

Trafford Council Comments on the Warburton Neighbourhood Development Plan Regulation 16 Public Consultation Documents – April – June 2025

Overview

The following comments comprise the formal response of Trafford Council to the Regulation 16 public consultation of the submission version of the Warburton Neighbourhood Development Plan, consisting of the following documents:

- Warburton Neighbourhood Development Plan 2025 – 2039 (Submission Version)
- Warburton Design Guidance and Codes (Appendix 4 of the NDP)
- Warburton Neighbourhood Development Plan 2025 – 2039 Consultation Statement
- Warburton Neighbourhood Development Plan 2025 – 2039 Basic Conditions Statement
- Warburton Neighbourhood Development Plan 2025 – 2039 Habitats Regulations Screening Report
- Warburton Neighbourhood Development Plan 2025 – 2039 Strategic Environmental Assessment Screening Report.

Since the outset of the plan preparation process, the Council has developed and maintained a positive working relationship with Warburton Parish Council (WPC) /steering group. Council officers have suggested a number of changes to the Plan, which the Parish Council/steering group has taken on board and it is considered that the Plan meets the basic conditions as set out by paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. There are however a small number of issues which it is considered necessary to highlight. Some of these issues relate to new areas of policy introduced since the Regulation 14 consultation but others are long standing matters which have yet to be resolved between the Council and the Parish Council.

Legal Requirements

- The Warburton Neighbourhood Development Plan (WNDP) has been prepared and submitted by a qualifying body, namely Warburton Parish Council.
- The WNDP sets out policies in relation to the development and use of land for the defined neighbourhood area, which accords with the definition of neighbourhood plans in Section 38A of the Town and Country Planning Act 1990.
- The WNDP will have effect until 2039.
- The WNDP does not include policies on 'excluded' development relating to minerals, waste development or development consisting wholly or partly of a national infrastructure project.
- The WNDP relates only to the Warburton neighbourhood plan designated area, designated by Trafford Council on the 4th March 2019 (Warburton neighbourhood area map) and there are no other Neighbourhood Plans relating to that area.

Meeting the Basic Conditions

Regard to national policies and advice contained in guidance issued by the Secretary of State

In line with national policy, the policies and designations contained within the Plan, amongst other things, seek to promote healthy and safe communities, support sustainable development, support appropriate rural diversification and conserve / enhance the natural and historic environment.

Contributes to sustainable development

It is considered that the Plan promotes sustainable development through its policies which seek to support the NPPF objectives: economic (through rural diversification/ more sustainable land use and encouraging local production and consumption as well as visitor economy); social (by planning positively, supporting well-designed housing and safe, beautiful spaces); and environmental (via protecting and enhancing the natural, built and historic environment).

General Conformity with the strategic policies contained within the Development Plan for the area

Trafford Council's Development Plan, relevant to WNDP, is made up of the following plans:

- Places for Everyone Joint Development Plan Document (adopted March 2024);
- Saved policies of the Core Strategy (adopted January 2012);
- Remaining saved policies of the Revised Unitary Development Plan (adopted June 2006);
- Greater Manchester Joint Waste Plan (adopted April 2012); and
- Greater Manchester Joint Minerals Plan (adopted April 2013)

The Council formally adopted the Places for Everyone (PfE) on 21st March 2024. Places for Everyone (PfE) sets the overarching Spatial Strategy for the plan area and identifies key growth areas and development sites.

Preparation of a new Trafford Local Plan is underway. A consultation (Regulation 18) on the draft thematic policies of the Trafford Local Plan took place between 24 April and 12 June 2025. A further Regulation 18 consultation on the Local Plan will be held later in 2025 on proposed site allocations and designations.

Some policies in the Core Strategy and the Revised Trafford Unitary Development Plan (UDP) are saved, while others have been replaced/ part replaced. A schedule of the replaced policies of the Core Strategy is in PfE Appendix A and the replaced policies of the UDP are set out in the Core Strategy Appendix 5.

The submitted version of the WNDP is considered to be in general conformity with the strategic policies contained within the adopted Trafford Development Plan.

Trafford Council had a number of objections at the Regulation 14 draft Plan stage. Of primary concern, were policies relating to the Land East and West of Warburton Lane, including a Masterplan for this area. This land is within the PfE JPA30: New Carrington allocation boundary and therefore strategic policies were already in place for this land, which the draft neighbourhood plan policies were not in general conformity with. The Council therefore objected on this basis.

Following the close of the consultation, the Parish Council responded positively to the Council's comments and removed the elements of the policy which were in conflict with PfE. The local detail prepared by the Parish Council in the form of a Masterplan for the development area no longer forms part of the NDP and is instead a high-level background document which will be used to inform Warburton Parish Council's ongoing engagement with the emerging New Carrington Masterplan.

Assimilated Obligations

Following screening, it was determined that a Strategic Environmental Assessment (SEA) or a Habitats Regulations Assessment (HRA) were not required. The screening reports were consulted upon, and no objection was raised by the statutory consultees.

The SEA and HRA screening reports have been submitted as part of the submission documents.

The Council is satisfied that the WNDP does not breach, and is compatible with, Assimilated obligations and Convention rights (within the meaning of the Human Rights Act 1998) as stated in the Parish Council's Statement of Basic Conditions.

Plan Specific Comments

Mission Statement

It is unclear what 'Trafford' is referring to in the mission statement – 'residents, visitors, farmers, Trafford'. Is this referencing the borough as a whole, or the organisation?

Policy W1 Conserving and Enhancing Local Landscape Character

Design Principles for Landscape and Views

Policy W1 has been amended to include the design principles from the Warburton Design Guide. The Council consider that the wording of the design principles is not as strong as the wording of JPA30. Policy JPA 30 states "*Development of this site **will be required to:**.....*

*29. **Reflect and respond to the special qualities and sensitivities of the key characteristics of the Mossland and Lowland Farmland landscape character type in accordance with Policy JP-G1, particularly as regards layout and design that respects the settings of Dunham Massey estate, Warburton Village and Warburton Deer Park***

*31. **Ensure new development is place-led, respecting the local character, heritage and positive local design features of the area (emphasis added)***

The design principles include the phrase "should aim to", whilst JPA 30 includes the phrase "required to". The policy therefore does not fully reflect the wording of PfE JPA30 and Policy W1 is considered to be weaker as a result.

30 metre Landscape buffer

The last paragraph of Policy W1, previously draft Policy W10, includes a requirement for a minimum 30 metre belt of woodland to retain the visual and physical boundaries to the Green Belt originally provided by Coroner's Wood.

The Council therefore reiterates its previous comments that specifying a minimum 30m landscape buffer is not required and is a more stringent requirement than that set out within PfE. PfE Policy JPA30 already requires a 'substantial' landscape buffer on the southern boundary of the Warburton Lane development parcels. The Council do not consider it necessary for the Neighbourhood Plan to provide further policy requirements in relation to the landscape buffer, this will be determined by the Masterplan which is being prepared for the New Carrington allocation, and which is a requirement of PfE Policy JPA30. This element of Policy W1 is therefore at risk of being in conflict with the emerging Masterplan for the allocation – a requirement of the adopted Development Plan.

Furthermore, it should also be noted for clarity, that Coroners Wood did not act as the previous boundary to the Green Belt and therefore its reference within the last paragraph of Policy W1 is misleading.

Policy W2 Warburton Deer Park

Map 3 identifies key features of the Deer Park, however this does not include all the features identified in Policy W2. The park pale, for example, should be clearly shown on the map.

Policy W6 Proposals Affecting Designated Heritage Assets

At the Regulation 14 stage the Council made comments on Policy W6 which required proposals to be in accordance with the design principles for protecting designated heritage assets, as set out in Part 3.2 Heritage Assets of Appendix 4 – formerly the Warburton Masterplan and Design Guide (WM&DG).

The first design principle of part 3.2 of the Regulation 14 WM&DG stated that development should avoid the loss of any heritage assets within the Neighbourhood Area. The Council considered this to be overly restrictive and inconsistent with Section 16 of the NPPF (December 2023), which outlines how a balanced judgement should be made for development proposals, having regard to the scale of any harm and the significance of the heritage asset. The Council recommended that the first paragraph of Policy W6 is deleted.

In response, WPC deleted the first design principle in the WM&DG, however the first paragraph of Policy W6 was retained and therefore the design principles of the Warburton Design Guidance and Codes (WDG&C) still apply.

Trafford Council welcome the deletion of the first design principle, however additional design principles have been added since the Regulation 14 stage.

Not all the design principles listed within Part 3.2 of Appendix 4 will be relevant to proposals affecting designated heritage assets. For example, the second and third principle relate to the historic deer park and Warburton Conservation Area, respectively, and therefore do not apply to all proposals affecting designated heritage assets.

In addition, the fourth principle: 'Avoid the erosion of historic garden plots through the inappropriate provision of car parking areas' would be difficult to enforce.

As such it is reiterated that the first paragraph of Policy W6 should be deleted.

In relation to Policy W6 and Policy W7, it would be helpful to include the definition of a designated and non-designated heritage asset in the Plan.

Policy W9 Archaeology

The 'Planning Policy Context' references should include Core Strategy Policy R1: Historic Environment as this policy has not been fully replaced by PfE.

Policy W12 Local Green Space

W12/2 Part of Coroner's Wood, Warburton

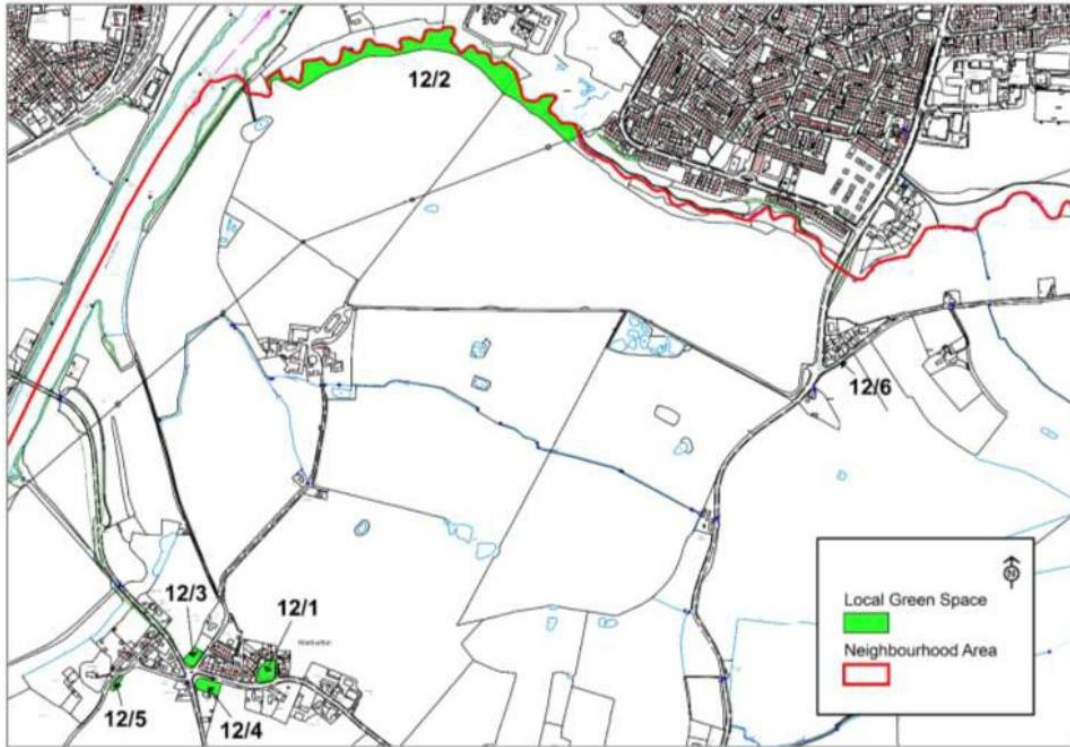
The pre-submission version of the NDP (Regulation 14) identified six areas for protection as Local Green Spaces (LGS) as part of draft Policy W13. The area identified as W13/2 (Coroner's Wood) included a larger area of land than the submission version of the NDP, now W12/2 (Part of Coroner's Wood).

The Council objected to the identification of the Coroner's Wood for two reasons, the first being that it does not meet the requirements of the NPPF for LGS, as W13/2 was an extensive tract of land. In addition, the land is within the JPA30 New Carrington allocation boundary and is an area where Criterion 10 of PfE Policy JPA 30 requires new links with existing communities, including at Partington, overcoming barriers such as the Red Brook. Inclusion of W13/2 Coroner's Wood as LGS would likely complicate the delivery of this requirements and therefore be in conflict with JPA30. The Council therefore advised that LGS W13/2 Coroner's Wood should be deleted.

The submission version of the WNDP reduces the size of the proposed LGS to include only the western part of Coroner's Wood. However, the Council still consider that W12/2 does not meet the requirements of NPPF as it is an extensive tract of land. As such it is recommended that W12/2 is deleted from Policy W12 and removed from Map 10.

Since submitting the Plan, WPC notified Trafford Council on 16 June 2025 that Map 10 (included within the submission document) was incorrect. WPC explained that after feedback from Trafford Council, they reduced the size of the Local Green Space area known as W13/2 Coroner's Wood, but the incorrect area was shown in the submission plan. The revised version of Map 10 identifies a different area of land from that (W12/2 Part of Coroner's Wood, Warburton) which was consulted on as part of the Regulation 16 consultation. It is noted the revised area of proposed LGS is within the remit of the pre-submission Policy W13/2, as is the LGS within the submission version of the NDP.

Map 10: Local Green Spaces



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Figure 1: Map 10 as submitted

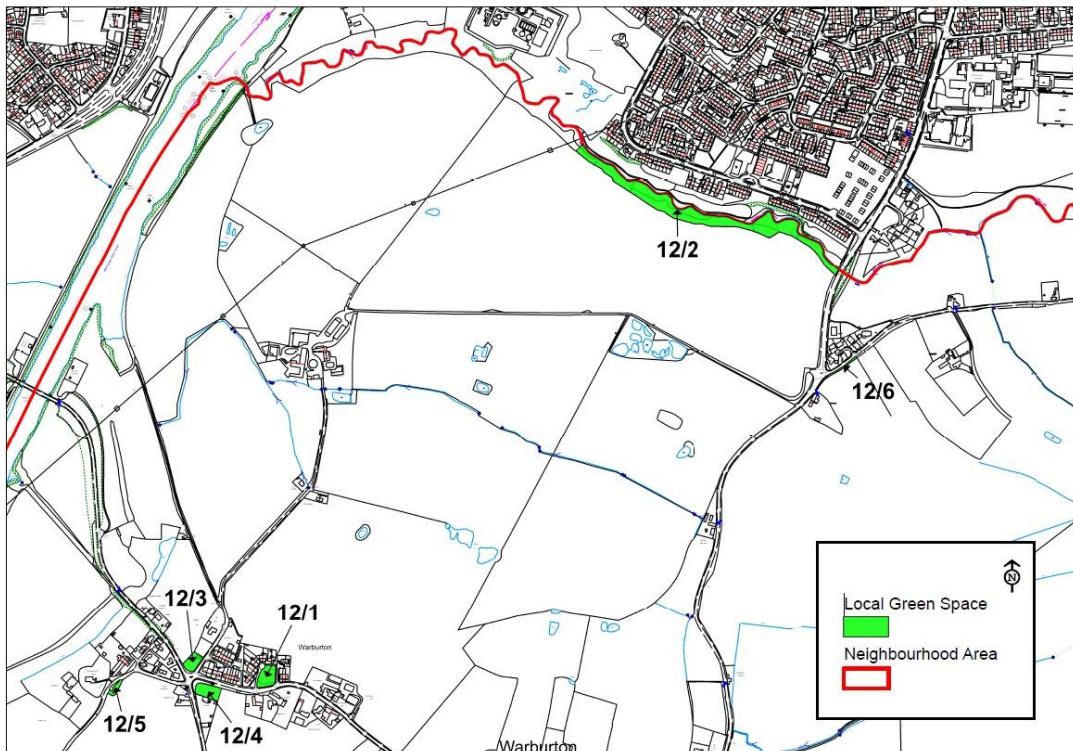


Figure 2: Map 10 as amended

WPC have requested to submit the revised version of Map 10 with the submission documents to the Examiner for their consideration.

Without pre-empting the Examiner's decision on how to proceed with the proposed alteration; the Council reiterates its previous comments on proposed LGS W12/2. In the Council's view it risks the delivery of new links required by the adopted Development Plan between Warburton Lane and the existing Partington community to the north, as well as being an extensive tract of land which does not meet the NPPF criteria for LGS.

Appendix 4 – Warburton Design Guidance and Codes

Changes were made to the WNDP policies, Warburton Lane Masterplan and the Design Guide / Code in response to the Council's comments at the Regulation 14 stage. The changes made to the policies are welcomed and address many of the Council's concerns regarding general conformity with the adopted Development Plan.

However, following these changes it is recommended that clarification is provided on the status / purpose of the 'Warburton Design Guidance and Codes' document. There are also various sections of the document where it is unclear how the document is intended to be used and/or how it links to policy.

The name of the document also needs to be consistent throughout the NDP. In addition, paragraph numbers throughout would help when referencing the document.

Section 2.1 Local Planning Policy context (SPD's, masterplans etc.)

Parts of the policy context section are now out of date following the adoption of PfE in March 2024. This section could either be fully updated, or a note added to state it reflects the position at X date.

It is recommended that the section also refers to features as non-designated heritage assets' after '...locally listed buildings and...'.

Section 3.3 Landscape and Views

This section could also include historic hedgerows as a significant feature of the landscape.

Section 3.4 Movement Pattern

The first bullet point of the Design Principles refer to 'the site'. There are no details of what site is being referred to and for clarity this should be specified.

Paragraph 5.2.8

The following amendment should be made to the second sentence of paragraph 5.2.8 to differentiate from more recent character – '...sympathetic to the existing historic character.'

Section 4.1.2 (Warburton Village Design Statement) of WDG&C

The WDG&C refers to Warburton Village Design Statement. It is not clear if they are intended to be used as design guidelines in this document. If they are, they should be clearly labelled as 'Design Guidance'.

A section on historic boundary treatment is absent from the design guidance.

Section 4.2 (Archetypes) of WDG&C

The section provides a good analysis of existing farmsteads and context, but it is not clear how this translates into design principles for new development which is likely to be residential in most cases. Figure 47: provides a layout of a typical historic farmstead however this is provided as a positive example yet shows an historic farmhouse which is dominated by much larger barns and which may not be appropriate for residential development.

While noting that this is guidance only, it may be helpful to clarify the difference between domestic and agricultural architectural features and where these are appropriate in new development.

A draft List of local heritage assets was approved for consultation in November 2024 by the Council's Executive. The draft list had been updated further with the following properties et al and therefore appendix 3 of the WNDP and technical evidence base may need updating

- Property Address Beech Court Business Centre, Moss Brow, WA13 9TL
- Property Address Holly Cottage, Dunham Road, Warburton

Typographical errors and Maps / Images

A number of typographical and spelling errors have been identified within the submission document, as well as a few mapping errors and quality issues. These are set out below.

Map 1

A higher quality map is required for the final publication of the Plan. The Council is able to provide this, if needed.

Policy W2 Warburton Deer Park

The coloured lines on Map 3 should also be included in the Key.

Policy W3 Protecting and Enhancing Wildlife

In response to the Council's previous comments, the Consultation Statement specified that higher quality versions of Maps 4 & 5 would be included in the submitted WNDP, as well as being available as PDFs on the Parish Council's website. The respective maps are still difficult to read within the submitted WNDP. Following a further request, higher resolution PDFs of Maps 4 and 5 are now available on the Parish Council's website. It is suggested that a link to the maps is provided within the WNDP and better quality versions of Maps 4 & 5 are included within the WNDP.

Policy W4 Warburton Moss

The final line of this policy incorrectly refers to the wrong section and includes a 'typo' – "section 5.5 Action Travel...". This is recommended to be changed to "section 5.4 Active Travel...".

Appendix 4: Warburton Design & Code

- Section 3.2 Heritage Assets – ‘railings’ is misspelt within the design principles
- “Old Church of St Werburgh” is misspelt (missing the ‘h’) on a few occasions, including at Figure 04.
- Overtown Farm is misspelt (Overton) in table 01, section 4.2.1

Technical Evidence Base

Does the Greater Manchester Urban Historic Landscape Characterisation Trafford District Report, July 2008 and the Salford University HEA also need including in the technical documents as referenced in the NDP?

Conclusion

Trafford Council has worked closely with Warburton Parish Council in the preparation of their Plan and is broadly supportive of the submitted version of the WNDP and welcomes its Vision, Objectives and Policies.