

Hearing Position Statement by
Tetra Tech Planning
on Behalf of Ashall Property Ltd

MATTER 6c – FIDDLERS FERRY

Prepared by Tetra Tech Environment Planning Transport Limited.
Registered in England number: 03050297

Our Reference: B040704/6c

Summary of matters addressed in this Statement:

We will provide a summary of our Client's position on the Issues and Questions raised by the Inspectors on Matter 6c and because the Plan is not sound, we will set out what actions are required to make the draft Local Plan sound.

Matter 6c Inspectors' Questions being addressed: Questions 2, 3, 6-12, 15-16, 18-19

1. Introduction

- 1.1 Tetra Tech Planning is representing Ashall Property Limited (our 'Client') in support of their proposed site on Land South of the A56 Chester Road (site reference R18/P2/041 – SHLAA reference 2671). Ashall Properties Limited is the operating company for Ashall Walton Ltd who own the Freehold interest of this 8.18 hectares (20.21 acres) site in Walton.
- 1.2 This Statement supplements the submissions previously made by Ashall Property Limited (Respondent Reference UPSVLP 0417) and should therefore be read in conjunction with the representations previously made.

2. Response to Inspectors' questions

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

2.1 **No.**

- 2.2 As stated in our Client's previous representation we consider the deliverable and developable housing capacity of the Fiddlers Ferry allocation to be overestimated.
- 2.3 The justification in Paragraph 10.3.15 of UPSVLP is misleading. This is evident from responses received from residents on MD3. It does not make it clear that the allocation also proposes the allocation of some 42 hectares of greenfield land that is currently in the Green Belt.
- 2.4 The Council is justifying allocating the site as mixed use to cross subsidise the remediation of the site. This would likely mean that the housing element would have insufficient viability to provide any meaningful affordable housing (at least in the absence of evidence to the contrary).
- 2.5 The masterplan presents two fragmented parcels of housing and neither of these will be well located to the existing urban areas and associated facilities, in particular in relation to Warrington.

2.6 The Masterplan document Regeneration Vision submitted by the previous owner SSE (add Doc Ref in EIP Library) did not provide any detailed consideration of the site constraints for this site and how that would affect the developable area. There are numerous such constraints, some of which are listed by the Council on page 13-16 of their Local Plan Site Allocation Site Profiles document [CD02]

Question 3: Has the development potential of the brownfield part of the site been optimised?

2.7 We consider it is overestimated for the residential element south of the railway line given the environmental and access constraints associated with that parcel of development. WHAT ARE THE CONSTRAINTS? WHAT IS A REALISTIC ASSESSMENT.

Question 6: Does the policy identify all appropriate and necessary infrastructure requirements? How will these be provided and funded? Is this sufficiently clear?

2.8 **No.**

2.9 There appears to have been very little technical work done on road access to the site. This includes upgrades to the existing adopted highway for the new or upgraded junctions and access across the railway for the southern parcel of land. There are all sorts of considerations and approvals required for works across railway lines, not least the health and safety implications of introducing circa 2000+ residents to the area.

2.10 Footpath and cycle connectivity beyond the site boundaries are poor and is likely to require improvements, especially as there is and will be no secondary school provision on or close to the site. Providing safe and convenient connectivity to such facilities would be essential given the site's isolated location.

Question 7: Are there any contamination or other constraints either on or adjacent to the site, including the need for remediation and flood risk matters, that will inhibit the development of the allocation as envisaged?

2.11 Our Client has already commented on this through the Consortium's Fiddlers Ferry Technical Note which was appended as Annex 3 of his response on the UPSVLP (see pages 194-197 of Annex 3). This identified a significant number of constraints which could, and is likely to, inhibit the development of the proposed allocation.

2.12 We reserve the right to provide further commentary on this point at the Hearing Session once we have had sight of the Council's Hearing Statement on Matter 6c.

Q8. Will there be appropriate opportunities to promote sustainable transport modes, and that safe and suitable access can be achieved for all users?

2.13 We have already commented that pedestrian and cycle connectivity beyond the site boundaries are poor. Our Client has also in his previous submission on the UPSVLP commented on the site's lack of accessibility (see pages 219-226 of Annex 3). It concludes that on transport and accessibility grounds Fiddlers Ferry is not justified, effective or consistent with National Policy. Therefore it "should not be presented as a sustainable alternative to the previous Local Plan strategy".

Question 9: What are the conclusions of the Green Belt Assessment in relation to the contribution of the land in question to the purposes of the Green Belt and the potential to alter the Green Belt in this location?

2.14 The Council has helpfully provided a summary of its conclusions on Green Belt assessment on page 15 of [CD02] which was published on the Examination web page on the 27 of June. It acknowledges that the Green Belt parcel north of the railway line makes a strong contribution to Green Belt purposes. It goes on to state that the southern section of the site (south of the railway line) makes a moderate contribution to Green Belt purposes.

2.15 The document then states "*Development of the site would result in some encroachment into the countryside however development would not represent unrestricted sprawl as it is not adjacent to the Warrington urban area.*"

2.16 The assessment fails to acknowledge that even though the site is not adjacent to the Warrington urban area, it is in fact adjacent to the Widnes urban area. Therefore, it *would* result in urban sprawl. The Council's assessment of the Green Belt impacts in this location is flawed.

Question 10: What would be the effect of developing the site on the purposes of the Green Belt, noting particularly the proximity of the urban area of Widnes at this point and the role of Green Belt in preventing neighbouring towns from merging into one another?

2.17 As mentioned above the Council's assessment of the Green Belt is flawed. We strongly disagree that the removal of the site from the Green Belt would not harm the overall function and integrity of the Green Belt.

2.18 It is evident that the Green Belt to the east and south of the former Power Station provide strategic gaps between Widnes and Warrington, and Widnes and Runcorn respectively. The gap between Widnes and Warrington is already down to less than 1 kilometre. To even consider further reducing this gap makes no sense in Green Belt terms. The proposal will further erode this very strategic separation between two major built up areas to just 500m. This would clearly be contrary to Paragraphs 137 and 138 of the

NPPF, and should not be allowed, notwithstanding any case made by the Council or site promoter for enabling works.

2.19 The Council's comment that the Green Belt boundary along Marsh Lane will need strengthening (Paragraph 26 of MD3) just highlights the further flawed application of Green Belt policy for this site. The establishment of appropriate Green Belt boundaries should not be predicated on what durable boundaries can be provided with future interventions. This could open the flood gate for any Green Belt site (that is not already in a narrow strategic gap!) with some weak boundaries to potentially come forward on the promise that the promoter will provide some durable boundary.

2.20 The situation for the Green Belt to the south of the former Power Station is slightly different. We acknowledge that the river will provide some separation, but by removing this land from the Green Belt it will reduce the gap between Widnes and Runcorn by 1 kilometre down to just circa 750m. It will also provide an illogical narrowing of the Green Belt in this location with wider and more uniform belts on either side.

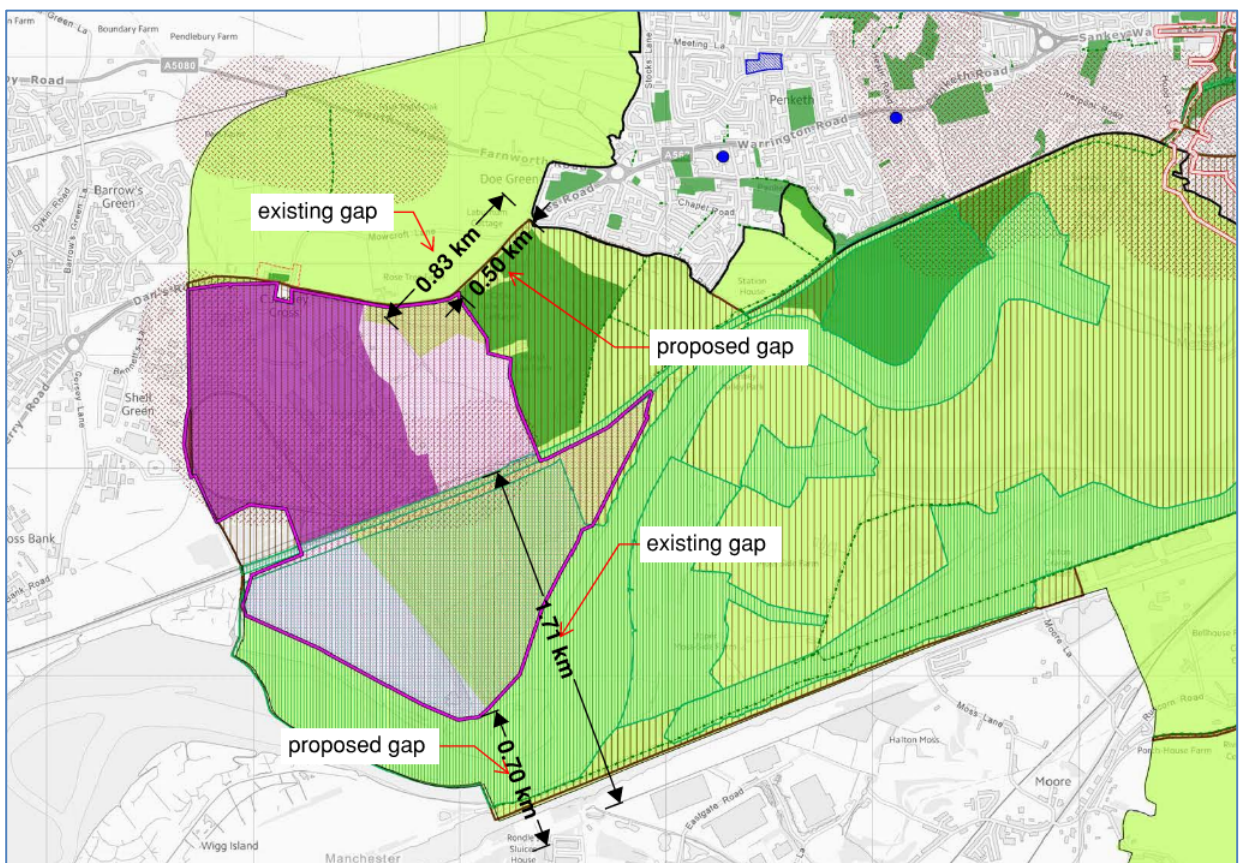


Figure 1. Extract from Policy Map showing the reduction in the strategic gaps to Widnes and Runcorn

2.21 National Policy makes allowance for the redevelopment of brownfield land within the Green Belt. We believe this would provide a more appropriate route for enabling some development to come forward in the southwestern half of the land south of the railway

line. This way it will not be necessary to alter the Green Belt boundary, the Green Belt protection will ensure development proposals will need to respond to the open setting, and it will restrict disproportionate expansion in the future.

Question 11: Are there exceptional circumstances to alter the Green Belt in this particular case? If so, what are they?

2.22 No.

2.23 The Council has demonstrated that exceptional circumstances do exist for the release of Green Belt land to provide more housing land. This should however be considered in conjunction with the significance of the affected Green Belt parcels and an appropriate hierarchical approach should be applied in selecting which sites should be released from the Green Belt.

2.24 A major component of the exceptional circumstances case is the delivery of more affordable housing to help address the current affordable housing crisis in Warrington. We have major reservations of the ability of the proposed development at Fiddlers Ferry to meet all the planning gain (including 30% affordable housing) and infrastructure requirements as set out in Draft Policy MD3, as well as cross subsidising the remediation of the former Power Station.

2.25 Furthermore, national Green Belt policy already makes provision for the redevelopment of brownfield land in the Green Belt. The redevelopment of the Power Plant therefore does not depend on the land to the south of the railway line being released from the Green Belt.

Question 12: Have the potential impacts on European designated sites been adequately assessed? What are the implications for the scale of development envisaged?

2.26 We don't believe the potential impacts have sufficiently been assessed to demonstrate that the scale of development proposed could be accommodated without impacting the Mersey Estuary SPA or other ecological features for that matter. This is something that should be addressed before the Council can place so much reliance on this site to help meet its housing land requirements.

Question 15: Are there potential adverse effects not covered above, if so, what are they and how would they be addressed and mitigated? N.B. The Council's response should address key issues raised in representations

2.27 Sport England have commented on the loss of the playing field on the current site. In line with Sport England and NPPF, the playing field will need to be replaced and made

ready for use before the current playing field is redeveloped. This will also add in significant time delays as the replacement pitch will need to be formed and maintained for at least a year before it would be fit for use.

2.28 The indicative Masterplan show proposed playing fields at the far ends of both residential parcels. This would imply that these facilities would only come forward towards the latter end of the build out.

Question 16: Is the development proposed viable and deliverable within the plan period? What is the situation in relation to land ownership and developer interest?

2.29 **No.**

2.30 Our assessment on this point is supported by the viability review undertaken by Roger Hannah Associates on behalf of our Client and the Consortium on the UPSVLP. This substantiates what we have already said that the site will not be able to cross subsidise the remediation of the former Power Station and provide all the required infrastructure and planning gain set out in Policy MD3.

2.31 Roger Hannah Associates has subsequently undertaken a number of appraisals for the proposed residential parcel of 860 dwellings north of the railway line. Tellingly, none of those appraisals generate a positive land value given the significant abnormal costs associated with redeveloping the site.

2.32 Cushman and Wakefield, the Council's retained viability consultant, acknowledges that the southern parcel is likely to be even more challenging from a viability perspective.

2.33 There is currently no certainty on the cost associated with the remediation. A detailed remediation strategy and viability assessment will be required before the Council can say with any certainty that this site will be able to be delivered and with what level of planning gain.

Question 18: What is the expected timescale and rate of development and is this realistic?

2.34 **No**

2.35 Given the proximity of the site to Widnes and the very significant implications for Halton Council, the Development Framework (DF) will need to be prepared and agreed in consultation with Halton Council. This is likely to add to the timescales usually associated with such strategic documents. In addition, there are major constraints and complexities associated with the development of the site. This will require extensive

technical survey work to inform the DF. Therefore, we consider it will take **at least** a year and a half to two years before the Development Framework could be agreed.

- 2.36 Proposed Policy MD3 states that the DF will need to be agreed before any planning applications are submitted. Therefore, assuming the Local Plan is adopted by July 2023 and DF is agreed by January 2025, the first outline planning application(s) can only reasonably be expected to be submitted in 2025.
- 2.37 Subsequent to that there are the complexities and time around the determination of the applications itself and associated subsequent remediation work, highways improvements and provision of replacement playing fields. This includes for example the need for Habitat Regulations Assessment, ecology surveys and mitigation.
- 2.38 Once the principle of the housing development is established through outline consent the landowner will likely sell the land to a house builder or a number of house builders to develop. That process will take time as well and then the housebuilders will need to submit and get approval for their own detailed application(s).
- 2.39 It would be unrealistic to assume any actual housing would be delivered year 1 to 5 of the plan. It is also debatable whether any homes would be delivered in years 5 to 10. As such we contest the Council's proposed delivery trajectory that 1,310 dwellings will be delivered from the site within the Plan Period. The Plan is therefore unsound and further housing allocations are required to make the Plan sound.

Question 19: Are any main modifications necessary for soundness?

2.31 **Yes, see below**

3. Actions required to make the UPSVLP sound

- 3.1 There is no need or compelling justification to alter the Green Belt boundary in this very sensitive Green Belt location. National Planning policy already makes provision for the redevelopment of brownfield sites in the Green Belt, including enabling development on areas of the brownfield site that is in the Green Belt but that does not currently contain any built structures (area south of the railway line).
- 3.2 The proposed housing elements to the east of the former power station complex and north of the railway line (as shown on the SSE Masterplan) which is currently in the Green Belt should be removed from the proposed allocation and the housing supply from the allocation should be reduced accordingly. Draft Policy MD3 of the UPSVLP states in Paragraph 2 that the Council considers this parcel to be able to deliver 860.

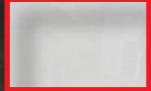










Therefore, notwithstanding the constraints of developing the parcel south of the railway line, at least 860 dwellings should be discounted from the housing land supply.


- 3.3 The Council should instead allocate other Green Belt sites for housing to make up this deficit. The selection criteria should be consistent and follow the Council's preferred approach of allocating sites adjacent to the Main Urban Area (of Warrington preferably rather than Widnes) in the first instance.
- 3.4 Our Client's site (Land South of Chester Road – SHLAA reference 2671) borders the Main Urban Area of Warrington, is less than 250 metres from Inner Warrington and less than a kilometre from Stockton Health local centre. It is in single ownership with good road access and is therefore deliverable within years 1-5 of the Plan Period.
- 3.5 The Site has the capacity to provide a care home with (80 to 110) beds, 70 extra care or retirement apartments and 137 dwellings (including 8 self-build dwellings). The Site can therefore provide a total of 207 dwellings and a care home to help make up any reduction in capacity from the Fiddlers Ferry site.
- 3.6 50% of dwellings would be offered as affordable housing to help address the substantial need for affordable housing. See Appendix 1 for our indicative layout.

Appendix 1: Site Layout without WWL



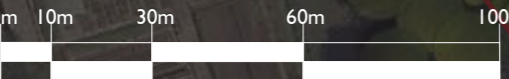
Key

-  Site Boundary
-  Existing Trees & Woodlands
-  Watercourse
-  Green Infrastructure
-  Proposed Trees
-  Built Form
-  Avenues
-  Streets
-  Lanes (Shared Drives)
-  Shared Space Square
-  Front & Rear Gardens



n*ORTH

0m 10m 30m 60m 100m



Scale 1:1,500 (@A3)

Ordnance Survey © Crown copyright 2022.
All rights reserved. Licence number LIG1024

e*SCAPE10 Years

urbanists 2009 - 2019

Project Title
Chester Road, Walton, Warrington

e*SCAPE Job No.
016-023

Client
Ashall Property

Drawing Number 016-023-P004	Revision REV G
---------------------------------------	--------------------------

Drawing Title
**Illustrative Masterplan/
Indicative Layout**

Scale 1:1,500 @ A3	Date July'22
------------------------------	------------------------