

Warrington Local Plan 2021-2038: Examination in Public

Hearing Statement by Peel L&P (Holdings) UK
Ltd (representor no. UPSVLP 0426)

Matter 11: Transport and other
infrastructure

August 2022

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Client

Peel L&P (Holdings) UK Ltd

Our reference

PEEM3056

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1. Introduction

- 1.1 This Statement is prepared by Turley on behalf of Peel L&P (Holdings) Ltd (hereafter called 'Peel') in respect of the examination of the Warrington Local Plan 2021-2038. It provides Peel's response to the Matters, Issues and Questions ('MIQs')¹ identified by the Inspectors in respect of Matter 11: Transport and Other Infrastructure.
- 1.2 The context to Peel's representations, including its development interests in the Borough, is set out in its Matter 1 statement.
- 1.3 This Statement should be read alongside Peel's statements in relation to Matters 1, 3, 4, 6a, b and c, 7a, b, c and d, 8 and 14. It should also be read alongside statements submitted jointly on behalf of Peel L&P (Holdings) UK Ltd and Peel Ports (representor number UPSVLP 0438) which relate specifically to Peel's land interest at Port Warrington and Warrington Waterfront.

¹ ID02

2. Matter 11: Transport and Other Infrastructure

SUSTAINABLE TRAVEL AND TRANSPORT

Q4: What is the basis for safeguarding land for the specific schemes in part 2 of Policy INF2? What is the status of the schemes in terms of progress and funding commitments etc?

Status of the Western Link

- 2.1 Through Policy INF2, land is safeguarded for the development of the Western Link relief road.
- 2.2 The Western Link relief road is identified in the Infrastructure Delivery Plan ('IDP') [Examination Document IN1] as a key part of the Updated Proposed Submission Version Local Plan ('UPSVLP') and necessary to realise the delivery of the Warrington Waterfront Main Development Area (Policy allocation MD1) and development within the Town Centre². These two locations account for nearly 50% of the urban housing land supply on which the UPSVLP is reliant.
- 2.3 Paragraph 7.2.5 of the UPSVLP confirms that the projects to which the safeguarded designations relate, including the Western Link, are necessary to facilitate the proposed level of housing and economic growth in the UPSVLP.
- 2.4 The IDP notes that the Western Link will cost c. £220m with committed funds totalling c. £142m in place and a funding gap of c. £72m³. It is clear that the Government has committed significant funds to the Western Link and it is therefore unlikely that additional funds from the national purse would be available.
- 2.5 It notes an expected start on site for the delivery of the Western Link of 2023 and completion by 2025/26. It states that a planning application is to be submitted during summer 2021 to enable this. At the time of writing, it is understood that a planning application for this development has been submitted but not yet validated. There is therefore no planning application under determination.
- 2.6 Paragraphs 5.32 to 5.41 of Peel's representations to the UPSVLP [Document UPSVLP-0426-P1] set out that there is now significant uncertainty regarding the deliverability of the Western Link – an absolutely critical piece of infrastructure to deliver the plan – in light of the decision to remove previously proposed development allocations at the South West Urban Extension ('SWUE') and Port Warrington.
- 2.7 Within the 2019 Proposed Submission Version Local Plan [Examination Document PLVP 1], these sites, which have an inherent relationship with the Western Link, were proposed for allocation and intended to make a financial contribution to the Western Link which would have gone some way to addressing the funding gap. The Council is

² Paragraph 2.3 of the Infrastructure Delivery Plan (2021) [Examination Document IN1]

³ Appendix 1 of the Infrastructure Delivery Plan (2021) [Examination Document IN1]

now closing off a critical funding stream in no longer proposing the allocation of Port Warrington and SWUE.

- 2.8 There are limited, and no other currently identified options, for securing meaningful contributions from other developments towards the Western Link. The Council's viability evidence [Examination Document V1 and V2] clearly demonstrates that development at the Warrington Waterfront and in the Town Centre is, at best, very marginal in normal market terms⁴ and so there is limited, if any, prospect of this development contributing to the Western Link. No other strategic site supported by the UPSVLP is reliant on the delivery of the Western Link to the extent that a contribution from such sites could be justified by reference to the tests in regulation 122 of the Community Infrastructure Levy Regulations 2010.
- 2.9 This places the deliverability of the Western Link in significant doubt, which in turn raises significant questions regarding the deliverability of the allocations (Waterfront Main Development Area (Policy allocation MD1) and development within the Town Centre) and their soundness.
- 2.10 This can be addressed through the allocation of land at Port Warrington and SWUE for development during the plan period, reflecting proposals set out in the 2019 Proposed Submission Version Local Plan in this regard. Alternatively, the sites could be removed from the Green Belt and subject to a designation which enables them to come forward within or beyond the plan period based on the application of a criteria-based policy which would enable their development if needed based on their ability to facilitate the delivery of the Western Link.

DELIVERING INFRASTRUCTURE

Q9: Is Policy INF5 sufficiently flexible in terms of taking account of the impact on viability?

Q11: In other respects, is Policy INF5 justified, effective and consistent with national policy?

- 2.11 Policy INF5 confirms that development will be required to provide or contribute towards the provision of the infrastructure needed to support it. It goes on to state that obligations will be negotiated on a site-by-site basis and will only be sought where these are:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 2.12 These are the appropriate tests in accordance with regulation 122 of the Community Infrastructure Levy Regulations 2010.

⁴ See Examination Document V2, paragraphs 1.49, 1.67 to 1.98

- 2.13 The policy confirms that transport improvements will be one such area in which planning obligations will be sought, subject to satisfaction of the above tests.
- 2.14 As noted in Peel’s response to Q4 above, a significant part of the urban residential land supply is reliant on the delivery of the Western Link to enable it to come forward in an acceptable manner; that is to say that the level of development proposed would, in combination, have a severe impact on the road network without the development of the Western Link. The Western Link is necessary to mitigate this impact and as such to enable development in the Town Centre and at Warrington Waterfront to come forward in a manner which complies with paragraph 111 of the National Planning Policy Framework (‘NPPF’).
- 2.15 Peel’s response to Q4 above draws attention to the significant viability constraints to development in these locations which will preclude it from making a meaningful financial contribution to the delivery of the Western Link and so addressing the evidenced funding shortfall.
- 2.16 The principle of Policy INF5 is sound but as noted, there are significant limitations in relying on the portfolio of sites supported by the UPSVLP to deliver the necessary infrastructure – principally the Western Link. None of the strategic sites supported by the UPSVLP have a sufficient relationship with the Western Link to justify seeking a contribution to it when applying the above tests.
- 2.17 This can be addressed through the allocation of land at Port Warrington and SWUE for development during the plan period, reflecting proposals set out in the 2019 Proposed Submission Version Local Plan in this regard. Alternatively, the sites could be removed from the Green Belt and subject to a designation which enables them to come forward within or beyond the plan period based on the application of a criteria-based policy which would enable their development if needed based on their ability to facilitate the delivery of the Western Link.

Turley Office



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