



Warrington Local Plan Examination in Public: Hearing Statement

Matter 8: Housing Land Supply

On behalf of Richborough Estates Limited.

In relation to land at Cherry Lane Farm, Lymm

Participant ID: 0430

August 2022

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Version 2

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1 INTRODUCTION

1.1 Asteer Planning LLP has been instructed by Richborough Estates Limited (“Richborough”) to prepare this Hearing Statement in relation to the Updated Proposed Submission Version Local Plan (“SVLP”) and the Matters, Issues and Questions (“MIQs”) posed by the Inspectors.

1.2 Richborough controls the site at Cherry Lane Farm in Lymm (Site Number: 0430¹) which has been promoted through the Local Plan process since 2017. The site is wholly deliverable (being suitable, available and achievable) for residential development and could deliver significant public benefits, as demonstrated robustly by the evidence presented in duly made representations in June 2019 and in November 2021 (Rep ID number: 0430/07).

1.3 In relation to Matter 8, the Inspectors have raised the following issue:

“Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the approach to housing land supply.”

1.4 This Statement responds directly to the Inspectors’ MIQs; however, it should be read in parallel with previous representations. Separate statements have been prepared in respect of the following matters and should be read in conjunction with this statement:

- Matter 3 (Spatial Strategy)
- Matter 4 (Housing Need);
- Matter 6a (Warrington Waterfront);
- Matter 6c (Fiddlers Ferry);
- Matter 7d (Lymm Allocations);
- Matter 9 (Other Housing Policies); and
- Matter 14 (Monitoring and Review).

1.5 It is our view that, for the reasons set out in this statement, that the Fiddlers Ferry Main Development Area allocation (Policy MD3) and Warrington Waterfront Main Development

¹ Omission Site Ref 22 (SHLAA Ref: 2705, Site Refs: R18/051, R18/101 and R18/P2/024)

Area (Policy MD1) have inherent delivery challenges that will impact on lead-in times and the assumed rates of delivery in the Council's housing trajectory. In summary, this statement demonstrates that:

Fiddlers Ferry (MD3)

1. Fiddlers Ferry has significant constraints that are not yet fully understood and, as such, it is unclear what development can realistically be delivered and in what timeframes.
2. The assumed lead-in times for Fiddlers Ferry are unrealistic in the context of the above and the Council's own evidence. A start on site in 2026 is unrealistic - in an absolute best-case scenario, we do not consider that it would be possible to start on site before 2031.

Warrington Waterfront (MD1)

3. The Warrington Waterfront site is reliant on the Warrington Western Link ("WWL") being funded and delivered. The timescales for the delivery of Warrington Waterfront in the SVLP are not realistic, with a lack of clarity or certainty on how the WWL will be funded or delivered.
4. Until definitive confirmation can be provided that the WWL has secured funding and is deliverable based on a realistic programme, the delivery of 1,070 dwellings anticipated to come forward in the Waterfront Area is uncertain. We consider an eight to ten year lead-in time to deliver infrastructure on this scale to be credible and therefore lead-in times to Warrington Waterfront delivering homes in 2027/2028 is not realistic.

1.6 If the Inspectors consider that Main Modifications are required, the Council should consider:

- a) Providing a realistic trajectory for the development of the above sites, which could result in a proportion of the assumed supply on these sites being pushed beyond the Plan Period; and
- b) Allocating additional sites in sustainable outlying settlements, such as Lymm, to provide flexibility in the plan and support a more balanced spatial strategy that is able to meet the needs of the Borough during the Plan Period, particularly in the first 5 years.

1.7 Cherry Lane Farm has been demonstrated to be deliverable and could make a significant positive contribution towards meeting both affordable housing and overall housing needs early in the Plan Period. It is Richborough's view that if additional sites are required to

provide flexibility and ensure a robust pipeline of delivery during the Plan Period, then Cherry Lane Farm should be either allocated or safeguarded for residential development.

2 HOUSING LAND SUPPLY

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

Response to Question 2 (e): Main Development Areas

2.1 The Inspectors should refer to our response to Matters 3, 6a and 6c in relation to the assumptions on the scale of development, capacity, deliverability and rates of delivery for sites within the urban area (Matter 3), Warrington Waterfront (Matter 6a) and Fiddlers Ferry (Matter 6c). Our comments on the Fiddlers Ferry and Warrington Waterfront Main Development Areas – in relation to scale, lead in times, annual rates of delivery - are set out as follows:

a) Fiddlers Ferry

Scale

2.2 With regards to the scale of development at Fiddlers Ferry, we consider that the site constraints are not yet fully understood and therefore the quantum and density of development are uncertain. The site has significant delivery constraints which require resolution (ecology, land contamination, highways infrastructure, flood risk, geo-environmental conditions, heritage and utilities). In combination, these constraints are a significant hurdle to deliverability, in terms of both viability and timescales. Without fully understanding the detailed constraints and their costs, it is unclear what development can realistically be delivered and in what timeframes.

Lead in Times

2.3 The programme for Fiddlers Ferry suggests the submission of an outline planning application in 2023, followed by reserved matters applications in 2024/25; and the site starting to deliver units by 2025/2026.

- 2.4 The lead-in times assumed are considered to be unrealistic given the requirement to understand the site constraints and funding/infrastructure requirements, and the need to develop a comprehensive Development Framework to guide the future development of the site.
- 2.5 Whilst an EIA Screening request has been submitted for the demolition of the power plant in January 2021, no formal application has been lodged. Firstly, the key challenge will be accurately modelling the highways impacts of the development, and given the scale of the site, agreeing the effects with all relevant consultation bodies, which is compounded by the cross-boundary effects on the local highways network. As a minimum, agreement of the findings would be needed with National Highways, WBC, Halton Borough Council and potentially Knowsley Borough Council and Liverpool City Council.
- 2.6 Secondly, developing the geo-environmental strategy will be a significant undertaking. This will require a considerable amount of surveying, modelling and assessment to ensure a robust remediation strategy is achieved that will protect new and existing receptors.
- 2.7 Thirdly, a comprehensive Development Framework will need to be agreed with the Council, which takes into account the detailed site constraints. The Development Framework should be a formal document which is submitted for approval to the Council to ensure development is delivered in line with this. The Development Framework will need to be agreed with the Council in advance of planning applications being submitted. The Development Framework will need to include (a) a comprehensive spatial masterplan for the entire development, (b) a comprehensive infrastructure delivery strategy for the development and (c) an allocation wide approach to infrastructure funding. In our experience, there is a 2 year time lag for the preparation of such complex documents which means it could be 2025 (at the earliest) before a Development Framework is agreed (based on an adoption of the Local Plan in 2023).
- 2.8 Fourthly and finally, the Council's SHLAA 2021 (Table 2.2) states that for sites providing over 150 dwellings and without planning permission, it would take at least three years of lead-in time before the first completions on site following the grant of planning permission. It is therefore unclear – based on the Council's own evidence – how housing at Fiddlers Ferry will be delivering units in 2025/2026.
- 2.9 In reality, in an absolute best case scenario, we consider the following lead-in times could be achieved:
- Local Plan adoption – 2023.

- Understanding of constraints and approval of Development Framework – late 2025.
- Preparation and submission of planning application – late 2026
- Determination of application – 2028
- First completion following grant of planning permission (3 year lead in based on the SHLAA) - 2031

2.10 This trajectory is based on a best case scenario; however, with a site of this level of complexity and uncertainty, our opinion is that delivery will inevitably take longer as issues arise and need to be addressed.

Rates of Delivery

2.11 As set out above, the site has significant challenges to overcome before the site can begin to deliver new homes. Whilst Richborough has no comment on the assumed rates of delivery, a delay in the lead-in time to development (to 2031) could push a total of 715 units beyond the Plan Period, based on the Council's assumed trajectory at Appendix 1 of the SVLP.

b) Warrington Waterfront

Scale

2.12 The infrastructure required to accommodate the development is set out within draft Policy MD1 and the Infrastructure Delivery Plan ("IDP") (IN1), which identify significant infrastructure and mitigation works that are required to deliver the Warrington Waterfront site, including:

- A two form entry primary school;
- A mixed use local centre providing a health facility and 'community facilities';
- The provision of public open space;
- The provision of playing pitches;
- A comprehensive package of transport improvements, including supported bus services;
- Contributions towards additional secondary school places;
- Contributions towards built leisure facilities;

- Contribution towards strategic transport infrastructure (The Western Link);
- Ecological mitigation and enhancement; and,
- Flood mitigation and drainage including exemplary multi-functional sustainable drainage systems (SuDS).

2.13 There are significant costs associated with infrastructure delivery and affordable housing. As such, there is no clarity or certainty about how the extensive list of infrastructure required to bring forward Warrington Waterfront will be delivered, or how it will impact on development capacity.

2.14 The preparation of a Development Framework is essential to establish the site constraints early on in the design process and to understand the capacity of the site. A Development Framework would need to build upon the requirements set out in Policy MD1 and set the foundations to underpin a realistic assessment of capacity at the planning application stage.

Lead in Times

2.15 Notwithstanding the above suite of infrastructure requirements, the Warrington Western Link (“WWL”) is fundamental to the delivery of the entire site – no units can realistically be delivered until the WWL is in place.

2.16 The programme for Warrington Waterfront suggests that the WWL road needs to be in place and operational by 2026, with the first units delivered in 2027/28. The lead-in times assumed are considered to be unrealistic given the requirement to secure funding and deliver the WLL; notwithstanding the need to demonstrate that the site can viably deliver other required infrastructure.

2.17 The Outline Business Case (“OBC”) for the Western Link Road states that the cost of the scheme will be £227.19m, with a funding gap of £70.21 million. The Council is intending to borrow to finance the scheme and then repay through the ‘ringfencing’ of New Homes Bonus, Community Infrastructure Levy (“CIL”) monies and National Non-Domestic Rates from developments within the Waterfront Area. More recently, the Council’s Local Economy Policy Committee, in meeting minutes from 24th January 2022,² suggest that the cost of the scheme could increase to £286m due to a 30% uplift in relation to build costs,

² Supporting the Local Economy Policy Committee, 14th January 2022 – Committee Papers. Pg 8
<https://cmis.warrington.gov.uk/cm5/MeetingsCalendar/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/8512/Committee/1291/Default.aspx>

and suggest that further DfT support may be required. This would increase the funding gap to some £120m.

- 2.18 There is a lack of clarity on how this funding will be secured, including whether further Government funding could be secured or the timescales for any funding bid. There is, therefore, no certainty that the WWL will be able to demonstrate it can secure funding within a reasonable timeframe.
- 2.19 Notwithstanding the question mark over the funding of the scheme, it does not currently have planning permission or a full business case that has been endorsed by Government. In our experience, planning applications for large scale infrastructure such as this are complex and can take a number of years to be approved and put in place. For example, the Congleton Link Road ("CLR") was submitted for planning in October 2015. However, the surveys, design and consultation process likely ran for the preceding two to three years. Following the grant of planning permission in July 2016, the CLR did not open until five years later in March 2021.
- 2.20 In reality, there is an eight to ten year lead-in time to deliver infrastructure on this scale. Whilst initial design feasibility has been undertaken and route analysis of the WWL, a significant amount of additional assessment work, design analysis and public consultation is still required. It is likely that the road will not be built and operational until the early 2030's in a best case scenario (subject to funding being secured).

Rates of Delivery

- 2.21 As set out above, the WWL and other infrastructure must be delivered before the site can begin to provide new homes. Whilst Richborough has no comment on the assumed rates of delivery, a delay in the lead-in time to development provides uncertainty in the Council's assumed housing land supply and could push part of the Warrington Waterfront scheme beyond the proposed Plan Period.

Summary

- 2.22 If Main Modifications are required to address any shortfall in delivery in relation to the Council's Main Development Areas and/or urban sites, then additional sites in sustainable outlying settlements, such as Lymm, should be allocated to support a more balanced spatial strategy and provide a flexible housing land supply that is able to meet the needs of the Borough during the Plan Period, particularly in the first 5 years.

2.23 If the Inspectors consider Main Modifications are required to increase supply early in the Plan Period, the site at Cherry Lane Farm (which is wholly deliverable) should be considered for allocation or safeguarding for residential development.