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Our ref: R242-11 / OT / 177126

25 July 2013

Dear Mr. Barber

**TOWN AND COUNTRY PLANNING ACT 1990
SUBMISSIONS TO THE NEW LOCAL PLAN FOR WARWICK – REVISED DEVELOPMENT
STRATEGY (JUNE 2013)**

I refer to the above consultation document and write on behalf of Mr. Richard Armitage and Mrs Sara Grimes (landowners) and Richborough Estates (developer) who own and control the land edged red on the enclosed plan. The landowners have participated in previous stages of the Development Plan preparation, with a view to promoting the land at Warwick Road for residential development. Agreement is now in place with a developer to assist with the deliverability of the site. Through these representations it is submitted that the New Local Plan ("NLP") is not sound. The NLP currently fails to provide an adequate level of housing provision which results in the District's objectively assessed housing needs not being met.

It is demonstrated through this submission how the NLP could be made sound. It is acknowledged that the submission advocates the release of land from the Green Belt. In the balance of planning considerations however, it is submitted the planning advantages lie firmly in favour of releasing the land owned and controlled by my clients to enable the NLP to meet the objectively assessed development needs of the District.

The Role of the New Local Plan

The purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 6 of the Framework). For plan-making this means that local planning authorities should positively seek opportunities to meet the development needs of their area. The Local Plan must also meet objectively assessed needs, with sufficient flexibility to adapt to rapid change (paragraph 14 of the Framework).

The core land-use planning principles require the planning system to 'proactively' drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local communities the country needs. Paragraph 17 states: -

"Every effort should be made objectively to identify and meet the housing, business and other development needs of an area, and response positively to wider opportunities for growth."



My clients wish to ensure that the NLP for Warwick fully responds to these principles in the interest of securing a sustainable future for the District.

Strategic Vision

My clients support, in principle, the Strategic Vision outline within Section 3 of the NLP:-

"In overall terms the strategy seeks to ensure that by the end of the Plan period, the District will be known as a place of sustainable 'Garden Towns, Suburbs and Villages' with a successful, dynamic broad based economy, catering for the needs of its growing and diverse communities."

Concern is raised however that the spatial strategy does not appropriately convey the Strategic Vision set out. Whilst the Strategic Vision is ambitious, the spatial strategy set out within the NLP is too restrictive. The Strategic Vision and the spatial strategy need to be more closely aligned.

Revised Development Strategy

i) Level of Housing Growth 2011 – 2029

The clear Government priority is for housing delivery to significantly boost the supply of housing (paragraph 47 of the Framework), both market and affordable. It is a clear requirement of the Framework (paragraph 159) that local planning authorities should have a clear understanding of housing needs in their area. That said, the NLP makes provision for 12,300 new dwellings over the identified Plan period – equating to an annual housing requirement of 683 dwellings.

Following the withdrawal of Coventry's Core Strategy a new Joint SHMA was commissioned by Coventry and the Warwickshire local authorities to ensure that housing growth within the sub-region can be considered on a strategic basis. The evidence base underpinning the interim level of housing growth at present comprises: -

- ONS Sub-national Population & Household Projections;
- The Warwick District Strategic Housing Market Assessment ("SHMA") (March 2012);
- Economic and Demographic Forecasts Study (December 2012); and
- Establishing a Level of Growth.

Paragraphs 4.1.2 to 4.1.10 in the NLP allegedly set out the Council's justification for the proposed interim level of housing growth, although no credible explanation can be found. Nor has the Council adequately demonstrated why the higher housing requirement (e.g. 14,300 dwellings) would not be appropriate. It is accepted that the evidence base is in the process of being updated and clearly the findings of the Joint SHMA will be critical to the soundness of the Plan. Nevertheless departures from 'objectively assessed' evidence need to be clearly and concisely justified.

With the abolition of the Regional Spatial Strategies and the withdrawal of Coventry's 2012 Core Strategy, it is submitted that the planning policy context has changed substantially. New cross boundary issues will arise specifically in respect of housing numbers.

Based on the evidence currently available to both Warwick and Coventry, it is inevitable that Warwick will be required to meet a proportion of Coventry's housing need. Seeking to meet such need is part of the soundness test of a Plan being **positively prepared**. While one would not wish to pre-empt the outcome of the SHMA exercise, the Council's attention is drawn to the other requirements of paragraph 159 of the Framework. These include the need to take account of migration and demographic change. As such, realistic assumptions in respect of future migration patterns will be required.

It is acknowledged at paragraph 6.2 of the Economic and Demographic Forecasts Study that: -

"Warwick District's economy is forecast to continue to outperform the West Midlands economy in both the medium and long-term, with both GVA and employment growing faster than the region as a whole."

The evidence base underpinning the NLP indicates that Warwick will experience a growth in employment of 9,500 over the identified Plan period with the Gateway development scheme providing a further opportunity to boost workplace employment in Warwick District – delivering up to 9,500 additional jobs within the District's boundaries. Consequentially, the impact of this means that the objectively assessed need currently underpinning the NLP equates to 726 – 772 dwellings per annum¹.

Furthermore, the 2012 SHMA completed by GL Hearn on behalf of the Council, identifies a net affordable housing need within the District of 698 units per annum – over and above the need for new market housing. Whilst it is acknowledged that this is significantly above both likely and/or realistic levels of housing delivery, conclusions can be drawn that the Council has an acute need for more affordable housing. It is submitted that the need for new additional affordable housing within the District alone justifies a higher level of housing growth.

It is clearly evident from the evidence base that the level of housing growth set out within the NLP falls short of the objectively assessed need for both open market and affordable housing. My client objects to the proposed level of housing growth as set out within the NLP as it does not provide an appropriate level of growth in line with the evidence base underpinning the NLP. It is submitted that for the NLP to be found sound, it must first be **positively prepared**. This means that the Plan must meet objectively assessed development requirements (paragraph 182 of the Framework). Presently, there is no credible evidence base to justify the interim level of housing growth. As such the Plan has not been **positively prepared**, it cannot be **justified** or **effective** and neither is it **consistent with national policy**.

ii) Flexibility

Over the past two years (2011 to 2013) the District has delivered 447 new dwellings – see Table 2 in the NLP – highlighting that the interim housing requirement (683 dwellings) is not being reached as this equates to a completion of 224 dwellings per annum and is some way off the target of 1,366 dwellings that should have been delivered. This leaves the District some 919 dwellings short of their target for housing delivery early in the Plan period. It is accepted that the current economic climate and access to

¹ Source: Economic and Demographic Forecasts Study, December 2012

development and mortgage finance has been difficult, but an important contributory reason for the historic under-provision has been the lack of a supply of deliverable housing sites.

It is unrealistic to expect the entire District's housing needs to be met at the later stages of the Plan period – it would not be the most sustainable way to meet the objectively assessed housing need or for delivering the Strategic Vision of the Plan which is focused on "*facilitating the growth and development*". A failure to allocate sufficient land for development puts the Plan at considerable risk of being found unsound. It is better in terms of soundness to address this shortfall now. By allocating sufficient land in sustainable locations around the principal urban areas of the District, the Council will be able to maintain a rolling five-year supply (plus buffer) of deliverable housing sites.

These representations advocate a localised review of the Green Belt boundaries around the most sustainable settlements in the District. It is acknowledged that a Green Belt Review has already been carried out, but this was carried at a strategic, sub-regional level. We believe that a localised Green Belt Review should be carried out to identify sites on an individual basis suitable for release from the Green Belt.

Kenilworth is one of the most sustainable and desirable locations for housing within the District and should accommodate a larger proportion of new housing, particularly given its proximity to Coventry and the role it plays in the cross boundary Housing Market Area. The NLP allocates some 700 new dwellings to Kenilworth all of which are to be accommodated on the proposed Strategic Urban Extension at Thickthorn. This scale of growth is equivalent to approximately 10.5% of the total housing growth proposed within the District and would increase the size of the settlement by 7%². There is no technical evidence to suggest that Kenilworth could not accommodate an increase of say 10 or 12% growth. To be consistent with national planning policy, which seeks to boost significantly housing land supply, it is submitted that Kenilworth is suitable for a greater scale of housing growth, depending upon environmental and technical considerations.

To achieve the objectively assessed development needs of the District, the release of land from the Green Belt is inevitable as Kenilworth is surrounded by Green Belt. In other words there are no non-Green Belt options available to Kenilworth for accommodating its future growth, which is a fact acknowledged by the Council in its emerging strategy for the town.

iii) *Strategic Urban Extension ("SUE") at Thickthorn*

Paragraph 5.4.24 of the NLP states: -

"In order for the whole of this site to come forward for development it will require the relocation of both sports clubs to suitable sites in the Kenilworth area. No development shall take place on the sports grounds until both clubs have successfully moved."

The existing sports grounds comprise 12.64 hectares, or some 27% of the total allocation (46.7 hectares). Paragraph 177 of the Framework states that in 'plan-making' it is important to ensure that there are reasonable prospects that development will be delivered. My client raises concern over the deliverability of the allocation on account that landownership is fragmented. Sites in multiple ownership require effective collaboration and we understand that no such collaboration is in place. In the context

² Accordingly to the 2011 Census Kenilworth has 9,979 households at April 2011. (700 / 9,979 = 0.07 x 100 = 7%)

of boosting significantly the supply of housing, significant questions are raised over the ability to deliver 700 new dwellings in a single location. Any shortfall in delivery will need to be made up on site(s) at Kenilworth – not elsewhere within the District especially given the role that the town can play in helping to meet any residual housing requirement generated by Coventry. It is therefore submitted that the land at Warwick Road is a wholly suitable site to meet any shortfall in housing delivery.

Whilst the Strategic Housing Land Availability Assessment ("SHLAA") confirms that both the Rugby Club and Cricket Club have expressed a desire to relocate – due to existing capacity issues – it is acknowledged that suitable sites are yet to be identified. Until alternative locations are found the delivery of housing on this site cannot proceed.

The Merits of Land at Warwick Road, Kenilworth

The suitability of this site for development has previously been considered through earlier stages of the NLP's preparation and is not needlessly repeated.

Land at Warwick Road was considered as part of a much large parcel of land to the south of Kenilworth in the Joint Green Belt Review carried out by SSR Planning in 2009. The site fell within land parcel 'K6' with the southern extremities of this land parcel marked by a straight line – no discernible field boundaries were followed. My client's land extends to just over 5 hectares, a small proportion of the total area of land parcel 'K6'.

The Joint Green Belt Review concluded that land parcel 'K6': -

- Contributed to preventing sprawl south of Kenilworth;
- There would be no potential for coalescence south of Kenilworth;
- Assisted in safeguarding the countryside from encroachment south of Kenilworth;
- Contributed to preserving the setting and special character of Kenilworth; and
- That retention as green belt would encourage recycling of derelict and other urban land.

The boundaries of the site are formed by the Midlands Mainline Railway Line to the east, mature hedgerow and hedgerow trees to the south and the Warwick Road to the west. The northern boundaries of the site abut the settlement edge and the Kenilworth Cricket Club. In summary, the land at Warwick Road is visually well contained for the most part with topography and vegetation combining to restrict views from longer distances.

The enclosed site location plan also identifies the extent of the land controlled by my clients. Opportunities exist for use of this land for sporting and/or recreational use, in addition to the site boundaries being reinforced through a comprehensive landscaping scheme. Planning should contribute to protecting and enhancing the natural environment – the introduction of new structural landscaping to create a robust buffer will assist in the protection and enhancement of a valued landscape, and would secure net gains in biodiversity.

The suitability of the site for release from the Green Belt is now considered in the context of the five purposes of the Green Belt as set out at paragraph 80 of the Framework

a. Check the unrestricted sprawl of large built-up areas

It is acknowledged that the wider Green Belt immediately south of Kenilworth continues to serve its purpose. However, in the context of the NLP not being sound, further releases of Green Belt land will be necessary. The land controlled by my clients is considered suitable for release from the Green Belt in order to meet objectively assessed development need and given that the site is contained within established landscaping with firm boundaries and would not extend the built up area of the town any further along Warwick Road than already exists the development would not constitute the unrestricted sprawl of Kenilworth.

b. Prevent neighbouring towns merging into one another

The release of the site would still leave a significant gap between Kenilworth and Leek Wootton to the south (0.87 miles). The site would enable a small extension to the settlement and would not project new built form further than the existing line of development on the opposite side of the road (Wootton Grange Farm). These buildings provide a continuation of the built form to the south of Kenilworth. It is submitted the wider character and appearance of the gap between Kenilworth and Leek Wootton would be would not be harmed.

c. Assist in safeguarding the countryside from encroachment

The site is well related to the existing built-up area of Kenilworth, and is well contained to the east by the railway line and to the south by the mature hedgerow and hedgerow trees. In assessing the site's release from the Green Belt, the presence of these defensible boundaries is key.

d. Preserve the setting and special character of historic towns

It is submitted the site could be developed in a sensitive manner so as to preserve the setting and special character of the settlement. Previous submissions have highlighted the suitability of this site from a landscape and visual point of view. Further evidence will be submitted in due course.

e. Assist in urban regeneration

The spatial strategy for Warwick District Council acknowledges there are very limited opportunities for urban regeneration. This is highlighted by the SUE's proposed at Leamington Spa and Kenilworth (Thickthorn).

Summary and Conclusion

The land at Warwick Road would provide a logical urban extension to Kenilworth in order to remedy existing and foreseen shortfalls in housing delivery.

The development of this site will result in a relatively small section of Green Belt being lost to residential development. The release of land at Warwick Road will provide – through landscaping – a robust and a



more defensible edge to the town, thus preserving the Green Belt in the long term. Opportunities also exist for land to be brought forward within the control of my client for sports and recreation use.

The release of this site from the Green Belt will not lead to the unrestricted sprawl of a large built up area. (Kenilworth is not a large built up area for the purposes of the West Midlands Green Belt which contains the spread of the conurbation). The development of land at Warwick Road will not adversely impact upon the setting and special character of Kenilworth as a historic town. The release of the site will not undermine urban regeneration within the settlement.

It is acknowledged that the release of the land would necessarily result in the encroachment of hitherto undeveloped countryside that is in agricultural use. Such a consequence is almost inevitable with development on greenfield land surrounding an existing settlement. However, by identifying the land at Warwick Road the treatment of the edge of the urban extension could be better planned to result in a more defensible and long term barrier, built with an appropriate design to complement the transition from urban area to Green Belt and open countryside, building at a lower density and result in a viable development.

In conclusion it is submitted that the release of the land at Warwick Road would help meet the need for more housing within the District in a sustainable location.

I would be pleased to discuss the merits and content of this submission further should you so wish.

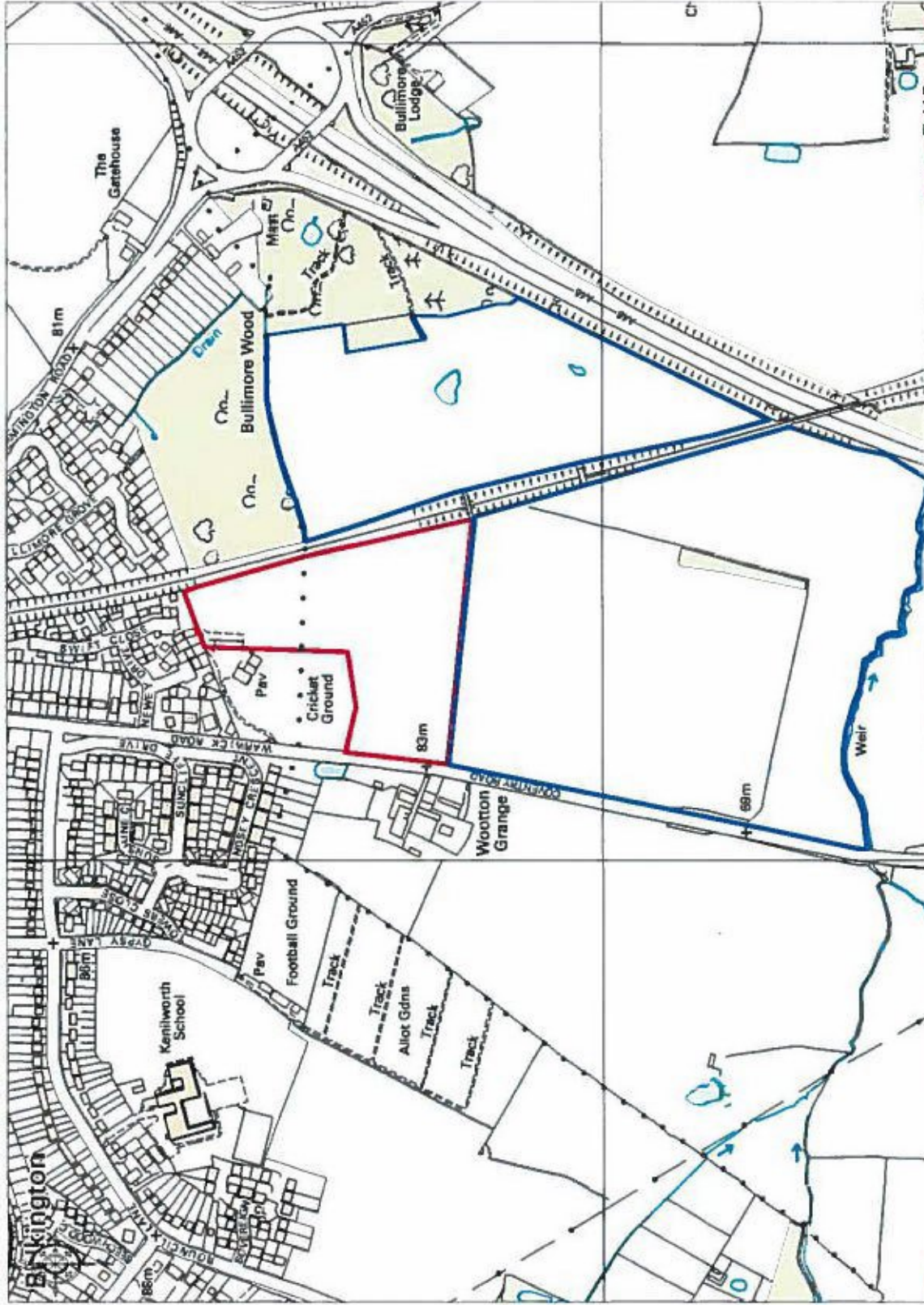


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Senior Planner

Cc. Mr. M. Jones (Richborough Estates)

Enc. Site Location Plan

Land at Warwick Road, Kenilworth



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