

# **Warrington Updated Proposed Submission Version Local Plan 2021-2038 (September 2021) Story Homes – Representor ID UPSVLP 1418**

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**Our ref** [REDACTED]

**Date** 26 April 2023

**Subject Proposed Main Modifications (March 2023) Representations on behalf of Story Homes Ltd [ID ref: UPSVLP 1418]**

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## **1.0 Introduction**

- 1.1 Lichfields is instructed by Story Homes Ltd [Story Homes] to make representations on its behalf to the Warrington Updated Proposed Submission Version Local Plan 2021-2038 [Local Plan] (September 2021). This Statement has been prepared in response to the publication of the Proposed Main Modifications (March 2023) to the Local Plan.
- 1.2 Story Homes is seeking to bring forward a high quality, sustainable and comprehensively planned strategic residential site at Warrington Road, Culcheth [Local Plan Policy OS2 - Culcheth]. Story Homes is highly supportive of the allocation of the site in the Local Plan. The site will significantly boost the supply of housing in Warrington. It will also assist in the delivery of sustainable development within the Borough by making a significant contribution towards meeting the identified needs for market and affordable housing.
- 1.3 Story Homes also has interest in land at Higher Walton and has promoted the land throughout the preparation of the Local Plan. The site was included as a draft allocation within the Proposed Submission Version Local Plan (2019 Version) (March 2019) but has subsequently been removed as a draft allocation from the Updated Local Plan (September 2021). Story Homes considers that the site represents a highly sustainable option to provide a transformative urban extension within Warrington, which can support a high-quality residential development and a new community which includes a primary school, local centre and new health facility. Story Homes would be highly supportive of its inclusion as an allocation for residential development in the Local Plan.
- 1.4 This Statement expands upon Story Homes' previous representations made throughout the Local Plan preparation process, including responses to the Matters, Issues and Questions [MIQs] raised by the Inspector for the Examination in Public [EiP] hearing sessions.
- 1.5 The representations are set out to address each relevant modification separately. Where relevant, the comments made are assessed against the tests of soundness established by the National Planning Policy Framework [Framework] and the National Planning Policy Practice Guidance [Practice Guidance].

## **2.0 Main Modifications**

### **Modification Ref. MM 013**

- 2.1 A new paragraph (para. 8.3.21) is proposed within the supporting justification text for Policy DC3 (Green Infrastructure), which states that the Council will set out the detail of how Biodiversity Net Gain [BNG] measures will operate, and that the detail could be delivered in a future SPD.
- 2.2 Story Homes supports the Council's intention to prepare a future SPD to set out the detail of how BNG measures will operate. It is considered that an SPD would help to provide guidance and clarification in relation to the potential BNG measures which could be pursued when submitting planning applications, in order to deliver a net gain in line with Policy DC3.

### **Modification Ref. MM 018**

- 2.3 An additional sentence has been included within Policy ENV8 (Part 4) which requires that smaller settlement allocations (such as the Warrington Road, Culcheth site) (Policy OS2) *'must make a proportionate contribution towards restoration measures at Holcroft Moss and devise a scheme-specific range of measures to reduce reliance on cars, reduce trip generation and promote ultra-low emission vehicles'*.
- 2.4 Story Homes understands that the proposed modification has arisen through concerns raised by Natural England with the Air Quality Assessment prepared to support the Local Plan Habitats Regulations Assessment (HRA), in terms of the impact of increased traffic on Holcroft Moss, and the effectiveness of soft mitigation measures on addressing any potential adverse impacts.
- 2.5 Story Homes would like to ensure that use of the word "*proportionate*" is retained within the proposed wording of Policy ENV8, to ensure that any required contribution towards restoration measures at Holcroft Moss is fairly and reasonably related to the development in line with the use of Planning Obligation tests set out in Planning Practice Guidance<sup>1</sup> [PPG] and Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.
- 2.6 Furthermore, para. 9.8.6 includes additional wording which states that *'the Council will work with other partners to ensure the delivery of the Holcroft Moss Habitat Management Plan by the end of 2023'*. Story Homes understands that Natural England consider that the proposed soft mitigation measures cannot be forecast with certainty, and further measures may need to be considered through the delivery of long-term ecological resilience works involving hydrological restoration measures, set out within a Habitat Management Plan to be produced by end of 2023. Where a contribution is required towards restoration works at Holcroft Moss, the basis for defining the level of contribution will be confirmed through an update to the Council's Planning Obligations SPD.
- 2.7 Story Homes considers that the determination of a planning application on the site should not be reliant on the Habitat Management Plan being produced (expected to be the end of

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<sup>1</sup> Paragraph: 002 Reference ID: 23b-002-20190901

2023) or an update to the Planning Obligations SPD being finalised. Waiting on the production and finalisation of these documents which is outside of Story Homes' control could significantly delay the determination of planning applications, including on Story Homes' Warrington Road site. This could lead to delays in bringing forward much needed new homes on the site, and across other site allocations within the Local Plan, which could significantly impact on the delivery of housing in the early stage of the plan period.

- 2.8 It is considered that further wording should be included within Policy ENV8 to ensure that the determination of a planning application for the Warrington Road site is not dependent on the production / adoption of the Habitat Management Plan and updated Planning Obligations SPD, if these are not progressed and finalised as anticipated. Story Homes suggests the following wording:

*“The Council will work with the other partners to ensure the delivery of the Holcroft Moss Habitat Management Plan by the end of 2023. Where a contribution is required towards restoration works at Holcroft Moss, the basis for defining the level of contribution will be confirmed through an update to the Council’s Planning Obligations SPD. **However, if adoption of the Holcroft Moss Habitat Management Plan and updated Planning Obligations SPD is delayed, the Council will work with applicants to determine an appropriate contribution through the determination of a planning application. Any potential delay to the adoption of a management Plan or SPD will not prevent the determination of a planning application.**”*

#### **Modification Ref. MM 026**

- 2.9 Additional wording is proposed to Part 13 and Part 19 of Policy OS2.
- 2.10 Part 13 proposes additional wording in relation to Green Belt compensatory improvements. This sets out that compensatory improvements should in the first instance be made in the immediate vicinity of the site and delivered by the developer. Story Homes supports the inclusion of this additional text and will work with the Council to explore opportunities for compensatory measures in the vicinity of the Warrington Road site.
- 2.11 Story Homes recognises that further additional wording has also been included in the policy, which gives provision for the Council to 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. Story Homes supports the inclusion of this modification which will ensure requisite flexibility in the provision of compensatory improvements.
- 2.12 The scope for the compensatory improvements will be discussed through further engagement with the Council at the planning application stage. However, it is considered that additional text could be incorporated within Policy OS2 to provide further clarity as to the type of compensatory improvements that might be acceptable and preferred by the Council. For example, the Practice Guidance<sup>2</sup> states that Green Belt compensatory improvements can include improved access to new, enhanced, or existing recreational and

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<sup>2</sup> Planning Practice Reference ID: 64-002-20190722

playing field provision. Further wording here will help to provide additional clarification as to what is specifically expected as part of a planning application on the Warrington Road, Culcheth site.

2.13 Part 19 sets out that the development will be required to mitigate air quality impacts on the Manchester Mosses SAC in accordance with Policy ENV8 (Part 4), *including providing a financial contribution towards appropriate mitigation measures at Holcroft Moss* [Lichfields Emphasis to indicate modification].

2.14 A new paragraph (para. 10.7.8) is also included which states that the basis for defining the level of contribution towards restoration works at Holcroft Moss, will be confirmed through an update to the Council’s Planning Obligations SPD. As set out previously in relation to Modification Ref. MM 018, Story Homes has concerns that waiting for the adoption of an updated Planning Obligations SPD which is completely outside of Story Homes’ control could significantly delay the determination of an application on the Warrington Road site. As such, additional wording should be included within Policy ENV8 to ensure that the determination of a planning application for the Warrington Road site is not dependent on the adoption of an updated Planning Obligations SPD, to ensure there are no significant delays to delivery. Story Homes suggests the following wording:

*“The basis for defining the level of contribution towards restoration works at Holcroft Moss, will be confirmed through an update to the Council’s Planning Obligations SPD. **However, if adoption of the Holcroft Moss Habitat Management Plan and updated Planning Obligations SPD is delayed, the Council will work with the applicants for the site to determine an appropriate contribution through the determination of a planning application. Any potential delay to the adoption of the updated SPD will not prevent the determination of a planning application.**”*

### 3.0 Other Site Specific Considerations

3.1 Story Homes addressed a number of other points in relation to the site specific policy for Warrington Road, Culcheth (Policy OS2) through the submission of Matters Papers on Matter 7b. However, these points have not been reflected as proposed Main Modifications and Story Homes considers that it is important for these points to be considered further in relation to Policy OS2.

1 **Part 4:** Part 4 of Policy OS2 requires specific provision to be made for self-build/custom build plots, subject to local demand as demonstrated by the Council’s self-build register. Story Homes understands that the land at Lions Den, which is within the allocation boundary but not within Story Homes’ land interest, is being brought forward for self-build homes and would therefore form the self-build aspect of the site.

Story Homes notes that the Council already has a legal obligation to grant sufficient planning permissions to meet the demand for self-build and custom housebuilding. As local demand for such plots across the Borough is unknown, the Council cannot rely on this allocation as a source of supply.

It is noted that the Council's commitment to delivering of self-build plots is set out in Policy DEV2, so there would still be a mechanism in place for the Council to secure self and custom build plots if the requirement is removed from Policy OS2. Story Homes considers that self and custom build plots should be delivered in locations where there is a clear market demand, and Part 4 of Policy OS2 should be deleted to ensure flexibility.

- 2 **Part 5:** Story Homes considers that flexibility should be provided in the policy to deliver increased minimum densities in appropriate areas of the site such as the central area. Otherwise, Part 5 of Policy OS2 could result in the inefficient use of land by unnecessarily applying lower density requirements where higher density development would be appropriate. The current approach does not align with the objectives of the NPPF [§124], which seeks to promote the efficient use of land with development at high densities where appropriate.

Part 5 of the policy should be re-worded so that provision is made to deliver increased densities in appropriate areas of the site (e.g. in the central area). A suggested modification to Part 5 of the policy is as follows:

*"To reflect the site's location adjacent to the open countryside the development will be constructed to a ~~average~~ minimum density of 30dph. **Increased development densities may be appropriate in areas of the site that are not directly adjacent to the open countryside should evidence be provided to demonstrate this.**"*

- 3 **Part 7:** Story Homes has some concerns over the clarity of Part 7 of Policy OS2, which states that development will be required to contribute towards the provision of additional primary care capacity. However, there is no clarification in the policy or the explanatory text as to why such a contribution is required and no evidence is presented to justify the requirement.

Clarification in the policy or the explanatory text is required as to why a contribution towards primary care is required (including relevant evidence to justify it). If this evidence cannot be provided Part 7 of the Policy should be deleted.

- 4 **Parts 8 and 9:** Story Homes considers that Part 8 and 9 of the policy (in relation to open space and recreation) do not accord with national policy as they are currently worded. The need for open space provision, leisure facilities and playing pitch provision needs to be demonstrated through the appropriate evidence, including an assessment of existing provision. The following text should be added to the end of Parts 8 and 9:

*"...where assessment of existing provision demonstrates that existing facilities have insufficient capacity to serve the increase in population arising from the development".*

- 5 **Part 15:** Part 15 of the policy states that the development will be required to contribute towards the delivery of sustainable transport modes. Story Homes notes that the site is already well served by existing bus routes, which provide access to Warrington town centre and local employment opportunities such as Birchwood Park.

The site is also located within walking distance of Culcheth Community Primary School and Culcheth High School, as well as a range of shops, services, and facilities in Culcheth.

Therefore, the allocation of this site will encourage walking and cycling through the provision of pedestrian and cycle routes. Should the Council require contributions towards the delivery of sustainable transport modes, Story Homes would expect the Council to demonstrate a clear need for this provision. Evidence of need for a contribution towards the delivery of sustainable transport modes should be provided otherwise the Council should delete Part 15 of the policy.

## **4.0 Conclusion**

- 4.1 Story Homes is highly supportive of the allocation of the Warrington Road, Culcheth site in the Local Plan and is seeking to bring forward a high quality, sustainable development at the earliest opportunity. We trust that these representations on the proposed Main Modifications will be fully considered in the finalisation of the Local Plan, to ensure the timely delivery of the site following adoption.