

Warrington Local Plan EiP

Matter 6c: Main Development Area: Fiddlers Ferry

On behalf of Taylor Wimpey (Respondent Ref Number: 1427)

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1. Matter 6c – Main Development Area: Fiddlers Ferry

- 1.1. Our position on Fiddlers Ferry is set out in our representations in response to Policy MD3 – Fiddlers Ferry (**UPSVLP 1427**). We strongly object to the release of any Green Belt land for housing at Fiddlers Ferry, consider that it is unsound, and consider that this element of the allocation should be removed from the Warrington Local Plan (WLP) (**SD1**). Below we raise comments on pertinent matters in direct response to the questions.

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

- 1.2. In the first Regulation 19 Warrington Local Plan (**PVLP1**), Fiddlers Ferry was identified as an existing employment area. Given the uncertainties over the timing of decommissioning and the requirements for extensive site remediation, Fiddlers Ferry was not included in the identified employment land supply at that stage¹.
- 1.3. SSE were the owners of Fiddlers Ferry Power Station at that time and made representations supporting the identification of the existing employment area. SSE did not raise any issues with the viability of remediating the site, developing it for power generation and related employment development, and made clear that the ash operations were likely to continue well after the coal-fired power station closes².
- 1.4. In the Development Options and Site Assessment Technical Report (September 2021) (**O1**), the Council note that although the substantive operational area of the power station is being promoted for employment uses, SSE are seeking the release of Green Belt land for housing on agricultural land under their ownership adjacent to the east of the power station site, to cross subsidise the remediation of the power station³.
- 1.5. In that document, the Council also note that over the longer term, there is also the potential for residential development to the south of the railway line on land currently within the Green Belt which has been used for fly ash deposits, as part of a wider development opportunity which would retain and enhance the existing lagoons as a recreational and ecological resource⁴. We strongly object to this approach as we do not consider this to be an exceptional circumstance for Green Belt release on the land south of the railway line.

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

- 1.6. It is set out in the Fiddlers Ferry Density Assessment (April 2021) (**MP2b**) that an average net density of approximately 35 dwellings per hectare has simply been applied to produce two housing neighbourhoods of minimum 1,760 dwellings in total⁵.

¹ **PVLP1**, para 3.3.23

² The representations have been given the reference **lpr 0474** and can be found here: chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://www.warrington.gov.uk/sites/default/files/2020-11/lpr_0474_redacted.pdf

³ **O1**, para 4.13

⁴ *Ibid*

⁵ **MP2b**, page 8

- 1.7. This scale of development has not been justified on the basis that:
- There is no evidence (that we can find) to suggest that this scale of development is necessary to cross subsidise the remediation of the power station
 - Habitat assessments, bird surveys and project specific Habitat Regulations Assessment (HRA) will be required and before that is produced the delivery of any homes at Fiddlers Ferry is seriously questionable
 - No consideration has been potential impacts on Local Wildlife Sites when coming to the density assumptions (the Fiddlers Ferry Density Assessment (April 2021) does not refer to Local Wildlife Sites whatsoever)

Q3. Has the development potential of the brownfield part of the site been optimised?

- 1.8. Obviously, if a key plank of the argument for the release of Green Belt land for housing at Fiddlers Ferry is to cross subsidise the remediation of the power station, then it must first be demonstrated that the brownfield part of the site has been optimised.

Q4. What is the background to the specific policy requirements (set out at MD3.3)? Are they justified and consistent with national policy? Do they provide clear and effective guidance on constraints and suitable mitigation?

- 1.9. Policy MD3 – Fiddlers Ferry (part 24) requires evidence that development will not have any adverse impacts on the integrity of the Mersey Estuary SPA, and that if habitat within the allocation site or adjacent land are suitable to support significant populations of qualifying species of wintering birds, avoidance measures and mitigation will be required, and any planning application may need to be assessed through project specific HRA.
- 1.10. The issue we have is that the policy wording does not say that a project specific HRA will be required when it should. Project specific HRAs will be required on the basis that the Updated HRA (August 2021) has already found that all qualifying species (i.e. shelduck, teal, pintail, golden plover, dunlin, black-tailed godwit and redshank) of the SPA / Ramsar have been recorded in the tetrad encompassing this allocation⁶. As such, and until such a time that project specific HRAs are undertaken, we are none the wiser as to what avoidance and mitigation is required and there is no clear and effective guidance on this in the policy wording.
- 1.11. Notwithstanding that we strongly object to the release of Green Belt land for housing at Fiddlers Ferry, this matter needs to be clarified before the policy approach can be considered to be justified in this regard.

Q5. What is the status of the development concept diagram associated with this allocation? How will this support the preparation of a Development Framework (MD3.2 point 5)?

- 1.12. No comment.

⁶ SD12, para. 4.6

Q6. Does the policy identify all appropriate and necessary infrastructure requirements? How will these be provided and funded? Is this sufficiently clear?

1.13. No comment.

Q7. 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?

1.14. There is insufficient evidence that the land to the south of the railway line could be developed viably noting its current use for ash deposits and it being surrounded by a flood risk area. We do not consider this site represents a suitable or deliverable site for 900 homes and a Local Centre as shown on Figure 19 of the WLP.

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

1.15. We strongly object to the release of Green Belt land for housing at Fiddlers Ferry on the basis that the homes would be isolated from the main urban area of Warrington and its associated services and the existing outlying villages within the Borough. The homes would also be isolated from existing residential areas and services within Halton.

1.16. We note Policy MD3 – Fiddlers Ferry (part 29) requires the development to include improved cycling and walking routes well related to the green infrastructure and connecting to the Trans Pennine Trail and provide public transport enhancement to connect the new community with Warrington Town Centre and Widnes Town Centre. However, we have yet to see any evidence that these requirements can be achieved.

Q9. 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?

1.17. The Green Belt Assessment Final Report (October 2016) (GB5) find that General Area 16 makes a moderate contribution to purpose 1 of the Green Belt, and notes that the boundary between the built-up area and the General Area 16 consists of the St Helens Canal and the Liverpool to Manchester Railway Line along the northern boundary, which represents a durable boundary which could prevent sprawl⁷. It is our view that General Area 16 makes a strong contribution to purpose 1 of the Green Belt owing to the strength of these boundaries.

Q10. 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?

1.18. The release of Green Belt land for housing at Fiddlers Ferry would reduce an essential gap between Widnes and Warrington. Green Belt is a critical consideration in the context of Warrington given its location between Greater Manchester and the Liverpool City Region

⁷ Page F8, GB5

and the erosion of the essential gap between Warrington and these two larger conurbations will significantly undermine the role of the Green Belt in the North West.

Q11. Are there exceptional circumstances to alter the Green Belt in this particular case? If so, what are they?

- 1.19. We strongly object to the release of Green Belt land for housing at Fiddlers Ferry on the basis that there is insufficient evidence available to demonstrate that site specific exceptional circumstances exist. The Green Belt Assessment: Fiddlers Ferry (April 2021) (**GB2**) does not address the exceptional circumstances test.
- 1.20. The Council's rationale for releasing Green Belt land for housing close to Fiddlers Ferry is essentially an enabling development argument for redevelopment of the brownfield part of the site, and that this is an exceptional circumstance⁸.
- 1.21. This must be based on evidence.
- 1.22. It still needs to be demonstrated that the release of Green Belt land for housing close to Fiddlers Ferry, both to the east of the power station and to the south of the railway line, is likely to achieve the redevelopment of the brownfield part of the site, especially when:
- The viability of redeveloping the site was not previously raised as an issue by the previous site owners at the time of the first Regulation WLP (albeit we note that Peel L&P has since acquired the power station site)
 - The previously site owners only raised the prospect of releasing Green Belt land to the east of the power station to cross subsidised the redevelopment of the power station at the time of the second Regulation 19 WLP
 - There is no justification (that we can find) for the release of Green Belt land to the south of the railway line
 - It has not been demonstrated that the residential development to the south of the railway line could contribute to the redevelopment of the power station given that it will have to tackle a series of costly issues, namely a potential new/enhanced bridge crossing over the railway line and canal⁹, piled foundations which we consider may be necessary due to ash deposits, plus all of the contributions listed in the Infrastructure Delivery Plan (September 2021) (**IN1**)
- 1.23. In short, without evidence which demonstrates that the release of Green Belt land for housing close to Fiddlers Ferry (both to the east of the power station and to the south of the railway line) is likely to achieve the redevelopment of the power station site, the Fiddlers Ferry allocation is not sound.

Q12. Have the potential impacts on European designated sites been adequately assessed? What are the implications for the scale of development envisaged?

⁸ SD1, para 3.4.10

⁹ As noted in Fiddlers Ferry Regeneration Vision (August 2021) (**MP2**)

- 1.24. We strongly object the release of Green Belt land for housing at Fiddlers Ferry on the basis that the potential impacts on Mersey Estuary SPA and Ramsar have yet to be adequately addressed.
- 1.25. The Updated HRA (August 2021) (**SP12**) finds that:
- All qualifying species (i.e. shelduck, teal, pintail, golden plover, dunlin, black-tailed godwit and redshank) of the SPA / Ramsar have been recorded in the tetrad encompassing this allocation¹⁰
 - The Mersey Estuary SPA/ Ramsar is located 3.6km to the west of the Fiddlers Ferry development area – this distance is sufficiently close to the proposed development site that likely significant effects could arise due to increased recreational pressure and air quality¹¹
 - Moreover, development locations in the western parts of Warrington could constitute functionally-linked habitat for birds for which the SPA is designated – this site is therefore screened in for further analysis¹²
 - The Mersey Estuary SPA/ Ramsar zone of influence may extend to the western half of the Warrington Borough – as such, there is the possibility that the allocation of residential or employment development through Green Belt release (such as at MD3 – Fiddlers Ferry) could lead to likely significant effects on the integrity of the SPA/Ramsar¹³
- 1.26. The Updated HRA (August 2021) notes that protective policy wording is included in the text for Policy MD3 – Fiddlers Ferry and considers that this policy wording is sufficiently protective to allow a conclusion of ‘no adverse effect’ at the plan level, because it ensures that further work (e.g. habitat assessments and bird surveys) will be required to support relevant planning application(s)¹⁴
- 1.27. The issue is that until habitat assessment, bird surveys and project specific HRAs are undertaken, we are none the wiser as to whether any development is suitable on this site or what avoidance measures would be necessary to ensure any development will not have any adverse impacts on the integrity of the Mersey Estuary SPA, which would have significant implications on the scale of development envisaged.

Q13. Have the potential impacts on Local Wildlife Sites been recognised and could they be adequately addressed?

¹⁰ **SP12**, para. 4.6

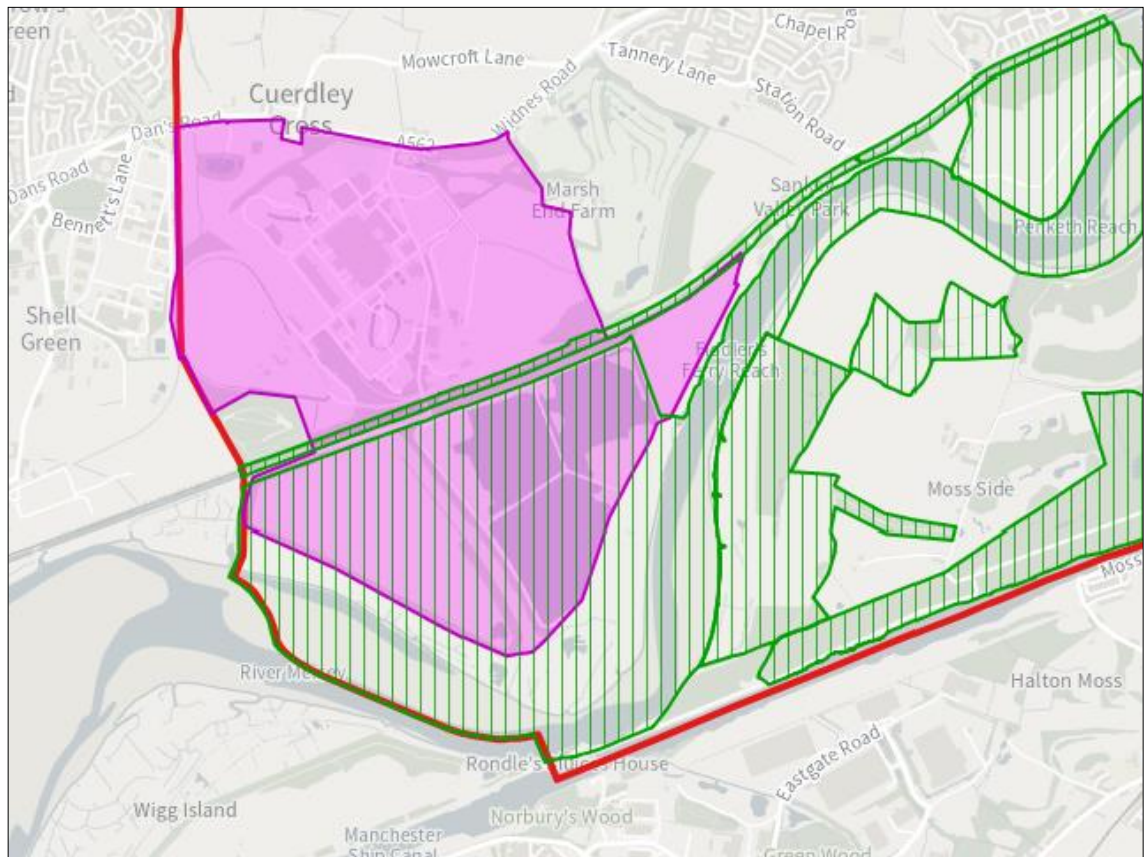
¹¹ **SP12**, page 45

¹² *Ibid*

¹³ **SP12**

¹⁴ **SP12**

- 1.28. The Local Plan Site Allocation Site Profiles (June 2022) (**CD02**) the Fiddlers Ferry Regeneration Vision (August 2021) note that three Local Wildlife Sites fall within the site boundary and a further two are adjacent to it¹⁵.
- 1.29. The allocation to the south of the railway line includes the Upper Mersey Estuary and St Helens Canal (West) Local Wildlife Sites. This part of the site and the land to the east of the power station lie in close proximity to Morton Marsh and Upper Moss Side Fields, Moss Side Farm and Moore Nature Reserve Local Wildlife Sites. These are shown on the Policies Map (**SP2**).



- 1.30. The issue is that the Fiddlers Ferry Masterplan (April 2021) (**MP2a**) and the Fiddlers Ferry Density Assessment (April 2021) gives no mention of the potential impacts on the Local Wildlife Sites in their density and capacity assumptions (which are simply followed through into Policy MD3 – Fiddlers Ferry).
- 1.31. On the basis that the capacity of the site has not taken on board any potential impacts on the Local Wildlife Sites, mitigation has not been accounted for in the identification of the 900 homes south of the railway, nor the land east of the power station.

¹⁵ **CD02**, page 14 and **MP2**, page 17

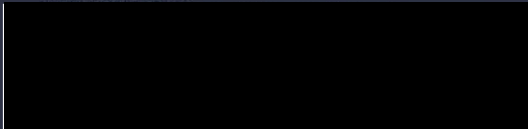


Q14. Does the policy adequately provide for the assessment of in-combination impacts on important ecological features that may arise as a result of this and other allocations within the Local Plan?

- 1.32. The policy does not provide for the assessment of in-combination impacts on important ecological features that may arise as a result of this and other allocations within the WLP.

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