

EiP Statement

Warrington Updated Proposed Submission

Version Local Plan 2021-2038

Home Builders Consortium

Representor ID UPSVLP 0410

Our ref 64052/01/RCA/MKR

Date 4th August 2022

Subject Matter 8 – Housing Land Supply

1.0 Introduction

- 1.1 Lichfields is instructed by a Consortium of leading developers and housebuilders, namely Ashall Property, Barratt Developments (Barratt Homes and David Wilson Homes), Metacre Ltd, Satnam Developments and Story Homes [the Consortium], to make representations on its behalf to the Warrington Updated Proposed Submission Local Plan 2021 to 2038 (September 2021) [WUPSVLP].
- 1.2 This Written Statement has been prepared in response to the Matters, Issues and Questions raised by the Inspector for the Matter 8 Examination in Public [EiP] hearing session on Housing Land Supply.
- 1.3 Separate representations have been submitted on behalf of the Consortium in respect of Matters 3, 4, 6a, 6c and 9.
- 1.4 This Statement should be read in conjunction with the Consortium’s response to these other Matters, as well as its previous submissions on the WUPSVLP (Representator ID UPSVLP 0410). Members of the Consortium have also prepared separate Written Statements to the Matters that are of interest to them individually, but not collectively to the Consortium.
- 1.5 The ultimate objective of the Consortium is to see the adoption of a sound and aspirational development plan for Warrington, which provides suitable land in sustainable locations to ensure that sufficient housing land is available to meet all types of future housing needs throughout the plan period. The Consortium are of the opinion that the soundness issues can be addressed through main modifications amendments to the policies and the introduction of additional sustainable Green Belt allocations to meet housing need.
- 1.6 In light of the Inspector’s specific issues and questions, this Statement expands upon the Consortium’s previous representations made throughout the WUPSVLP preparation process. Where relevant, the comments made are assessed against the tests of soundness

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

2.0 Questions

Q1: What is the up-to-date situation regarding actual housing completions so far in the plan period i.e. 2021/22?

2.1 This is a question for the Council to respond to.

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?

2.2 The Consortium submitted a Housing Land Supply Technical Note¹ to the WUPSVLP consultation in November 2021. Our response to each part of Question 2 below should be read in the context of the Consortium's assessment of supply in the Technical Note.

2.3 In the Technical Note, we undertook an analysis of the 44 sites in the Council's 2020 Strategic Housing Land Availability Assessment [SHLAA] that had a site capacity in excess of 50 dwellings. This sample made up 43% (7,152 dwellings) of the Council's overall supply. Our analysis concluded that 20 of the 44 sites were either undevelopable or had unrealistic delivery trajectories. Based on the conclusions of our assessment, the Consortium is of the opinion that the developable supply over the plan should be reduced by at least 1,610 dwellings. This represents a reduction of 23% of the assessed supply of 2020 SHLAA sites (of 50+ dwellings) alone over the plan period.

2.4 Since the WUPSVLP consultation closed, the Council has published an updated 2021 SHLAA. The Consortium has not updated its assessment to reflect the updated 2021 SHLAA. However, we note that all of the sites that we assessed in the 2020 SHLAA have been carried forward to the 2021 version. Therefore, our conclusions remain the same and we consider that the overall scale of housing land supply claimed in the Council's 2021 SHLAA is unjustified.

A) SHLAA sites under construction

2.5 The Council's build rate assumptions are adopted from analysis of average build rates per year between 2003/04 and 2020/21². These assumptions broadly align with Lichfields Start to Finish research³. However, the Council has not applied these assumptions consistently to all sites, as set out in the 2021 SHLAA (§2.58). Where available, the Council states that it has favoured using information on build rates provided directly by landowners/developers. In some instances, we consider that these are likely to be overly ambitious and result in an overstatement of the Council's supply in the early years of the

¹ Housing Land Supply Technical Note – Home Builders Consortium (November 2021)

² Warrington SHLAA (2021) – Appendix 6

³ Start to Finish – Lichfields (February 2020)

plan period. Examples of this include Grappenhall Heys (SHLAA ref. 1646) and Land at Winwick Street (SHLAA ref. 1401).

B) SHLAA sites with planning permission but not started (split by outline and full)

- 2.6 The Council has assumed a lead-in time of 1.5 years for all sites with planning permission. The Council came to this conclusion through a sample analysis of individual applications from major and local developers⁴.
- 2.7 However, the sample used by the Council for its analysis includes 14 ‘small sites’ (less than 0.25ha in size). We consider that this sample is flawed because the Council discounts small sites from the 2021 SHLAA assessment process at the initial stage. Therefore, it is inappropriate to analyse a sample which includes small sites. The shorter lead-in time of the small sites in this sample brings down the average planning-to-delivery period for the sample.
- 2.8 It would be more appropriate to use Lichfields Start to Finish research analysis that concludes there is an average two-year period from planning approval to first delivery of dwellings⁵ for sites up to 500 dwellings.

C) SHLAA sites without planning permission

- 2.9 The Council’s lead in times for sites without planning permission are wholly unrealistic.
- 2.10 No planning application has been submitted on several of the SHLAA sites without planning permission and it is not possible to accurately assess how long it will take for planning applications to come forward on all of these sites (e.g., SHLAA refs: 2673a, 2672c and 2676b). The Council’s assessment of lead in times at Appendix 5 of the 2021 SHLAA only assesses the timeframes from planning submission to first completion.
- 2.11 Furthermore, the Consortium is of the opinion that the lead-in times for sites without planning permission are overly ambitious, especially for sites up to 150 dwellings. Lichfields Start to Finish research concludes that sites up to 99 dwellings take 3.3 years on average from validation of first application to completion of first dwelling. For sites with a capacity of between 100-499 dwellings, this increases to 4.0 years. In contrast, the Council claims that lead-in times for sites without planning permission is 2.5 years (for sites up to 150 dwellings) and 4 years (for sites over 150 dwellings)⁶.
- 2.12 As set out in §2.5 above, the build rates of some SHLAA sites are based on developer assessment and not the Council’s build rate analysis⁷. In some instances, the unrealistic lead in and build rate assumptions are likely to result in an overstatement of supply in the earlier years of the plan period (e.g., SHLAA refs 1646 & 1401).

⁴ Warrington SHLAA (2021) – Appendix 5

⁵ Start to Finish – Lichfields (February 2020)

⁶ Warrington SHLAA (2021) – Appendix 5

⁷ Warrington SHLAA (2021) – Appendix 5

D) Small site allowance (windfalls)

- 2.13 The Council includes an allowance for windfall sites or a ‘small sites’ allowance (sites under 0.25ha) of 81 dpa for the full plan period, which equates to an overall supply of 1,458 dwellings (WUPSVLP – Appendix 1).
- 2.14 The Council’s 2021 SHLAA (§2.63-2.64) states that the delivery of small sites within the housing land supply is based on historic completion information. The basis for the Council’s 81 dpa small sites allowance is the average over the ten-year period 2010-2020 (from the previous 2020 SHLAA). Historic completion rates for sites below the threshold of 0.25 ha are set out in Table 2.4 of the 2021 SHLAA (Figure 1). It is unclear whether the Council will seek to increase its small sites allowance from 81 dpa to 90 dpa to accord with updated 2021 SHLAA.

Figure 1 Summary of annual average small site completions

Year	Total number of gross completions	Completions on Small Sites (below 0.25ha)	Completions on Small sites as a % of total completions	Completions on Large Windfall Sites (0.25Ha and above) not previously in SHLAA
2007/2008	1565	207	13.2%	1
2008/2009	633	89	14.1%	0
2009/2010	388	57	14.7%	0
2010/2011	527	42	8.0%	0
2011/2012	600	57	9.5%	3
2012/2013	647	57	8.8%	0
2013/2014	693	117	16.9%	2
2014/2015	687	62	9.0%	0
2015/2016	595	60	10.1%	0
2016/2017	521	117	22.5%	0
2017/2018	385	103	26.8%	7
2018/2019	503	86	17.1%	0
2019/2020	559	112	20.0%	3
2020/2021	592	132	22.3%	0
10 Yr Total	5782	903	15.6%	15
Small sites average completions (last 10 yrs)		90		

Source: Warrington SHLAA (2021)

- 2.15 As illustrated in Figure 1, a significant percentage of the overall supply within the Borough from 2011-2021 came forward on small sites. This is particularly evident for completions on small sites for the five period 2016-2021, which represented approximately 22% of the total completions for this period. This 5-year period of high levels of small sites delivery has clearly had a significant effect on the overall delivery rates for the period 2011-2021 (the proportion of completions on small sites over the five-year period between 2011 and 2016 was only 10.9%).
- 2.16 The Consortium considers that the recent level small site/windfall delivery has likely been inflated by the lack of an up-to-date Local Plan and the resultant absence of housing

allocations, which has necessitated higher delivery on small sites in order to boost supply (particularly for the period 2016-2021).

2.17 The Consortium considers that the Council's current inclusion of 81 dpa (or 90 dpa should the Council seek to uplift it to align with the 2021 SHLAA) is not appropriate because historic windfall delivery rates have been pushed higher than would normally be expected or considered appropriate due to a lack of housing allocations. We consider that once Warrington adopts a new Local Plan, the proportion of completions on small sites will reduce.

2.18 Furthermore, the Council's small site allowance should be based on a net figure of completions rather than gross. The Council states that it has made no allowance for losses through demolition and conversions because the figures for each SHLAA are based on net yield. However, small sites are removed from the SHLAA assessment process at the initial stage and it appears from the table at Figure 1 that they are gross figures, rather than net.

E) Each of the Main Development Areas involving housing

2.19 The Consortium has submitted Written Statements on Warrington Waterfront (Matter 6a) and Fiddlers Ferry (Matter 6c). This response should be read alongside these two Written Statements.

Warrington Waterfront

2.20 The Council claims that the first dwellings are anticipated to be completed in 2027/2028 and the first phase of the new urban quarter will be completed by the end of the plan period. The Consortium considers that these timeframes are not realistic or achievable for Warrington Waterfront⁸. The WUPSVLP (§10.1.7) states that Warrington Waterfront cannot come forward until the funding and the programme for the delivery of the Western Link have been confirmed. The 2021 SHLAA also states that further site investigation are required prior to development because of the historical use of the site and underground pipelines. In combination, these factors are likely to create a significant lead-in time for development.

2.21 Therefore, including any supply from Warrington Waterfront in the first ten years of the plan period is not justified. Furthermore, the Council has failed to robustly demonstrate that that Warrington Waterfront can be viably developed within the plan period. If the Council is unable to provide this evidence, Warrington Waterfront must be removed as an allocation from the WUPSVLP and not included in the Council's supply.

Fiddlers Ferry

2.22 The Consortium has fundamental issues with the claimed delivery rates of Fiddlers Ferry. The overall delivery trajectory for the site across the plan period is overly ambitious and will not be achieved because the site is wholly unviable.

⁸ Home Builders Consortium (0410) – Matter 6a Written Statement (Warrington Waterfront)

- 2.23 Notwithstanding the Consortium’s conclusion that Fiddlers Ferry is unviable, from a planning perspective, units will not be completed before 2033/34 in accordance with the following timeline⁹:
- 1 Adoption of the Local Plan – 2023
 - 2 Commencement of Development Framework upon adoption of the Plan. Significant levels of technical input required for such a complex site and the best-case scenario for adoption would be end 2025
 - 3 Planning Application(s) to follow in 2026 in accordance with the Development Framework
 - 4 First completion 7 years post submission of the planning application. This accounts for extensive negotiation of the planning application including engagement with public consultees, signing of legal agreements, preparation and submission of reserved matters applications, discharging planning conditions, remediating the site, putting necessary infrastructure including access into the site before finally completing dwellings. – First completion expected 2033 (subject to viability)
- 2.24 We also note inconsistencies in the Council’s housing trajectory for Main Development Areas. The Council claims that Fiddlers Ferry will deliver 35 units in the first five years, despite no planning application being submitted. On a different allocation (Peel Hall – MD4) the Council includes no dwellings within the first five years of its trajectory, despite it having outline planning permission and significantly less constraints.
- F) Each of the site allocations in outlying settlements*
- 2.25 The Consortium did not assess the sites in outlying settlements as part of its analysis. However, the Consortium notes that greenfield sites adjacent to existing built up areas tend to have fewer development constraints than brownfields redevelopment sites.
- Q3: Would there be an adequate supply of housing land for the whole plan period?*
- 2.26 No. The Consortium’s Housing Land Supply Technical Note demonstrated that the Council must identify additional sites to accommodate at least 1,610 dwellings (to make up for the SHLAA sites supply that we assessed and did not consider to be developable). We did not assess the 2020 SHLAA sites with a capacity of less than 50 dwellings but based on our assessment of sites of 50+ dwellings, it is likely that some of these sites will not come forward as planned. Although we have not updated the Consortium’s assessment to reflect the updated 2021 SHLAA, we note that all of the sites that we assessed in the 2020 SHLAA have been carried forward to the 2021 version. Therefore, our conclusion that the Council must identify additional sites to accommodate at least 1,610 dwellings to ‘make up’ for SHLAA sites remains the same.
- 2.27 In addition to this, the Consortium’s Viability Consultant has concluded that Fiddlers Ferry is wholly unviable for residential development¹⁰. The Council must identify additional sites

⁹ Detailed justification for our trajectory is set out under Question 18 Home Builders Consortium (0410) – Matter 6c Written Statement (Fiddlers Ferry)

¹⁰ Viability Consultation Response to the Warrington Local Plan, Section 5.0 – Roger Hannah (November 2021)

with a capacity to make up for the 1,300 dwellings that will not come forward at Fiddlers Ferry as planned over the plan period. The Council must also provide evidence to demonstrate that Warrington Waterfront (and the Western Link Road) can be viably developed, or it too must be removed from the supply over the plan period.

2.28 Therefore, the Council must identify at least another 2,910 dwellings to ensure it has an adequate housing land supply for the plan period.

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)?

2.29 Yes. The Council's preferred spatial approach of maximising the capacity of the existing areas mean that at least 1,469 dwellings (10% of the WUPSVLP requirement) will be delivered on sites of less than 1 ha.

2.30 The Council's 2021 SHLAA¹¹ includes 2,193 dwellings from sites less than 1ha over the plan period. This does not include sites under 0.25ha, which the Council classes as small sites/windfalls and are not assessed in the 2021 SHLAA.

Q5: In terms of a five-year supply and paragraph 74 of the NPPF, is a 20% buffer appropriate?

2.31 Yes, the 20% buffer is consistent with national policy. Warrington has consistently underdelivered against its housing requirements and its most recent 2021 Housing Delivery Test [HDT] result was 72%.

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)?

2.32 The answer to this question is dependent on housing delivery over the 2021/22 period (Question 1). It is for the Council to provide this information, based on its monitoring of completions.

2.33 Nonetheless, the Consortium has fundamental issues with the stepped requirement. It is quite clear that Warrington's approach of backloading the housing land supply towards the end of the plan period and reducing the requirement in the first five years is aimed at ensuring it can demonstrate a 5YHLS upon adoption, to help defend appeal situations.

2.34 The Consortium considers that the Council should, as a minimum, apply an even approach across the plan period of the current LHN figure, including in the first 5 years. The stepped housing requirement has a diminishing effect on the 20% buffer and is contrary to the objectives of the NPPF [§74] to improve the prospect of delivering the planned supply in authorities where there has been significant under delivery in previous years. The Consortium would even advocate identifying additional land and increasing the housing requirement in the early years of the WUPSVLP to help meet the escalating affordability issues in the borough.

¹¹ Warrington SHLAA (2021) – Appendix 1

2.35 The updated affordability ratios were released by ONS on 23 March 2022, before the WUPSVLP was submitted for Examination. The current LHN figure for Warrington, based on these updated affordability ratios, is 828 dpa. The Practice Guidance¹² states that LHN calculated using the standard method may be relied upon for a period of 2 years from the time that a plan is submitted to the Planning Inspectorate for Examination. Therefore, based on Warrington's LHN requirement of 828 dpa with a 20% buffer, the five-year requirement for this period would be **4,968 dwellings**.

2.36 Based on the stepped requirement with a 20% buffer, the five-year requirement would be **4,298 dwellings**. This comprises four years (2022/23 – 2025/26) of the lowered stepped requirement (678 dpa) and one year (2026/27) of the increased stepped requirement of 870 dpa.

2.37 The stepped requirement means that nearly 700 households would be deprived of a home.

Q7: What would be the supply for this period (in total and by each source of supply)?

2.38 The Consortium's supply for the five-year period from 2022/23 (year 2) to 2026/27 (year 6) can be worked out from the Housing Trajectory at Appendix 1 of the WUPSVLP. In this trajectory, the Council claims it has a supply of 4,228 dwellings over this period. The Consortium is of the view that this supply is inflated by sites that are not deliverable in the context of the NPPF Annex 2 definition (see Question 8 response below).

Q8: Are the assumptions on the sources of supply for this period realistic and justified?

2.39 No, based on our analysis in the Consortium's Housing Land Supply Technical Note¹³ and Fiddlers Ferry Technical Note¹⁴, the following must be removed from the supply for this period:

- 1 105 dwellings from Fiddlers Ferry; and,
- 2 At least 223 dwellings from SHLAA sites.

2.40 Therefore, the best-case scenario for the supply for the five-year period 2022/23 – 2026/27 is 3,900 dwellings.

Q9: Would there be a five-year supply of housing land (from 1st April 2022)?

2.41 No, even when the stepped housing requirement is used for the five-year requirement calculation, the Council does not have a five-year supply of sites.

2.42 The exact 5YHLS figure is dependent on the shortfall of delivery in the 2021/22 monitoring period.

¹² Planning Practice Guidance – Reference ID: 2a-008-20190220

¹³ Housing Land Supply Technical Note – Home Builders Consortium (November 2021)

¹⁴ Fiddlers Ferry Technical Note – Home Builders Consortium (November 2021)