

Response to Warrington Examination
Library Documents CD09a, CD13a,
CD30:

Warrington Western Link Programme
and Land Acquisitions

on Behalf of Ashall Property Ltd

(Respondent Ref: UPSVLP0417)

RELEVANT TO MATTERS 3, 6a, AND 8

Prepared by Tetra Tech Environment Planning Transport Limited.

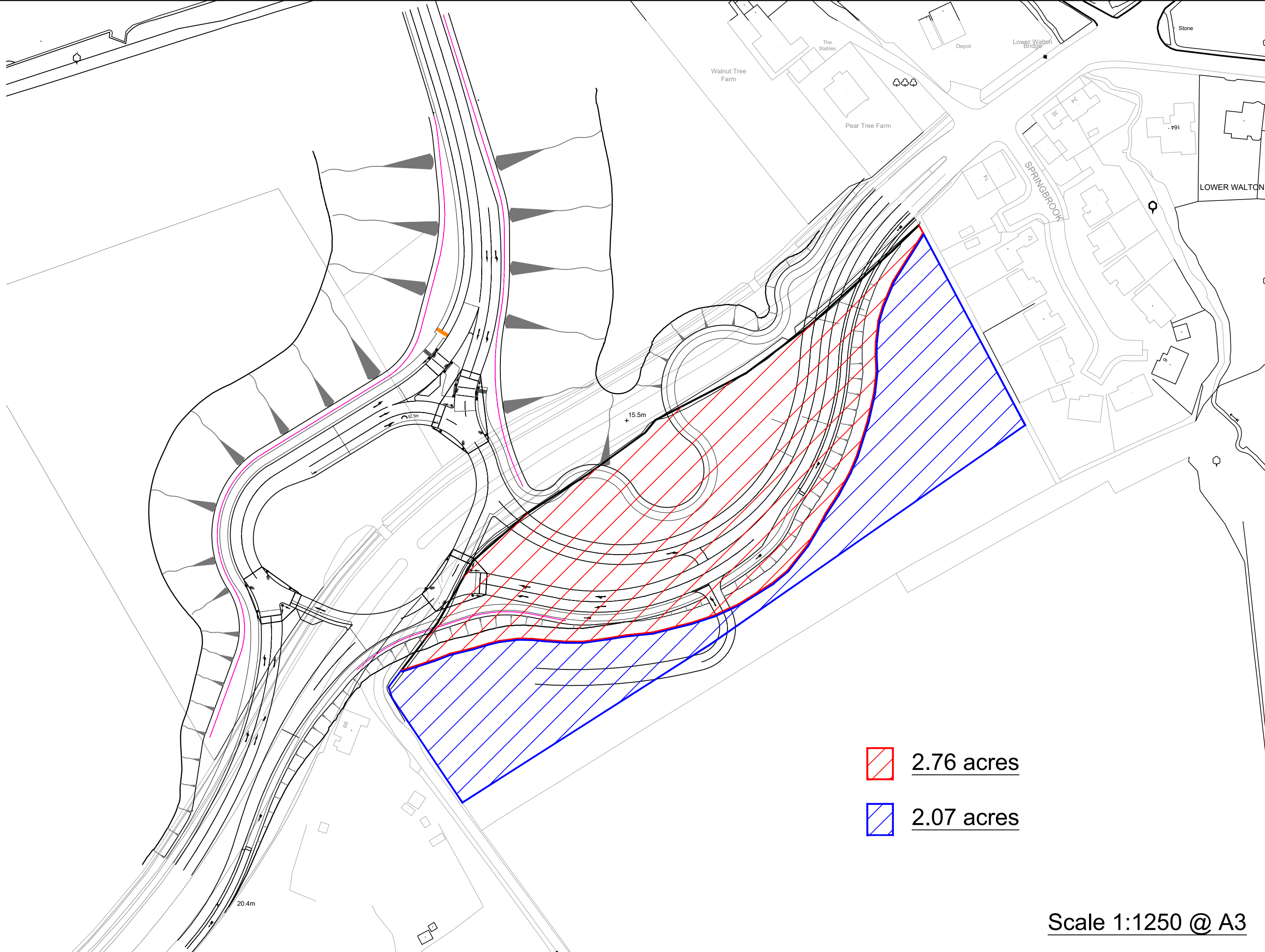
1. Response


- 1.1 We thank the Inspectors for granting us the opportunity to comment on the additional information added to the Examination Document Library by Warrington Council.
- 1.2 This Statement supplements the submissions previously made by Ashall Property Limited (Respondent Reference UPSVLP 0417) and should therefore be read in conjunction with the representations previously made.
- 1.3 The representation relates specifically to Documents CD09a, CD13a and CD30 which were produced by the Council in relation to the Warrington Western Link (WWL). The delivery of the WWL is central to the Soundness of the Updated Proposed Submission Version Local Plan (UPSVLP). Without it the Plan is unsound and the assumed housing supply not deliverable. The WWL is of particular significance for the delivery of housing from the Warrington Waterfront allocation and housing in inner Warrington.
- 1.4 Therefore, if the WWL is not deliverable the Council will have to revise its housing supply and the Draft Local Plan. To supplement the shortfall in housing that will result from the non-delivery of the WWL, the Council will have to allocate alternative sustainable and deliverable sites in line with the Spatial Strategy to direct new development to land adjacent to the Main Urban Area of Warrington.
- 1.5 It is our view that for the WWL to have any chance of delivery within the Plan Period, the land required for the physical alignment of the road would need to be acquired in the most efficient manner possible, and site will need to be allocated that can make a 'significant contribution' to the funding of the WWL.
- 1.6 Given the enormous gap between current funding available, and the escalating cost of the project, we consider a 'significant contribution' to be something in excess of £15,000,000 to make a meaningful difference to the deliverability of the WWL. The consortium of developers for the SWWUE, which includes our Client, has put forward just such a proposition. This is in line with the requirements as set out in the previous iteration of the Draft Local Plan, when the SWWUE was proposed as an allocation.
- 1.7 Over and above the financial contributions above, the allocation of our Client's site, and the land directly to the north of our client's site, will facilitate the efficient acquisition of a major component of the land required for the delivery of the WWL. On our Client's site alone this equates to 2.76 acres as illustrated on the attached plan. For the site opposite our Client's land, which formed part of the SWWUE, that area comes to more than 6 acres.
- 1.8 Therefore, the allocation of our Client's site and the area to the north of our Client's for housing with the alignment of the WWL included (and to be transferred to the Council), would reduce the amount of land that the Council still need to acquire through Compulsory Purchase Order by nearly 10 acres.


- 1.9 We did request at the hearing sessions for the Council to provide us with a rough breakdown of how much land remained to be acquired to accommodate the WWL alignment. Unfortunately, this information has not been provided as part of the update notes issued by the Council. The scale of the CPO required is not known and we consider this to be an important consideration for the Inspectors to take into account.
- 1.10 We consider the current delivery trajectory for the WWL, based on the CPO process alone and current non-allocation of the SWWUE, to be wholly unrealistic. This is even with the two-year delay that has now been factored in. The time allowed for in the Programme in Document CD30 for the CPO is not near sufficient. We will substantiate this in line with the verbal comments we raised in the Hearing Sessions.
- 1.11 There are a number of overarching tests for making a CPO. The first is the test of CPO being the **instrument of last resort**. The Council has failed to engage with our Client in relation to the WWL since January 2021 as set out in our Matter 3 Hearing Statement. This is despite our client being willing to engage in negotiations on the sale or transfer of the land. We do not know if others are in a same position to our Client but the CPO cannot reasonably be made without demonstrating that the Council has engaged with willing land owners to demonstrate the “Principle of Last Resort” has been complied with.
- 1.12 There is the principle of deliverability and there being **no impediments to the development** being proposed. This relates to planning and funding certainty that the scheme can be delivered. Currently the Council has neither. The application has not even been submitted yet and the discussions around lack of certainty on funding has been extensively debated at the Hearing sessions.
- 1.13 The Planning application is only proposed to be validated in June 2023. Despite this the Programme in CD30 is proposing for the CPO to progress from May 2023. The submission CPO should be delayed until such time that there is more planning certainty on the scheme. Therefore, it should have been subject to public consultation and the Council should at least reach a stage where a positive officer recommendation is reached on the WWL application, before making the CPO submission.
- 1.14 The Committee date in the Programme is 23 October 2023. This is the earliest point at which the CPO should be submitted. The Council has only allowed 105 days for the CPO. Although it appears that this 105-day period relate to getting Cabinet approval, and therefore does not even cover the CPO process itself There is no other reference to CPO in the Programme.
- 1.15 If the CPO is submitted shortly after the 105-day period for Cabinet approval, following the October 2023 Planning Committee, it is likely to commence in February 2024. A CPO of this magnitude is likely to last more than a year. Once the CPO is confirmed, if

confirmed, it will have a call-in period of 6 weeks. The Council will then need to seek further Cabinet approval to implement the CPO.

- 1.16 That could include further negotiations with landowners. And only at that stage can the compulsory purchase of the land commence. The land transactions will themselves take time to complete. That will take the programme beyond the start of 2026.
- 1.17 Only at that stage would it be realistic to submit the full business case for the WWL. As such, just in relation to the CPO process alone the WWL Programme will be delayed by at least a further year with the WWL only becoming available for use at the end of 2029. As such a further 90 units should be removed from the housing land supply from the WWL for the Plan Period, even if the WWL is considered to be deliverable.



 2.76 acres

 2.07 acres

Scale 1:1250 @ A3