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WARRINGTON LOCAL PLAN 2021 – 2038 EXAMINATION

MATTER 8 HEARING STATEMENT

ON BEHALF OF THE STRATEGIC LAND GROUP

RESPONDENT NO: 2286



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**Warrington Local Plan 2021 – 2038 Examination
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1. INTRODUCTION

- 1.18 This Hearing Statement is submitted on behalf of The Strategic Land Group (hereafter referred to as SLG) and responds to some of the questions raised by the Inspectors in relation to Matter 8 – Housing Land Supply.
- 1.18 This Hearing Statement supplements SLG’s duly made objections, which, in summary terms, are concerned with: the end date of the Plan period, the Vision for the Plan, completions data, past housing delivery in the Borough, the over reliance on SHLAA sites and large sites proposed to be allocated, the failure of the Plan to release sufficient Green Belt land to meet housing needs and the failure of the Plan to safeguard land beyond the end of the Plan period to meet future needs. Additionally, objections were made in respect of Policy OS4 Pool Lane, Lymm and the suitability of that site for housing compared to an alternative site in the control of SLG.
- 1.19 In respect of the foregoing SLG is promoting a site (currently designated as Green Belt) at Reddish Crescent, Lymm for circa 60 new homes (affordable and open market). The merits of the site are set out in our duly made objections and are explored further in our Hearing Statement in respect of Matter 7d relating to Policy OS4 and the proposed residential allocation at Pool Lane, Lymm.
- 1.19 Having regard to SLG’s position we have only addressed those questions posed by the Inspectors that are directly relevant to SLG’s interests and their duly made objections.

2. QUESTIONS BY THE INSPECTORS & RESPONSES ON BEHALF OF SLG

2.1 Having regard to SLG's duly made objections we offer the following comments on the questions posed by the Inspectors. However, at the outset it is worth stating that the Council has not, to date, produced a Housing Topic Paper as part of the Examination process up-dating evidence to the start of the current monitoring year, i.e. to 1 April 2022. If such information does materialise in the Council's Hearing Statements, or elsewhere, for Matter 8 this will be the first opportunity that participants will have had to review the information and it may necessitate further oral submissions at the Hearing session.

Q1. WHAT IS THE UP TO DATE SITUATION REGARDING ACTUAL HOUSING COMPLETIONS SO FAR IN THE PLAN PERIOD I.E. 2021/22?

2.2 As noted above the Council does not appear to have published completions data for the period 1 April 2021 to 31 March 2022. Given that we are (at the time of writing) 4 months beyond the end of the last monitoring year net completions data should now be available to the Council and should be made available to the Examination to consider.

2.3 In respect of the foregoing it is noted that the government's live tables on house building note in Live Table 253a (permanent dwellings started and completed by tenure and district (quarterly))¹ that in the 2021/2022 monitoring year 710 new dwellings were completed and 550 new dwellings were started.

2.4 Whilst the figures in Live Table 253a may be subject to further revision it is worthy of note, at this time, that they are **618 less** than Council claimed would be delivered in 2021/2022 (1,328 net new dwellings) as set out in its housing trajectory that appears at Appendix 1 to the Updated Submission Version Local Plan 2021 – 2038 (Document SP1).

2.5 The 710 figure is much closer to the annual average completion rate for the Borough for the period 1 April 2006 – 31 March 2020 (see Paragraphs 5.5 – 5.12 of our duly made objections for further commentary on this matter). The above analysis clearly supports the concerns set out in our duly made objections (again Paragraphs 5.5 – 5.12 are relevant) that the housing strategy and trajectory is unsound and will not provide a strategy, which, as a minimum meets the area's local housing needs.

¹ See: <https://www.gov.uk/government/statistical-data-sets/live-tables-on-house-building>

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Q2. FOR EACH OF THE FOLLOWING SOURCES OF HOUSING LAND SUPPLY FOR THE WHOLE PLAN PERIOD IN TURN, WHAT ARE THE ASSUMPTIONS ABOUT THE OVERALL SCALE, LEAD IN TIMES, TIMING AND ANNUAL RATES OF DELIVERY? WHAT IS THE BASIS FOR THESE ASSUMPTIONS AND ARE THEY REALISTIC AND JUSTIFIED?

- A) SHLAA SITES UNDER CONSTRUCTION**

- B) SHLAA SITES WITH PLANNING PERMISSION BUT NOT STARTED (SPLIT BY OUTLINE AND FULL)**

- C) SHLAA SITES WITHOUT PLANNING PERMISSION**

- D) SMALL SITE ALLOWANCE (WINDFALLS)**

- E) EACH OF THE MAIN DEVELOPMENT AREAS INVOLVING HOUSING**

- F) EACH OF THE SITE ALLOCATIONS IN OUTLYING SETTLEMENTS**

SHLAA SITES

- 2.6 Paragraphs 5.16 – 5.43 of our duly made objections set out various points in relation to SHLAA sites. Those submissions were made in respect of the 2020 SHLAA which was the evidence base document relied upon the Council at the time the Warrington Updated Proposed Submission Version Local Plan (UPSVLP) 2021–2038(Document SP01) was subject to consultation. The Council has now updated the SHLAA to a 1 April 2021 base date (see Evidence Library Documents H4 and H4a) and this is the first opportunity we have had to comment on its contents.
- 2.7 In the first instance it is noted that the 2021 SHLAA is subject to the same disclaimer as the previous version, making clear that the inclusion of a site in the SHLAA does not mean the council consider it suitable for housing:

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Disclaimer

The Strategic Housing Land Availability Assessment provides evidence, alongside other studies, to inform the allocation of land through the Local Plan. It assesses whether sites are suitable for housing, provided they are not required for other purposes, in order to meet plan targets. It identifies constraints to development and considers how they might be overcome.

The inclusion of a particular site in the assessment should not, therefore, be taken as an indication that it will be allocated or granted planning permission for housing or any other form of development.

Figure 3.1 – Page 5 Document H4 Extract.

- 2.8 Both the 2020 and 2021 versions of the SHLAA contain a Table 3.7 which summarises sources of supply over a 15 year period, for ease of reference and comparison both tables are reproduced below:

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Period	Composition of sites	Number of dwellings
Deliverable 0-5 years	Large sites – with planning permission	2656
	Large sites – without planning permission	463
	Small sites - allowance (81 x 5)	405
	Sub total	3524
Developable 6-10 years	Large sites – with planning permission	1248
	Large sites - without planning permission	2481
	Small sites - allowance (81 x 5)	405
	Sub total	4134
Developable 11-15 years	Large sites – with planning permission	782
	Large sites - without planning permission	1585
	Small sites - allowance (81 x 5)	405
	Sub total	2772
Total		10,430

Table 3.7: Deliverable and developable housing land supply over the next 15 years

Figure 3.2 – SHLAA 2020 Extract.

Housing Land Supply		
Period	Composition of sites	Number of dwellings
Deliverable 0-5 years	Large sites – with planning permission	2692
	Large sites – without planning permission	715
	Small sites - allowance (90 x 5)	450
	Sub total	3857
Developable 6-10 years	Large sites – with planning permission	609
	Large sites - without planning permission	3625
	Small sites - allowance (90 x 5)	450
	Sub total	4684
Developable 11-15 years	Large sites – with planning permission	67
	Large sites - without planning permission	1907
	Small sites - allowance (90 x 5)	450
	Sub total	2424
Total		10,965

Table 3.7: Deliverable and developable housing land supply over the next 15 years

Figure 3.3 – SHLAA 2021 Extract.

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- 2.9 Building on our previous submissions the following points are noteworthy in respect of the 2021 SHLAA:
- 2.10 Large sites with planning permission in the 2020 SHLAA were 4,686 dwellings, this has now reduced to 3,368 dwellings (2,692+609+67). However as noted above some of these 3,368 dwellings will have been completed in the 2021/2022 monitoring year and it is also quite possible that some SHLAA sites noted as being without planning permission in Table 3.7 may have moved into the consented category. It is not possible to tell from the information provided. The problem is that the Council's information is simply out of date for this Examination. Given that we are now past a further monitoring year (i.e. 2021/2022) it is unclear why the Council has not up-dated the SHLAA to a base date of 1 April 2022. In our view this would assist the Examination in understanding what elements of the SHLAA supply were actually built out in the 2021/2022 monitoring year and what residual supply from SHLAA sites might be expected going forwards.
- 2.11 Notwithstanding those shortcomings, as per our previous submissions the figure of 3,368 dwellings assumes every site delivers as expected with no slippage. For the reasons previously stated that is not considered credible.
- 2.12 It is also noted that the 2021 SHLAA contains the same assumptions in respect of net developable area ratios, lead-in times and build rate assumptions as the 2020 SHLAA.
- 2.13 We commented on the intentions of landowners in respect of SHLAA sites at Paragraphs 5.28 to 5.31 of our duly made objections and gave site specific examples of where sites had been included but have no reasonable prospect of being available and developed at the point envisaged. Having regard to the 2021 SHLAA the following is now worthy of note in respect of some of the examples we previously referred to:
- Causeway Park, Central Avenue, Warrington, WA4 6QS (Page 77 of the Appendices to the 2021 SHLAA refers) –60 dwellings were said by the Council to be developable between 2025 and 2030 in the 2020 SHLAA and yet the site was said to be in existing employment use, includes areas of Flood Zone 2, has contaminated land issues and multiple lease holdings. The land was also said not to being promoted by the owner in the 2020 SHLAA. The Council now claim 94 dwellings will be delivered on the site (notwithstanding the points noted at Paragraph 2.12 above) despite all of the site specific issues outlined in the 2020 SHLAA appearing again in the 2021 version.

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- Furnish with Flair, Wilderspool Causeway, Warrington, WA4 6QP (Site reference 1719 as shown on Page 76 of the Appendices to the 2020 SHLAA) – 40 dwellings were said by the Council to be developable between 2025 and 2030 and yet the site was said to be in existing retail/commercial use, includes areas of Flood Zone 2 and is being promoted by neither the owner nor developer. This site has been removed in the 2021 SHLAA.
- Land enclosed by Hopwood Street, School Brow and Crossley Street, Warrington, WA1 2TA (Site reference 2481 as shown on Page 66 of the Appendices to the 2021 SHLAA) – 109 dwellings said by the Council to be developable between 2026 and 2031 and yet the site is said to be an existing retail park which is neither being promoted by the owner or developer. Again, there is no change in circumstances since the 2020 SHLAA.
- Pinners Brow Retail Park, Pinners Brow, Warrington, WA2 7XA (Site reference 2471 as shown on Page 123 of the Appendices to the 2020 SHLAA) – 193 dwellings were said by the Council to be developable between 2030 and 2035 and yet the site was in active use and it was neither being promoted by the owner nor any developer. This retail park is still in active use and has been removed in the 2021 SHLAA in its entirety which begs the question why Site reference 2481 has also not been removed in the 2021 SHLAA as the same circumstances apply to that site.

2.14 In light of the foregoing, significant concern is raised that multiple SHLAA sites are not developable in line with the definition set out in the Glossary to the Framework. The housing supply is therefore materially over-stated as a result.

SMALL SITE ALLOWANCE

2.15 Paragraphs 5.37 to 5.43 of our duly made objections contain our previous submissions in relation to the small sites allowance. Points previously made in respect of gross rather than net additions still apply and the approach of the Council is considered inappropriate for the reasons previously stated.

2.16 Secondly it is noted that the Council have increased the small sites rate to 90 dwellings per annum over the Plan period (previously 81 dwellings per annum in the 2020 SHLAA). This is achieved by rolling forward the 10 year historical assessment period and taking the annual average rate over that period. If it is accepted that housing data should be rolled forward to the

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1 April 2022 monitoring year it would be necessary to capture completions for 2021/2022 and factor these into the assessment of the previous ten year average.

- 2.17 As noted in our duly made objections Paragraph 71 of the Framework comprises a two-part test when looking at windfalls and as stated previously the Council has not considered future trends contrary to national planning policy.

MAIN DEVELOPMENT AREAS

- 2.18 There does not appear to have been any further evidence produced to substantiate the lead-in times and delivery rates of the proposed allocations in the Main Development Areas. At this time we rely on the submissions in our duly made objections (see Chapter 3 and Chapter 5, Paragraphs 5.44 – 5.85). We will review any Hearing Statements produced by the Council and may wish to make further oral submissions at the Hearing.

Q3. WOULD THERE BE AN ADEQUATE SUPPLY OF HOUSING LAND FOR THE WHOLE PLAN PERIOD?

- 2.19 Put simply: no. The Local Plan is not genuinely Plan-led; if it was significantly more sites would be allocated for housing development. That is because the Warrington Updated Proposed Submission Version Local Plan (UPSVLP) 2021–2038 (SP01) relies upon 7,109 dwellings from large SHLAA sites as shown in the housing trajectory. The latest data available in the SHLAA 2021 shows that on 1 April 2021, 3,368 dwellings from large SHLAA sites had planning permission. This suggests at the 1 April 2021 base date of the Plan that 3,741 dwellings relied upon in the housing trajectory from SHLAA large sites did not have planning permission on 1 April 2021 (7,109 – 3,368 = 3,741). To that end we contend that the Local Plan over relies on large SHLAA sites by at least 3,741 dwellings - potentially more when slippage and non-implementation of planning permissions are accounted for.

Q4. OVERALL, WOULD AT LEAST 10% OF THE HOUSING REQUIREMENT/TARGET BE MET ON SITES NO LARGER THAN ONE HECTARE (IN LIGHT OF PARAGRAPH 69 OF THE NPPF)?

- 2.20 It should be noted that Paragraph 69 of the Framework has the following pre-amble before going on to consider four criteria including the requirement under criterion (a) for 10% of the housing requirement to be accommodated on sites of no greater than 1 hectare:

“Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:”

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2.21 As noted in our duly made objections the SLG-controlled land at Reddish Crescent, Lymm is a medium sized site that has capacity for around 60 dwellings and could comfortably be delivered in full within the next 5 years subject to its allocation in the Local Plan. Sites such as that controlled by SLG can make an important contribution in accelerating housing delivery in an area as they appeal to a broad spectrum of house builders and are not burdened by the substantial infrastructure requirements that strategic allocations have to accommodate.

Q5. IN TERMS OF A FIVE YEAR SUPPLY AND PARAGRAPH 74 OF THE NPPF, IS A 20% BUFFER APPROPRIATE?

2.22 Detailed points about the buffer are contained in Paragraphs 5.10 – 5.12 of our duly made objections. In our view a 20% buffer remains justified here on the basis of the 2021 Housing Delivery Test Results which noted performance of 72% against requirement (including the Covid adjustment to 8 months requirement for the 2020/2021 monitoring year) and that the presumption in favour of sustainable development applies to decision taking.

Q6. TAKING 2022/23 AS THE BASE YEAR, WHAT WOULD BE THE FIVE YEAR REQUIREMENT (ASSUMING THE STEPPED ANNUAL REQUIREMENT AND ADDING ANY SHORTFALL OR SUBTRACTING ANY SURPLUS IN DELIVERY SINCE 2021 BEFORE APPLYING A BUFFER)?

2.23 We will await the Council's response on this matter and may wish to comment further at the Hearing.

Q7. WHAT WOULD BE THE SUPPLY FOR THIS PERIOD (IN TOTAL AND BY EACH SOURCE OF SUPPLY)?

2.24 We will await the Council's response on this matter and may wish to comment further at the Hearing.

Q8. ARE THE ASSUMPTIONS ON THE SOURCES OF SUPPLY FOR THIS PERIOD REALISTIC AND JUSTIFIED?

2.25 We will await the Council's response on this matter and may wish to comment further at the Hearing.

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Q9. WOULD THERE BE A FIVE YEAR SUPPLY OF HOUSING LAND (FROM 1ST APRIL 2022)?

- 2.26 We will await the Council's response on this matter and may wish to comment further at the Hearing.