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Report on the Warburton Neighbourhood Development Plan 2025 – 2039

An Examination undertaken for Trafford Council with the support of Warburton Parish Council on the February 2025 submission version of the Plan.

Independent Examiner: Andrew S Freeman BSc (Hons) DipTP DipEM FRTPI

Date of Report: 10 October 2025

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Main Findings - Executive Summary

From my examination of the Warburton Neighbourhood Development Plan (the Plan) and its supporting documentation, including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- the Plan has been prepared and submitted for examination by a qualifying body – Warburton Parish Council;
- the Plan has been prepared for an area properly designated – the Warburton Neighbourhood Plan Area (Map 1 on Page 5 of the Plan);
- the Plan specifies the period to which it is to take effect – 2025 - 2039; and
- the policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

1. Introduction and Background

Warburton Neighbourhood Development Plan 2025 - 2039

- 1.1 Warburton is a village and relatively small civil parish within the administrative area of Trafford Council in Greater Manchester. It lies generally to the east of the Manchester Ship Canal with Warrington to the west-southwest and Altrincham to the east-southeast. The parish is predominantly rural with a population of around 340 people.
- 1.2 The decision to prepare a neighbourhood plan was taken in autumn 2018. Designation was followed by a launch meeting and the setting-up of a steering group. Planning consultants were subsequently appointed. In addition to feedback from residents and businesses, work was informed by background reports, a commissioned design code and meetings with Trafford Council. Views on draft documents and through questionnaires were sought at various stages. Following further refinement, Regulation 14 consultation was undertaken in July and August 2024.

The Independent Examiner

- 1.3 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Warburton Neighbourhood Development Plan by Trafford Council, with the agreement of Warburton Parish Council.
- 1.4 I am a chartered town planner and former government Planning Inspector with over forty years' experience. I have worked in both the public and the private sectors. I am an independent examiner and do not have an interest in any of the land that may be affected by the draft Plan.

The Scope of the Examination

- 1.5 As the independent examiner I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
 - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
 - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.6 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ("the 1990 Act"). The examiner must consider:
- Whether the Plan meets the Basic Conditions;
 - Whether the Plan complies with provisions under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act"). These are:
 - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;
 - it does not include provisions and policies for 'excluded development'; and
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
 - Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum.

- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').
- 1.7 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

- 1.8 The "Basic Conditions" are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan for the area;
 - be compatible with and not breach European Union (EU) obligations (under retained EU law)¹; and
 - meet prescribed conditions and comply with prescribed matters.
- 1.9 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Neighbourhood Development Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.²

2. Approach to the Examination

Planning Policy Context

- 2.1 The Development Plan for this part of Trafford Council, not including documents relating to excluded minerals and waste development, includes Places for Everyone (PfE), adopted by Trafford Council along with eight other PfE authorities on 21 March 2024. Certain strategic policies are also contained in the Trafford Local Plan: Core Strategy up to 2026, adopted on 26 January 2012; and in the Revised Unitary Development Plan, adopted in June 2006 (Saved Revised Unitary Development Plan 2006 Policies saved in either September 2007 or December 2008).

¹ The existing body of environmental regulation is retained in UK law.

² This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

- 2.2 Planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published on 12 December 2024 which includes transitional arrangements for neighbourhood plans. Paragraph 239 of the December 2024 NPPF advises that it will only apply to neighbourhood plans submitted after 12 March 2025.
- 2.3 The Plan was submitted to Trafford Council on 28 February 2025. Therefore, the applicable NPPF for the purposes of this examination is the December 2023 NPPF and its accompanying PPG. I note this is very helpfully explained in paragraph 1.6 of the Plan. Accordingly, the NPPF paragraph references in this report are to the 20 December 2023 version.³

Submitted Documents

- 2.4 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the draft Warburton Neighbourhood Development Plan 2025 - 2039, February 2025, with Appendices,
 - Appendix 1: Parish Council Actions and Local Aspirations
 - Appendix 2: Trafford Planning Policies Map for Warburton Neighbourhood Area
 - Appendix 3: Listed Buildings, Non designated Heritage Assets and HER Records in Warburton
 - Appendix 4: Warburton Design Guidance and Codes
 - Appendix 5: Local Green Spaces;
 - a map which identifies the area to which the proposed Neighbourhood Development Plan relates;
 - the Consultation Statement, February 2025;
 - the Basic Conditions Statement, February 2025;
 - all the representations that have been made in accordance with the Regulation 16 consultation;
 - the Strategic Environmental Assessment Screening Report, updated February 2025;
 - the Habitats Regulations Screening Report, updated February 2025;
 - the request for additional clarification sought in my letter dated 7 July 2025 and the response from Warburton Parish Council received on 24 July 2025; and
 - My request dated 31 July 2025 to Trafford Council asking for further consultation to take place on "Part of Coroner's Wood, Warburton" and the reply received on 12 September 2025 with representations attached.⁴

³ View at:

<https://webarchive.nationalarchives.gov.uk/ukgwa/20231228093504/https://www.gov.uk/government/publications/national-planning-policy-framework--2>

⁴ View all the documents at: <https://www.trafford.gov.uk/planning/strategic-planning/Development-Plan/Warburton-Neighbourhood-Plan.aspx>

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- 2.5 Additional documents available on the Qualifying Body’s website include the following:
- Warburton Landscape Character Assessment (March 2024);
 - Protecting and Enhancing Warburton's Natural Environment (February 2021);
 - Warburton Conservation Area Supplementary Planning Document (SPD) (June 2016); and
 - Warburton Village Design Statement (2024).⁵

Site Visit

- 2.6 I made an unaccompanied site visit to the Neighbourhood Plan Area on 28 July 2025 to familiarise myself with it and visit relevant sites and areas referenced in the Plan and evidential documents.

Written Representations with or without Public Hearing

- 2.7 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan’s suitability to proceed to a referendum.

Modifications

- 2.8 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The Warburton Neighbourhood Development Plan has been prepared and submitted for examination by Warburton Parish Council, which is a qualifying body for an area that was designated by Trafford Council on 4 March 2019.
- 3.2 It is the only Neighbourhood Plan for the Warburton Neighbourhood Plan Area and does not relate to land outside the designated Neighbourhood Plan Area.

⁵ View at: <https://www.warburtonparishcouncil.gov.uk/coming-soon-03>
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Plan Period

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2025 - 2039.

Neighbourhood Plan Preparation and Consultation

- 3.4 The Warburton Neighbourhood Plan Area was designated by Trafford Council on 4 March 2019. A steering group of interested parties was then established and consultants were appointed to assist in the preparation of the Plan. Throughout the process, the public were engaged and kept up to date through the Parish Council's website, leafletting, drop-in events and questionnaire surveys.
- 3.5 Documents prepared and consulted upon at various stages in the Plan preparation process included a short Vision Statement and Key Planning Issues document, together with drafts of the Warburton Master Plan and Design Guide and the emerging Plan. Various background documents were also prepared or commissioned. The Parish Council and its steering group worked closely with Trafford Council in the preparation and refinement of the Plan.
- 3.6 Details of those consulted at the Regulation 14 stage (8 July 2024 to 31 August 2024), together with an explanation of how they were consulted, are given in Section 6 and Appendix 5 of the Consultation Statement. A summary of the main issues and concerns raised, and a description of how these were considered and addressed, is set out in Section 6 of the Consultation Statement and in Appendix 6. Responses were received from some 90 parties including Trafford Council, statutory consultees, Stantec on behalf of Redrow Homes, residents and other local stakeholders.
- 3.7 Following the Regulation 15 submission of the Plan to Trafford Council on 28 February 2025, the Regulation 16 consultation subsequently ran from 15 April 2025 to 3 June 2025. Responses were received from some 77 parties. In common with the consultation at the Regulation 14 stage, these were received from Trafford Council, statutory consultees, Stantec on behalf of Redrow Homes, residents and other local stakeholders.
- 3.8 In addition to the statutory consultations, I wrote to Trafford Council on 31 July 2025 to advise that it was necessary to conduct a focused further public consultation (i.e. during the examination). This was necessary as a consequence of the incorrect identification in the draft Neighbourhood Development Plan (as consulted on at Regulation 16) of the boundary of a proposed Local Green Space known as "Part of Coroner's Wood, Warburton" (as discussed below in relation to Policy W12). This consultation was undertaken over a four-week period between 11 August 2025 and 9 September 2025. Seven responses were received, including

one from Stantec on behalf of Redrow Homes and one from Trafford Council.⁶

- 3.9 I am satisfied that the plan production process, including the statutory consultation stages, has met the legal requirements and regard has been paid to the advice on plan preparation and engagement in the PPG. I also consider the additional focused consultation with regard to the correct identification of LGS2 "Part of Coroner's Wood" was a reasonable and proportionate approach to the error identified.

Development and Use of Land

- 3.10 The Plan sets out policies in relation to the development and use of land in accordance with Section 38A of the 2004 Act.

Excluded Development

- 3.11 The Plan does not include provisions and policies for "excluded development".⁷

Human Rights

- 3.12 Warburton Parish Council is satisfied that the Plan does not breach Human Rights (within the meaning of the Human Rights Act 1998). From my independent assessment, I see no reason to disagree.

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 The Neighbourhood Development Plan was screened for Strategic Environmental Assessment (SEA) by consultants acting for Warburton Parish Council, which found that it was unnecessary to undertake SEA. Having read the Strategic Environmental Assessment Screening Report, I support this conclusion.
- 4.2 The Neighbourhood Development Plan was further screened for Habitats Regulations Assessment (HRA), which also was not triggered. The site is within 15km of four European designated nature sites. However, it is considered unlikely that the Neighbourhood Development Plan policies would have a significant effect on any of the European sites either alone or in combination. Natural England agreed with this conclusion.⁸ From my independent assessment of this matter, I have no reason to disagree.

⁶ View all the documents at: <https://www.trafford.gov.uk/planning/strategic-planning/Development-Plan/Warburton-Neighbourhood-Plan.aspx>

⁷ See section 61K of the 1990 Act.

⁸ Email dated 26 July 2023 in Appendix 3 of the Screening Report.

Therefore, I am satisfied that the Plan is compatible with the relevant EU obligations under retained EU law.

Main Issues

4.3 Having regard for the Warburton Neighbourhood Development Plan, the consultation responses and other evidence, and the site visit, I consider that there are four main issues relating to the Basic Conditions for this examination. These concern:

- Natural Environment
- Built Heritage and Archaeology
- Active Travel, Recreation and Leisure
- Rural Businesses and Community Facilities

4.4 Before I deal with the main issues, I have a few observations to make with regard to the representations. First, the Warburton Neighbourhood Development Plan should be seen in the context of the wider planning system. This includes the Places for Everyone Development Plan Document as well as the NPPF and PPG. It is not necessary to repeat in the Neighbourhood Plan matters that are quite adequately dealt with elsewhere.⁹ Having said that, there may be scope to give emphasis to matters particularly relevant in the context of Warburton.

4.5 Secondly, the Neighbourhood Plan does not have to deal with each and every topic raised through the consultation. In this regard, the content of the Neighbourhood Plan and the scope of the policies is largely at the discretion of the qualifying body, albeit informed by the consultation process and the requirements set by the Basic Conditions.

4.6 Thirdly, my central task is to judge whether the Neighbourhood Plan satisfies the Basic Conditions. Many of the representations do not demonstrate or indicate a failure to meet those conditions or other legal requirements. Similarly, many of the suggested additions and improvements are not necessary when judged against the Basic Conditions.

4.7 The following section of my report sets out modifications that are necessary in order to meet the Basic Conditions. Some of the proposed modifications are factual corrections.¹⁰ Others are necessary in order to have closer regard to national policies and advice. In particular, plans should be succinct and contain policies that are clearly written and

⁹ See NPPF Paragraph 16 f).

¹⁰ Modifications for the purpose of correcting errors is provided for in Paragraph 10(3)(e) of Schedule 4B to the 1990 Act.

unambiguous.¹¹ A decision maker should be able to apply them consistently and with confidence when determining planning applications. In addition, the policies should be supported by appropriate evidence.¹²

Issue 1 – Natural Environment

- 4.8 Policy W1 is concerned with conserving and enhancing local landscape character. The policy is informed by the Warburton Neighbourhood Plan Landscape Character Assessment, March 2024, which has, in turn, informed the Warburton Design Guidance and Codes (Appendix 4 of the Neighbourhood Development Plan).
- 4.9 The Landscape Character Assessment draws on various other landscape studies but is intended to be the principal reference source at the neighbourhood area level. It provides, for example, a more up-to-date context than that set by Policy JP Allocation 30: New Carrington in the Development Plan Document Places for Everyone.
- 4.10 From my reading of the Warburton Neighbourhood Plan Landscape Character Assessment, I find that, notwithstanding some generalised statements, it is a soundly based professional document, suitable for the purposes of determining policy for a landscape locally important rather than of regional or greater importance. It is entirely appropriate for Policy W1 to seek to protect and enhance the identified key characteristics of the Landscape Character Areas and to address key view corridors; also, to recognise and respond positively to the intrinsic local landscape character.
- 4.11 Having said that, there is no evidence to suggest that key view corridors should be preserved, as required by the policy. Such an approach would be unrealistic and unnecessary provided that any development within the corridors is sympathetic in its character and appearance. Amendment of the policy is required. At the same time, the drawings defining the corridors in the Neighbourhood Development Plan and in the Design Guidance and Codes are lacking in clarity. They need to be replaced with a version that can be readily interpreted.
- 4.12 As to the mention of “the intrinsic local landscape character”, clarity would be added by referencing the identification and description of such character. This is to be found in the Warburton Neighbourhood Plan Landscape Character Assessment, March 2024, and repeated in Section 3.3.1 of the Warburton Design Guidance and Codes. The latter reference would be the principal source of assistance to applicants.
- 4.13 The policy continues by requiring a 30m wide belt of woodland on the southern and eastern boundaries of the New Carrington allocation referred to above. Strategic Policy JP Allocation 30 already sets out the requirement for a substantial landscape buffer and, in the sections on

¹¹ NPPF, Paragraphs 15 and 16 d).

¹² PPG Reference ID: 41-041-20140306.

Green Belt and Landscaping, related considerations that are to apply to development at this location. There is no need for a precise buffer width to be specified. Reliance can be placed on the requirements of the strategic policy amplified, as appropriate, by Neighbourhood Plan Policy W1.

- 4.14 Necessary amendments to Policy W1 are set out in proposed modification **PM1**. These reflect the evidence and will provide clarity in the interpretation of the policy. In addition, through focused changes to the wording, the policy will align with Policy JP Allocation 30: New Carrington.

Issue 2 – Built Heritage and Archaeology

- 4.15 Policy W2 relates to Warburton Deer Park where there are valued designated and non-designated assets as well as good potential for buried architectural remains. They are referred to in the policy as historic landscape assets. Key assets are listed in the policy. These and others are shown on Map 3. The policy is, however, lacking in clarity in a number of respects:

- The key to Map 3 should indicate clearly that the green line represents the boundary of the Park (the area to which the policy relates).
- For the assets listed in the policy, it is not possible to identify with certainty where such assets are located on Map 3.
- Map 3 shows assets that are not listed in the policy.
- The policy purports to cover assets that are neither listed in the policy nor shown on Map 3.

- 4.16 To my mind, it is not appropriate to include unidentified assets, assets that have not been subject to an examination process, within the terms of the policy. The exception would be such assets of 'archaeological interest' as may be present or discovered in the future, this being a category of heritage asset identified and defined in the NPPF.

- 4.17 All in all, the above points can be addressed through proposed modification **PM2**. Included is a simplification of the policy whereby the assets are identified on Map 3 alone.

- 4.18 With regard to Policy W3 (Protecting and Enhancing Wildlife), both Map 4 (Habitat Distinctiveness) and Map 5 (Wildlife Corridors in Warburton Parish) show features that are outside the boundary of the designated area.¹³ It needs to be made clear that the policy does not extend to such features. Clarity is also needed over what features are shown on what map. Proposed modification **PM3** refers.

¹³ See section 38A(2) of the PCPA 2004.

- 4.19 Concerning Warburton Moss (Policy W4), there is a requirement that development proposals must minimise any impacts on areas of deep peat, an irreplaceable habitat. Although the related Map 6 shows areas of significance, areas of deep peat are not shown. There needs to be clarity over the presence of such areas. They should be depicted on Map 6 as required under proposed modification **PM4**.
- 4.20 The next policy, Policy W5, is entitled “Responding to Local Character” and promotes, in particular, the use of the Historic Farmstead Character to guide design. Under the first paragraph of the policy, the use is to be promoted in close proximity to farming development. However, the figure on which such development is identified (Figure 5) is of poor quality and not suitable for development management purposes. A replacement figure is needed.
- 4.21 Under the second paragraph of the policy, the Historic Farmstead Character is to be applied to the Warburton Lane development which forms part of the New Carrington allocation. Whilst use of the character may be appropriate on the fringe of the area, wider application would not be appropriate. It is also relevant to note that there could be a tension with the density requirements in the strategic policy. The desirability of applying the character should be qualified to recognise this point. Necessary amendments are set out in proposed modification **PM5**.
- 4.22 Turning to Policy W6, this concerns proposals affecting designated heritage assets. To these, the design principles set out in Part 3.2 of the Design Guidance and Codes are intended to apply. However, the design principles apply to heritage assets in general. Not all would apply to designated assets. Clarification would be provided through proposed modification **PM6**.
- 4.23 In terms of Policy W7, Non-Designated Heritage Assets, I note that Appendix 3 sets out a list of “Candidates for Local Listing”. The evidence base document “Historic Building Recording in Warburton”, June 2024, also refers to a “Provisional List (2023)” of Locally Listed Buildings. This distinction should be made clear in the policy. The “candidate” nature of the buildings is recognised through proposed modification **PM7**.
- 4.24 Under Policy W9, development proposals should protect, conserve and enhance (all) assets of “potential archaeological interest”. Whilst such a provision could be justified in regard to important assets yet to be discovered, and other known assets of archaeological interest, it would be inappropriate to safeguard assets that *might* be of interest. Re-wording of the policy is suggested through proposed modification **PM8**.

Issue 3 – Active Travel, Recreation and Leisure

- 4.25 Policy W11 Walking and Cycling supports enhancements to existing provision through developer contributions “wherever possible”. Enhancements will likely be possible in a good many cases. However,

obligations can only be sought where they meet the tests set out in Paragraph 57 of the NPPF. The need to satisfy such tests is recognised in proposed modification **PM9**.

- 4.26 Turning to Policy W12, this concerns the designation of Local Green Spaces. There are two Local Green Spaces that are the focus of my report. The first is known as "Part of Coroner's Wood, Warburton". The second is referred to as "Land off Moss Lane and adjacent to Warburton Lane".
- 4.27 In the Regulation 14 version of the Plan, the Coroner's Wood site was shown as occupying the whole of the south bank of the Red Brook, west of Warburton Lane. However, following representations, it was the intention that only the eastern portion of this area would be proposed for designation. By mistake, the version of the Plan consulted on at Regulation 16 Plan illustrated the western part of the site. As such, I wrote to Trafford Council on 31 July 2025 advising that an additional four-week focussed consultation be undertaken, inviting comments on the correct site. I have had regard to the representations generated.
- 4.28 The site in question is right on the northern boundary of the Neighbourhood Area, the boundary of which is defined by Red Brook. The corridor of land to the north of the brook (outside the designated area) has a footpath running through it and is known as the "Redbrook Wildlife Trail".
- 4.29 An interpretation board illustrates a corridor with 'typical wetland trees and plants', 'a place to enjoy the sights and sounds of nature in Partington'. Featured are oak, alder, holly and crack willow plus bluebells, broad buckthorn, cow parsley, lesser celandine and wild garlic. The corridor is of value visually, arboriculturally and ecologically. It has recreational value as a place to wander and, away from the busy Warburton Lane, a certain tranquillity.
- 4.30 The corridor is completed by the land south of the brook, within the Neighbourhood Area, which has all the same attributes as the Redbrook Wildlife Trail except for a footpath. It is an integral part of the corridor. It is inconceivable that the land would be developed (other than by perhaps footpath links). Protection as Local Green Space would be entirely appropriate.
- 4.31 I appreciate that there is no public access to the land south of the Red Brook; also, given the proximity of the land to Partington, it is the residents of the Oak Road estate who will gain maximum benefit from the corridor. Nevertheless, residents living in Warburton will also enjoy its qualities. I can well see that it would be special to the local community and hold a particular local significance as well as being close and accessible to the community that it serves.

- 4.32 Given also that, in my experience, the land is local in character and is not an extensive tract of land, I consider that the site known as Part of Coroner's Wood, Warburton, satisfies the conditions set out in Paragraphs 105 and 106 of the NPPF and is appropriate for designation as a Local Green Space. Further, and in recognition of comments made by Trafford Council, support could be given to the provision of footpath links through the area.
- 4.33 In marked contrast, I saw that the Land off Moss Lane and adjacent to Warburton Lane has no significant intrinsic qualities. It is a narrow strip of unkempt highway verge backed by metal agricultural fencing that is overgrown by invading vegetation. I appreciate that, over the fence, there are views of Heathland Barn and Farm; also views out over Warburton Moss and towards Moss Wood. However, if anything, the proposed Local Green Space in its present state detracts from those views. To my mind, it does not hold a particular local significance. It should be removed from the list set out in Policy W12.
- 4.34 Necessary clarifications to Policy W12 including the updating of Map 10: Local Green Spaces to reflect the correct boundary for the eastern Part of Coroner's Wood and the removal of references to Land off Moss Lane and adjacent to Warburton Lane are set out in proposed modification **PM10**. In respect of the other Local Green Spaces proposed for allocation under Policy W12, I find that they satisfy the requirements of Paragraphs 105 and 106 of the NPPF and no related modifications are needed.

Issue 4 – Rural Businesses and Community Facilities

- 4.35 Policy W14 (Energy Proposals) contains a provision whereby schemes should avoid the use of productive agricultural land. There is no evidence to suggest that *all* such agricultural land should be avoided. Proposed modification **PM11** refers instead to use of the best and most versatile agricultural land.
- 4.36 The final policy in the Plan, Policy W15, concerns community facilities. The policy lists circumstances in which the loss of identified facilities could be accepted. However, there is an error in the policy text. The text currently refers to "the loss of one of these community facilities". It should read "the loss of *any one* of these community facilities".¹⁴ A correction would be made through proposed modification **PM12**.

Other Policies

- 4.37 There remain three policies that have not been the subject of commentary in the above report. These concern Policy W8 Warburton Conservation Area; Policy W10 Sustainable Design and Climate Change; and Policy W13 Rural Diversification.

¹⁴ See Warburton Parish Council's response received on 24 July 2025 to my questions.
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4.38 To a greater or lesser extent, these topics are covered in NPPF Sections 6 (Building a strong, competitive economy), 14 (Meeting the challenge of climate change, flooding and coastal change) and 16 (Conserving and enhancing the historic environment). I find that there has been regard for national policy and that the Basic Conditions have been met.

Other Matters

4.39 All policy areas have been considered in the foregoing discussion. With the modifications that I have recommended, the Plan would meet the Basic Conditions. Other minor non-material changes (that do not affect the Basic Conditions), including those suggested by Trafford Council and possibly United Utilities, as well as consequential amendments, corrections and up-dates, could be made prior to the referendum at the Councils' discretion.¹⁵

5. Conclusions

Summary

5.1 The Warburton Neighbourhood Development Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the Neighbourhood Plan and the evidence documents submitted with it.

5.2 I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

The Referendum and its Area

5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The Warburton Neighbourhood Development Plan as modified has no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

Overview

5.4 It is evident that a considerable amount of time and effort has been devoted to the development and production of this Plan and I congratulate

¹⁵ PPG Reference ID: 41-106-20190509.

those who have been involved. The Plan should prove to be a useful tool for future planning and change in Warburton over the coming years.

Andrew S Freeman

Examiner

Appendix: Modifications

Proposed modification number (PM)	Page no/ other reference	Modification
PM1	Pages 24 and 25	<p>In Policy W1, replace “should” with “shall” throughout the policy.</p> <p>Replace the first sentence of the second bullet point with the following:</p> <p>“Any development within the key view corridors (as identified in Figure 2 of the WNDP and Figure 12 in the Warburton Design Guidance and Codes) shall be sympathetic to the character and appearance of the landscape.”</p> <p>Make similar revisions in the Design Guidance and Codes.</p> <p>At the end of the sentence referring to “intrinsic local landscape character”, add “as identified and described in Section 3.3.1 of the Warburton Design Guidance and Codes”.</p> <p>Replace Figure 2 in the Neighbourhood Development Plan and Figure 12 in the Design Guidance and Codes with the updated version provided on 24 July 2025.¹⁶</p> <p>Replace the final sentence of the policy with the following:</p> <p>“A substantial belt of woodland, marking the southern and eastern boundaries of the development sites is also required. This landscape buffer shall be designed to screen the housing development at Warburton Lane and to avoid visual impacts on the former deer park from the housing.”</p>

¹⁶ View at: <https://www.trafford.gov.uk/planning/strategic-planning/docs/Warburton-Neighbourhood-Plan/Photograph-locations-as-per-Figure-2.pdf>

PM2	Page 30	<p>At the end of the first sentence of Policy W2, add “together with such heritage assets of archaeological interest as may be discovered in the future.” Delete the remainder of the policy.</p> <p>Add the green line (Park boundary) to the key to Map 3.</p>
PM3	Pages 37 and 38	<p>In the first sentence of Policy W3, replace “Maps 4 and 5” with “Map 4”.</p> <p>In the second paragraph, after “identified wildlife areas” insert “(Maps 4 and 5)”.</p> <p>At the end of the first sentence after the numbered examples, add “located within the Warburton Neighbourhood Plan Area”.</p> <p>In the same paragraph, after “These include wildlife corridors”, add “(Map 5)”; and, after “areas of high or medium habitat distinctiveness outside the wildlife corridors”, add “(Map 4)”.</p>
PM4	Pages 38 and 44	<p>Policy W4, amend second paragraph to read:</p> <p>“Development proposals within Warburton Moss (indicatively identified on Map 6) must undertake hydrological and ground investigations to determine the extent and quality of any peat to minimise any impacts on areas of deep peat and inform the potential for restoration.”</p> <p>Amend Paragraph 5.1.34 to read:</p> <p>“The likely extent of Warburton Moss within the Parish is shown on Map 6 as Warburton Moss Landscape Area.”</p>
PM5	Page 49	<p>In relation to Policy W5, replace Figure 5 with the updated version of this figure provided on 24 July 2025.¹⁷</p> <p>In paragraph 2 of the policy, after the words “In addition,”, insert the following:</p>

¹⁷ View at: <https://www.trafford.gov.uk/planning/strategic-planning/docs/Warburton-Neighbourhood-Plan/Supporting-images.pdf>

		"and subject to the delivery of residential development at Warburton Lane at an average residential density of 25 dph."
PM6	Page 51	<p>Replace the first paragraph of Policy W6 with the following:</p> <p>"Proposals affecting designated heritage assets should be in accordance with such design principles (Warburton Design Guidance and Codes Part 3.2 Heritage Assets (Appendix 4 of Warburton Neighbourhood Development Plan)) as are relevant to designated heritage assets."</p> <p>To the explanatory text, add an explanation saying why not all the design principles in Part 3.2 of the Design Guidance and Codes are relevant to designated heritage assets.</p>
PM7	Page 52	<p>Modify the first sentence of Policy W7 so that it reads,</p> <p>"A candidate list of buildings and structures identified as non-designated heritage assets is included in Appendix 3 of the Warburton Neighbourhood Development Plan."</p>
PM8	Page 56	In Policy W9, delete "potential" before "archaeological interest".
PM9	Page 63	In the third paragraph of Policy W11, after "developer contributions", change "wherever possible" to "wherever appropriate".
PM10	Pages 65 and 66	<p>In Policy W12, at the end of the paragraph following the bullet points, add</p> <p>"; also, the provision of footpath links across LGS2, Part of Coroner's Wood, Warburton".</p> <p>Remove reference to the site "Land off Moss Lane and adjacent to Warburton Lane" from Policy W12 and elsewhere in</p>

		<p>the draft Neighbourhood Development Plan.</p> <p>Transpose the correct delineation of the boundary of LGS2 Part of Coroner’s Wood, Warburton (as shown on Map 1 of the Clarification Note¹⁸) onto Map 10: Local Green Spaces.</p>
PM11	Page 70	<p>Replace the second paragraph of Policy W14 with the following:</p> <p>“Such schemes should avoid the best and most versatile agricultural land.”</p>
PM12	Page 72	<p>In Policy W15, replace</p> <p>“the loss of one of these community facilities” with</p> <p>“the loss of any one of these community facilities”.</p>

¹⁸ Local Green Space W12/2 Part of Coroner’s Wood - Focussed Consultation Monday 11 August – Tuesday 09 September 2025: <https://www.trafford.gov.uk/planning/strategic-planning/docs/Warburton-Neighbourhood-Plan/Clarification-Note-Re-LGS-W12.2-v1.3.pdf>