



Local Plan  
Policy and Programmes  
Warrington Borough Council  
New Town House  
Buttermarket Street  
Warrington  
WA1 2NH

17<sup>th</sup> June 2019

Dear Sirs

### **REPRESENTATIONS TO WARRINGTON SUBMISSION VERSION LOCAL PLAN**

We write in response to the aforementioned document which has been published by Warrington Borough Council for consultation until 5pm on 17<sup>th</sup> June 2019. This consultation follows the previous round of consultation on the Local Plan held in 2017, namely the Preferred Development Option; it is understood that this latest iteration of the Local Plan has sought to address the comments received at the previous stage of consultation.

To inform this representation, we have had regard to the guidance contained within the National Planning Policy Framework (NPPF), namely Paragraph 35 and the following tests of soundness:

- **Consistent with National Policy:** The Plan should enable the development of sustainable development in accordance with the Policies in the Framework;
- **Effective:** The Plan should be deliverable over the Plan period and based on effective joint working and cross-boundary strategic matters that have been dealt with rather than deferred;
- **Justified:** The Plan should be an appropriate strategy, taking into account the reasonable alternatives, based on proportionate evidence; and
- **Positively Prepared:** The Plan should be prepared based on a strategy which, as a minimum, seeks to meet the area's objectively assessed needs (where this relates to housing, should needs should be assessed using a clear and justified method) and is informed by agreements with other authorities so that unmet need from neighbouring areas is accommodate where it is practical to do so, and is consistent with achieving sustainable development.

We have specific land interests within the area identified in the Submission Version as the proposed 'Garden Suburb'; accordingly, this representation is prepared and submitted having regard to those specific land interests.

### **Plan Period**





The Plan period for the Submission Version Local Plan covers the 20-year period from 2017 – 2037. We support this approach which aligns with the guidance contained in paragraph 22 of the NPPF.

## **Vision and Objectives**

### Vision

The Council has identified a 10-point Vision for the emerging Local Plan. We are generally supportive of the proposed Vision for Warrington. The Vision is largely consistent with national policy and will help bring forward positive social and economic change.

### Objectives

The Plan's Strategic Objectives are identified as Objectives W1 – W6 and comprise the following:

- To enable the sustainable growth of Warrington through the ongoing regeneration of inner Warrington, delivery of strategic and local infrastructure, strengthening of existing neighbourhoods and the creation of new sustainable neighbourhoods;
- To ensure the revised Green Belt boundaries maintain the permanence of the Green Belt in the long-term;
- Strengthen and expand the role of Warrington Town Centre as a regional employment, retail, leisure, cultural and transport hub;
- To provide new infrastructure and services to support Warrington's growth, reduce congestion and more sustainable travel; and encourage active and healthy lifestyles;
- Secure high-quality design which reinforces the character and local distinctiveness of Warrington's urban area, its countryside, and its unique pattern of green spaces; and
- Minimise the impact of development on the environment through the prudent use of resources and ensuring development is energy efficient, safe and resilient to climate change and makes a positive contribution towards improving Warrington's air quality.

We are broadly supportive of these objectives which remain fundamentally unchanged from those contained within the Preferred Development Option.

## **Policy DEV1 - Housing Requirement**

It is noted that the Submission Version proposes an overall housing requirement of 18,900 new homes over the Plan period, at an average of 945 homes per annum. 6,490 of these new homes will be delivered at the Garden Suburb, with an allowance for 4,201 dwellings to come forward during the Plan period. This is in addition to the 930 homes which already benefit from planning permission. We support this approach.

In respect of the Borough's housing requirement, we note that it is the Council's intention to apply a 'stepped' approach to delivery; these rates are based on 847 dwellings per annum





between 2017 and 2021, and 978 dwellings per annum between 2022 and 2037. We do not support this approach – the Council should be allocating and releasing enough land across the Borough such that there is a demonstrable five-year supply upon adoption, with land capable of coming forward for early delivery to help meet the Borough’s housing needs. As drafted, the Submission Version appears to be deferring housing growth in Warrington beyond the first five years. This is wholly unnecessary and avoidable through the allocation of land additional to that already proposed for release at the Garden Suburb, South West Extension, and the outlying settlements. At present, the Council appears to be placing too great a reliance on the delivery of sites within the urban area/brownfield land; we are concerned that the levels of growth projected by the Council won’t be achieved in their entirety during the Plan period, and thus there is an underlying need to apply greater flexibility to land release and housing delivery.

Such an approach should mean that an early review of the Local Plan can be avoided. An early review would not be in the interests of the Council, communities or developer alike. However, as drafted, this appears to be the Council’s default position in the event that a five-year supply cannot be demonstrated in the first years after adoption.

## **Policy DEV2 – Meeting Housing Needs**

### Affordable Housing

Paragraph 62 of the NPPF is clear that Local Plan policies should specify the type of affordable housing required, and that it should be met on-site unless off site provision or financial contribution can be robustly justified, and the agreed approach contributes to the objective of creating mixed and balanced communities. Of these, at least 10% of the overall provision of new affordable homes is to be available for home ownership, unless this would exceed the level of affordable housing required in the area or prejudice the ability to meet the identified affordable housing needs of specific groups.

In response to this guidance, Policy DEV2 of the Submission Version states that on sites of 10 dwellings or more, affordable housing is to be provided based on the following thresholds:

- (a) 20% on sites within Inner Warrington, inclusive of the Town Centre; or
- (b) 30% elsewhere in the Borough, and all Greenfield sites irrespective of their location.

Of the affordable housing provision, 10% affordable home ownership should be provided, with the remainder affordable rent or social rent. A lower split/tenure will be permitted where it can be demonstrated that it would not be financially viable.





As developers of affordable housing, we support the need to deliver affordable housing across Warrington. There is a clear, evidential need for such provision. That said, there are some corrections which need to be made to the Policy in order for it to be sound. These are documented below:

- Paragraph 64 of the NPPF requires at least 10% of the overall affordable housing provision on a site to be available for affordable home ownership, as part of the overall contribution from a site. As drafted, Part (2) of Policy DEV2 states that "*the equivalent of 10% of the total number of homes within the development*". This is inconsistent with the NPPF and should be updated accordingly.
- Part 4 of the Policy states that affordable housing should be provided on-site and only in exceptional circumstances, where the nature of the site is deemed unsuitable for affordable housing, will a commuted sum be acceptable. This is contrary to Paragraph 62 of the NPPF which states whilst affordable housing is expected to be met on-site, it will be acceptable in those instances where "*off-site provision or an appropriate financial contribution in lieu can be robustly justified*". The Policy should be amended to reflect the wording of the NPPF, with the deletion of the wording "*exceptional circumstances.*"
- Section 5.1 of Council's Viability Report (prepared by BNP Paribas) identifies support for the emerging affordable housing provision; however, there are instances where the Council will need to provide flexibility in their policies, and have regard to individual site viability, and where a case is made, to adjust the amount of affordable housing provision. This will impact on the delivery of affordable (and open market) homes within the Borough, and the potential for the non-delivery of homes. Paragraph 34 of the NPPF is clear - Plans should set out the contributions expected from the development and should not undermine the delivery of the Plan. The Council must ensure that its policy requirements do not impact on the deliverability and viability of the Plan.

#### Housing Type and Tenure

Paragraph 60 of the NPPF is clear that the size, type and tenure of housing needs for different groups should be assessed and reflected in planning policies. Parts 7 – 8 of the Policy identifies that residential development should provide a mix of different housing sizes and types which should be informed by the Borough wide housing mix target and any local target set by a Neighbourhood Plan, when taking into account site-specific considerations. The text refers to a table; however, no table is provided within the Policy, but instead is included within the supporting text (Table 3) which is based on an assessment identified within the





Local Housing Needs Assessment with a notable demand for 1 and 2 bed affordable rented properties and 2 bed houses. There is also high demand for 3 bed market houses.

As a developer based in Warrington, we support the need for a mix of housing and the provision of a range of house types. This includes housing for older people and self/custom build plots.

At the same time however, consideration should be given to the local area and the type of housing which is needed, rather than simply apply a general Borough-wide requirement, i.e. due to variances between Green Belt and Inner-City localities. This will require the input from the Council's Housing Team. Viability also needs to be considered when informing the housing mix on a scheme by scheme basis, and we discuss viability considerations later in this representation.

### **Policy GB1 – Green Belt**

Section 3 of the Submission Version explains the approach which the Council has taken towards the proposed release of Green Belt land. It confirms that Green Belt boundaries should only be altered where exceptional circumstances are fully justified and evidenced, through the preparation or updating of plans. The approach to defining new boundaries should be set out in strategic policies, consistent with Paragraph 135 of the NPPF, and demonstrate why normal planning and development management policies would not be adequate, any major changes in circumstances have made the adoption of this exceptional measures necessary; the consequences of the proposal for sustainable development; necessity for the Green Belt and its consistency with strategic policies for adjoining areas; and how the Green Belt would meet the other objectives of the NPPF.

The Council has identified that the general extent of the Green Belt through the Plan period will be maintained until at least 2047. However, it is accepted that there is a need for some Green Belt release and boundary adjustments, and we welcome and endorse these robust conclusions.

There is a clear and evidential need to review and release land from the Green Belt to meet the Borough's overall housing requirements over the Plan period and beyond. We support this approach.

### **Policy MD2 - Garden Suburb**

#### General Comments





The Submission Version has maintained the proposed Garden Suburb allocation previously set out in the Preferred Development Option.

On review, we consider the proposed levels of growth within the Garden Suburb to be realistic having regard to infrastructure requirements, rates of delivery, and market demand.

Alongside the new market and affordable housing, provision is also made for a residential care facility, supported housing for older people, and self-build/custom-build plots. Other uses will include a central neighbourhood centre, local centres, a secondary school, over 100 hectares of employment land, and a green infrastructure network.

As a local developer, we support the proposed Garden Suburb allocation. It is a logical location for future housing growth, with much of the required supporting highways infrastructure already in place. From a Green Belt perspective, it is a logical addition to the Warrington Urban Area which it adjoins, and provides the opportunity for sustainable economic and housing growth in an accessible part of Warrington with excellent links to the strategic highway network.

The continued allocation of the Garden Suburb is considered to be consistent with the guidance contained in Paragraph 72 of the NPPF which acknowledges the key role that strategic extensions and Garden Cities can provide in securing the delivery of housing needs. Furthermore, Paragraph 92 of the NPPF places the onus to plan-makers to ensure that the strategies for housing, employment and other land uses are integrated, reducing the need for travel by unsustainable modes of transportation. This will be achieved by providing future residents with access to schools, shops and services on their 'doorstep.'

The Garden Suburb is identified within the Council's supporting Green Belt Assessment as making a weak contribution to the five purposes of Green Belt set out in Paragraph 134 of the NPPF. The Garden Suburb allocation is considered to be sound in this respect, and reflects the original New Town proposals for the extension of Warrington. The M56 and M6 provide significant, durable and definable boundaries for the Green Belt ensuring that the urban area does not extend beyond these. The M62 and M6 are noted to fulfil a similar role to the North of the Manchester Ship Canal and River Mersey in the town, and as such the allocation of this land as proposed by the Council will represent a continuation of this pattern of development and is a reflection of how Warrington has grown over the past 50 years.

It is noted that the Council has already commenced its masterplanning for the site taking into account the varying required land-uses and facilities, broad constraints, and place making principles. Moving forward, and given our land interests in the area, we wish to be actively engaged in this process, to ensure that the masterplan has been drawn up in accordance with a full appreciation of the constraints and opportunities of our land interests,





as well as our aspirations, and to ensure that the land-use(s) identified through the masterplan are both available and deliverable within the Plan period.

The varying land-uses, services and infrastructure identified as part of the masterplan raise the need for the Council to arrive at a mechanism to facilitate land equalisation agreements for landowners whom, through the masterplanning process, are required to “give over” their land for non-residential/commercial land uses which will likely be subject to a considerably reduced land value (compared to residential use). Again, this process should involve the active engagement of landowners and promoters with land interests in the Garden Suburb.

Given the scale of the development proposed by the Council for the Garden Suburb, its delivery will clearly be fundamental to the success of the Local Plan process. As such, the Council will need to ensure that planning policies for the development of this site do not go beyond what is required to deliver a sustainable and integrated community. The Council should be open to negotiation of policy requirements, flexible to changes which might depart somewhat from the initial masterplan (such as minimum density, layout/design requirements), and avoid the application of a strict phasing regime across the site whereby one parcel is held back due to the non/under delivery of another for no good reason than to manage development.

In those instances where developers/landowners fail to make their land available for the delivery of key infrastructure required to facilitate or unlock large sections of the site for development, the Council should be prepared to utilise its powers to ensure that the delivery of the Garden Suburb is not adversely affected and does not result in the failure to deliver the overall housing requirement of the Local Plan.

#### Land at Dingle Farm, Dingle Lane, Grappenhall

As outlined previously, we have specific land interests within the proposed Garden Suburb (as defined within the Submission Version) at Dingle Farm, Dingle Lane, Grappenhall. Our interests extend to approximately 1.97 hectares and could accommodate around 40-50 dwellings. The full extent of our land interests are shown on the enclosed Plan.

Our land interests were previously identified in the Preferred Development Option for residential development (as part of the wider Garden Suburb Masterplan). However, based on the illustrative development concept now included at Figure 18 of the Submission Version, our land interests now appear to be allocated as part of a wider area of open space. We strongly object to this potential land-use; it is a logical extension to the existing residential area to accommodate housing. At no point have we been contacted to engage in dialogue with the Council to prepare the illustrative development concept; a collaborative approach to the development of the Garden Suburb is now what’s required.





Accordingly, we would strongly urge the Council to bring all landowners together to discuss the proposals for the Garden Suburb, and to commission the preparation of a detailed masterplan, and phasing and delivery strategy (a process which all of the landowners and developer partners should have the opportunity to input into). This process needs to be transparent, and should commence prior to the Local Plan Examination in order to demonstrate to the Local Plan Inspector that the Garden Suburb allocation is deliverable during the Plan period consistent with the Council's housing trajectory. If it remains the Council's intentions to adopt a Development Framework SPD for the Garden Suburb, then work should commence on this as soon as possible.

It is noted that Part 14 of the Policy states that no new housing development within the Garden Suburb will be permitted until such time that a number of criteria have been met. All of these relate to funding matters, and all of which are outside of the control of landowners. The wording of Part 14 is overly restrictive such that it raises questions over the rate of delivery at the Garden Suburb during the Plan period. This should be removed or 'relaxed' in order not to preclude development from commencing on those parcels of land within the Garden Suburb which are not reliant on any external funding to facilitate their delivery (nor to mitigate any impact). As drafted, we object to the restriction it places on future delivery.

Our land interests are suitable for housing. To aid the Council's understanding of this, a Preliminary Geo-Environmental Risk Assessment has been conducted and was submitted as part of our representations to the Preferred Development Option. The Risk Assessment found that widespread contamination on our land interests is unlikely and that there is a moderate to low risk of soil/ground contamination and hazardous ground gas. The Assessment recommended that an intrusive site investigation be undertaken to assess the potential for contamination, ground gases and geotechnical risk. It is also recommended that an asbestos management survey is completed and that identified asbestos containing materials are removed prior to the demolition of any buildings.

Accordingly, our land interests are available now for the delivery of new housing, including affordable housing, and subject to its release from the Green Belt, is deliverable within the next five years. Notwithstanding our earlier comments in relation to the Council's proposed 'stepped' approach to housing delivery, the release and allocation of our land interests for housing will make a positive contribution towards the Council's short-term housing land supply.

### **Viability**

The Council has published a Local Plan Viability Assessment alongside the Submission Version as part of its evidence base. The purpose of the Viability Assessment is to test the policy







requirements set out within the Submission Version, including affordable housing, and their impact on the viability of developments in the Borough.

Policy DEV2 of the Submission Version requires schemes within the Garden Suburb to deliver 30% affordable housing. Whilst we have no objection to this Policy requirement in respect of the Garden Suburb, it is important that consideration is given to the viability implications of making financial contributions to other forms of infrastructure, as required by Parts 11 and 14 of Policy MD2.

In addition to other contributions such as Education, Sports Provision, public transport/sustainable travel and off-site open space, there is the potential for this to impact on the viability of smaller schemes, including our land interests at Dingle Farm. Accordingly, we would encourage the Council to ensure that there is sufficient flexibility within the Submission Version policies to allow for a 'relaxation' of policy requirements in the event that an evidential impact on the viability of developments can be demonstrated by the Applicant. This would require the submission of a Viability Appraisal/Evidence. It is noted that Policy INF5 of the Submission Version makes provision for such a situation, and we welcome this transparency and flexibility. It is crucial that this is retained as part of the adopted Local Plan such that it facilitates rather than frustrates new housing delivery across Warrington.

### **Summary**

Overall, we are generally supportive of the development strategy and growth ambitions which are being advanced by the Council, and which we consider to be largely sound. There is evidently a drive to deliver new housing and economic growth across Warrington which, as a local developer, we welcome.

We support the concept of the Garden Suburb, and the levels of growth proposed within this area during the Plan period are considered to be realistic and achievable. It has the potential to become the major new housing and employment 'hub' in Warrington comprising a high-quality environment.

Notwithstanding this, we are concerned at the lack of dialogue and progress in relation to the preparation of a detailed masterplan, phasing and delivery strategy for this allocation, particularly given the time which has passed since the previous stage of consultation. The Council needs to action this as a priority in order that the Garden Suburb can make an immediate contribution to the Council's five-year housing land supply. As it stands, we object to the identification of our land interests as open space, which has not been informed by any technical work or dialogue.





The site-specific policies, and the general policies contained within the Local Plan, should not be overly restrictive such that they could preclude development from coming forward at the Garden Suburb and more widely across Warrington. There need to be sufficient flexibility built into the Plan such that the proposed site allocations are viable and capable of satisfying the policy requirements of the Plan (i.e. affordable housing, open space provision etc).

We welcome the opportunity to comment on the Submission Version, and look forward to engaging in the plan-making process as it progresses through to Examination. We reserve the right to appear at the Examination in Public by virtue of this representation.

Yours faithfully

Scott Ashall  
Land Director

Tel: 01925 [REDACTED]

Mob: [REDACTED]

Email: S [REDACTED]



notes:

This drawing is the copyright of Paddock Johnson Partnership Limited and may not be used without their prior written consent. Within dimensions to be taken in preference to scaled dimensions. Due to the inaccuracies of scanning, scanned images should not be scaled.



Ordnance Survey, (c) Crown Copyright 2017. All rights reserved. Licence number 100022432



client: OS licence number 100007395  
 project: Lane End Strategic Land  
 New Housing  
 Dingle Lane,

drawing no: 16163-01  
 drawing title: SITE LOCATION PLAN  
 scale: 1:1250  
 date: 27 Sep 2017

sheet: A4  
 checked: SH

rev	date	description	by
status:			

INFORMATION

paddock johnson partnership architects  
 Studio 2, The Lyceum, Bath Street, Port Sunlight, Wirral, CH62 4UJ  
 t: 44(0)161 643 1234 f: 44(0)161 643 1666  
 email: info@paddockjohnson.com or www.paddockjohnson.com  
 Paddock Johnson Partnership is a firm registered in England and Wales No. 06654275. Address as above.