

EiP Statement

Warrington Updated Proposed Submission Version Local Plan (dated September 2021)

Story Homes

Representor ID UPSVLP 1418

Our ref 42154/07/RCA/TE

Date August 2022

Subject Matter 13: Other Policies

1.0 Introduction

- 1.1 This Hearing Statement has been prepared by Lichfields on behalf of Story Homes [Story] (Respondent No: 1418) in relation to Matter 13 (Other Policies). This Statement has been written in respect of Story's land assets in Warrington. This includes land at Warrington Road, Culcheth, allocated in the Warrington Updated Proposed Submission Version Local Plan [WUPSVLP] (Policy OS2 – Culcheth) & the promotion of additional land at Runcorn Road, Higher Walton (the SWUE) which is capable of coming forward to meet the requirement for new homes.
- 1.2 This Statement has been prepared in response to the Matters, Issues and Questions raised by the Inspector for Matter 13 Examination in Public [EiP] hearing sessions.
- 1.3 Story has previously submitted representations in relation to WUPSVLP Regulation 19 public consultation stages of the Plan, in support of the site and concerning the overall strategy and other proposed policies.
- 1.4 Separate Statements have been submitted in respect of the following Matters:
- 1 Matter 3 – The Spatial Strategy
 - 2 Matter 7b – Site Allocation – Culcheth
 - 3 Matter 11 – Transport and Other Infrastructure
 - 4 Matter 14 – Monitoring and Review
- 1.5 This Statement expands upon Story's previous representations¹ made on the WUPSVLP and focuses on the Inspector's specific issues and questions. Where relevant, the comments made are assessed against the tests of soundness established by the National Planning

¹ Warrington Updated Proposed Submission Version Local Plan: Representations on behalf of Story November 2021

Policy Framework [the NPPF] and the National Planning Practice Guidance [Practice Guidance].

2.0 Questions

Renewable and low carbon energy development (ENV7)

Question 13. What is the basis for the requirements for allocations and other major development proposals to meet 10% of energy needs from renewable and/or other low carbon energy sources or to reduce carbon emissions by at least 10% when measured against Building Regulation (Part L)? How would it be implemented in practice?

- 2.1 Story believes there is no clear justification or evidence for the 10% renewable and/or low carbon sources requirement or the 10% carbon reduction as set out within Part 4 and Part 5 (b) and (c) of Policy ENV7. It appears that the Council has selected an arbitrary figure for this requirement which is based on policy aspiration only and is not supported by any evidence.
- 2.2 As confirmed by the Government, the new Part L standards were introduced through Building Regulations on the 15 June 2022 and the Future Homes Standard is due to come into force in 2025, which will affect development over the plan period.
- 2.3 Story considers that the Local Plan should comply with the Government’s intention of achieving net zero carbon development through the Building Regulations. This proposed policy approach is unnecessary given the higher levels of energy efficiency standards for new homes as set out in the 2022 Part L uplift and the emerging Future Homes Standard 2025.
- 2.4 Whilst it is acknowledged that 10% renewable or low carbon sources requirement or 10% carbon reduction is often a standard target for developments, Story is concerned that this target is based on the “Renewable Energy Capacity Study Liverpool City Region Stage Two Report” dated November 2010 and no further evidence has been prepared as part of the WUPSVLP. The Study acknowledges that assembling a suitable evidence base to support a specific carbon reduction requirement may not be cost-effective for the short period the target would be in effect. However, it sets out that policy wording should not include a specific carbon reduction target for new development and should instead use more generalised wording such as²:
- “Development should seek to achieve additional reductions in carbon emissions associated with the development.”*
- 2.5 If the Council are therefore unable to prepare additional evidence to justify the 10% requirement, the policy should be reworded to exclude reference to specific targets, or this element of the policy should be deleted entirely. If the policy remains unchanged it will provide a conflict between National Policy and its focus on achieving net zero carbon development through the Building Regulations, and the requirements set out within the

² Renewable energy Capacity Study Liverpool City Region Stage Two Report November 2010 Pg 28

WUPSVLP. This will pose a challenge for both developers and decision makers as to which requirement should be complied with.

- 2.6 Without the changes set out above Story considers that the WUPSVLP cannot be found sound.

Question 14. How has the effect on viability been taken into account and is the approach justified and consistent with national policy?

- 2.7 The Warrington Local Plan Viability Report Addendum January 2022 acknowledges that the previous viability assessment did not take account for the provision of the new part L standards or the emerging Future Homes Standard 2025.

- 2.8 Story accepts that the Council has considered the cost associated with the energy requirements, taking into account the additional costs incurred to comply with the standards. The addendum amends the average additional cost per unit from £2,250 per plot to £4,847 per plot. This ensures the appropriate costs are applied in the viability assessment to account for the provision of these standards. This reflects Story's views, as previously presented³.

- 2.9 In terms of viability, Story consider that the costs of complying with part L standards have now been adequately considered. However, Story still considers that Policy ENV7 is not justified or consistent with national policy and Part 4 and Part 5 of the policy should be modified or deleted to exclude reference to specific carbon reduction targets.

Question 15. Is the approach to renewable and low carbon infrastructure justified and consistent with national policy?

- 2.10 Story is still of the view that Policy ENV7 is not justified or consistent with national policy. The policy does not align with the Government's intention of achieving net zero carbon development through the Building Regulations. In addition, Part 5 of the Policy continues to support the delivery of decentralised energy systems across all site allocations which, as Story has previously set out⁴, the provision of such networks on small scale sites is not likely to be practicable in most instances and it would currently be uneconomical for most heat networks to install low-carbon technologies.

- 2.11 In line with the NPPF⁵, the policy should be modified to caveat that where it can be demonstrated by an applicant that the type of development and its design would not feasibly or viably allow for a decentralised energy supply, it need not be provided. Story proposes that the policy's introductory text is updated to state that:

³ Warrington Updated Proposed Submission Version Local Plan: Representations on behalf of Story Homes – Section 9 (November 2021)

⁴ Warrington Updated Proposed Submission Version Local Plan: Representations on behalf of Story Homes – Section 9 (November 2021)

⁵ National Planning Policy Framework Paragraph 157 (a)

5. In the strategic housing and employment allocations as defined in Policies MD1 to MD6 and OS1 to OS6 and identified on the Key Diagram/Polices Map development should seek to reduce carbon emissions and maximise opportunities for the use of decentralised energy systems that would use or generate renewable or other forms of low carbon energy. In these locations all development will be required to establish, or connect to an existing, decentralised energy network unless **it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable** ~~this is shown not to be feasible or viable~~, in which case development will be required to;

- a make provision to enable future connectivity in terms of site layout, heating design and site-wide infrastructure design; and
- b ensure that at least 10% of their energy needs can be met from renewable and/or other low carbon energy source(s); or
- c to reduce their carbon emissions by at least 10% when measured against the Building Regulation (Part L) requirements at the time that the application is submitted.

2.12 Without this modification it is considered that for Policy ENV7 to be justified and consistent with national policy, Part 5 of the Policy should be either be modified or deleted as set out above, and the Local Plan should comply with the Government's intention of achieving net zero carbon development through the Building Regulations.

Environmental and amenity protection (ENV8)

Question 17. How have air quality impacts been taken into account in preparing the Local Plan and identifying allocations?

2.13 The site selection process has been supported by a range of supporting evidence. This included Local Plan Air Quality Modelling which provided an assessment of future air quality in Warrington in 2026 and 3036; and a Habitat Regulations Assessment [HRA] which had consideration for, amongst other things, air quality in relation to key designations. During the site selection process the Council also had consideration for the potential impacts on air quality, identifying a site's proximity to an Air Quality Management Area [AQMA] and the likely significant impact a proposed site allocation may have.

2.14 Whilst air quality impacts have been considered at a site specific level, Story considers that further work is required in order to justify the policy thresholds set out within the policy itself, as set out in further detail in question 19.

Question 19. In other respects, is Policy ENV8 justified, effective and consistent with national policy?

2.15 Story does not consider Policy ENV8 to be justified, effective or consistent with national policy. Part 4 of Policy ENV8 states that the main allocations (Policies MD1 to MD6) and the smaller settlement allocations, which line the M62 corridor (Policies OS1, OS2 and OS6) and all other new development that exceeds the thresholds for requiring a Transport Assessment, as specified in the Council's Transport SPD, will be required to consider air

quality impacts on the Manchester Mosses Special Area of Conservation (SAC). Any proposals that would result in increased traffic flows on the M62 past the Manchester Mosses SAC of more than 100 vehicles per day or 20 Heavy Goods Vehicles (HGVs) per day must devise a scheme-specific range of measures to reduce reliance on cars, reduce trip generation and promote ultra-low emission vehicles.

- 2.16 Story maintains their objection to this requirement as there is no clear justification for the vehicle and HGV thresholds identified which appear to be arbitrary figures. In this regard, it is noted that in the Submission Version Local Plan [SVLP] 2019, the thresholds were 1,000 vehicles and 200 HGVs but the WUPSVLP 2021 provides no explanation as to why the figure has been dramatically reduced in the latest version of the policy.
- 2.17 In order for the policy to be found sound at examination Story considers the last sentence of Part 4 of the policy should be deleted. Part 4 of the Policy should therefore read:

4. The main allocations (Policies MD1 to MD6) and the smaller settlement allocations, which line the M62 corridor (Policies OS1, OS2 and OS6) and all other new development that exceeds the thresholds for requiring a Transport Assessment, as specified in the Council's Transport SPD, will be required to consider air quality impacts on the Manchester Mosses Special Area of Conservation (SAC). ~~Any proposals that would result in increased traffic flows on the M62 past the Manchester Mosses SAC of more than 100 vehicles per day or 20 Heavy Goods Vehicles (HGVs) per day must devise a scheme-specific range of measures to reduce reliance on cars, reduce trip generation and promote ultra-low emission vehicles.~~