

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 14: Monitoring and Review

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 14 (Monitoring and Review). 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 14 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 13 – Other Policies
- 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 [NPPF] and the National Planning Practice Guidance [Practice Guidance].

2.0 Questions

Relevant Policy M1

Question 2. How will any issues of delivery of housing be identified and addressed? Will this be effective?

- 2.1 Part 1 – 4 of policy M1 sets out how any issues with the delivery of housing will be identified and addressed. This includes the preparation of an Annual Monitoring Report [AMR]; implementing measures as set out in the policy, if the plan is not delivering 100% of the annual affordable housing contributions; and, a review or partial review of the Local Plan if the plans total delivery is less than 75% of the annual requirements for three consecutive years. As set out in more detail in question 4, this is not considered a positive approach to planning and a more proactive and adaptive approach is required in order to address any undersupply identified.
- 2.2 An additional review mechanism is also included within Policy DEV1, which sets out that:
- “7. As part of the housing trajectory (Appendix 1) the housing requirement is to be stepped in the following way:*
- a. 2021 to 2025 (first 5 years) – 678 homes per annum.*
 - b. 2026 to 2038 (years 6 - 18) – 870 homes per annum.*
- 8. Should monitoring indicate that a 5-year deliverable and / or subsequent developable supply of housing land over the Plan Period can no longer be sustained, the Council will give consideration to a review or partial review of the Local Plan.”*
- 2.3 The supporting text to this policy claims that the need to release Green Belt land and the lead-in times for the infrastructure required to support the larger site allocations means that there will be a relatively lower level of housing delivery in the early years of the Plan Period, with housing delivery increasing over time. Whilst it is acknowledged that Warrington has some larger strategic sites on Green Belt land that may come forward in the Plan, this should not be used as an excuse to postpone meeting household’s needs in full and potentially delay the review of the Local Plan at an earlier stage.
- 2.4 As set out in Matter Paper 3, Story considers this approach will not be effective for the reasons set out below. The shortfall in the proposed allocation of housing identifies that there is a need to release further Green Belt land within outlying settlements in order for the Council to meet its housing requirement. Story is strongly of the opinion that the current version of the Local Plan does not meet the requirements of the NPPF as it does not identify sufficient proportions of land to meet needs post 2038 or identify Safeguarded Land which could act as a failsafe in the event that one of the key strategic allocations does not come forward as envisaged.

- 2.5 If Safeguarded Land was identified as part of the plan, it would allow any future Local Plan Review to allocate the safeguarded sites for development and ensure they are capable of delivering units in the first 5 years, post adoption of the Review. Land should therefore be identified now and safeguarded to meet the needs beyond the Plan period.
- 2.6 Without the identification of sufficient proportions of Safeguarded Land within the Plan, it is not consistent with the NPPF. Furthermore, the identification of Safeguarded Land within the Plan represents a positive approach to planning, will futureproof the Plan and ensure that any issues associated with lack of supply not coming forward as quickly as expected can be addressed quickly through a Local Plan Review. This will avoid having to formally commence a new Green Belt Review and site selection exercise which, based on past experience, can be a slow and contentious process.
- 2.7 Whilst the preparation of AMR and the inclusion of early review mechanisms help identify issues with delivery, there are currently no effective mechanisms in place to address a shortfall in the short-term. It is therefore important that an effective review mechanism is included in the Plan. Story considers this to be the inclusion of Safeguarded land.

Question 3. How will any issues of delivery of the Main Development Areas be identified and addressed? Will this be effective?

- 2.8 Part 5 and 6 of Policy M1 is focussed on Monitoring Main Development Allocations. To ensure the timely delivery of the Main Development Areas, the Council will draw up an action plan, setting out key milestones for the delivery of these areas including masterplanning, phasing of infrastructure and submission of planning applications, and monitor progress on an annual basis. In addition to this, the Council will consider the annual rate of housing completions as part of the Borough wide monitoring.
- 2.9 Story do not consider there is an effective mechanism in place to address the issues arising as part of the monitoring and review process particularly in light of the significant issues raised in relation to the deliverability of a number of the claimed delivery sites in the Home Builder Consortium Technical Papers. Whilst it is proposed to prepare an action plan for Allocations MD1 – MD6, which will include monitoring progress on an annual basis, no mechanisms have been put in place to address under delivery on Main Development Areas. There are also no timescales set out within the policy to ensure action plans are prepared within appropriate timescales.
- 2.10 Story therefore considers that Policy M1 requires modification to ensure any issues of delivery of the Main Development Areas are identified and addressed in a timely manner and where necessary the delivery of housing increased through other means, for example through the release of Safeguarded Land.

Question 4. What is the overall approach to reviewing the Local Plan?

- 2.11 In line with the NPPF, local plans should be reviewed to assess whether they require updating at least once every five years. Part 3 of Policy M1 allows for an early review of the plan setting out that: “Where total delivery of housing is less than 75% of the annual requirement for three consecutive monitoring years, this will trigger the need for the consideration of a review or partial review of the Local Plan”.

- 2.12 Whilst this would allow a review of the Local Plan prior to the five years set out in the NPPF², this requires a consistent and significant under provision of housing delivery over a three-year period. Given the Council has already set out that in the first five years the housing requirement will be reduced, to accommodate the lead in times for the larger site allocations, if any under delivery was to occur it would be unlikely to trigger the early review and therefore further provisions should be made within Policy M1 to reflect this.
- 2.13 Given the already suppressed housing requirements over the first five years of the plan, Story considers that a review mechanism should look to trigger an early review on a cumulative basis. This would see a review of the plan if delivery of housing is less than 75% of the requirement, cumulatively, across a three-year period, rather than on the basis of three consecutive years of under delivery. Whilst this approach would likely allow for an earlier review of the plan, this is only a retrospective review mechanism.
- 2.14 To ensure any delivery issues can be identified and addressed in the short term, a more proactive approach is required. Consideration should therefore be had for other evidence, outside of that produced by the Council, in determining whether a review of the plan is required. This should include the Housing Delivery Test, prepared annually by Department for Levelling Up, Housing and Communities or where the Council has identified an insufficient 5-year housing land supply (including Appeal Decisions in Warrington where an Inspector has determined that a 5-year housing land supply cannot be identified).
- 2.15 In addition to a more proactive approach, Story is still of the view that additional flexibility needs to be built into the plan to ensure any under provision of housing can be addressed during the plan period.
- 2.16 The review mechanisms currently proposed do not ensure a positive approach to planning and a more proactive and progressive approach is required in order for any supply issues to be identified and addressed as quickly as possible. Undertaking a review of a Local Plan takes 2 – 3 years. If the Council commence a review at year five, post adoption of the plan, or an early review of the plan is triggered (at least three years post adoption in line with the current wording of Policy M1) it would not be completed until 6 – 9 years post adoption of the plan which is considered to be too long.
- 2.17 To ensure the Local Plan is effective, the review process should allow for additional land to be released through the plan period, to meet the identified requirement, within a suitable timeframe during the plan period. Story therefore believes that the overall approach for reviewing the Local Plan should be updated to ensure appropriate mechanisms are in place, such as including Safeguarded Land. This would then allow the Council to take a more proactive approach to any future Local Plan Review or partial review, effectively allocating sites that they know are capable of delivering units in the short term (first 5 years post allocation).

² National Planning Policy Framework Paragraph 33

Question 5. Are any main modifications to Policy M1 necessary for soundness?

- 2.18 Story considers Policy M1 to be fundamentally flawed and in order to provide effective monitoring and review mechanisms, modifications are required, not only to Policy M1 but to the plan as a whole, to ensure the soundness of the WUPSVLP.
- 2.19 Whilst the preparation of AMR's and the inclusion of early review mechanisms help identify issues with delivery there needs to be an effective mechanism incorporated into the Plan that allows a shortfall in delivery to be addressed in the short-term. It is therefore important that an effective review mechanism is implemented as part of Policy M1, something which the WUPSVLP currently does not do. In order to facilitate this, the most appropriate option is to allocate Safeguarded Land to act as a failsafe in the event that one of the key strategic allocations does not come forward as envisaged. This will avoid the need to formally commence a new Green Belt Review and site selection exercise which, based on past experience, can be a slow and contentious process.
- 2.20 Without the amendments to the Local Plan and Policy M1 Story does not believe the WUPSVLP is sound.