

**Local Plan (Part Two) Land Allocations and
Detailed Policies examination**

MATTER 10

Northwich

August 2018



Matter 10: Northwich

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Matter 10: Northwich**1. Issue 1: Settlement area policy N1****Questions****Q1. How has the settlement area been defined? Is it justified, effective and correctly defined?**

- 1.1 The Council's approach to the settlement hierarchy and the definition of settlement areas is set out in Matter 2. The approach for defining settlement boundaries is set out in Matter 7.
- 1.2 The settlement boundary for Northwich¹ has been drawn to meet the town's development needs, to support regeneration utilising the potential of previously developed land and to protect the Green Belt. Where there are made Neighbourhood Plans (Davenham and Whatcroft - KSD025 and Hartford -KSD028) the boundary has been drawn to align with the settlement boundaries in these plans. Whilst the settlement boundary is considered to be justified and effective the Council has become aware of an error in relation to the settlement boundary at Gadbrook Park, Northwich that requires correction. A mapping error between the preferred approach plan and the publication policies map has meant that the existing business park and the area allocated through the submitted plan is not included within the boundary. The Council has also raised a similar this issue in Matter 12 in relation to Malpas and would seek the advice of the Inspector in relation to this issue.

Q2. Is the detailed policy wording clear as to how a decision maker should react to a development proposal? Is it effective?

- 1.3 Policy N 1 is written to provide detail of how a decision maker will ensure that development in Northwich will be consistent with the delivery of the strategy of the Local Plan (Part One) in accordance with policies STRAT 1, STRAT 2 and STRAT 5. Clear principles are set out to guide the development management process which will be effective in the delivery of the strategy to encourage the use and redevelopment of previously developed land and buildings in sustainable locations, ensuring that the Green Belt around Northwich will be maintained whilst safeguarding the character and individuality of the settlements that make up the wider built up area of Northwich.

Q3. What is the up to date position on the transport strategy for Northwich referred to in paragraph 4.8?

- 1.4 The Northwich Transport Strategy was approved for adoption by Members of the Council's Cabinet on 2 May 2018, and has been added to the Examination library with document reference (CWC015) – and which supersedes documents EB072 and EB073.

¹ The settlement area in line with STRAT 5 of the Local Plan (Part One) is defined as the town of Northwich and the adjacent settlements of Anderton, Barnton, Davenham, Hartford, Lostock Gralam, Lower Marston, Lower Wincham, Rudheath and Weaverham.

2. Issue 2: Regeneration areas policy N2

Questions

- Q1. How have the regeneration opportunities set out in policies N 2.A, N2.B and N2.C been identified? How have the site boundaries been defined? What justification is there for the types and mix of uses sought? Would these policies accord with Local Plan Part One STRAT5? Overall are the regeneration opportunities identified justified and effective?**
- 2.1 **N 2.A (Weaver Square)** – the basis for the identification of this area is policy STRAT 5 that relates to the potential for regeneration through the ‘Northwich Riverside’ initiative. The Weaver Square area had previously been identified in the Vale Royal Local Plan (KSD012) as a potential development opportunity. The boundary was established in consultation with the Council’s Regeneration team and is also now established through the Northwich Neighbourhood Plan (CWC008). The Council has actively been seeking to regenerate the area and has recently completed public consultation on a masterplan for the area.
- 2.2 The Cheshire Retail Study (2016) (EB013) recommended that measures be taken in relation to Weaver Square Shopping Centre, acknowledging the high vacancy rates and its dated appearance which detracts from the overall vitality of the town centre. The study recommends that this area is designated as an intervention area and identified as a potential redevelopment opportunity. The study recommended that in areas where high vacancy levels are identified, residential development and uses ‘beyond retail’ are encouraged to enhance the vitality and viability of the town centre as promoted in paragraph 23 of the Framework.
- 2.3 **N 2.B (Winnington Works)** - This regeneration area was identified through the call for sites process during the preparation of the Local Plan (Part Two) and the HELAA. The site was put forward for mixed use development. The regeneration opportunity is also included in the recently made Northwich Neighbourhood Plan (CWC008) under policy HOU4. The site boundary was determined through the HELAA assessment process based on the representation received through the call for sites and up to date monitoring information (HELAA site ref WIC/0049). Based on the significant area of the site and representations from the landowner the types and mix of uses is considered justified.
- 2.4 **N2.C (Wincham)** – This area is identified through policy STRAT 5 as a key development proposal. Representations have been received through consultation on the Part Two plan in relation to both employment and residential development in the area. Land ownership across this site has changed and this has been reflected in the uses and capacity for housing development. The regeneration area provides for a mix of uses in line with STRAT 5, and policy N 2.C provides further guidance on the possible location of certain uses (please also see the Council’s response to Issue 4, Matter 10).
- 2.5 Overall the type and mix of uses sought as part of the regeneration of the three regeneration sites (N 2.A, N 2.B and N 2.C) reflect the overarching strategy for Northwich as set out in Local Plan (Part One) policy STRAT 5. This policy supports significant regeneration and reuse of previously developed land. The approach to the

mix and type of uses for these sites provides flexibility to ensure that schemes are appropriate and deliverable. The schemes will be developed through comprehensive master planning supported by up to date evidence including consultation.

- 2.6 The regeneration areas identified in N 2 are justified for the reasons set out above and will enable the effective delivery of the strategy of the Local Plan for Northwich especially policy STRAT 5 in relation to regeneration and the re-use of previously developed land.

Q2. What justification is there for seeking 'redevelopment proposals in line with the Council's borough wide Parking Strategy and Parking Strategy SPD as set out in paragraph 4.10' Should this refer to an untested document? Could it be phrased another way so as to ensure effectiveness?

- 2.7 Please see answer to Question 1 (Matter 14, Issue 5) in respect of paragraph 4.10, which refers to a supplementary planning document. It should be noted that a Viability study (KSD003) was carried out which included all of the recommended guidelines set out in the Parking Standards SPD. Paragraph 8.26 concludes that the overall obligations, standards and policy burdens are not of such a scale that cumulatively they threaten the ability of the sites and scale of development identified in the Plan to be developed viably and while viability issues do arise in relation to certain forms of commercial development, this is a result of market factors rather than Local Plan (Part Two) policy obligations (paragraph 8.27). This is in accordance with paragraph 174 of the Framework which requires local authorities to assess the cumulative impacts on development of all standards and requirements, including those contained within supplementary planning documents, to ensure that the implementation of the plan is not put at serious risk. The Council considers that the wording in paragraph 4.10 is effective and in line with Local Plan (Part One) policy STRAT 10.

Q3. In relation to policy N2.B what justification is there for community infrastructure including health facilities, suitable highway/access infrastructure improvements and the matters set out in paragraph 4.13? Would this accord with paragraph 204 of the Framework, which sets out the tests for planning obligations? What justification is there for the neighbourhood centre, a landscaped route along the southern bank, provision of play space and equipment as set out paragraph 4.13? Should this be part of the policy? Is it clear what weight a decision maker would attach to that paragraph?

- 2.8 Site N 2.B (Winnington Works) is a large scale redevelopment/regeneration opportunity in excess of 58 hectares that will reasonably require suitable highway/access infrastructure to support large scale development. The site must be brought forward in a comprehensive manner and ensure that the infrastructure to support it is provided. The criteria in the policy are required to deliver the sustainable regeneration of the site in accordance with Local Plan (Part One) policies STRAT 1 and STRAT 5 as a key focus for development, and are not a list of planning obligations. The approach is supported by the landowner (representation 835477/525/N 2.B/3/).
- 2.9 The Northwich Neighbourhood Plan (CWC008) (policy HOU4) identifies the requirement to provide the community infrastructure including health facilities,

suitable highway/access infrastructure improvements. The provision requirements are also supported through the policies of the Local Plan (Part One), specifically STRAT 11 which seeks to ensure that new development provides for the infrastructure, facilities, amenities and other planning benefits which are necessary to support and serve it. In addition, representations received from the Department for Education (Education and Skills Funding Agency) (1101125/555/N 2.B/1.2/) support the inclusion of education infrastructure and request that “the education needs generated by the site must be fully assessed by potential developers” which would demonstrate a clear approach to planning and delivery of education infrastructure that is “justified based on proportionate evidence”.

- 2.10 The considerations set out under paragraph 4.13 of the policy are relative to the scale of the site and the flexibility of the future mix and type of uses. The text in the explanation is intended to be considered through the development of a comprehensive master plan/development brief as stated in criteria 2 of policy N 2.B. All of the provisions set out in paragraph 4.13 are supported in policy HOU4 of the Northwich Neighbourhood Plan (CWC008). This approach is also supported by the landowner (representation 835477/525/N 2.B/3/). The intention of paragraph 4.13 is to provide guidance as to criteria that should be included in a development brief for Winnington Works (in line with criterion 2 of the policy).

Q4. Is the detailed policy wording clear as to how a decision maker should react to a development proposal? Is it effective?

- 2.11 Local Plan (Part Two) policy N 2 is written to provide detail of how a decision maker will ensure that development in Northwich as a whole will be consistent with the delivery of the strategy of the Local Plan (Part One). Clear principles are set out to guide the development management process which will be effective in the delivery of the strategy to encourage the use and redevelopment of previously developed land and buildings in sustainable locations. Policies N 2.A to N 2.C provide additional criteria relative to the site specific development requirements.

Q5. Overall, do the regeneration areas identified accord with Local Plan One policies STRAT1, 2 and 5?

- 2.12 Please see the Council's response to Matter 10, question 1 above.

3. Issue 3: Meeting the outstanding housing requirement policies N3; N3.B; N3.C

Questions

Q1. Policy N 3 allocates a number of sites for housing. How have the proposed allocations been identified?

3.1 Please refer to the Council's response to Matter 4 which addresses the approach to the selection of housing land allocations.

Q2. Are there any significant factors that indicate that any sites should not have been allocated?

3.2 All of the sites set out in the HELAA 2017 (EB040) have been subject to assessment in accordance with the agreed methodology and this has been subject to consultation. The site constraints were identified as part of the stage one and stage two assessments in the HELAA and the potential for mitigation was considered. There are no significant factors identified to indicate that the sites allocated under policy N 3 (N 3.A to N 3.D) should not be allocated. The Land Allocations Background Paper (2017) (EB046) sets out the 'policy on' assessment of the sites in the context of Local Plan (Part One). There are no significant factors identified to indicate that the sites identified under policy N 3 should not be allocated.

3.3 The SA of all proposed land allocations has been taken in to account when assessing each site. The appraisal noted areas where mitigation may be required, and further consideration of flood risk and contamination (N 3.C) however the Council does not consider any of the factors to be significant enough to result in a site being undevelopable.

3.4 Representations were received in relation to the deliverability of the proposed allocations, generally accompanied by alternative site proposals. However each site has been assessed and unless there is clear evidence of a site being deliverable i.e. within the first five years, the forecasting sets out that the sites are developable within the plan period.

Q3. Is there any risk that site conditions and constraints might prevent development or adversely affect viability and delivery? Are all sites viable and deliverable?

3.5 Please see response to Question 2 above in relation to the thorough site assessment process carried out in preparation of the land allocations. Allocation N 3.B is subject to planning application 17/01965/OUT² which was approved subject to a legal agreement in the 2017-2018 monitoring period, and includes up to 160 dwellings (60 units above the proposed allocation). Allocation N 3.D has been subject to planning applications for residential schemes which include a mix and type of accommodation (including extra care and care home facilities).

3.6 The Land Allocations Background Paper (EB046) (paragraph 2.20) notes that the Local Plan (Part Two) will be supported by a high level assessment of Plan viability. The Viability Study (paragraphs 8.01 to 8.18) (KSD003) sets out how housing related

² Approved July 2018 <https://pa.cheshirewestandchester.gov.uk/online-applications/applicationDetails.do?keyVal=OP2TN6TEK3Y00&activeTab=summary>

policies have been tested against housing typologies. Table 3.20 sets out the effect of policies on development. Paragraph 8.12 acknowledges that some brownfield typologies would be unviable based on all of the policy requirements in the plan, however, paragraph 8.12 recognises that contributions may be reduced, and that the testing does not accord for vacant building credit, CIL exemptions, or grant funding.

- 3.7 Planning Practice Guidance states that assessing the viability of plans does not require individual testing of every site or assurance that individual sites are viable. There are no site specific conditions or constraints that the Council consider would prevent the development of the proposed housing allocations.

Q4. How were the site areas and dwelling capacities determined? Are the assumptions justified and based on available evidence?

- 3.8 The HELAA (2017) (EB040) methodology sets out the Council's approach towards assessing sites for housing development and has taken account of housing monitoring information, site submission representations, the SHLAA; and information provided through the Housing and Economic Partnership group.

- 3.9 Section 2 of the HELAA (2017) (EB040) sets out all of the assumptions that are used for site assessments. The assumptions are used alongside any information available as set out in paragraph 3.9 above. Tables 2.2 and 2.3 relate to site area and site capacity. Site areas were adjusted where applicable to take account of physical features or constraints so that the potential capacity was not over estimated.

Q5. Are the site boundaries correctly defined?

- 3.10 The site boundaries have been informed by the relevant site submission information; the HELAA (2017) (EB040); and relevant Local Plan (Part Two) consultation representations, and reflect the correct site boundary in association with the corresponding policy.

Q6. Are they appropriate and justified in light of potential constraints, infrastructure requirements and adverse impacts?

- 3.11 See site assessment in HELAA (EB040) and policy assessment in Land Allocations Background Paper (EB046)

Q7. What is the expected timescale for development? Is it realistic?

- 3.12 Please see the Council's response to Matter 3, Issue 2 and supporting evidence based Land allocations background paper (EB046) and HELAA (EB040).

Q8. How would the proposed allocations provide flexibility in the event that some sites do not come forward?

- 3.13 The capacity set out for each of the allocations is a minimum figure thereby allowing for flexibility to deliver higher levels of new housing. The sites would collectively deliver a level of housing in excess of the Local Plan (Part One) policy STRAT 5 requirement. The residual requirement was calculated in April 2017 in accordance with the most up to date monitoring data. The 2017-2018 housing monitor report (CWC003) was published in June 2018 and these figures are set out below,

alongside the 2016-2017 figures to illustrate that the housing land supply has capacity to meet the most recent residual requirement. (please see Matter 3)

Table 1 Land Supply position Northwich

Year	Local Plan (Part One) requirement 2010-2030	Net completions 2010-2018	Residual requirement	Supply – sites with planning permission	Supply – Part One strategic site(s) without permission	Supply – Local Plan (Part Two) proposed allocations without permission	Supply – Local Plan (Part Two) proposed allocations without permission
2016-2017	4,300	1,716	2,584	2,142	200	365	145
2017-2018	4,300	2,185	2,115	1,673	200	265	160

Q9. Do they accord with Local Plan One policies STRAT2, 5 and ECON 1, in terms of the overall provision in Northwich and the type and size of sites? How has flexibility been accounted for?

3.14 Policy N 2 and the associated site allocations accord with Local Plan (Part One) policies STRAT 2 and STRAT 5 and will meet the housing requirement that is set out in STRAT 5. The sites allocated are of various sizes and typologies that can deliver a range of housing, both types and sizes. The policies in the Local Plan (Part One) and (Part Two) are flexible and not overly prescriptive. They support the delivery of a mix of housing to meet local needs and can therefore be responsive to any change on demand or in demographics.

Q10. Are the allocations justified, effective and consistent with national policy?

3.15 Please see Matter 3, Issue 2, and the Council's response above.

The Council is requested to address questions Q1-10 for each of the proposed allocations. For those sites where representations have been made the Council is requested to respond to the particular issues raised. In doing this any updated information regarding planning permissions, sites under construction and existing uses should be included.

3.16 Please see Table 2 overleaf that sets out updated information in relation to the proposed housing allocations and issues raised through representations. The general issues raised were:

- Deliverability of sites within the plan period (1023894/783/N 3/OM, 1151562/743/N 3.B/A/)
- Additional sites needed because of uncertainty and flexibility (1151333/679/N 1/Map141/1.2.3/OM, 1150582/402/N 3/A/OM, 1150944/572/N 1/Map141/A/OM, 764935/377/N 1/1/)
- Jodrell Bank consultation zones (242757/667/N 3/)

- Allocation of pending planning application requested (834817/574/N 3/OM)

3.17 The developability of sites is assessed in the Land Allocations Background Paper (EB046) in accordance with the both the HELAA (EB040) and the Planning Practice Guidance.

3.18 The Local Plan supports the development of additional housing above the requirements set out in the Local Plan (Part One) where the relevant policies of the plan are met. Flexibility in the level of new housing that can be delivered in the borough will be provided through other mechanisms as set out in Matter 3. This includes small and large windfall sites, particularly on previously developed land within settlements; regeneration areas as identified in the Local Plan (Part Two) that promote residential redevelopment opportunities and sites identified on the Brownfield Land Register (BLR). It is not considered necessary to allocate planning commitments that have, through the application process, evidenced their delivery within the plan period.

Table 2 Housing Allocations in Northwich and representations made

Local Plan policy	Location	HELAA (2017) reference	Representations	Planning/site status (1 st April 2018)	Proposed capacity	Delivery time scales
N 2.C	Wincham-land at New Warrington Road	MAR/0035	Area proposed for residential development should be identified on map change 144. (764568/726/N 2.C/Map144/A/LC) Council response: Please see Issue 4, question 1 below	Local Plan (Part Two) allocation Historical planning permission(s) for Wincham Urban Village development (not implemented)	>200	Years 6-10 onwards
N 3.A	Briar Lane garage court	WEC/0006	Capacity should reflect the HELAA. Access identified as constraint. (1024445/543/N 3/OM) Council response: All site areas, capacities and assessments were reconsidered and updated in the preparation of the Land Allocations Background Paper and the Council consider the capacity to be reasonable and the site to be developable.	Local Plan (Part two) allocation Brownfield land register site	>10	Years 6–10
N 3.B	Land at Winnington Business Park, Winnington Lane	WIC/0050	Site is marginal in viability terms and heavily constrained (SA assessment). Affordable housing may not be deliverable in accordance with STRAT 5. (1024445/543/N 3/OM) Council response: Each site has been assessed following the methodology set out in the Land Allocations Background Paper (EB046). All constraints have been considered, and the SA sets out mitigation where appropriate.	Local Plan (Part Two) allocation Planning permission 17/01965/OUT outline planning application (all matters reserved) for employment uses (B2, B8 use classes) (up to 5,880sqm), residential uses (up to 160 dwellings), retail units (use class A1) (up to 1,080sqm), a family pub/restaurant (use class A4) (660sqm) – approved 20th July 2018.	> 100 ³	Year 3 onwards
N 3.C	Land at Hargreaves Road	WIR/0034 WIR/0032	No comments received	Local Plan (Part Two) allocation	> 235	Years 6-10 onwards
N 3.D	Castleleigh Centre, David Street	WIC/0058	No comments received	Local Plan (Part Two) allocation Brownfield Land Register site Housing strategy development opportunity (vacant land and buildings)	> 20	Years 6-10

³ Since the end of the 2017-2018 monitoring period planning permission has been granted for a mixed use development that includes up to 160 dwellings.

4. Issue 4: Employment land policies N4

Questions

Q1. Policy N4 allocates a number of employment sites. How have these been identified? How have the site boundaries been defined? How have the specified use classes been defined?

- 4.1 Please refer to the Council's response to Matter 5 Issue 1. Sites have been identified through the HELAA (2017) (EB040) from a range of sources as set out in Table 2.1. The HELAA (EB040) identifies the sites that are potentially suitable, available and achievable for employment development (Section 5 and Appendix D Table 4).
- 4.2 The Land Allocations Background Paper (2017) (EB046) provides a further assessment taking account of Local Plan (Part One) policies and key/strategic employment sites in the plan and representations made during plan preparation. Site identification in Northwich is summarised in paragraphs 2.146 – 2.155. Appendix B.3 includes Northwich site assessments and location plans.
- 4.3 The table below summarises the allocations in policy N 4 and sets out the current planning status as at April 2018^[1].

Local Plan (Part Two) policy	Location	HELAA (2017) reference	Planning status (1 st April 2018)	Local plan (Part One) Strategic Policies	Delivery timescales (years – as at 1 st April 2018)
N 4.A	Land at Chapel Street Wincham (Thor)	MAR/0039	Allocation, no planning permission	STRAT5 Wincham	6-10
N 4.B	Land at Winnington Avenue Northwich	WIC/0050	Allocation, no planning permission in AMR 2018. Note since the monitoring period: 17/01965/OUT outline planning application (all matters reserved) for employment uses (B2, B8 use classes) (up to 5,880sqm), residential uses (up to 160 dwellings), retail units (use class A1) (up to 1,080sqm), a family pub/restaurant (use class A4) (660sqm) – approved 20 th July 2018.		0-5

^[1] Source: Annual Monitoring Report 2018 (CWC004)

Local Plan (Part Two) policy	Location	HELAA (2017) reference	Planning status (1 st April 2018)	Local plan (Part One) Strategic Policies	Delivery timescales (years – as at 1 st April 2018)
			Note; this is a mixed use allocation alongside N 3.B		
N 4.C	Land at Lostock Works House	WIR/0027	Allocation, no planning permission		6-10
N 4.D	Land on Denton Drive Industrial Estate	WIC/0044	Allocation, no planning permission		6-10
N 4.E	Gadbrook Park	WIR/0016	Allocation, no planning permission	STRAT5 Gadbrook Park	6-10
N 4.F	Land to the south A556/south-west Gadbrook Park	DAM/0058	Allocation, no planning permission	STRAT5 Gadbrook Park (extension)	6-10

- 4.4 To meet Local Plan (Part One) policy STRAT 5 requires an additional 30ha of employment land for business and industrial development. Reasonable alternatives have been considered and assessed at each stage of the Plan and assessed through the SA/HRA. Boundaries have been amended in line with SA recommendations or to reflect representations made during the consultation.
- 4.5 The boundaries for allocations **N 2.C and N 2.D** are unchanged from the HELAA and Land Allocations Paper assessments. The Land Allocations Background Paper paragraph 2.147 explains that the boundary for the allocation at **N 4.E Gadbrook Park** is amended from the HELAA (EB040) to exclude the area of flood risk, or potential parking areas.
- 4.6 Allocation **N 4.B Land at Winnington Avenue** was assessed for both housing and employment use in the HELAA (2017). The Land Allocations Paper (2017) paragraph 2.154 identifies this is suitable for mixed use development. It is allocated for mixed use residential and employment development in N 4.B and N 3.B. Planning application 17/01965/OUT for mixed use development was approved 20th July 2018.
- 4.7 The Land Allocations Background Paper (2017) paragraph 2.143 states that following the Government's announcement for HS2 route (November 2016), the Council contacted agents/landowners for additional information in early 2017 where sites may be directly affected by the route realignment. This additional information was reviewed to inform the revised employment allocations for Northwich, and to define the site boundaries for sites N 2.A and N 2.F.
- 4.8 Allocation **N 4.A land at Chapel Street Wincham**, was informed by representations during the preferred approach stage. The Land Allocations Paper (2017) (EB046) paragraph 2.152 summarises the approach. Representations on behalf of Thor

Specialities (UK) Limited confirm that their land acquisitions affect the delivery of the Wincham Urban Village scheme (STRAT 5 Local Plan Part One). The land acquisition enables continued investment and expansion of the existing Thor operations. In line with Local Plan (Part One) STRAT 5, the Council anticipates that some residential development will come forward, but will be located towards the west of the site alongside New Warrington Road, with the employment proposals off Chapel Street as set out in N 2.C. The HELAA was published February 2017 and supplementary information was provided April 2017 to advise a change in landownership for a further three further parcels of land. To align with STRAT5 and to provide flexibility for the changing circumstances and landownerships, the boundary for the wider site was identified in N 4 and map change 149.

- 4.9 Representation 243374/362/N 4/Map149/S supports the identification of employment allocation N 4.A, and associated policy N 2 and N 2.C. In response to representation 764568/731/N 4/Map149/A/LC Russell Homes, the Council considers that this boundary is justified and effective to support the mixed use delivery of the Wincham site identified in STRAT 5 of Part One and contributes towards the requirement for an additional 30ha of employment land for Northwich.
- 4.10 **Allocation N 2.F Land to the south A556/south-west Gadbrook Park.** Different options have been considered during plan preparation. The Land Allocations Paper (2017) paragraph 2.150 summarises the approach. The site boundary for N 2.F is based on the 788647/371/N 5/S Appendix 2, Addendum Concept Masterplan provided February 2017.
- 4.11 The use classes for each allocation are defined on a site by site basis taking account or relevant evidence or appraisals including the HELAA (2017) (EB040) and Land Allocations Background paper (2017) (EB046) assessments, representations received at different stages of plan preparation, site characteristics and compatibility with neighbouring/existing uses. The Winsford and Northwich Land Supply Study May 2016 (EB092) provided further evidence on the type of demand. Each allocation N 2.A, N 2.B, N 2.C, N 2.D, N 2.E, N 2.F allows for a flexible mix of B1, B2 and B8 uses. These are capable of meeting the need for warehousing/logistics and distribution identified in STRAT5 Local Plan (Part One).
- 4.12 Representation 1150396/857/N 4/2.4/ Igas seeks flexibility to allow other uses on the land allocations identified for developments that may not fall within the identified use classes or temporary in nature. The Local Plan (Part Two) should be read as a whole and other policies in the plan are relevant to other development proposals, including oil and gas developments. In line with ECON1, the purpose of N 4 is to contribute towards a supply of land for industrial and business use, falling within use classes B1, B2 and B8.
- 4.13 The proposed employment policies, sites and reasonable alternatives have also been assessed through the SA and HRA, which have been undertaken as an iterative process. The findings of the SA and HRA have informed decision making on site allocations.

Q2. Are they appropriate and justified in light of potential constraints, infrastructure requirements and adverse impacts? Do they provide sufficient variety in terms of size?

- 4.14 Consultation took place on the draft HELAA methodology, the Draft HELAA (2016) alongside plan preparation and the assumptions are justified and based on available evidence of development constraints and amended in response to comments received during consultation. The Statement of Consultation (SD6) section 9 summarises the consultation on the HELAA. Where boundary amendments or alternative use classes have been proposed through consultation, these were reviewed and amended where appropriate.
- 4.15 The HELAA (2017) (EB040) Appendix D assessed each site allocated in N 4 as suitable, available and potentially achievable. Where constraints were identified through the assessment, there is the potential for mitigation and there are no significant factors identified to indicate that the sites should not be allocated. The Land Allocations Background Paper (2017) (EB046) provided a 'policy on' assessment of the sites in the context of Local Plan (Part One). There are no significant factors identified to indicate sites should not have been allocated.
- 4.16 **Allocation N 4.A Chapel Street, Wincham;** The HELAA (2017) (EB040) and Land Allocations Paper (EB046) paragraph 2.152 identified constraints in relation to open space, footpaths, the canal setting and existing hazardous restrictions from current operations. It states that the development would be achievable subject to additional sufficient site specific assessments and mitigation measures provided as part of a comprehensive masterplan for the site through the planning application process. There are no significant constraints or adverse impacts that would prevent development taking place.
- 4.17 **Allocation N 4.B Winnington Avenue:** The HELAA (2017) (EB040) and Land Allocations Paper (2017) (EB046) identified the site is in an established industrial area and partly within hazardous zones. Regeneration has taken place in the wider area through the development of the Winnington Urban village the former Weir engineering site (adjacent the allocation). There are also established industrial businesses on Winnington Avenue that continue to operate and offer local employment opportunities. The policy recognises that any new development should be compatible retained employment uses in the locality (ECON 1 Local Plan Part One). The mixed use allocation takes account of the risks arising from hazardous substance consents and guidelines from the Health and Safety Executive. Within the middle and outer zones, employment uses are appropriate and justified in line with HSE guidelines. The policy should be read alongside policy N 3.B on housing land provision in Northwich and DM 33 and DM 34 regarding development in the vicinity of hazardous installations. Employment uses will be supported and could accommodate small to medium enterprises, provide new opportunities or to meet the expansion needs of existing companies.
- 4.18 Representation 1151562/744/N 4.B/A/OM suggests that employment uses are unlikely. The policy is justified taking account of development constraints from adjacent hazardous zones and adjacent employment uses. Planning permission on part of the site includes employment development (see also question 2 below). The

Council would be happy to amend the text to policy N 4 or N 3 should the Inspector consider this necessary.

- 4.19 There are no significant constraints identified for allocations **N 4.C, N 4.D, N 4.E** that could prevent delivery.
- 4.20 **Allocation N 4.F South A556/South West Gadbrook Park:** The Land Allocations Paper (2017) paragraph 2.150 states that any expansion of Gadbrook Park could only take place with appropriate transport mitigation measures/improvements along the A556, at the junction with Gadbrook Road and the roundabout with the A530. Extensive transport modelling has been undertaken alongside the representations 788647/367/N 4/S provided on behalf of CTP, using the Gadbrook Highway Scheme Modelling Assessment (EB035), Northwich Model Application Study and Appendices (EB068-EB069) and alongside work on the Northwich Transport Strategy (EB072-EB073). The Northwich Transport Strategy was subsequently approved for adoption on 2 May 2018, and has been added to the Examination library with document reference (CWC015). The Council has undertaken a 3rd party review of the data in EB047 Land SW Gadbrook Park-Junction Modelling Technical Review. Any additional development should be capable of mitigating potential adverse impacts on the highways network and is only taken forward as part of a comprehensively planned approach, as set out in Local Plan (Part Two) policy N 5.
- 4.21 The Council has been successful in securing £2m funding through the National Productivity Investment Fund (NPIF) for the local road network in relation to the A556 Gadbrook Business Park junction, as set out in A556 Gadbrook Business Park Junction upgrade (EB005). This will provide significant congestion relief and productivity benefits to support the local economy. This approach is supported by CTP Ltd through representation 788647/367/N 4/S as the scheme alleviates existing congestion while enabling future development sites.
- 4.22 The Council working collaboratively with the Cheshire and Warrington Local Enterprise Partnership and Cheshire East Council, are in the process of commissioning a study to prepare a business case to consider the introduction of a new railway station at Gadbrook Park (and introduction of a regular passenger service on the Northwich – Sandbach line).
- 4.23 In response to 1037878/338/N 5/, as set out above the employment allocation has been informed by transport assessments and sufficient mitigation measures will be required as part of the comprehensively planned approach towards the development of the site.
- 4.24 Paragraph 2.151 of the Land Allocations Paper (EB046) identifies that site specific assessments will be required as part of a comprehensive masterplan for the site. Representations 788647/367/N 4/S received address the site specific constraints and indicate that development is achievable, and can be taken forward as part of a comprehensively planned approach.
- 4.25 The employment allocations in N 4 provide sufficient variety in terms of size. Local Plan (Part One) STRAT 2 and ECON 1 require the Council to provide for a range of sizes and types of site borough wide and this requirement is being met through the plan as a whole.

Q3. What is the expected timescale for development? Is it realistic?

- 4.26 The approach to estimating delivery rates for employment development is set out in HELAA (2017) (EB040) paragraph 2.52. As a general guide, sites with planning permission will commence development in years 1 to 5 and allocations are forecast to commence between years 6-10. These assumptions are reviewed on a case by case basis. Consultation took place on the HELAA methodology with the Housing and Economic Partnership group and this approach was supported through consultation. The timescales are realistic and information is updated annually alongside the Council's Annual Monitoring Report. The expected timescales for development are set out in the table in paragraph 4.3 above.

Q4. How would the proposed allocations provide flexibility in the event that some sites do not come forward?

- 4.27 The employment land requirements established through Local Plan (Part One) STRAT 2 are to provide at least 365ha borough wide. There is sufficient flexibility provided in employment land supply across the borough as a whole. The CWC004 Annual Monitoring Report (2018) table 7.4 demonstrates that the Council is exceeding the 365ha requirement and has +15% flexibility to provide a range and choice of sites borough wide. In addition, EB046 Land Allocations Background Paper paragraph 2.195 states additional employment land could come forward in the plan period through regeneration schemes, on vacant/previously developed land, rural conversions/diversification or where taken forward through neighbourhood plans.

Q5. Would they meet the aims of Local Plan Part One policies STRAT2 and 5 and ECON1 and others, in terms of contributing to the overall requirement for employment land and in meeting the range of types and sizes of sites?

- 4.28 The employment land allocations set out in policy N 4 would contribute towards the borough wide employment land requirement in STRAT 2 and ECON 1. This is set out in the Land Allocations Background Paper (EB046) and Council's updated Annual Monitoring Report 2018, 1st April 2018⁴. The allocations also meet the requirements of Local Plan (Part One) STRAT 5 and make provision for at least 30ha of land for business and industrial development.
- 4.29 Representations 1150673/444/N 4/A/OM Turleys for Protos suggest the Council has overstated its committed employment supply (i.e. planning permissions). The Council has reviewed and updated the supply from extant planning permissions through the Annual Monitoring Report 2018 (CWC004) and has not overstated the level of supply provided through commitments.

The Council is requested to address questions Q1-5 for each of the proposed allocations. For those sites where representations have been made the Council is requested to respond to the particular issues raised. In doing this any updated information regarding planning permissions, sites under construction and existing uses should be included.

Q6. In light of paragraph 22 of the Framework, should those allocations be protected from alternative forms of development?

⁴ AMR 2018, Indicator STRAT2(F) and Appendix C Employment Land Supply

- 4.30 NPPF (2012) paragraph 22 states that land allocations should be regularly reviewed. Retained allocations from predecessor Local Plans have been reviewed alongside the preparation of Local Plan (Part Two) through the HELAA (2017) (EB040) and the Land Allocations Background Paper (EB046). Whilst there is no formal requirement for an annual update of employment land allocations⁵, the Council also undertakes an annual review of employment permissions and undeveloped allocations through the Annual Monitoring Report. It is considered, based on the evidence, that there is a reasonable prospect of employment development on the allocations in policy N 4 to meet the strategic development requirements in STRAT 2. It is therefore appropriate to protect these sites to meet the strategic development requirements for employment land established in STRAT 2.

⁵ Planning Practice Guidance Paragraph: 042 Reference ID: 3-042-20140306

5. Issue 5: Gadbrook Park policy N5

Questions

Q1. Policy N5 seeks to protect employment uses at Gadbrook Park and ensure that any new development is compatible with established employment uses. It also seeks to control any additional employment development identified in policy N4. How has the site boundary of Gadbrook Park been defined? Is the comprehensive approach to development justified along with the production of a development brief? What is the justification in referring to the Council's parking standards, which is an untested document?

5.1 See Matter 10, Issue 4, Question 1 regarding site identification. The site boundary for policy N 5 is defined to include the established business park and the expansion land allocated under N 4.F. The policy aims to ensure new development under N 4.F is integrated and accessible to the existing business park. A context plan is provided to demonstrate how allocation N 4.F can be brought forward as part of a comprehensive approach through representation 788647/371/N 5/S Appendix 2. The explanation in paragraphs 4.21-4.24 of the Local Plan (Part Two) details the justification for policy N 5. It aims to ensure access/infrastructure requirements and parking requirements are fully addressed.

5.2 Local Plan (Part One) policy STRAT 5 identifies Gadbrook Park as a key site for business and industrial development and identifies the expansion of the site is to be assessed through the Local Plan (Part Two). Various parcels of land have been assessed for employment expansion at different stages of the plan. The N 4.F allocation of the land to the south of Gadbrook Park can take place with appropriate transport infrastructure improvements along the A556 corridor (see Matter 10, Issue 4, question 2). In response to these requirements, Representation 788647/371/N 5/S demonstrates how the allocation would relate to the wider area taking account of development constraints and infrastructure requirements identified in the HELAA and Land Allocations Paper assessments. The representation supports the principle of a development brief a comprehensively planned approach.

5.3 Local Plan (Part Two) paragraph 4.21 of the explanation identifies that the success of the existing business park has resulted in some parking problems and impacts on neighbouring areas. This is identified in the Gadbrook Park Parking Options Report (CWC020 - May 2017). The Council is looking at a range of potential solutions to minimise disruption and support environmental enhancements, including the potential for overspill car parking. Representation 788647/371/N 5/S states the allocation under N 4.F can meet the Council's parking standards in line with the operational requirements of the proposed development and prevent an adverse impact on surrounding areas. In addition, there is the potential to accommodate additional parking to serve Gadbrook Park to assist with the resolution of the current parking problems associated the business park. Please see answer to Matter 14 - Issue 5, and the answer to question 2 (Issue 2) above, in respect of reference to the Council's parking standards.

Q2. Does criterion 11 accord with the balancing exercise set out in paragraphs 132 to 134 of the Framework? What is the justification for criterion 8, which seeks improvements and enhancement to the rail network and safeguards sufficient land for a railway station? How would this affect deliverability and viability?

- 5.4 Yes criterion 11 of this policy which requires mitigation of any potential impacts on heritage assets and their setting does accord with NPPF. The Plan should be read as a whole. In considering policy ENV 5 of the Local Plan (Part One), the Inspector found that it was in principle justified in its approach to the historic environment and main modification MM16 was introduced to ensure that the policy was effective and consistent with national policy (KSD008 Inspector's Report).
- 5.5 ENV 5 requires development to safeguard or enhance both designated and non-designated heritage assets and the character and setting of areas of acknowledged significance. ENV 5 also reflects the Framework (paragraphs 132-134) by specifying that the degree of protection afforded to a heritage asset will reflect its position within the hierarchy of designations.
- 5.6 Proposals affecting heritage assets should also be considered against policies DM 46 to 50 which set out clear criteria for the consideration of development affecting heritage assets and the impact of a proposed development on the significance of a heritage asset in accordance with the Framework. The need to include the requirement for mitigation measures within criterion 11 of the policy was identified following a full assessment of the site through the Heritage Impact Assessment (HIA) (EB037).
- 5.7 The site selection process for the Northwich allocations has involved a full and thorough assessment of any designated heritage assets associated with the proposed sites through a Heritage Impact Assessment (HIA) (EB037). The recommendations from the HIA and any mitigation measures that were identified for Gadbrook Park have been included in the specific policy (criteria 11). This policy will therefore be effective in allowing a decision maker to ensure that heritage assets are protected in line with their statutory duties and in accordance with the NPPF.
- 5.8 Policy N 5 requires new development to be comprehensively planned and brought forward in line with an agreed development brief that addresses how development proposals will meet Policy N 5 criteria 5-13. (See Issue 5, question 1))
- 5.9 It is clear from allocation N 4.F that the employment allocation relates to the western section only. The HIA notes that the western section is likely to be acceptable and that there would be minimal impact on the significance of the identified assets, subject to appropriate design with height being a critical factor and landscaping. This will be addressed through the development brief/masterplan for the site. Issue 5, question 1 sets out the justification for policy N 5 and the requirement for a comprehensively planned approach, which includes the established business park and wider area.
- 5.10 Specific development proposals will be considered on their merits, taking account of Part One policy ENV 5, Part Two N 5 criteria 11 and policies DM 46-50 and the requirements of NPPF paragraphs 132-134.
- 5.11 **Policy N 5 criteria 8** includes the support for improvements and enhancements to the rail network and safeguards sufficient land for a railway station. This proposal is supported through representation 381178/794/N 5/S Cheshire East as it is complimentary to Cheshire East's objective of upgrading the railway line between Sandbach and Northwich to enable passenger services and to develop a station at Middlewich. The reinstatement of a regular passenger service between Sandbach

and Northwich (and beyond at both ends), and potential for a station at Gadbrook Park is within the infrastructure and rail service investment priorities of CWaC. These are within a list of regional (Cheshire & Potteries) priorities submitted to the Rail North Ltd Strategic Investment Programme, also of Transport for the North. A potential location for the station is shown on the draft concept masterplan, detailed assessment would be required to determine the actual location and can be considered in preparation of the development brief. The Cheshire and Warrington LEP, alongside Cheshire West and Chester and Cheshire East, has recently commissioned a Study to examine the potential re-opening of the Middlewich railway line to passenger services with new stations at both Middlewich and Gadbrook Park. Representations 788647/371/N 5/S from CTP also support criteria 8 and the principle of safeguarding land for a railway station. It is not considered that this would adversely affect the deliverability and viability of the site.

6. Issue 6: Northwich Conservation area policy N6

Questions

Q1. How is the conservation area defined? Is it justified and effective? How have the boundaries been identified? Should the policy refer to the statutory tests for development in relation to conservation areas? (see comments on policies DM46 and 47).

- 6.1 Conservation areas were designated under both the Civic Amenities Act 1967 and S69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to identify “areas of special architectural or historic interest, the character of which it is desirable to preserve or enhance”. The Northwich Conservation Area was designated following appraisal of the area in 1975. The designation details for the Northwich Conservation Area can be found on the Cheshire Historic Environment Record ‘Revealing Cheshire’s Past’ database which sets out the particular historic interest and justification for its designation.
- 6.2 In accordance with the statutory duties, the conservation area boundary has been periodically reviewed since designation and is therefore justified and effective. A Northwich Conservation Area Appraisal and Management Plan (CWC011) has recently been prepared to support the designation which identifies the special character and architectural and historic interest of the Northwich Conservation Area. The appraisal of the conservation area did not identify any areas where the boundary needs reviewing. The current boundary is correctly defined on the policies map, at Fig 79 of the Northwich Neighbourhood Plan (CWC008) and on the Cheshire Historic Environment Record.
- 6.3 The designation of Northwich Conservation Area will allow for the effective application of policy N6 of the Local Plan (Part Two) and will be effective in delivering the strategy of the Plan to protect, enhance and improve the historic environment and to ensure that the unique and significant heritage assets in Northwich are protected and enhanced in accordance with Local Plan (Part One) policies STRAT 1 and ENV 5.
- 6.4 The policy criteria identify those locally specific features that are important and which decision makers must consider, adding detail to the strategic policy ENV 5. Clear principles are set out to guide the development management process in Northwich town centre and its outskirts which will be effective in the delivery of the strategy in accordance with Local Plan (Part One) policies STRAT 1, STRAT 5 and ENV5.
- 6.5 It is considered that the statutory duty with regard to conservation areas has been met. The Plan should be read as a whole and includes policies STRAT 1 and ENV5 of the Local Plan (Part One) which seek to protect and enhance the historic environment. ENV 5 requires development to safeguard or enhance both designated and non-designated heritage assets and the character and setting of areas of acknowledged significance; confirming in the explanatory text that the Council is committed to the protection and enhancement of historic assets. ENV 5 also specifies that the degree of protection afforded to a heritage asset will reflect its position within the hierarchy of designations in accordance with paragraph 132 of the Framework.

- 6.6 In considering policy ENV 5 of the Local Plan (Part One), the Inspector found that it was in principle justified in its approach to the historic environment and main modification MM16 was introduced to ensure that the policy was effective and consistent with national policy (KSD008 Inspector's Report).
- 6.7 Policy N 5 cross references policy ENV 5 and the explanatory text cross references to policy DM 46 which sets out the detailed policy criteria for the consideration of development proposals in the conservation area.