

# **EiP Statement**

## **Warrington Updated Proposed Submission**

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

#### **Development Consortium**

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

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

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

### **Subject Matter 6a – Main Development Area: Warrington Waterfront**

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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 Version 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 6a Examination in Public [EiP] hearing session on the Warrington Waterfront Main Development Area.
- 1.3 Separate representations have been submitted on behalf of the Consortium in respect of Matters 3, 4, 6c,8 and 9.
- 1.4 This Statement should be read in conjunction with the Consortium’s Statements to the other Matters, as well as its previous submissions on the Warrington Local Plan (Representor 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 Written 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 Issues and Questions

*Q1: What is the background to the Main Development Area and how was it identified?*

- 2.1 Warrington Waterfront is located within the main urban area of Warrington. The site was identified as part of the Council's capacity assessment of the existing urban area. Through its spatial strategy, the Council has sought to maximise the capacity of the existing urban area to accommodate development. All of the spatial options considered by the Council have maximised the capacity of the urban area to accommodate development. Our assessment of this approach is set out in the Consortium's Matter 3 Statement (The Spatial Strategy).

*Q2: What is the basis for the scale of development proposed and is this justified?*

- 2.2 Warrington Waterfront is made up of two parcels of land assessed in the Council's 2021 Strategic Housing Land Availability Assessment [SHLAA], namely:
- 1 Arpley Meadows (most western parcel) – 730 dwellings (SHLAA ref. 1633)
  - 2 Arpley Meadows (mid parcel immediately abutting the west coast mainline) – 604 dwellings (SHLAA ref. 1541)
- 2.3 The Council has undertaken an assessment of these two sites and concluded that their capacity is 1,335 dwellings. The Council claims that 1,070 of these dwellings are deliverable within the plan period to 2038 (Policy MD1).
- 2.4 The scale of development proposed at Warrington Waterfront is not justified because it does not align with the Council's evidence base on housing mix. The site's capacity is based on a net development density of 50 dwellings per hectare [dph]. This density is prescribed by Policy MD1 (13), which states that residential development should be constructed to an average minimum density of 50 dph in accordance with Policy DEV1. Policy MD1 (11) states that the new urban quarter within Warrington Waterfront should provide a range of homes to meet different needs. The Council's latest assessment of needs is set out in the Housing Needs Assessment Update (August 2021) and recommends that 65% of market developments should comprise 3 and 4+ bedrooms. The prescribed minimum densities proposed at Warrington Waterfront will not meet the identified needs for family homes and therefore it is not justified.

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

- 2.5 The Council is clear that Warrington Waterfront is dependent on the delivery of the Western Link (WUPSVLP, §10.1.7). WUPSVLP Policy MD1.2 (7) states that no development will be permitted until funding has been secured and a programme of delivery has been confirmed for the Western Link.

2.6 Appendix 1 of the Warrington Infrastructure Delivery Plan [IDP] (September 2021) sets out an indicative cost of £220m for the Western Link. Currently, £77.5m of this is listed as unfunded in IDP Appendix 1. The IDP sets out that 1.3m funding for the Western Link will be met through developer contributions. However, no further information is provided on how the remainder of the funding gap for the Western Link will be met. Therefore, the Council has failed to robustly demonstrate that this infrastructure, and therefore Warrington Waterfront, is deliverable within the plan period.

2.7 Policy MD1.1 sets out the infrastructure required to support the delivery of Warrington Waterfront. However, the IDP is unclear on the cost and responsibilities for the delivery of the infrastructure listed in Policy MD1.1. Some elements of the infrastructure's costs are labelled as 'tbc' in Appendix 1 of the IDP. As such, the policy is not effective because it is not possible to assess the viability of Warrington Waterfront without understanding the full extent of developer contributions towards infrastructure. The Council must update its IDP to include the costs of all planned infrastructure.

*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?*

2.8 No. As set out in response to Question 5 above, it is not clear how the aforementioned Western Link funding gap of £77.5m will be met. The Warrington Waterfront development is dependant of the delivery of the Western Link. Once (or if) full funding is secured to deliver the Western Link, the road must come forward to enable residential development to commence at Warrington Waterfront. This means that the site has a lengthy lead-in time, and it is not reasonable to anticipate the delivery of dwellings within the first ten years of the plan period.

2.9 The Council must demonstrate that it has a strategy in place to secure the remainder of the funding for the Western Link. If this is not provided, Warrington Waterfront should be removed from the WUPSVLP supply.

*Q7: Are there any environmental or other site constraints, including flood risk, that will inhibit the development of the allocation as envisaged?*

2.10 There are several constraints that impact developability of this Warrington Waterfront. Part of the site is located in Flood Zone 3. The SHLAA proforma for the site states that further ground investigations are required to understand the impact of the site's historical use as a dredging ground. The Council's Site Profiles for Local Plan Site Allocations document<sup>1</sup> states there are gas and sewage pipelines across the site. It also states that it located in a COMAH Zone for the existing industrial uses and is adjacent to a former active landfill (to the southwest).

2.11 These constraints will impact the quantum of development that can be facilitated on the site. The Council must undertake further survey assessment work to understand the suitability of the site to accommodate residential development and to confirm its capacity, in light of these constraints.

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<sup>1</sup> Site Profiles for Local Plan Site Allocations (June 2022) – Warrington Borough Council (p.3)

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

- 2.12 Yes. A Development Framework should be prepared prior to the submission of a planning application for the site. Furthermore, the Consortium considers that a Development Framework for Warrington Waterfront allocation should have been submitted as evidence to inform the trajectory and phasing for the site (please refer to our response to Q14 below). The Council's current trajectory is not justified because it is not based on robust evidence.

*Q9: What would be the effect of removing the area of land from the Green Belt adjacent to the proposed Western Link? Are there exceptional circumstances to alter the Green Belt in this particular case?*

- 2.13 The Council is clear that Warrington Waterfront cannot come forward without the Western Link. To facilitate the Western Link, land must be removed from the Green Belt. Therefore, Green Belt boundaries must be altered to facilitate the allocation of Warrington Waterfront.

- 2.14 The Council claims it has explored all options for maximising development within the existing urban area before considering options for Green Belt release<sup>2</sup> (Development Options Report, §2.16). However, this is not the case because the Council has included Warrington Waterfront as part of its existing urban area supply, despite needing to alter Green Belt boundaries to facilitate its delivery.

- 2.15 By including Warrington Waterfront in the existing urban area element of its supply, the Council has failed to assess alternative options to this site for meeting its housing needs. This is not consistent with the Council's approach for other elements of the supply which require Green Belt release. This is not justified.

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

- 2.16 In the Consortium's Housing Land Supply Technical Note<sup>3</sup> we assessed the two SHLAA sites which make up Warrington Waterfront (refs. 1633 & 1541) and concluded that no development would come forward in the first ten years of the plan period. We took a pragmatic approach and concluded that some supply (495 dwellings) may come forward in years 11-16 of the plan period.
- 2.17 Our conclusion is subject to funding being secured to deliver the Western Link, on which the development depends. Unless the Council can provide details of how the current funding gap for the Western Link will be addressed, we are unable to conclude that site is developable within the plan period.
- 2.18 The Consortium has not sought to undertake a viability appraisal of the Warrington Waterfront scheme. Nonetheless, the Consortium considers that there is likely to be a significant deficit because of the policy costs, infrastructure costs and site constraints.

<sup>2</sup> Warrington Borough Council - Development Options and Site Assessment Technical Report (September 2021) - §2.16

<sup>3</sup> Consortium's Housing Land Supply Technical Note (November 2021) - §5.52-5.62.

- 2.19 Members of the Consortium have reviewed land ownership information in relation the proposed route of the Western Link and have noted that there is a ransom strip where the proposed route crosses Forrest Way onto Warrington Waterfront. This could preclude delivery of the site as planned, or at the very least result in a lengthy CPO process that would have serious implications on the delivery trajectory.

*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?*

- 2.20 The Council has failed to prepare robust evidence to explain how the site will be brought forward. Policy MD1.2 requires the preparation of a Development Framework for the entire site, including a delivery strategy and phasing-plan, prior to the commencement of development. The Council states this is to ensure the scheme will conform to the requirements of MD1. The Consortium considers that a Development Framework should have been prepared as part of the WUPSVLP evidence base demonstrate if and how the site can be delivered and should at least be agreed before the submission of an application. The current approach is not positively prepared as the Council fails to provide robust evidence on the mechanism for delivering the housing and infrastructure in a joined-up way.

*Q15: What is the expected timescale and rate of development and is this realistic?*

- 2.21 The Council claims that the first dwellings are anticipated to be completed in 2027/2028 and the first phase of the new urban quarter will be completed by the end of the Plan period. The Consortium considers that these timeframes are not realistic or achievable. The WUPSVLP (§10.1.7) states that the Warrington Waterfront Development cannot come forward until the funding and the programme for the delivery of the Western Link have been confirmed. The 2021 SHLAA also states that further site investigation are required prior to development because of the historical use of the site and underground pipelines. In combination, these factors are likely to create a significant lead-in time for development. Therefore, including any supply from this site in the first ten years of the plan period is not justified.

*Q16: Are any main modifications necessary for soundness?*

- 2.22 For this policy to be found sound, the Council must provide robust evidence to demonstrate that the development constraints can be overcome. This evidence is fundamental to demonstrating the developability of the site and it cannot be left until the after the WUPSVLP is adopted. In accordance with the NPPF definition of developable, to include Warrington Waterfront in the longer-term WUPSVLP supply, the Council must have a clear understanding of whether Warrington Waterfront is suitable for housing development and could be viably developed. The current evidence base fails to robustly demonstrate either. If the Council is unable to provide this evidence, the Warrington Waterfront must be removed as an allocation from the WUPSVLP.

- 2.23 Given the lead in times associated with financing and delivering the Western Link, no residential supply from Warrington Waterfront should be included in the first ten years of

the plan period. The Council must amend its housing delivery trajectory to reflect this. Additional Green Belt sites must be identified to replace the loss of supply from Warrington Waterfront over the plan period.