



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?

Policy MD1 Warrington Waterfront

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:

MD1.1
Paragraph1
Paragraph 3 (d)

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

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

The Draft Local Plan may not be legally compliant as (s19(2)(a) PCPAct 2004) it may fail to have regard to national policies, advice and guidance. The Plan may also not be "sound" as it may not be compliant with the National Planning Policy Framework. Para 1.4 of the NPPF requires that the NPPF be read alongside the government's planning policy for waste. Para 8 of the National Planning Policy for Waste requires authorities to "ensure the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities."

5. If you answered 'Yes' to any of the options in question 3 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.

Proposed additional wording to be included in Policy MD1:

Para 51 (a): Development within the Waterfront must not inhibit the safe and effective management of the Gas Utilisation and Leachate Treatment Plants at Arpley land fill site.

Para 51 (b): Development and public access arrangements within the Waterfront must not inhibit the safe and effective management of the Arpley land fill site infrastructure.

Para 51 (c): Development within the Waterfront must not inhibit the safe and effective management of surface water drainage across the Arpley land fill site.

(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:

(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

See attached file ref 2648-01 Representations

(Continue on a separate sheet and attach if necessary)

Project:

TITLE: NTLS CONSULTATION ON WARRINGTON BOROUGH COUNCIL'S PROPOSED SUBMISSION VERSION LOCAL PLAN

Date: 12 June 2019

Introduction

1. These representations have been prepared by Axis, on behalf of FCC Environment (FCC). The representations are submitted to Warrington Borough Council (WBC) by FCC as part of the consultation process on the Proposed Submission Version Local Plan (draft Local Plan) approved by Full Council on 25 March 2019. The consultation process runs until 5pm on 17 June 2019.

Summary of draft Local Plan proposals in respect of the Arpley site

2. The Arpley site is identified in proposed policy MD1 Warrington Waterfront as a 'new urban quarter of Warrington, taking advantage of its waterside setting' and intended to connect to and extend the Town Centre towards the west. It is understood that proposals include:
 - 2,000 new homes;
 - A major employment area, incorporating a multi-modal port facility at Port Warrington;
 - A business hub;
 - A primary school;
 - A local centre, including shops, health facility and other community facilities;
 - A major new country park at Arpley Meadows; and
 - Improvements to Gatewarth Country Park.
3. The outline programme for delivery is given below, however it should be noted that delivery of the development is contingent upon:
 - Securing funding and agreeing the delivery programme for the proposed Western Link road;
 - Removal of land required for Port Warrington expansion from the Green Belt; and

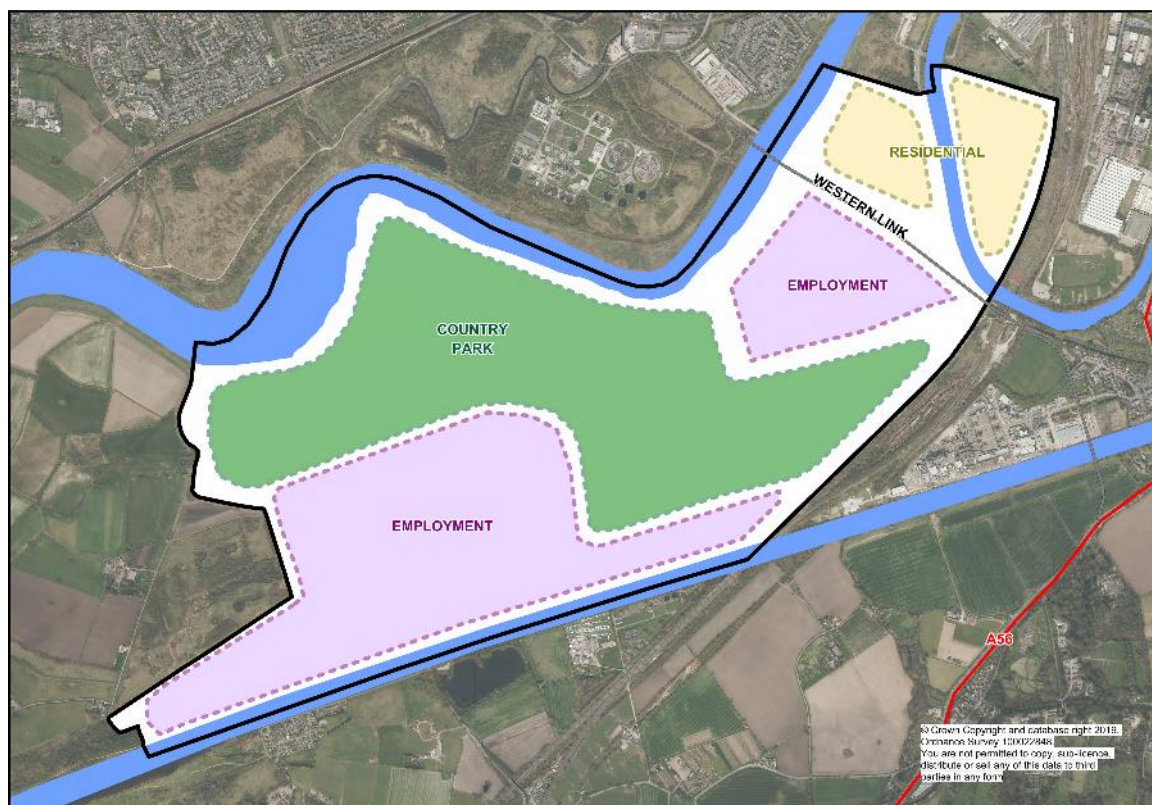
- Agreement for mitigation of loss of part of Moore Nature Reserve (net gain in biodiversity required).

Programme

- First homes completed 2023/24;
- First phases of Port Warrington and the Business Park following shortly after; and
- Waterfront to be completed in full by 2037.

An indicative plan showing the proposal is provided in Figure 1.

Figure 1 – Extract from Policy MD1 Warrington Waterfront



Representations

4. The Western Link road and the proposed northern employment area to the south east of it have the potential to impact drainage arrangements to the existing surface water lagoon and operational matters associated with the landfill which are all related to the long term aftercare of the Arpley Landfill site. These include access, monitoring and aftercare management of the landfill site and associated

Gas Utilisation Plant (GUP). These matters and other associated access rights to the landfill areas will need to be protected. The existing consented surface water lagoon located to the east of the landfill site is to be retained as part of the approved restoration scheme for the landfill site. Whilst alternative solutions are possible, these will need to be addressed as part of any future development. The gas engines and leachate treatment plant (LTP) are located immediately to the north west of the proposed northern employment area and must be retained for the management of landfill gas and leachate until no longer required, which could be for up to 30+ years. In addition, the LTP and associated access and services will be needed on site for 50+ years. Again, technical solutions such as suitable standoffs may be available, but these must be considered as part of any future development proposals.

5. The proposed northern employment area sits within the Arpley Phase of the consented landfill site. This area is approved for the extraction of material (dredgings) destined for reinstatement of the adjoining landfill site and then restoration of the Arpley Phase itself, in accordance with the approved restoration scheme plan submitted in discharge of condition 17 of planning consent ref. APP/M0655/A/14/2222229. It should also be noted that extraction of these materials for the restoration scheme has lowered the ground level over part of the proposed employment area. There is a requirement to restore this area in accordance with the current landfill restoration scheme as referred to above. The change in levels would therefore need to be addressed to meet this scheme, including any adjusted drainage required (especially surface water run-off to the lagoon and GUP) before the proposed allocation could be taken up. This will require an amendment to the landfill permission or separate planning consent.
6. Potential technical constraints and the need to protect essential landfill infrastructure should be acknowledged in the Plan where the proposed MD1 Warrington Waterfront policy overlaps the landfill site.
7. The proposed revised country park boundary (which includes the existing landfill site managed by FCC) has the potential to accommodate the proposed enhanced use but would need careful design and consideration to allow for the ongoing long term management of the Arpley landfill site, including the following elements:
 - Cut/ fill requirements of restoration;
 - Footpath/ access arrangements;

- Future landfill management and public safety;
 - Delivery of the approved restoration scheme, because of consequential changes to layout;
 - Ongoing landfill management in accordance with the EA Permit until surrender by FCC, which could be circa 60yrs or more; and
 - Any associated remediation of the landfill during this post closure phase of operation.
8. FCC wishes also wishes to draw WBC's attention to the requirement for all proposed policies to meet the "soundness" test as set out in the National Planning Policy Framework; specifically, that they be consistent with national policy. FCC considers it possible that proposed policy MD1 Warrington Waterfront may not be "sound" in that it could prejudice the efficient operation of existing waste facilities at the Arpley site.
9. In summary the Warrington Waterfront proposals could be acceptable, however FCC considers that there are a number of issues, not limited to those outlined above, that could have an impact on the future management of the landfill; operation of the GUP and LTP; delivery of the approved restoration scheme; and compliance with the test of "soundness". Landfill safety and management must be foremost and be protected and acknowledged in the draft Local Plan. FCC would welcome further discussion with WBC on these points.