

31 July 2012

Delivered by Email

Development Policy Manager
Development Services
Warwick District Council
Riverside House
Milverton Hill
Leamington Spa CV32 5QH

Our ref: UNIQ2020
Your ref: NEWLOCALPLAN
E: mbest@turleyassociates.co.uk

Dear Sirs

WARWICK LOCAL PLAN PREFERRED OPTIONS MAY 2012

Thank you for the opportunity to comment on the Preferred Options for the new Local Plan for Warwick District.

I am writing on behalf of our longstanding client, the University of Warwick, having made representations to each stage of the development plan process over the past nine years.

The University's main objective over that time has been to remove what is referred to as "Central Campus West" – which forms a significant part of the existing campus and is the part of the campus within the District Council's area – from the Green Belt. Whilst this has not been achieved yet, the Warwick District Council adopted plan designated Central Campus West as a Major Developed Site in the Green Belt. This was a positive factor in the determination of the Outline Planning Application for the University's Campus Masterplan in 2009, which allows the development of up to 89,000 sq m of new floorspace in the Green Belt (condition 5 of planning permission W07/1120).

The University made representations to the Council's aborted Core Strategy consultation process and the consultation on the New Local Plan (July 2011) confirming its vision for achieving a world centre of higher education by 2015, placing the institution firmly in the top 50 of world universities. This included the desire to remove Central Campus West from the Green Belt and greater reference to the University's role as an economic driver within the Core Strategy.

It is worth reflecting briefly on why the University wishes to remove its campus from the Green Belt.

History

The University of Warwick was founded in 1964 and established an edge-of-city campus to the south west of Coventry straddling the border with Warwickshire. About 400 acres was gifted by the local authorities and this area remains the central campus, about half of which (also known as the Warwickshire Land, as it was gifted by the County Council) was already designated as Green Belt from 1960.

The University's first Development Plan was approved in 1966 and was updated in 1972 and 1994. Over this period, Green Belt policy recognised "institutions standing in large grounds" as appropriate uses and therefore designation was not an issue. The 1994 development plan was even approved as Supplementary Planning Guidance by both Coventry and Warwick District Councils in 1995 and recognised four "very special circumstances" which justified university development in the Green Belt:

- The grant of outline consent in 1964 (which had long since lapsed)
- Historic acceptance of development in the Green Belt for university purposes
- The transport reduction benefits of a single campus development
- The lack of suitable alternative non-Green Belt sites.

These VSCs were relied upon to support University proposals in the Green Belt during this period but applications were still referred to the Secretary of State as 'departures' from policy. This caused significant delay in approvals.

PPG2 (1995) removed the concept of "institutions standing in large grounds" so when it came to commencing the review of the development plan in 2003, the District Council with backing from Government Office, felt unable to renew its approval as SPG as it would be supporting "inappropriate development" in the Green Belt.

In a seminal meeting with Government Office and the three local authorities (WDC, CCC and WCC) in late 2003, the University was advised to pursue removal of Central Campus West from the Green Belt through the development plan process.

This could not be achieved through the then draft Warwick Local Plan (which was adopted in 2007) as this had to conform to the Warwickshire Structure Plan which had already determined the general extent of the Green Belt in 2001. It was therefore suggested that the University pursue its case through the Regional Spatial Strategy Review and a future Warwick Core Strategy. Even then, it was anticipated that this could take until at least 2010. In due course, the Phase 2 RSS Review did not include a review of the Green Belt and this process has since been abandoned.

The Warwick District Local Plan (2007) proposed a Major Developed Site (MDS) designation for Central Campus West based on the 1994 SPG development areas which the University supported, even though this was regarded as a stop-gap solution at the time, pending preparation of a new masterplan.

This prompted the University to establish a Steering Group of the Local Authorities, which I chaired, with attendance by Government Office, Regional Assembly and AWM. The group's purpose was to share information, build consensus, influence policy decisions and seek agreement on the future development of the University.

Consensus grew around the idea of a campus-wide outline planning application, including non-Green Belt land in Coventry as well as the Warwickshire Land, to promote the new masterplan which foresaw

the development of 171,000 sq.m. new floorspace over a 10 year period. This additional development would all occur within the 1964 boundary of the campus and involved a refreshing of the University's vision and principles for campus development. It was organic growth rather than expansion and approximately half the new floorspace would be within the Green Belt, with a commitment from the University not to encroach any nearer to Kenilworth.

Extensive pre-application consultation took place and the application was submitted in 2007. Referred as a departure, it was not called in by the Secretary of State, and permission was granted by both Coventry and Warwick District Councils in 2009. The permission runs for ten years and whilst the pace of current development is not exceeding that anticipated, there will come a point in the next few years when the University will wish to review the masterplan (as it dates largely from work done in 2003/04). As long as part of the campus remains in the Green Belt, this is likely to be a long drawn out affair, as experience shows.

Green Belt Policy

The long term aim therefore remains to remove Central Campus West from the Green Belt, whilst continuing to restrict development to the existing development boundary.

The University believes there is no sense in the campus remaining in the Green Belt. Whilst it was regarded as the norm in the 1960s for institutions in large grounds to be found within it, Green Belt policy has moved on twice since. The concept of Major Developed Sites was introduced in the mid 1990s and, whilst this is the current policy designation for Central Campus West dating from 2007, it does not readily apply as the policy refers to 'limited' infill and redevelopment of existing developed sites whereas Central Campus West is capable of accommodating another 89,000 sq.m. of development, albeit in amongst the basic infrastructure of roads and existing buildings comprising student accommodation, sports facilities, the business school and post-experience centres.

The recent publication of the National Planning Policy Framework (NPPF) has shifted Green Belt policy again. Whilst Government continues to attach great importance to Green Belts, the reference to MDS has been replaced with paragraph 89 which refers to exceptions where development can be allowed in the Green Belt including:

Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Whilst this policy has echoes of the MDS policy in PPG2 Annexe 2, it refers to "brownfield" sites, which the undeveloped parts of Central Campus West are patently not; the masterplan development permitted in 2009 is neither limited infilling nor redevelopment; and the additional guidance in PPG2 Annex 2 has disappeared altogether.

The University is concerned that, if the MDS policy designation is retained as proposed in draft Policy PO8 of the Preferred Options (p37), it may be found to be inconsistent with the above NPPF policy. Rather than trying to find a way in which the University's long-established campus can be accommodated by Green Belt policy, the University is strongly of the opinion that now is the time to remove Central Campus West and establish a secure long-term boundary at the edge of the University.

Detailed Comments

Page 4 – para 2.5:

The University plays a significant role in the local economy as recognised in Section 8, which could also be recognised in the bullet points under the Economy heading.

Page 8 – para 4.10

The second bullet under point 2 states that the Local Plan will “make sure that the district can accommodate university students without harming the balance of existing communities”. This we understand to be a reference to the growing number of students living in Leamington and the University is happy to discuss its accommodation strategy with the District Council to ensure that appropriate measures are taken where these are within the University's control.

Page 17 – para 7.15

Reference is made to the Joint Green Belt Study carried out with Coventry City Council in 2009. Central Campus West formed part of Parcel C13B identified in that study, which was considered ‘mid-sensitive’ (meeting between 0-3 of the 5 Green Belt purposes), in this case: (1) contributing to preventing sprawl from Coventry, (2) safeguarding the countryside from encroachment from Coventry, and (3) retaining as Green Belt would encourage recycling of derelict and other urban land. Warwick University was regarded as existing development within the Green Belt and therefore, no account was taken of the fact that removal of the campus only from the Green Belt would not give rise to greater sprawl/encroachment than had already taken place, nor would it encourage recycling of urban land to retain it in the Green Belt. We therefore contend that none of these purposes is served by keeping the University campus in the Green Belt.

Page 26 – Table 7.3

Other options for the location of new housing include a parcel of land at Westwood Heath (south of Coventry) which was considered in the last Core Strategy consultation in 2009. The University objected on the basis of traffic capacity last time round and, whilst the County Council has undertaken some traffic flow modelling, the University remains unconvinced of the suitability of this location.

Page 35 – para 8.3

The University supports the reference to the significant investment it has made and its central role in supporting higher value knowledge based industries in accordance with the LEP's economic strategy.

Page 37 – Policy PO8

The fifth bullet of the policy states:

Developing a policy framework to support appropriate development at the identified Major Developed Sites in the Green Belt which may include site specific policies for... The University of Warwick...

As mentioned above, we are not convinced that the MDS designation is appropriate for Central Campus West, particularly in light of the NPPF.

The University therefore objects to this policy on the following basis:

- Central Campus West should be removed from the Green Belt, in which case it would no longer be necessary to refer to it in this part of Policy PO8, but it would require a separate reference to the designation of the University campus elsewhere in the policy
- If Central Campus West remains in the Green Belt, the University requests further discussion with the District Council to provide assurances that its approach towards MDS designation remains appropriate.

Page 40 – paras 8.23-8.24

We are puzzled by this part of the plan, as it concludes with reference to possible removal of land from the Green Belt “to support these proposals”; these being “employment related development” which has been set out in the University's expansion plans to 2018 and which the plan says is reasonable to “contribute in part to the employment land supply”.

Whilst the University wholeheartedly supports the removal of the campus from the Green Belt, this is not what is currently proposed in Policy PO8.

There is reference in para 8.24 to the Phase 2 RSS although again some history is worth repeating. Table 4 footnote (e) in the draft RSS Phase 2 Revision included an allowance for 50% of the University's expansion to count towards the employment land supply in Warwick District. We made representations and appeared at the examination in 2009, where it was accepted by WMRA that this was included “in error and should be removed” which was accepted by the Panel Report in Sept 2009.

The RSS Phase 2 Revision was never progressed any further but, for the sake of completeness, our reasoning for objecting to the inclusion of this footnote was that the University is not a B Class employment use to which the employment land supply figures in Table 4 relate. The 2009 permission allows development “for university purposes” including academic and research uses. We did not want

the future evolution of the University to be frustrated if the District Council, in applying the RSS, were to insist on up to half of the campus being developed for employment related uses.

That is not to say that the University is not a major employer, but it is not a major employment site for the purposes of planning policy.

The University therefore objects to these paragraphs as currently drafted and requests their rewording to recognise the contribution of the University to delivering employment growth and supporting knowledge based industries but not in providing employment land supply. However, we believe removal of the campus from the Green Belt can still be justified (see below) and that it is not necessary for this to be consequential on an employment land allocation.

Page 59 – Policy PO12

The University of Warwick has developed a comprehensive strategy to Climate Change Mitigation and Adaptation. Part of this strategy has been to develop the 2020 Carbon Management Implementation Plan which contains an aspirational target to halve its carbon emissions by 2020. This will be done through a continual programme of monitoring energy use and investment in energy efficiency measures supplemented by low and zero carbon technologies where they are commercially and technically viable. This approach is supplemented by a range of other initiatives to reduce the University's carbon footprint and its environmental impact.

The University of Warwick will apply its climate change mitigation and adaptation strategy to any proposed new development within the campus and will commit to an approach to design and construction that minimises carbon emissions where viable.

With regards to Policy PO12 the University fully supports the principles of climate change mitigation and adaptation as can clearly be demonstrated with its own activities.

The University however seeks clarification from Warwick District Council with regards to the following aspects of Policy PO12: Climate Change.

The policy makes no reference to the BREEAM or Code for Sustainable Homes rating expected by WDC. We seek clarification on this issue from WDC and in advance of this response would like to point out that it is likely that there will be considerable change to the BREEAM and Code for Sustainable Homes assessments during the lifetime of the policy. This could significantly alter the commercial and technical viability of meeting any specified ratings within these respective standards.

The policy requests that development seeks a '20% reduction in carbon emissions from development to include a contribution from renewable and low carbon technologies'. We believe that this policy as it stands is confusing as there is no reference to a baseline from which these savings should be made. If WDC is expecting that this level of carbon emission reductions is to be achieved on top of Building Regulations then we believe that this will present significant commercial and technical constraints to all new development within Warwick District. The policy also makes no recognition of site specific constraints which may impact developments' ability to achieve this level of carbon reductions.

The University requests that Policy PO12 be amended to recognise that Building Regulations are on a regular and significant programme of improvement until the Zero Carbon standard is achieved in 2019. It is highly likely that renewable and low carbon technologies will be required to meet the 2013 Building Regulations and therefore PO12 is simply duplicating a national mandatory standard.

If WDC is seeking to implement carbon reduction standards above Building Regulations then the evidence base documents prepared in support of the Preferred Options Plan should be updated to reflect significant changes with regards to Climate Change mitigation in the built environment.

Page 82 – Policy PO15

Map 6 identifies possible green infrastructure including, in the vicinity of the University campus:

- An area of search for green network and wedges which extends between the southern tip of Coventry and the northern and eastern edges of Kenilworth.
- Strategic green improvement areas in a broadly similar location but extending further west towards Burton Green/Westwood Heath.
- Flood Zone 3 to the east of the campus.

Some of these areas include University owned land but all lie outside the existing/proposed campus development areas. The area referred to in para 15.14 as a “Peri-Urban Park North of Kenilworth” would presumably fall within the area of search but it is not clear how this proposal would be delivered in the absence of nearby development which could fund it as part of landscape mitigation.

Page 88 – Policy PO16

The plan states at para 16.4 that the Council’s preferred option for the location of sustainable housing and employment growth will necessitate alterations to the Green Belt boundaries. The NPPF also requires the Council to consider further changes to meet longer term development needs.

Policy PO16 proposes a number of alterations to the Green Belt including to the east of Kenilworth to facilitate housing and employment development at Thickthorn, and to remove a number of villages from the Green Belt including Burton Green. It also refers to “limited infilling.... in existing major developed sites”.

There is no reference to the possible removal of the University of Warwick from the Green Belt discussed in para 8.24. It is therefore assumed that the policy approach towards the University is to regard it as an existing major developed site as referred to in Policy PO8.

We have previously set out our reservations about MDS policy in the context of the NPPF and the reasons why, as the University approaches its 50th year, the campus should be removed from the Green Belt.

The NPPF states at para 83 that Green Belt boundaries should only be altered in exceptional circumstances through the preparation or review of a Local Plan. This should have regard to their intended permanence so that they are capable of enduring beyond the plan period. LPAs should take account of the need to promote sustainable patterns of development.

This is the first time in the nine years since our meeting with Government Office that the opportunity has arisen to seriously promote removal of Central Campus West from the Green Belt. The University therefore objects to Policy PO16.

Exceptional Circumstances for Altering the Green Belt Boundary

The exceptional circumstances for altering the Green Belt boundary around the University of Warwick are as follows:

- The University was established and allowed to develop in the Green Belt at a time when HE institutions “standing in large grounds” were regarded as appropriate uses in the Green Belt. This is no longer the case.
- The former statutory Development Plan support for University development in the Green Belt (including approval of the University’s own development plan as SPG) was predicated on a pre-1995 version of PPG2 and Government Office advice to the University in 2003 was to seek removal of the developed part of the campus from the Green Belt.
- The 2007 adopted Local Plan designation as a Major Developed Site was supported by the University at the time but given the shift in Green Belt policy in the NPPF towards brownfield sites and a clear emphasis on ‘limited infilling’, we do not think the development of 89,000 sq.m. in the Green Belt can be regarded as compliant with this policy.
- Central Campus West, whilst developed to date at a lower density than Central Campus East, is still an urban development of some scale. The permitted development of a further 89,000 sq.m. by 2019 at higher levels of density, will intensify the urban character, notwithstanding that the masterplan was subject to Environmental Impact Assessment, a thorough Landscape Assessment, and has satisfied the very special circumstances test for development in the Green Belt.
- The University campus does not serve the fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open (NPPF para 79). Neither does it contribute to any of the five purposes of Green Belt (see above comments in respect of the Joint Green Belt Study 2009), as the extent of built development will not extend further south than the existing Sports Pavilion building and will be entirely contained within the boundaries of the campus established in 1964.
- Removal from the Green Belt would enable the University to plan ahead with confidence knowing that its entire central campus can be developed now and in the future (i.e. beyond

the current planning permission) without continual recourse to justification in Green Belt terms which has become increasingly irrelevant and unduly time-consuming.

Para 85 of the NPPF sets out various criteria for defining Green Belt boundaries including:

- “not to include land which it is unnecessary to keep permanently open” – in our view, Central Campus West is no longer “permanently open” and therefore this Green Belt purpose cannot be served
- to be satisfied “that Green Belt boundaries will not need to be altered at the end of development plan period” – if Central Campus West is removed from the Green Belt as proposed, encompassing all the land for which planning permission has been granted for development up to 2019, we regard this as being a long-term defensible boundary.
- “define boundaries clearly, using physical features that are readily recognisable and likely to be permanent” - the existing boundary of Central Campus West, including the loop road to the Sports Pavilion, down to Whitefields Coppice, and then round the western edge of campus to where Scarman House meets Gibbet Hill Road is a readily recognisable boundary.

The University would be willing to meet with officers to discuss these representations and explore how the central aim of removal from the Green Belt can be achieved.

Yours sincerely

Mike Best
Office Director

CC: Bob Wilson