



Proposed Submission Version Local Plan Representation Form

Introduction

Please read the appended documents and guidance notes before completing this representation form.

- Advice and Guidance on completing this representation form
- Proposed Submission Version Local Plan (full plan)
- Data Protection and Privacy Notice (https://www.warrington.gov.uk/privacy_policy)
- Statement of Representations Procedure

The guidance notes are taken from "Examining Local Plans Procedural Practice" published by The Planning Inspectorate and will assist you in making your representations effectively.

More information can be found by visiting www.warrington.gov.uk/localplan

The form is split into 3 parts:

Part A Your details – 3 questions (only complete this part once)

Part B Representation Form(s) – 8 questions (fill in a separate form for each representation you wish to make)

Part C Customer 'About You' questionnaire – 9 questions (only complete this part once)

All representations must be received by the Council no later than 5.00pm on Monday 17th June 2019. Please note that late representations will not be accepted.

Should you encounter any problems completing the representation form please email localplan@warrington.gov.uk

PART A - About You

1. Please complete the following: Please note the email address (if provided below) will be sent a full copy of the submitted response and a unique ID number for future reference (pdf attachment)

*Name of person completing the form:

Email address:

2. What type of respondent are you? Please select all that apply.

- A local resident who lives in Warrington
- A person who works in Warrington
- Local Borough, Town or Parish Councillor
- Local Business owner/Manager
- A group or organisation
- Visitor to Warrington
- An agent
- Other (please specify):

3. Please complete the following:

Organisation name (if applicable):

Agent name (if applicable):

*Address 1:

*Address 2:

*Postcode:

Telephone number:

PART B - Representation Form 1

1. To which part (chapter/policy) of the Local Plan does this representation relate?

Objective W1

2. Does your comment relate to a specific paragraph (s) or policy sub-number (s)? Please select one option.

- A paragraph number(s)
- A policy sub-number(s)
- Both of the above
- None of the above

If a paragraph or policy sub-number then please use the box below to list:

Policy OS1- Burtonwood

3. Do you consider the Draft Local Plan is: Please select one option in each row.

	Yes	No
Legally Compliant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sound	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Compliant with the Duty to Co-operate	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

Please be as precise as possible.

5. If you answered 'Yes' to any of the options in question 6 then please give details in the box below the reasons why you support the legal compliance or soundness of the Draft Local Plan or its compliance with the duty to co-operate.

Please be as precise as possible.

As promoter Northern Trust supports the allocation of Site 1654 Land to the north of Burtonwood bounded by Phipps Lane, Green Lane and Winsford Drive for a minimum of 160 homes under Policy OS1.

(Continued on separate sheet).

(Continue on a separate sheet and attach if necessary)

6. Please set out what modification(s) you consider necessary to make the Draft Local Plan legally compliant or sound, having regard to the test you have identified above where this relates to soundness. (NB please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to put forward your suggested revised wording of any policy or text.

Please be as precise as possible.

No modification is sought to Policy OS1 unless through separate representation the decision on the area of Green Belt release and defensible boundary requires reconsideration of Parts 11 and 12. In that circumstance related to the Site Allocation, heading "Green Belt" and Part 11 become redundant and can be deleted in full, and Part 12 can be modified to read; "A landscape scheme will be required to provide a suitable boundary to fields to the north western and north eastern site boundaries."

(Continue on a separate sheet and attach if necessary)

Please note: your representation should succinctly cover all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he / she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? Please select one option.

- No, I do not wish to participate at the oral examination
- Yes, I wish to participate at the oral examination (I understand details from Part A will be used for contact purposes)

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

NT considers it is necessary to participate in sessions relating to housing land allocations to both lend its support to the emerging plan and Policy OS1 and to provide opportunity to engage in discussion of inter-related issues on the wider GB parcel, boundary and any objector sites.

(Continue on a separate sheet and attach if necessary)

8. If you wish to attach documents to support your representation form then please submit with your response and provide a description of each document in the box below.

Comments / file description

A document is attached containing the continued answer to question 5 which did not entirely fit in the box provided.

(Continue on a separate sheet and attach if necessary)

Metacre Limited

Continuation of representation to Policy OS1

5. (Continued)

NT supports the findings of the Options and Site Assessment Technical Report (Appendix 4) and corresponding Responses to Representations in identification of the site as suitable, available and viable for development for housing to meet identified needs at Burtonwood in the early plan-period (Years 1 to 5). NT supports the assessment that its release from Green Belt and allocation for housing will promote Plan Objectives W1 (strengthen neighbourhoods), W2 (sensitive Green Belt land release), W4 (promote sustainable transport) and W6 (minimise impact of development on the environment).

Part 2 – Per representations made to Policy DEV2 NT supports the objective of the council to ensure the provision of a range of housing tenures, types and sizes to ensure development contributes to meeting the Borough’s general and specialist housing needs is supported. Such support is given on the basis meeting the different needs does not adversely impact on the viability of development and delivery of the minimum 160 homes from the site which must be led by market housing.

Part 3. A minimum of 30% of homes to be affordable in accordance with Policy DEV2 is supported by Northern Trust.

Part 4. Per representations to Policy DEV2 the focus on the specific provision for self-build/custom build plots is understood to be of Borough wide interest and is generally endorsed; as to whether the site provides opportunity for self-build/ custom build plots would be subject to future application and then need.

Part 5. A minimum density of 30dph is supported in order to reflect the sites location adjacent to the open countryside and to make efficient use of the available land.

Parts 6 & 7. The policy requirement to make the required contributions towards the provision of additional primary and secondary school places and additional primary care capacity is supported in principle, subject to normal viability appraisal considerations based on the housing mix and tenure set through Policy INF5 to which separate representations are made.

Parts 8 & 9. The provision of open space in accordance with the Council’s open space standards is supported for on-site and off-site provision.

Part 10. Consideration of the layout of the development taking into account existing landscape features as stated in the Draft Local Plan and the wider objectives of the ‘Northern Forest’ is broadly supported by Northern Trust, and is matter for landscape design in future application.

Part 11. It is NT position that the identified north western and north eastern boundaries of the Allocation Site do not represent a strong, permanent boundary following clear physical

features in the landscape. We find support in this view because Part 12 specifically seeks augmentation of the boundaries through development to achieve such physical presence.

NT considers the stronger Green Belt boundary is represented by the larger Green Belt parcel and specifically to follow the highways of Phipps Lane, Green Lane and Lumber Lane adjacent to the existing settlement. Separate representations are made on the other land within the reviewed Green Belt parcel. Should these representations be unsuccessful, then for the record NT will support Part 12 to ensure that the boundaries to the Allocation Site shall become a stronger boundary in the landscape post-development.

Part 12 – Caveat to Part 11 and other representations the objective is supported.

Parts 13, 14 & 15 - All points relating to transportation within this sub-section of policy are supported.

Parts 16, 17 & 18 - All points relating to utilities and environmental protection of the policy are supported. NT has previously submitted Ecological and Design Vision documents to demonstrate the deliverability of the site in principle.

Parts 19 & 2 – NT acknowledges that development will be required to preserve and enhance the setting of heritage assets in close proximity to the site, with specific consideration to Burtonwood Methodist Church. Further consideration will be taken at the detailed design stage of the project.



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PART B - Representation Form 1

1. To which part (chapter/policy) of the Local Plan does this representation relate?

Objective W1

2. Does your comment relate to a specific paragraph (s) or policy sub-number (s)? Please select one option.

- A paragraph number(s)
- A policy sub-number(s)
- Both of the above
- None of the above

If a paragraph or policy sub-number then please use the box below to list:

Policy OS1- paragraphs 10.5.2, 10.5.5 and 10.5.6

3. Do you consider the Draft Local Plan is: Please select one option in each row.

	Yes	No
Legally Compliant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sound	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Compliant with the Duty to Co-operate	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

Please be as precise as possible.

5. If you answered 'Yes' to any of the options in question 6 then please give details in the box below the reasons why you support the legal compliance or soundness of the Draft Local Plan or its compliance with the duty to co-operate.

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Paragraph 10.5.2 – NT supports and confirms its intention to bring the site forward with the other landowner in the short-term, but considers first completion of homes by 2021/22. This is potentially too short a timeframe given the plan is unlikely to be adopted until mid-2020 providing only 12-months to secure permission and its lawful implementation. NT understands that the Year 2021/22 represents the 5th year of the plan period starting in 2017/18 and the importance in securing a deliverable 5-year supply on adoption of the Plan. However, it is considered Year 2022/23 is a more realistic first completion target. NT agrees development will complete before 2027, indeed the build-out may take only 3 to 4 years for a site of this scale with a single outlet. (Continued on separate sheet).

(Continue on a separate sheet and attach if necessary)

6. Please set out what modification(s) you consider necessary to make the Draft Local Plan legally compliant or sound, having regard to the test you have identified above where this relates to soundness. (NB please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

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Modification to para 10.5.2 to read; “Development is expected to come forward quickly upon adoption of the plan. This means the first homes are anticipated to be completed in 2022/23, with the development completed in full within the first 10 years of the plan period.”

Modification to paragraph 10.5.5 to read: “The Allocation Policy will allow the site to be delivered quickly and ensure that development comes forward in a comprehensive manner that preserves and enhances the built and natural environment. Contributions towards infrastructure will be secured to ensure that Burtonwood’s infrastructure / services can support the level of population growth, subject to viability appraisal.”

(Continue on a separate sheet and attach if necessary)

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7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? Please select one option.

- No, I do not wish to participate at the oral examination
- Yes, I wish to participate at the oral examination (I understand details from Part A will be used for contact purposes)

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Participation in housing matters is requested as the proposed modifications relate to other submissions on housing policies made.

(Continue on a separate sheet and attach if necessary)

8. If you wish to attach documents to support your representation form then please submit with your response and provide a description of each document in the box below.

Comments / file description

A document is attached containing the continued answer to question 5 which did not entirely fit in the box provided.

(Continue on a separate sheet and attach if necessary)

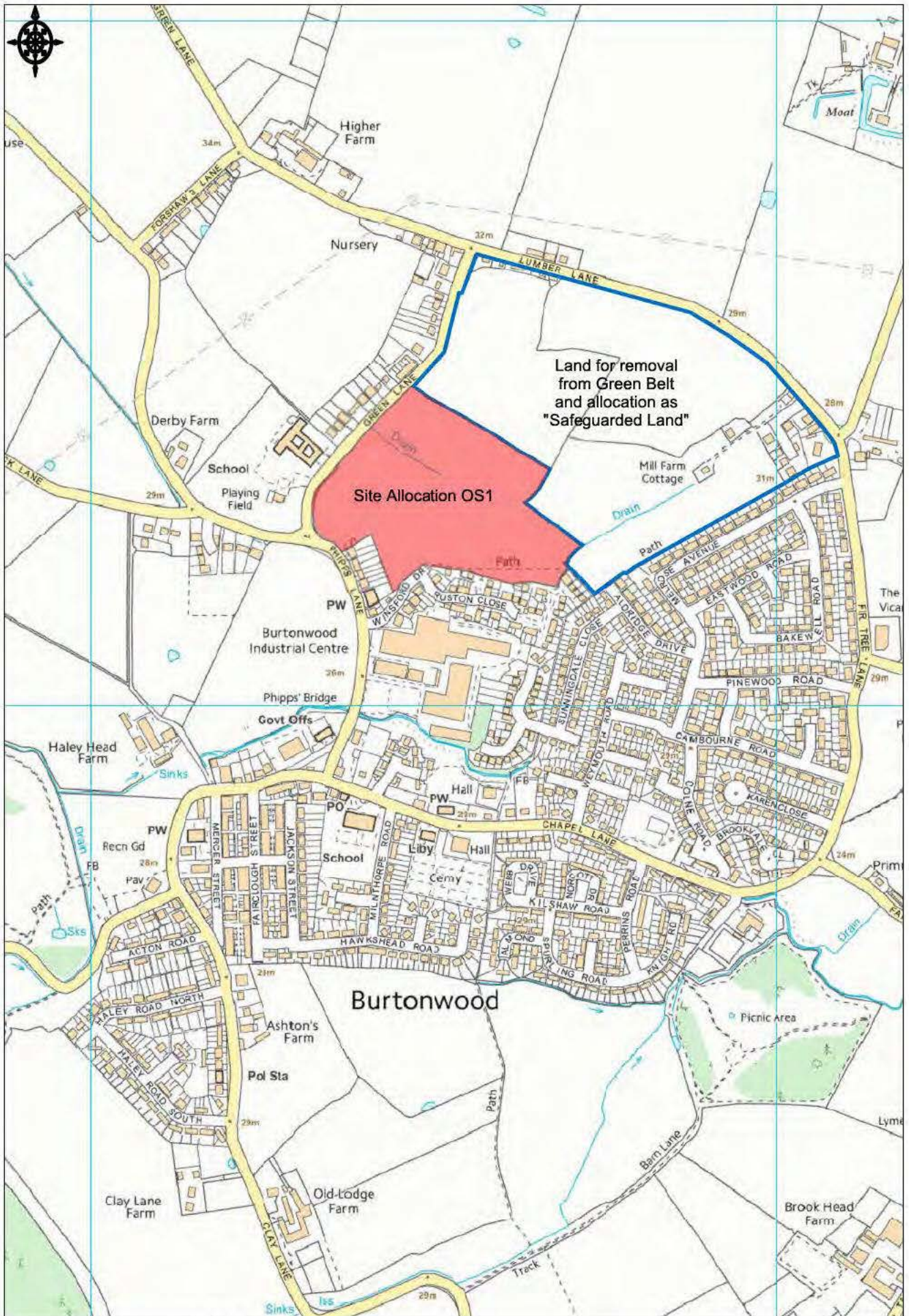
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Continuation of representation to Policy OS1 paragraphs 10.5.2, 10.5.5 and 10.5.6

5. (Continued)

Paragraph 10.5.5 NT considers the paragraph requires reference to viability which will determine the contribution development shall make, in line with the Framework.

Paragraph 10.5.6 NT has no objection to the paragraph on the proviso that its comments and amendment to paragraph 10.5.2 is accepted to confirm its position on deliverability and build rates at c.35-45 dpa for a single outlet site to complete in 3-4 years.





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1. To which part (chapter/policy) of the Local Plan does this representation relate?

Objective W1

2. Does your comment relate to a specific paragraph (s) or policy sub-number (s)? Please select one option.

- A paragraph number(s)
- A policy sub-number(s)
- Both of the above
- None of the above

If a paragraph or policy sub-number then please use the box below to list:

Policy DEV1- Housing Delivery

3. Do you consider the Draft Local Plan is: Please select one option in each row.

	Yes	No
Legally Compliant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sound	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Compliant with the Duty to Co-operate	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

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Please be as precise as possible.

Northern Trust considers the identification of a minimum housing requirement for 18,900 (945 dpa) net for the plan period 2017-27 is sufficient to meet identified needs in line with national planning policy guidance. It supports the spatial distribution that recognises the specific growth needs of the outer settlements, including a minimum of 160 dwellings at Burtonwood, a settlement that has been overlooked in previous plan reviews. Meeting identified needs and the spatial distribution provides the exceptional circumstances to justify review of the Green Belt in accordance with NPPF paragraph 136. (Continued on separate sheet).

(Continue on a separate sheet and attach if necessary)

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Please be as precise as possible.

No modification is sought.

(Continue on a separate sheet and attach if necessary)

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No, I do not wish to participate at the oral examination



Yes, I wish to participate at the oral examination (I understand details from Part A will be used for contact purposes)

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(Continue on a separate sheet and attach if necessary)

8. If you wish to attach documents to support your representation form then please submit with your response and provide a description of each document in the box below.

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A document is attached containing the continued answer to question 5 which did not entirely fit in the box provided.

(Continue on a separate sheet and attach if necessary)

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Continuation of representation to Policy DEV1

5. (Continued)

Northern Trust is neutral on the matter of the stepped housing trajectory set out in Policy DEV1, but would caution that the use of the stepped trajectory should not materially harm delivery of housing in the short-term that might lead to shortfalls in delivery in the mid to late plan-period.



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- A paragraph number(s)
- A policy sub-number(s)
- Both of the above
- None of the above

If a paragraph or policy sub-number then please use the box below to list:

Policy DEV2- Meeting Housing Needs

3. Do you consider the Draft Local Plan is: Please select one option in each row.

	Yes	No
Legally Compliant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sound	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Compliant with the Duty to Co-operate	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

Please be as precise as possible.

NT considers Policy DEV2 is unsound as drafted, but subject to proposed modifications can be made to be so. Specifically, the policy is considered as partly unjustified and ineffective.

5. If you answered 'Yes' to any of the options in question 6 then please give details in the box below the reasons why you support the legal compliance or soundness of the Draft Local Plan or its compliance with the duty to co-operate.

Please be as precise as possible.

Part 1(b) - Northern Trust supports the identification of a 30% affordable housing requirement to new housing developments on greenfield sites which will include the proposed allocation OS1 at Burtonwood for a minimum of 160 homes (minimum 48 affordable units).
Parts 2 & 3 - Northern Trust supports Part 2 to focus affordable home ownership at 10% of the site capacity with the balance of affordable homes for affordable rent or social rent, subject to Part 3 viability assessment to demonstrate deliverability. Northern Trust considers the policy can be strengthened across Part 3 by reference to Registered Providers input into the process which may, over time, indicate a different requirement to meet identified, local needs. (Continued on separate sheet).

(Continue on a separate sheet and attach if necessary)

6. Please set out what modification(s) you consider necessary to make the Draft Local Plan legally compliant or sound, having regard to the test you have identified above where this relates to soundness. (NB please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to put forward your suggested revised wording of any policy or text.

Please be as precise as possible.

Part 3 – Amend to read: “A lower proportion, and/or difference tenure split will only be permitted where it can be demonstrated to the satisfaction of the Council that development would otherwise not be financially viable, or such difference has support of a registered provider

Part 5 – Amend to delete word “genuinely”

(Continued on separate sheet).

(Continue on a separate sheet and attach if necessary)

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No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination (I understand details from Part A will be used for contact purposes)

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To enable the issues arising if not accepted as modifications by the authority to be discussed before the Inspector as the matters raise issues that go to the soundness of the policy.

(Continue on a separate sheet and attach if necessary)

8. If you wish to attach documents to support your representation form then please submit with your response and provide a description of each document in the box below.

Comments / file description

A document is attached containing the continued answers to questions 5 and 6 which did not entirely fit in the boxes provided.

(Continue on a separate sheet and attach if necessary)

Metacre Limited

Continuation of representation to Policy DEV2

5. (Continued)

Part 4 - Northern Trust supports affordable housing provision to be on-site unless there are exceptional circumstances.

Part 5 – Present wording wrongly suggests some vacant building credit may not be genuinely sought. Any vacant building credit will either meet or not meet the criteria set by Government, and there should be no question of legitimacy. NT is aware of the clarification on the matter at paragraph 4.1.45 and supports its inclusion and the policy wording should be modified to reflect this.

Part 6 – The requirement for affordable housing to be secured in perpetuity is at odds with the guidance in supporting paragraph 4.1.37 that supports the principle of ‘staircasing’ to allow value from sale and re-investment of affordable housing. NT supports this principle and considers Part 6 needs modification to bring into alignment.

Part 7 – NT accepts that housing needs across the Borough and plan period will require monitoring and for new housing development to cumulatively meet such needs, but cautions that not all developments will achieve a mirror of the boroughwide mix – per Table 3 at paragraph 4.1.47. Providing the Council confirms the interpretation as correct, NT supports Part 7 on the basis the phrase “*account of site-specific considerations*” is interpreted to allow deviation in individual housing developments.

Part 8 – NT understands the Council’s approach to seek a proportionate balance, but where only one apartment block is proposed in a design the nature of management and involvement of a Registered Provider is likely to mean the block will be for private or affordable tenures, and less likely to be a mix. Supporting paragraph 4.1.48 also advises “*The provision of affordable home ownership is more explicitly focused on delivering smaller family housing for younger households ...*” It may prove site-specific circumstances emphasises an affordable housing mix promoted to homes over apartments. As such the policy can be improved with modification to refer to flexibility for site-specific circumstances based on local needs.

Parts 9 & 10 – NT supports the 20% ‘Accessible and Adaptable dwellings’ target related to Building Regulation Standard M4(2) and 5% target for wheelchair accessibility related to Building Regulation Standard M4(3).

But questions arise related to both matters on how will the target be applied in practice and how will this relate to provision of affordable and market housing? How will this relate to delivery of house or apartment types? How will this relate to low-cost or rented affordable housing as a percent of housing provision? And, how will this relate to separate older people’s housing needs.

It is anticipated there will be overlap in answer and provision of accommodate types, tenures and targets. And that answer will be site and development-specific. It is the view of NT that application of Parts 9 & 10 is best approached in a flexible manner alongside wider objectives of DEV2 on a site and development-specific manner.

NT proposes a simple modification to policy can refer to this flexible approach to assist effectiveness and development management decisions.

Part 11 – NT considers that the 20% requirement for housing for older people’s needs on all sites over 10 units is unjustified and lacks clarity as policy. That the determination of need can be made on a ‘site by site basis’ is insufficient as a mechanism to justify the policy as drafted.

Evidence in *Housing Needs Assessment Final*, GL Hearn (March 2019) *Older Person’s Housing Needs* (paragraph 7.31 to 7.42) and *Summary* (paragraph 8.53 to 8.60) sets out the 20% provision (actually stated as 3,520 units or 18.6% in Tables 42 & 56) is an expression of need derived from ‘Housing with Support’ as retirement / sheltered housing and ‘Housing with care’ as enhanced sheltered or extra-care housing. Both types of housing are specialist in that neither are standard housing products provided by housebuilders. And, both types of housing are more than ‘accessible and adaptable’ housing.

As such it is clear the provision is additional to Parts 9 & 10 for accessible and adaptable housing and wheelchair accessible housing.

As drafted the policy could mean a housebuilder being required to forgo 20% of the development opportunity (as capacity) for specialist housing for older persons and provide 20 or 30% affordable housing and provide up to 20% of accessible / adaptable or wheelchair accessible housing. Such a layering of demands not only may render a site unviable, even if some provisions may overlap.

NT accepts the LHNA is the best available evidence on older person’s housing needs. But Part 11 does not reflect the conclusion at LHNA paragraph 8.60 that the council should “... *give consideration to how best to deliver the identified specialist housing need, including for instance, the potential to identify sites in accessible locations for specialist housing or to require the provision of specialist housing for older people as part of larger strategic development schemes.*”

It is difficult to understand how a 10-dwelling threshold aligns with provision as “*part of larger strategic development schemes.*” A threshold of 250+ units would be more appropriate as a larger strategic site.

Part 11 does not address the recommendation for the “*potential to identify sites in accessible locations.*” Whilst the Local Plan Review will allocate housing sites that will have been deemed accessible (or capable of being made so) Part 11 will apply to all future housing applications for 10 or more units. Not all sites will be accessible or suitable for older

person's needs. And although the wording does suggest a 'site by site' approach the policy unnecessarily places the evidential burden on suitability onto to the developer. Yet, this burden is placed when the available evidence base to the Local Plan Review doesn't identify sites or locations or local needs, meaning it is unclear how a developer is supposed to satisfactorily demonstrate the point with no baseline set. Moreover, this process will be repeated for each application which is disproportionate for non-strategic sites and lacks a holistic approach to ensuring needs are met across the Borough as it is reliant on piecemeal development decisions.

Applied to NTs specific interest in the Site Allocation OS1 Burtonwood it is considered a site for 160 units is not sufficiently large in scale for 20% older person's needs provision, particularly when the residual site area (and capacity) will still be subject to other development contributions and affordable housing requirements, which may undermine potential viability and assumptions made in the Local Plan Viability Report.

NT considers the Council should delete and reconsider Part 11 in full and propose an independent policy to promote provision of older person's housing needs. The new policy should be based on preparation of evidence that would allow the policy to operate (i.e. identify local needs and locations), to work with landowners as necessary to promote allocations for such needs and use a site threshold that is of sufficient scale.

Part 12 – NT accepts the opportunity for self-build / custom-build plots being provided at market value should demand be proven at the time of seeking planning permission for a housing development, and agree such provision must be balance to other development plan policies and objectives, not least to ensure the timely delivery of housing to meet needs.

6. (Continued)

Part 6 – Amend to add at end of sentence; “ *... is secured in perpetuity, or a 'staircasing' arrangement is secured to recycle affordable housing contribution.* ”

Part 8 – Amend to add at end of sentence; “ *... and affordable tenures, subject to site and development-specific considerations.* ”

Parts 9 & 10 – Add new sentence to follow Parts 9 & 10 to read; “ *Application of the Optional Standards will be applied flexibly to market and affordable housing provision, housing types and tenures to reflect local needs.* ”

Part 11 – Delete Part 11 in full. The Council should prepare a standalone policy for the provision of Housing for Older People to identify local needs, sites and requirements in line with the recommendation of the *Local Housing Needs Assessment* (March 2019).



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PART B - Representation Form 1

1. To which part (chapter/policy) of the Local Plan does this representation relate?

Objective W2

2. Does your comment relate to a specific paragraph (s) or policy sub-number (s)? Please select one option.

- A paragraph number(s)
- A policy sub-number(s)
- Both of the above
- None of the above

If a paragraph or policy sub-number then please use the box below to list:

Policy GB2

3. Do you consider the Draft Local Plan is: Please select one option in each row.

	Yes	No
Legally Complaint	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sound	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Compliant with the Duty to Co-operate	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

Please be as precise as possible.

Metacre supports the Site Allocation – OS1 Burtonwood for its removal from the Green Belt through this plan review and allocation for housing development for a minimum of 160 homes to meet identified needs at Burtonwood. Metacre supports the findings in this regard in the Options and Site Assessment Technical Report (Appendix 4) for Site 1654 Land to the north of Burtonwood bounded by Phipps Lane, Green Lane and Winsford Drive. . It is agreed that in this aspect that the Plan is positively prepared and justified, as it seeks to meet the area's objectively assessed needs and is consistent with achieving sustainable development.
(Continued on separate sheet).

5. If you answered 'Yes' to any of the options in question 6 then please give details in the box below the reasons why you support the legal compliance or soundness of the Draft Local Plan or its compliance with the duty to co-operate.

Please be as precise as possible.

(Continue on a separate sheet and attach if necessary)

6. Please set out what modification(s) you consider necessary to make the Draft Local Plan legally compliant or sound, having regard to the test you have identified above where this relates to soundness. (NB please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to put forward your suggested revised wording of any policy or text.

Please be as precise as possible.

Modification – Metacre propose that the land at Parcel BW3 identified in the Green Belt Assessment is removed from the green belt; that Site Allocation OS1 is taken forward as supported and proposed; and, that the residual area removed from the Green Belt is designated as land for future development beyond the plan period through a new ‘Safeguarded Land’ policy or other policy that serves the same purpose that the Council may choose to promote.

(Continue on a separate sheet and attach if necessary)

Please note: your representation should succinctly cover all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

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7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? Please select one option.

- No, I do not wish to participate at the oral examination
- Yes, I wish to participate at the oral examination (I understand details from Part A will be used for contact purposes)

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Metacre wishes to be included in discussion on the green belt boundary and issues arising as it may affect its landholding and interest in Site Allocation OS1.

(Continue on a separate sheet and attach if necessary)

8. If you wish to attach documents to support your representation form then please submit with your response and provide a description of each document in the box below.

Comments / file description

Site plan illustrating Parcel BW3 for removal from the Green Belt and divided as Site Allocation OS1 and "Safeguarded Land"

Also, a document is attached containing the continued answer to question 4 which did not entirely fit in the box provided.

(Continue on a separate sheet and attach if necessary)

Metacre Limited

Continuation of representation to Policy GB2

4. (Continued)

Given the lack of development opportunity (including previously-developed land) within the tightly drawn settlement boundary of Burtonwood the Plan is justified to review and to release land from the Green Belt at Burtonwood to meet the identified needs, and Site 1654 is the most suitable and sustainable location of the sites considered in evidence.

Metacre recognises and supports the findings too to the other fields / sites within the wider assessed Green Belt Parcel BW3 (Green Belt Assessment) , specifically to Sites 1534, R18/054 and R18/P2/028 *Land to the south of Lumber Lane*, that collectively are acknowledged to be suitable, unlikely to have major impact on trends, available and promoted by landowners. The sites are acknowledged to support Local Plan Objectives W1 (strengthen neighbourhoods), W2 (sensitive Green Belt land release), W4 (promote sustainable transport) and W6 (minimise impact of development on the environment).

The key consideration that prevents the other sites from being removed from the Green Belt is the lack of need for release in this plan review to meet identified needs at Burtonwood as to do so alongside Site 1654 would exceed the identified need. Metacre accepts this position but considers that there remains a case to remove the sites from the Green Belt in this plan review.

When defining Green Belt Boundaries NPPF paragraph 139 states a plan should:

- a) ensure consistency with the development plan's strategy for meeting identified requirements for sustainable development;*
- b) not include land which it is unnecessary to keep permanently open;*
- c) where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;*
- d) make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development;*
- e) be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and*
- f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.*

Within the Proposed Submission Version of the Warrington Local Plan it is our view that there are three areas when the Green Belt boundary has been defined within the plan that has limited the effectiveness.

Firstly, the Site Allocation of Site 1654 will not without acknowledged need of reinforcement through its development (Policy OS1 part 12) provide a new Green Belt boundary that is clearly defined by physical features within the landscape that are readily recognisable and likely to be permanent. It is considered the boundary formed by Phipps Lane, Green Lane and Lumber Lane

connected to the existing urban provides the better, strong and readily recognisable boundary (NPPF 139 f).

Secondly, there is no evidence to the Local Plan Examination that demonstrates that the Green Belt boundary will not need further alterations at the end of the plan period (NPPF 139 e). Burtonwood is and will remain a tightly bound settlement by green belt even with Site Allocation OS1 once developed. It is highly probable the subsequent plan review will need to revisit green belt deallocation to meet future needs at Burtonwood as it must now. Because Parcel BW3 is the best option for development, and with removal of Site Allocation OS1 the boundaries must be reinforced, there is a clear case to reconsider in this plan deallocation of the whole parcel.

Thirdly, and related to the second point, though we accept there is no necessity to designate “safeguarded land”, NPPF para 139 c & d expressly requires Local Planning Authorities, where necessary to identify land between the urban area and inner boundaries of the Green Belt for future development needs beyond the current plan period. It is not Metacre’s position that the other land in Parcel BW3 is required in this plan period to meet needs, but there is a clear likelihood some will become required at the next plan review.

It is Metacre’s view that such an approach would best be served by a Safeguarded Land policy that identifies the land on the Proposals Map for future development needs through a future plan review. The policy necessity arises from the lack of demonstrable evidence that land will not be required in the subsequent plan review to meet needs and that the land is the most suitable land to meet future needs at Burtonwood on available evidence.

To conclude, in order to make the Proposed Submission Version of the Warrington Local Plan more effective and thus consistent with national policy areas to be safeguarded should be included within the plan.



Proposed Submission Version Local Plan Representation Form

Introduction

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PART B - Representation Form 1

1. To which part (chapter/policy) of the Local Plan does this representation relate?

Objective W4

2. Does your comment relate to a specific paragraph (s) or policy sub-number (s)? Please select one option.

- A paragraph number(s)
- A policy sub-number(s)
- Both of the above
- None of the above

If a paragraph or policy sub-number then please use the box below to list:

Policy INF5- Delivering Infrastructure

3. Do you consider the Draft Local Plan is: Please select one option in each row.

	Yes	No
Legally Compliant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sound	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Compliant with the Duty to Co-operate	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

Please be as precise as possible.

NT considers the Policy unsound in its interaction with the Infrastructure Delivery Plan and the requirements of NPPF paragraph 57.

5. If you answered 'Yes' to any of the options in question 6 then please give details in the box below the reasons why you support the legal compliance or soundness of the Draft Local Plan or its compliance with the duty to co-operate.

Please be as precise as possible.

NT recognises that within Policy INF5 Part 4 that planning obligations will be required to meet normal tests on necessity, relatability to development and fair and reasonable scale per NPPF paragraph 56.

Part 6 intends to draw through NPPF paragraph 57 to provide an assumption that identified site allocations that are considered viable through Local Plan assessment, i.e. the Infrastructure Development Plan (IDP), should remain so. Placing the burden on the developer to demonstrate any change in circumstance. In this manner Part 6 clearly only applies to site allocations and the opening sentence should be modified to clarify this point.

(Continued on separate sheet)

(Continue on a separate sheet and attach if necessary)

6. Please set out what modification(s) you consider necessary to make the Draft Local Plan legally compliant or sound, having regard to the test you have identified above where this relates to soundness. (NB please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to put forward your suggested revised wording of any policy or text.

Please be as precise as possible.

Modifications to Part 6 to read;

“The Council will only consider the viability of development proposals on allocated sites at the planning application stage where:

Part 6: new sentence and points after bullet (b) to read;

“Where provisions in the Infrastructure Development Plan have changed since the Local Plan viability appraisal to add, delete or modify requests relevant to a site allocation, the Council shall take such matters into consideration at planning application stage by either;

(Continued on separate sheet).

(Continue on a separate sheet and attach if necessary)

Please note: your representation should succinctly cover all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he / she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? Please select one option.

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination (I understand details from Part A will be used for contact purposes)

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

NT requests the opportunity to discuss at examination the significant viability issues that may arise from the circumstances of the IDP and operation of Policy INF5.

(Continue on a separate sheet and attach if necessary)

8. If you wish to attach documents to support your representation form then please submit with your response and provide a description of each document in the box below.

Comments / file description

A document is attached containing the continued answers to questions 5 and 6 which did not entirely fit in the boxes provided.

(Continue on a separate sheet and attach if necessary)

Metacre Limited

Continuation of representation to Policy INF5

5. (Continued)

However, the operation of Part 6 assumes that the requirements in the IDP are all validly sought. Whereas some issues, particularly some related to health care, are currently assumed needs that may or may not materialise at the time development is brought forward, or indeed at all. Policy INV5 Part 6 as drafted does not consider this circumstance and requires an assessment to be balanced to the “full planning obligation requirements” which will include in some cases these assumptions if a developer were to challenge continued inclusion. It is disproportionate to require a viability appraisal to remove a contribution that either remains an unevidenced assumption or may have been deleted in an IDP update.

NT considers that Part 6 needs to recognise some changes may not be through the action of the developer and to allow a proportionate policy response and decision-making process.

6. (Continued)

- c) Confirming the removal of the relevant planning obligation as part of the balance of benefits to that site allocation; or*
- d) Requesting a viability appraisal if challenged by the developer to demonstrate viability on the issues not considered or modified since the Local Plan’s viability appraisal.*

To continue then with text “*In these cases ...*”