



Hearing Statement on behalf of Wain Homes (North West) Ltd (ID: UPSVLP 2471)

In relation to: Matter 6c – Main Development Area:
Fiddlers Ferry

Warrington Local Plan Examination

Emery Planning project number: 19-202

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Project : 19-202
Site address : Warrington Local Plan
Client : Wainhomes (North West) Ltd

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1. Introduction

1.1 Emery Planning is instructed by Wain Homes (North West) Ltd (hereafter referred to as “Wain Homes”) to submit a written response to the Inspector’s Matters, Issues and Questions in relation to Matter 6c – Main Development Area: Fiddlers Ferry of the Warrington Local Plan Examination. Wain Homes has an interest in the following omission sites:

- Land at Lumber Lane, Burtonwood; and,
- Land at Runcorn Road, Moore - part of the former draft allocation: Warrington South West urban extension.

1.2 This hearing statement should be read in conjunction with our detailed representations to the Regulation 19 Pre-Submission Draft of the Warrington Local Plan, and our other Hearing Statements submitted to this examination.

2. Wain Homes response to the Inspector’s questions

Question 2 - What is the basis for the scale of development proposed and is this justified?

- 2.1 The scale of development proposed is not justified by the evidence. There is a lack of supporting technical information to confirm that the development is acceptable at the proposed scale.
- 2.2 We also have concerns in relation to the Green Belt and the effects of allocating the site. It is located in the Green Belt within an extremely narrow and sensitive gap between two towns, which will be affected by the scale of the development. The south-west extension was deleted from the draft plan on this basis however this allocation remains.
- 2.3 It is unclear from the Plan and the evidence base why an allocation of this scale has been proposed in a far more sensitive area of the Green Belt when more appropriate sites were proposed.

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?

- 2.4 As referenced in our Regulation 19 representations, the vision document for the allocation indicates that there is evidence of potential contamination on site as a result of the historic landfills and infilled areas of land, records of asbestos containing materials and presence of other substances, structures and contaminated water. We are particularly concerned with the identification of asbestos which is often associated with very high remediation costs and long timescales.
- 2.5 The Fiddler's Ferry Power Station - Regeneration Vision (MP2) makes a brief reference to the potential contamination on site on page 18. It states that although sources of contamination have been identified, these can be managed during the demolition of the site and during the site's redevelopment. However, there is no technical evidence to support this as the extent of the contamination clearly has not been fully assessed. The full implications of the previous uses appear to be unknown and the suggestion that they can be managed is unjustified.
- 2.6 We note that an EIA screening opinion was decided in March 2021 (2021/38558), however the Environment Agency advised that they no longer respond to such consultation requests. There does not appear to be a response provided which confirms that the potential contamination of the site will not require an EIA to be submitted. As this is a significant constraint of the site, an assessment in relation to the contamination should be carried out to verify the safety of the site.
- 2.7 Clearly, there is a lack of evidence to enable a conclusion that the site is suitable on the matter of remediation. These constraints could inhibit the development of the delivery of the allocation as envisaged.

Question 8 – Will there be appropriate opportunities to promote sustainable transport modes, and that safe and suitable access can be achieved for all users?

- 2.8 As it stands, the site is not in a sustainable location and majority of the infrastructure required to support the development will need to be delivered through S106 agreements and on and off site infrastructure provision and improvements due to the lack of existing facilities and services.

2.9 The extensive employment parcel restricts residents' access to Widnes. The southern parcel is further constrained by the railway line and River Mersey. Residents will therefore be likely to rely on the services provided within the site itself, however there is no evidence to support that these services will be able to viably function given the scale of the development, as well as restricted access from Widnes which may impact the ability of Widnes residents to access the facilities.

2.10 The September 2021 Site Assessment Proformas (SAP1) identifies the following negative effects:

- Likely have some negative effects in relation to community facilities;
- Significant negative effects likely in relation to formal play space;
- Some negative effects likely in relation to secondary schools;
- Significant negative effects likely in relation to bus services;
- Likely to have some negative effects in relation to train station access; and
- Some negative effects likely in relation to GP services or health centres access.

2.11 As stated above, the site is not well served by buses. Section 3 of Policy MD3 outlines the range of infrastructure which will be required to support the development. Whilst the list includes 'a comprehensive package of transport improvements' (j), it is not clear how these will be promoted and the method of provision has not been specified in the Infrastructure Delivery Plan (IN1).

2.12 It is also key to note that the nearest secondary school is approximately 3.5km away from the site based on the existing road network and it's not clear whether the improvements provided will ensure safe and suitable access which will promote the use of sustainable travel.

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?

2.13 The Fiddler's Ferry Green Belt Assessment - April 2021 (GB2) concludes that parcel WR79 makes a strong contribution to the Green Belt, whilst parcel WR73 makes a moderate contribution. Both parcels are proposed for residential development.

2.14 The Framework states at paragraph 138 that the Green Belt serves the following 5 purposes:

1. to check the unrestricted sprawl of large built-up areas;

2. to prevent neighbouring towns merging into one another;
3. to assist in safeguarding the countryside from encroachment;
4. to preserve the setting and special character of historic towns; and
5. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

2.15 The Assessment recognises that the development would reduce the separation between the Warrington urban area, Widnes and Runcorn. It would also lead to the remaining gap between the towns would be at its narrowest point. The Assessment further states:

"The removal of the site from the Green Belt will not harm the overall function and integrity of the Warrington Green Belt however it is likely to result in localised harm to the Green Belt in this location due to the impact on Purpose 2."

2.16 The development will therefore undermine the Green Belt's purpose of preventing neighbouring towns merging into one another as the gap between Widnes and Warrington is highly sensitive and its narrowing would ultimately go against the above objective.

2.17 Based on the Council's own evidence, the release of this area of Green Belt within an extremely narrow and sensitive gap between two towns is not justified and not in accordance with the Green Belt purposes set out within national policy.

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?

2.18 The evidence is not clear on the viability of the site.

2.19 Within Appendix 1: Consultation Comments and Response Note, the Council's response at page 31 confirms that the Green Belt mitigation measures have not been taken into account. The Council also suggests that the site 'generates a considerable surplus', however its own evidence points to a different result. The Site Assessment Proforma indicates that it is of moderate viability, which is also reflected in the Viability Assessment (V1). The 2021 Viability Assessment (V2) did in fact states that Fiddlers Ferry can support full policy requirements "if the energy cost is reduced to £2,250 per unit rather than 6% of base build cost for this site, albeit the surplus is relatively marginal".

- 2.20 It is therefore unclear whether the site will be viable when taking into account the already marginal surplus. We are also concerned about the costs associated with the remediation of contaminated land on site, as the extent of the contamination has not yet been established and there is a possibility that costs could increase given the likely presence of asbestos.
- 2.21 It is therefore not clear, based on the evidence, whether the site is truly viable and deliverable within the plan period.

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

- 2.22 The Council's evidence does not provide indicative timescales or build out rates for the development, however the Infrastructure Delivery Plan indicates that some improvements will need to be delivered by 2026 and Policy MD3 anticipates that development will commence in 2025/56. Paragraph 10.3.21 further suggests that first completions will also take place in the same year. The Fiddler's Ferry Power Station - Regeneration Vision (MP2) proposes that Phase 1 will be delivered in the period of 2023-2033.
- 2.23 We consider that the abovementioned timescales are overly optimistic given the significant constraints of the site, namely the extensive contamination as well as the need to provide facilities due to the unsustainable location of the development. The remediation of the site could take a number of years and there is no evidence to suggest that it will be carried out by 2025/6. Furthermore, the Infrastructure Delivery Report does not provide a date by which the site demolition and remediation must take place.
- 2.24 The site currently has no planning permission for the development of Phase 1. Only an EIA scoping request has been submitted and decided (2021/38558 – EIA not required). It is also not specified whether the initial application will be made in full or if it will be submitted as an outline application. Appendix 5 of the 2021 SHLAA (Sample Site Lead-In Times) indicates an average of 3.73 years for the completion of a site from the time of submission. However, the sample sites did not exceed 424 dwellings with some sites taking as long as 15 years from the receipt of the outline planning application. It is therefore unlikely that the application will come forward as quickly as anticipated by the Council.
- 2.25 The timescales proposed by the Council and the Developer are unjustified and unrealistic. The site is unlikely to begin delivering housing by 2025/26 given the existing constraints, required

mitigation and infrastructure provision as well as the lack of planning permission for the development.