in clear conflict with the NPPF in this regard.

**Q3: Will the supply of employment land from site allocations and planning permissions in neighbouring authorities and the wider area affect demand for employment land in Warrington?**

- 2.8 It is understood that the EDNA quantifies the need for employment land on the basis of evidenced rates of take-up within Warrington. Where other neighbouring authorities evidence is understood to follow a comparable approach, it is reasonable to expect that the quantified calculated need is not duplicated.
- 2.9 Where it is accepted that market demand adopts a wider economic market geography for larger sites, particularly those catering for logistics floorspace, it is important to recognise as we have set out in our previous submissions and above that there is a significant immediate and anticipated sustained demand for employment land and specifically land to accommodate logistics across the North West, which is not matched by a sufficient supply of available land.

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<sup>4</sup> See sections 6.6 – 6.17 of Representations on behalf of Peel L&P (Holdings) UK Ltd and Peel Ports – Paper 1: Regulation 19 Representations

<sup>5</sup> This is acknowledged in the response by BE Group on page 3 of EC1

- 2.10 In this context, there is no suggestion from the market evidence that demand for employment land in Warrington will be reduced as a result of comparable site allocations or planning permissions in neighbouring authorities over the plan period.

**Q4: What is the basis for including a three year buffer and is this justified?**

- 2.11 The latest EDNA acknowledges that in the decision to apply a three year buffer: *“There is no set guidance on how long this buffer should be, however, in over 65 employment land studies completed by BE Group over the last 15 years, a buffer of 3-5 years has usually been applied”*.
- 2.12 Whilst this suggests that a higher buffer of up to 5 years would, on the basis of precedent, be of equal validity, the EDNA proceeds to justify its choice at the lower end of the range on the basis of an objective of limiting Green Belt release and separately a view that much of the existing stock is modern and well occupied and therefore less susceptible to losses to other uses. These reasons are replicated within the Council’s ‘*Consultation Responses Review*’ (BE Group, February 2022), with a further suggestion that consideration should be given to the risk of oversupply arising when considering the potential for overlap with other strategic sites in neighbouring local authority areas.
- 2.13 Where the latter argument is addressed through our response to Q3 it is unclear as to the evidential basis to substantiate the other arguments, when contrasted with the decision to apply a higher buffer elsewhere. It remains clear that in reality the study has sought to minimise the calculated need in the context of supply factors, which when set against the evidenced high demand is not considered to be an adequate justification.
- 2.14 As we have set out previously in our representations<sup>6</sup> the application of a 5-year buffer would serve to increase the calculated need by 28.44 ha. Where the allowance is also made for separate displacement associated with the projected impact of the Warrington Town Centre/Southern Gateway site (17.64 ha), this would result in a need for 344.7 ha (14.22 \* 18 years + 14.22 \* 5 years + 17.64).

**Q5: What is the basis for including the allowance for business displacement and is this justified?**

- 2.15 Whilst it is for the Council to justify the application of this allowance, Peel and Peel Ports consider the application of some form of allowance to be justified. This recognises that a consequence of the masterplanning of Warrington Town Centre / Southern Gateway will be the inevitable displacement of businesses, the needs of which should be allowed for within the future provision of land.

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<sup>6</sup> See sections 6.13-6.17 of Representations on behalf of Peel L&P (Holdings) and Peel Ports Group – Paper 1: Regulation 19 Representations

**Q6: Is it reasonable to rely on two substantial allocations to meet most employment needs?**

- 2.16 No. In relying on the two suggested allocations, the UPSVLP does not give itself sufficient flexibility which will prevent the ability to respond to market conditions. In particular, the UPSVLP 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 policy<sup>7</sup> in plan-making terms and is also against the plethora of national and regional planning and economic policy<sup>8</sup> which seeks to support the delivery of port infrastructure to serve the UK economy.
- 2.17 The Port sector is one of the largest in Europe and is one of the most important elements of infrastructure to the successful functioning and vitality of the UK and the Port of Liverpool and the Manchester Ship Canal ('MSC') is a key component of this infrastructure. The Port of Liverpool is the largest port in the North West and the fourth largest port in England by tonnage, handling bulk and unitised cargo. The River Mersey is the third busiest estuary in the UK with some 16,000 commercial shipping movements per annum.
- 2.18 The economic importance of Peel Ports and its port network and infrastructure therefore cannot be understated, and its development needs have to be carefully considered by plan-making authorities across the North West including Warrington. Peel's representations<sup>9</sup> have clearly set out that there is a specific need to provide more land to meet Port needs and Port Warrington is central to meeting this need.
- 2.19 There are clearly no alternatives in meeting this demand elsewhere, either regionally or locally. The proposed allocations in the UPSVLP seek to meet generic B8 needs at a strategic/local level. They do not constitute a reasonable alternative to landing, handling and processing cargo at Port Warrington and its associated WCP.
- 2.20 The UPSVLP therefore fails to take advantage of existing fixed port infrastructure in the borough and is absent in respect of meeting a clear identified need for the port network to expand to accommodate identified growth in port freight demand. This is clearly inconsistent with national planning policy and is unsound.

**Q10: In other respects, is Policy DEV4 justified, effective and consistent with national policy**

- 2.21 Peel and Peel Ports also consider the policy ineffective in respect to its silence on an employment land review.

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<sup>7</sup> 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

<sup>8</sup> 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

<sup>9</sup> See sections 6.18-6.28 Paper 1: Regulation 19 Representations and Chapters 6-8 in Paper 2: Case Making Document

- 2.22 The previous version of the Local Plan (the 'Proposed Submission Version Local Plan') sought to rely upon the expectation that Fiddlers Ferry would likely be decommissioned during the plan period and that this could effectively be utilised as a significant windfall for future employment needs beyond the plan period.
- 2.23 The submitted UPSVLP adopts an alternative strategy<sup>10</sup>, including a reference to undertaking a review of Warrington's employment needs before the end of the plan period. Peel and Peel Ports would welcome and support a mechanism for an employment land review but consider the current proposed approach to reviewing employment land needs is inadequate being lacking in commitment and detail.

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<sup>10</sup> See paragraphs 3.3.25-26 and 4.2.19-4.4.22, UPSVLP



### 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 policies<sup>11</sup> 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 representations<sup>12</sup>. 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*

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<sup>11</sup> Policies MD4 (Economic Growth and Development), MD1 (Warrington Waterfront) and GB1 (Green Belt)

<sup>12</sup> 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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