

**Warburton Draft NDP June 2023
Trafford Council Comments**

Para / Policy	Comments	Recommendation
n/a	<p>Public consultation</p> <p>The June 2023 consultation on the Warburton Neighbourhood Plan was an informal consultation and therefore it did not need to meet statutory consultation requirements. However, for any future consultations it is recommended that regard is had to the Trafford Statement of Community Involvement. Particularly in relation to who needs to be notified, how to respond and clarity on the length of the consultation / deadline for comments.</p> <p>This is also a requirement for the formal Regulation 14 consultation. Trafford Council can provide advice / support with this if needed.</p>	n/a
General Conformity	<p>National guidance states that a draft Neighbourhood Plan must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic conditions to enable it to proceed to referendum.</p> <p>Trafford's currently adopted development plan comprises of the saved policies of the Core Strategy (2012) and Revised Unitary Development Plan (2006). Core Strategy Policy R4 identifies land in Warburton (immediately to the south of Partington) as 'Protected Open Land' which is protected from development in this plan period. When assessed against the Core Strategy the draft Neighbourhood Plan would not be in accordance with Policy R4, as it would allocate land for development at Warburton Lane.</p> <p>The land at Warburton Lane forms part of the proposed New Carrington strategic allocation identified in Places for Everyone (PfE) Policy JPA33. PfE would therefore remove the 'safeguarding' policy from this land and allocated it for development.</p>	<p>Places of Everyone (PfE) contains the strategic policy for the release of Land at Warburton for development. It is therefore recommended that the timescales for the Warburton Neighbourhood Plan (WNP) are aligned as much as possible to the adoption process for PfE.</p> <p>The WNP should also take into account and build on the strategic policy requirements for the Warburton Lane Character Area. The main modifications to PfE Policy JPA33 state that the average development density for the Warburton Lane residential character area should be 25dph, recognising the distinct characteristics of the area. To be in general conformity with PfE, the Warburton Neighbourhood Plan (WNP) would therefore need to plan for a residential development of a similar average density across the Warburton Lane character area.</p>

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	<p>PfE was submitted for Examination in Public in February 2022 and has now made significant progress through the EiP process. On 27th July 2023 the Inspectors examining the plan issued note IN37 Action Points. This included number of Action Points that relate specifically to the New Carrington allocation. The GMCA have responded to IN37 and now expect a post hearing letter to be issued by the Inspectors. Therefore, given the advanced stage of PfE, it now has substantial weight.</p>	<p>Undertaking both of the above, should enable the WNP to be considered to be in general conformity with PfE, particularly with regard to land at Warburton Lane.</p>
<p>Para 2.18</p>	<p>Bullet point 2 – Places for ‘Everyone’ JP Allocation 33 proposes 2pprox.. 4,300 homes in the plan period and 5,000 homes overall</p>	<p>Address minor comments</p>
<p>Para 5.1.8</p>	<p>The Draft Landscape Character Assessment for Warburton is stated as having been prepared by the NDP Steering Group. However, no details about the process the Steering Group went through, to split the Warburton Landscape Character Assessment into the further eight LCAs, are set out.</p>	<p>Provide further details / clarification of the process undertaken to identify the eight LCAs.</p>
<p>Policy W1 – Conserving and Enhancing Local Landscape Character</p>	<p>The Policy requires all proposals to have regard to the design principles for Landscape and View set out in the Masterplan. This states that key view corridors should be preserved. However, Masterplan Figure 11 only numbers the view points and does not clarify the direction / orientation of each view. (The accompanying photographs include a direction in their titles, but it is not clear if this is for illustration purposes only).</p>	<p>Clarify / include the key view corridor orientations.</p>
<p>Policy W2</p>	<p>The Policy says that development ‘must conserve the historic landscape features’ related to the Deer Park identified on Map 4. In comparison, Policy JPA 33 says that development will be required to reflect and respond to the setting of Warburton Deer Park.</p>	<p>Change the policy wording to have more flexibility such as by using wording from Policy JPA33 e.g.: ‘Development proposals will be required to reflect and respond to the historic landscape features...’</p>

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	<p>This policy could cause issues for particular PfE development parcels at Warburton Lane, therefore limiting the delivery of JPA 33 New Carrington.</p> <p>The historic landscape features listed in Policy W2 that have potential to be affected by the PfE development include the park pale boundary, fishponds and pillow mound rabbit warren because these are within potential development parcels. There are also features on the boundary of the allocation that are sensitive to the PfE allocation but these are already protected for being an SBI or a designated heritage asset.</p>	
Policy W3 – Protecting and Enhancing Wildlife	The size of Maps 5 and 6 make it difficult to read / locate boundaries of individual areas.	Provide larger maps within the Plan.
Policy W3 – Protecting and Enhancing Wildlife	<p>The sites shown on the maps have been identified by the Cheshire Wildlife Trust.</p> <p>The high distinctiveness habitats appear to be existing SBIs, ancient woodland or wildlife corridors. But it is not clear what status habitats of medium distinctiveness have, as they do not have a statutory designation (such as SSSI or SBI).</p> <p>It is not clear where ‘core areas for wildlife’ have been identified on the maps.</p> <p>Greater Manchester Ecology Unit has advised that Wigsey Lane Meadows has been reverted as arable and is no longer an SBI</p>	<p>Advice was sought from Greater Manchester Ecology Unit. They advised this:</p> <p>Absolute protection for habitats of medium distinctiveness and the wildlife corridor areas would be harder to justify in planning terms, if they aren’t already identified as corridors in Trafford’s overall local plan. These would probably need more caveats, e.g. if development is proposed in these areas applicants would need to demonstrate they have applied the mitigation hierarchy and justify why the sites cannot be avoided or demonstrate the continued functioning of the wildlife corridors.</p> <p>The text does refer to some of the medium distinctive habitats as being priority habitats which would also carry weight, particularly in the Biodiversity Metric.</p>

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Policy W3 – Protecting and Enhancing Wildlife	The policy states that development adjacent to identified wildlife areas is required to incorporate substantial mitigation to lessen impacts on wildlife. The justification for this requirement is not clear. Mitigation should only be necessary when there are potential detrimental impacts. This should also be proportionate to the harm caused.	Expand the policy wording to allow a degree of flexibility through ensuring that mitigation is both justified and proportionate. Example wording: <i>Any development adjacent to identified wildlife areas which may have a detrimental impact on them should incorporate an appropriate level of mitigation to lesson impacts on...</i>
Policy W5 – Protecting Heritage Assets and Responding to Local Character	Although the wording to Draft Policy W5 is to be finalised it is not clear whether the requirements under ‘2. Responding to Local Character’ apply to development proposals which impact a heritage asset or whether it applies to all proposals. Policy W5 shall also be addressed by Trafford’s Heritage Officer. A meeting with the Heritage Officer is aimed for September.	It is recommended that Policy W2 is split into two, covering Protecting Heritage Assets and Responding to Local Character separately.
Policy W5 & W9	Using Historic Farmstead Character to Guide Design Whilst the reasoning behind this proposal is set out within the Masterplan it is considered that requiring development proposals (through policy) to demonstrate / apply the principles set out in Part 5.3 of the Warburton Masterplan & Design Guide relating to using Historic Farmstead Character to guide design is overly restrictive and not an appropriate approach for all development proposals (particularly smaller developments of less than 5 units).	Policy wording is altered to allow for a degree of flexibility to be incorporated. Rather than using terms such as ‘should demonstrate’ and ‘will be expected to’ in relation to the Design Guide (in particular Part 5.3.1), the policies will be more versatile if (for example) ‘reference to’ existing local character is used.
Policy W6 – Warburton Conservation Area	Policy W6 is being addressed separately by Trafford’s Heritage Officer. A meeting with the Heritage Officer is aimed for September.	

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Policy W7 - Archaeology	Policy W7 is being addressed separately by Trafford's Heritage Officer. A meeting with the Heritage Officer is aimed for September.	
Policy W8 – Non designated Heritage Assets	Policy W8 is being addressed separately by Trafford's Heritage Officer. A meeting with the Heritage Officer is aimed for September.	
Policy W9	<p>The preferred option for the Warburton Lane Character Area, as set out within the Warburton Masterplan, is for around 279 units. This would be significantly lower than PfE Policy JPA33 which identifies approx. 400 units. (Whilst this is not a policy requirement it would reflect the average density considered appropriate).</p> <p>Neighbourhood Plans are required to be in broad conformity with strategic plans and cannot plan for a lower amount of development. In addition, on adoption of PfE, the higher quantum of development requirements of Policy JPA33 would supersede those set out in the WNP.</p>	<p>An option between Option 2 and the Preferred Option 3 of the Warburton Masterplan is considered and taken forward. This should be of an average density which enables a broadly consistent total level of development to be accommodated within the Warburton Lane Character Area, as set out in PfE.</p> <p>All diagrams in the Masterplan will need to be changed to reflect this higher updated of development.</p>
Policy W9	<p>Coroners Wood is not the current or proposed Green Belt boundary. The land at Warburton Lane (south of Partington) is not in the Green Belt and PfE is not proposing a boundary change in this location.</p> <p>Policy JPA33 requires a substantial landscape buffer along the southern boundary of the Warburton Lane development parcels to mitigate the impact on the rural landscape to south of the allocation. PfE does not provide further detail on the boundary and this will be considered as part of the Masterplan / future planning applications. It may therefore be appropriate to allow</p>	<p>Revise the policy wording to make it clear that the Green Belt boundary is not changing in this location.</p> <p>Reference to strengthening the boundary should consider the PfE policy requirements etc. Further justification is required if reference to a 30m woodland boundary is retained.</p>

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	some flexibility in the W9 policy requirement for a 30m belt of woodland.	
Policy W12	Policy W12 identifies six areas of land as protected as Local Green Spaces. There is currently no Protected Open Space within Warburton in the Local Plan.	<p>Provide us with the proposed site boundaries with their names on maps so we can check if these areas meet the NPPF criteria to be protected as Local Green Space. The current map from the Conservation Area Appraisal does not show all of the proposed sites and the sites are not labelled.</p> <p>The tables in Appendix 5 are unclear. Reformat these so that the NPPF criteria appear in a separate table.</p>
Masterplan and Design Guide	Several draft policies state that proposals should have regard to various elements of the Masterplan & Design Guide, as reproduced in Appendix 4 of the Plan. Appendix 4 is yet to be produced / finalised and therefore it's not clear how this will work in practice (i.e., will only specific sections of the Masterplan & Design Guide be reproduced? If so, how will this work without the supporting justification etc.).	<p>Further consideration is given as to how to best integrate the requirements of the Master and Design Guide within the Neighbourhood Plan. This should ensure that sufficient flexibility is set where appropriate to avoid overly prescriptive policy requirements.</p> <p>(Key policy requirements may also need / be better set out within the relevant Plan Policy rather than left to an Appendix. For additional requirements, regard could be had to the relevant sections of the Masterplan and Design Code. Further advice /comments on this point can be provided when Appendix 4 is updated).</p>
Masterplan 4.7.3 Movement network	The principle of no private drives for properties along the proposed strategic road and accessed only available via tertiary roads within parcels is overly prescriptive.	If this is to become policy wording, it should be altered to allow for a degree of flexibility to be incorporated. The wording as currently drafted lacks a clear justification.