



Warrington Local Plan Examination in Public: Hearing Statement

Matter 6a: Warrington Waterfront

On behalf of Richborough Estates Ltd.

In relation to land at Cherry Lane Farm, Lymm

Participant ID: 0430

July 2022

CONTENTS

1	INTRODUCTION	1
2	MAIN DEVELOPMENT AREA: WARRINGTON WATERFRONT	3

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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 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 In relation to Matter 6a, the inspector has raised the following issue:

“Whether the Warrington Waterfront Main Development Area (Policy MD1) is justified, effective and consistent with national policy.”

1.4 This Statement responds directly to the Inspectors’ MIQs; 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 3 (Spatial Strategy)
- Matter 4 (Housing Need);
- 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 Omission Site Ref 22 (SHLAA Ref: 2705, Site Refs: R18/051, R18/101 and R18/P2/024)

- 1.5 It is our view that, for the reasons set out in this statement, the Warrington Waterfront allocation (Policy MD1) has significant constraints to its delivery. Specifically, this statement demonstrates:
1. Warrington Waterfront is reliant on the Warrington Western Link (“WWL”) being funded and delivered. The timescales for its delivery in the SVLP are not realistic, with no clarity or certainty on how the WWL will be funded or delivered, if it can be viably funded and delivered at all; and,
 2. Notwithstanding the WWL, there are additional infrastructure requirements / costs associated with unlocking the site. In the Town Centre, viability is challenging due to suppressed development values and abnormal costs associated with unlocking complex previously developed sites – and in the context of this, there is no clear strategy on how essential infrastructure will be viably funded and delivered.
- 1.6 Until definitive confirmation can be provided that the WWL has secured funding and is deliverable, the delivery of 1,070 dwellings anticipated to come forward in the Waterfront Area is uncertain, particularly based on the trajectories assumed in the SVLP. On this basis, any Main Modifications to the Plan to redress supply would require additional sites to be identified to assist the Council in meeting its housing requirements in full.
- 1.7 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. If the Inspectors consider Main Modifications are required to the plan to increase supply early in the Plan Period, the site at Cherry Lane Farm should be either allocated or safeguarded for residential development to support this.

2 MAIN DEVELOPMENT AREA: WARRINGTON WATERFRONT

Q5. Does the policy identify all appropriate and necessary infrastructure requirements? How will these be provided and funded? Is this sufficiently clear?

2.1 The infrastructure required to accommodate the development is set out within the draft policy wording and the Infrastructure Delivery Plan (“IDP”) (IN1). Policy MD1 identifies significant infrastructure and mitigation works that are required to deliver the Warrington Waterfront site, including:

- A two form entry primary school;
- A mixed use local centre providing a health facility and ‘community facilities’;
- The provision of public open space;
- The provision of playing pitches;
- A comprehensive package of transport improvements including supported bus services;
- Contributions towards additional secondary school places;
- Contributions towards built leisure facilities;
- Contribution towards strategic transport infrastructure (The Western Link);
- Ecological mitigation and enhancement; and,
- Flood mitigation and drainage including exemplary multi-functional sustainable drainage systems (SuDS).

2.2 Other representors and experts in viability have commented in detail on the viability of delivering development in the Town Centre, which is considered to be marginal or undeliverable, even without significant costs associated with infrastructure delivery and affordable housing, due to suppressed development values and abnormal costs associated with unlocking complex previously developed sites. As such, there is no clarity or certainty about how the extensive list of infrastructure required to bring forward Warrington Waterfront will be delivered. Moreover, a number of these requirements, such as the Warrington Western Link (“WWL”), are fundamental to the delivery of the entire site.

- 2.3 The IDP suggests the developer will provide £25,863,941 to deliver the on and off-site highways infrastructure alongside utilities and drainage provision. In addition, a further £14,321,335 is likely to be sought for S106 contributions at the planning application stage. The former is a significant sum in isolation and cumulatively (and may increase for the WWL as set out in Q6). Further clarification should be provided to confirm whether the developer will require grants to deliver the on and off-site highways infrastructure, and how the development could be delivered in viability terms.

WWL Policy Approach

- 2.4 The wording of Policy MD1 in relation to the Warrington Western Link (“WWL”) states:

“7.No development will be permitted until funding has been secured and a programme of delivery has been confirmed for the Western Link.”

- 2.5 The WWL programme is discussed further in response to Q6, however, no development should come forward until the WWL is built and operational. The local highways infrastructure is not sufficient to accommodate development in the absence of the WWL completion.

Q6. Have the funding and programme for the Warrington Western Link been confirmed? On this basis, is it reasonable to anticipate the first homes to be completed in 2027/28?

- 2.6 The Outline Business Case (“OBC”) for the Western Link Road states that the cost of the scheme will be £227.19m, with a funding gap of £70.21 million. The Council is intending to borrow to finance the scheme and then repay through the ‘ringfencing’ of New Homes Bonus, Community Infrastructure Levy (“CIL”) monies and National Non-Domestic Rates from developments within the Waterfront Area. More recently, the Council’s Local Economy Policy Committee, in meeting minutes from 24th January 2022,² suggest that the cost of the scheme could increase to £286m due to a 30% uplift in relation to build costs, and suggest that further DfT support may be required. This would increase the funding gap to some £120m.
- 2.7 There is no clarity on how this funding will be secured. The Council does not currently have a CIL charging schedule in place and Draft Policy MD1.1 does not include a requirement for homes within Warrington Waterfront to provide a financial contribution

² Supporting the Local Economy Policy Committee, 14th January 2022 – Committee Papers. Pg 8
(<https://cmis.warrington.gov.uk/cm5/MeetingsCalendar/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/8512/Committee/1291/Default.aspx>)

towards the link road. Moreover, there is no clarity on whether further Government funding could be secured or the timescales for any funding bid. There is, therefore, no certainty that the WWL will be able to demonstrate it can secure funding within a reasonable timeframe, or if it can secure it at all.

- 2.8 Notwithstanding the question mark over the funding of the scheme, it does not currently have planning permission or a full business case that has been endorsed by Government. In our experience, planning applications for large scale infrastructure such as this are complex and can take a number of years to be approved and put in place. For example, the Congleton Link Road (“CLR”) was submitted for planning in October 2015. However, the surveys, design and consultation process likely ran for the preceding two to three years. Following the grant of planning permission in July 2016, the CLR did not open until five years later in March 2021. In reality, there is an eight to ten year lead-in time to deliver infrastructure on this scale. Whilst initial design feasibility has been undertaken and route analysis of the WWL, a significant amount of additional assessment work, design analysis and public consultation is still required. It is likely that the road will not be built and operational until the early 2030’s in a best case scenario (and subject to funding).
- 2.9 In summary, is not realistic to assume that Warrington Waterfront can deliver homes in 2027/2028.
- 2.10 To safeguard against any delay in Warrington Waterfront and to meet shortfalls in delivery in the early parts of the Plan Period, new homes and alternative sites elsewhere in the Borough should be allocated or safeguarded. This would likely require additional deliverable Green Belt sites, such as Cherry Lane Farm, to be identified for housing to assist the Council in meeting its housing requirements in full.

Q8. Should the production of a Development Framework for the entire site (referred to at Policy MD1.2 point 4) be required prior to planning permission being granted?

- 2.11 A Development Framework is essential to establish the site constraints early on in the design process. Pivotal to the Framework is the programming of the development and the delivery of infrastructure. Whilst the site is in a central urban location, it is isolated with a single point of access to the west, and the eastern land parcel is completely isolated from the highways network.
- 2.12 A Development Framework can build upon the requirements set out in Policy and set the foundations to deliver a sustainable scheme at the planning application stage. This would

further extend the timescales required to sequentially bring forward the site for development.

Q13. Is the development proposed viable and deliverable within the plan period? What is the situation in relation to land ownership and developer interest?

- 2.13 There are significant challenges associated with the allocation that question the viability and deliverability of the site. Firstly, a significant piece of highways infrastructure, in the form of the WWL, is required to be funded, designed, built and operational by 2026. This is aside from the potential c.£120m funding gap that may need to be met if the costs of the scheme rise. Notwithstanding other site assembly and infrastructure costs, the WWL costs alone bring into question the viability and deliverability of the Warrington Waterfront scheme.
- 2.14 The site is isolated as the River Mersey bisects the two land parcels, neither of which has suitable access to the Strategic Road Network. Therefore, significant funding requirements are required on and off-site, and the latest IDP suggests these costs will be provided by the developer. The highways and utilities costs are c. £25m and this is a significant outlay at the start of any project, which is further exacerbated by the c. £14m in S106 contributions.
- 2.15 Given the uncertainty associated with the WWL, it is unlikely that a planning application will be progressed for a long time, as any developer would need certainty that the WWL will be delivered. The risks associated with funding an application which relies on infrastructure outside of the developer's control are very challenging.
- 2.16 On this basis, there are clear questions over the viability of the Warrington Waterfront development, and the ability of the Council to unlock the site for development.

Q14. How is it intended to bring the site forward for development? What mechanisms will there be to ensure a comprehensive and co-ordinated approach to development, ensuring that infrastructure requirements are provided?

- 2.17 The co-ordinated approach to deliver infrastructure and unlock the site for development is not clear. Infrastructure is required and this has been identified; however, there is no certainty on the funding or delivery timescales for bringing the site forward.

Q16. Are any main modifications necessary for soundness?

- 2.18 For the reasons set out in this statement, alternative sites elsewhere in the Borough should be considered for allocation to address the shortfall and to support a sound and deliverable Local Plan that is underpinned by a balanced spatial strategy. If the Inspectors consider Main Modifications are required to the Plan to increase supply early in the Plan Period, the site at Cherry Lane Farm (which is wholly deliverable) should be either allocated or safeguarded for residential development to support this.