

**AVISON  
YOUNG**



**WARRINGTON**  
Borough Council

**Warrington Local Plan Examination  
Statement of Common Ground [SoCG]**

**between:**

**Warrington Borough Council**

**and:**

**Liberty Properties**

**August 2022**

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**Report title:** Thelwall Heys / MD5 - Statement of Common Ground

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**Status:** Draft

**Draft date:** 15 August 2022

**For and on behalf of Avison Young (UK) Limited**

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# 1. Introduction

- 1.1 The purpose of this SoCG is to set out the latest position that has been reached between Liberty Properties and Warrington Borough Council [the Council] to assist in the Examination of the Warrington Updated Proposed Submission Version Local Plan 2021-2038 (September 2021) [WUPSVLP] [SP1].
- 1.2 The content of this SoCG relates to Land at Thelwall Heys proposed for allocation in Policy MD5 – Thelwall Heys, as indicated on the proposed Policies Map. This SoCG covers the areas of agreement between the parties.

# 2. Site Allocation Information

- 2.1 The site extends to approximately 20.1 hectares and comprises a well-contained, undeveloped parcel of land adjoining the eastern edge of the settlement of Grappenhall and southern edge of Thelwall. The site is largely flat in topography and irregular in shape, comprising a series of fields used for arable crop production. The boundaries of the fields and the site are made up of hedgerows and hedgerow trees. Thelwall Heys is a Grade II listed property located within the centre of the site, however the property has not included within the Site boundary.
- 2.2 The site is situated in a highly sustainably location within close proximity to public transport options and local services and facilities. Safe and satisfactory vehicular access can be delivered off Cliff Lane. Highways studies have confirmed that the local highway network has the capacity to accommodate the level of residential development proposed by the draft Local Plan.
- 2.3 The site is allocated as follows in the draft Local Plan:

<b>Site name</b>	<b>Thelwall Heys</b>
Allocation reference number	MD5
Allocation Area	20.1ha
Type of Development	Housing
Proposed Development	Minimum of 300 homes

- 2.4 Liberty Properties has an agreement with the existing landowners to bring forward the site allocation for residential development. There are therefore no legal or ownership constraints to the delivery of housing on the site.

# 3. Evidence Base

- 3.1 Liberty Properties has undertaken a number of environmental and technical studies during the preparation of the Local Plan, which have informed their own masterplanning and delivery schedule. This material has, where of direct relevance to the Local Plan's site selection process, been shared with the Council. However, the Council has relied upon its own evidence base to inform its decisions.

# 4. Conclusions on the Green Belt

## Exceptional circumstances

- 4.1 The WUPSVLP (SP1) includes a demonstration of the exceptional circumstances for each area, including justifying the release of Green Belt land around the main urban area of Warrington, including at Thelwall Heys. This allocation site will contribute to increasing housing choice and provide affordable housing in a sustainable location. The greenfield and relatively unconstrained nature of the land will enable the site to be delivered in the early part of the Plan period meeting identified housing needs in the shorter term.

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4.2 This allocation also forms part of a wider spatial strategy that will ensure that sufficient land is provided to meet Warrington’s development needs, that housing affordability is addressed and new sustainable communities are created, in a manner that will support the delivery of strategic infrastructure that will also unlock major brownfield development sites.

4.3 Liberty Properties and the Council agree that exceptional circumstances exist to alter the borough’s green belt boundaries to remove this site from the green belt.

## **Five purposes of the Green Belt**

4.4 As evidenced within the Council’s Green Belt Assessment (Green Belt Assessment Collated Report – 2021) (GB4), the site makes a moderate contribution to two purposes, a weak contribution to two purposes and no contribution to one purpose. In line with the methodology, the assessment concludes that the site makes a weak overall contribution to the green belt. The Council’s Green Belt Site Selection – Implications for Green Belt Release - August 2021 Report (GB3) also concludes that the site currently makes a weak contribution to the Green Belt purposes.

4.5 Liberty Properties agrees with the conclusions of the Council’s Green Belt assessments.

## **5. The Scale of Development**

5.1 The parties agree that, based on the technical assessment work undertaken by Liberty Properties to date and on the clear understanding of the site constraints, the site can accommodate a “minimum” of 300 dwellings.

## **6. The Deliverability of Development**

6.1 The parties agree that the site is deliverable in the context of the NPPF – being available, suitable and achievable. The site is:

- **Available** – Liberty Properties has entered into an agreement with the landowner to promote the site for residential development. Liberty Properties has a proven track record of delivering high-quality housing developments on suitable and sustainable sites and can confirm that the site can be delivered for housing within the early phases of the Local Plan period.
- **Suitable** - the site is a sustainable and logical option for Green Belt release with strong physical and defensible boundaries formed by the Bridgewater Canal, Cliff Lane, All Saints Drive, and the Trans Pennine Trail. It is in a sustainable location immediately adjacent to the existing main urban area of Warrington. Liberty Properties has demonstrated in its representations and extensive technical work as contained within a series of technical notes provided to the Council that there are no significant constraints that would prevent residential development from coming forward on the site early in the Plan Period.
- **Achievable** – the development of the site is achievable early in the Plan Period. The housing trajectory set out in the following section demonstrates how the site will be able to fully deliver the housing development broadly in line with the Council’s housing trajectory at Appendix 1 of the UPSVLP (SP1). The Council’s Local Plan Viability Assessment has demonstrated that the site is viable, taking into account the infrastructure and policy requirements set out in the allocation policy.

## **7. The Housing Trajectory**

7.1 As set out in the previous sections, the parties agree that the site is available, suitable and achievable; and can deliver the amount of development proposed by draft policy MD5 of the UPSVLP (SP1), as a “minimum”.

- 7.2 The parties agree that the site can start to deliver units within the first 5 years of the Plan Period. The parties agree that the table below sets out reasonable assumptions for an indicative programme and the key milestones from this point forward through to the occupation of dwellings.

<b>Milestone</b>	<b>Timescale</b>
Appoint full consultant team to progress planning application	<b>Instructed</b>
Develop scheme, undertake further technical work and surveys, pre-app engagement, pre-app meeting, EIA screening etc.	<b>Autumn 2022</b>
Submit full application	<b>Spring/Summer 2023</b>
Determination/committee resolution	<b>Late Autumn 2023</b>
S106 Signed	<b>Late Autumn 2023</b>
Discharge Conditions	<b>Early 2024</b>
Material start on site, site preparation works/infrastructure etc.	<b>Early/Mid 2024</b>
First unit completions	<b>Late 2024 / 2025</b>
Annual rate of delivery thereafter	<b>55 dwellings per annum</b>

## 8. Areas the Council and Liberty Properties are in Agreement

- 8.1 The following site Policy MD5 Principles are of agreement between Liberty Properties and the Council:

- i) The site is available, deliverable and achievable within the plan period;
- ii) The site can achieve a minimum of 300 homes;
- iii) An average minimum density of 30dph can be achieved on the site;
- iv) A minimum of 30% affordable housing can be provided on site in line with Policy DEV2;
- v) The site can achieve the policy requirements minimum level of high-quality open space in accordance with Policy DC5;
- vi) A package of transport improvements as required to ensure appropriate access arrangements for the site, the provision of cycling and walking routes within the site, which connect into the wider footway network, and other necessary network improvements identified within an appropriate Transport Assessment;
- vii) Liberty Properties will work collaboratively with the Council to ensure a high-quality residential scheme is brought forward on the site;
- viii) The site makes an overall weak contribution to the five purposes of the Green Belt;
- ix) There are no technical or environmental constraints that will preclude the delivery of housing on this site;

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- x) There are no ownership constraints to the delivery of housing on this site in compliance with the emerging policy;
  - xi) The site represents a fully deliverable site, capable of being delivered in line with the Council's housing trajectory to help meet the borough's housing and affordable housing need;
  - xii) The Council's Local Plan Viability Assessment has demonstrated that the site is viable, taking into account the infrastructure and policy requirements set out in the allocation policy.

## 9. Modifications proposed by WBC

9.1 The Council has proposed selected modifications to Policy MD5 which are set out within Hearing Statement Matter 6e. The extent to which these are agreed is outlined below.

- i) **Compensatory Green Belt improvements** – Within Matter 6e, paragraph 12.1, WBC has proposed the following wording to be included within Part 15 of Policy MD5:

*A scheme of compensatory improvements to the environmental quality and accessibility of land remaining in the Green Belt will be required. **In the first instance, the improvements should be made in the immediate vicinity of the site and delivered by the developer. The Council will consider improvements in the wider area where it can be demonstrated that the improvements cannot be delivered in the immediate vicinity of the site or where this will provide greater benefits.** Financial contributions will **only** be considered where this would help to ensure that the benefits of compensatory improvements can be maximised by providing them in the most **a more** appropriate location.*

9.2 Liberty Properties have no objection to this modification.

- ii) **Holcroft Moss** – As result of concerns expressed by Natural England regarding the potential in combination impact of the Local Plan on Holcroft Moss within the Manchester Mosses Special Area of Conservation, the Council is currently working with Greater Manchester Combined Authority (GMCA) on potential mitigation measures for the moss. Therefore, within Matter 6e, paragraph 12.2, the Council is proposing a modification to the Plan, and specifically a modification to Policy MD5, which will require a project level Habitat Regulations Assessment (HRA) to be undertaken and, if required, provide a financial contribution towards appropriate mitigation measures. The mechanism for establishing any required contribution from individual developments and how this will be used to undertake the mitigation could then be set out in an SPD and therefore an addition to the supporting text will need to be made referring to this.

9.3 Liberty Properties note the WBC intention to implement this proposed change and reserve the right to comment further once the proposed modification wording is set out. The Council has made Liberty Properties aware that the cost of any mitigation works will be of an order within the contingency included in the Local Plan Viability Assessment and therefore will not impact on the viability of the site.

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**Signatories to Statement of Common Ground**

**Signed:** 

**For Warrington Borough Council**

**Name: Steve Park**

**Position: Director of Growth**

**Date: 15/8/2022**

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**On behalf of Liberty Properties**

**Name:** *Phillip Morris*

**Position:** *Managing Director*

**Date:** *August 17<sup>th</sup> 2022.*

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# Contact details

## Enquiries

Richard Woodford



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