

Our ref: HTP504le3

Head of Development Services  
Warwick District Council  
P.O. Box 2178  
Riverside House  
Milverton Hill  
Leamington Spa  
Warwickshire  
CV32 5QH

22<sup>nd</sup> July 2013

Dear Sirs,

**Warwick Local Plan – Revised Development Strategy  
Land adjacent to Tournament Fields, Warwick**

Hancock Town Planning Ltd acts for The Campbell Partnership which owns land within the south-west Warwick development area, adjacent to Tournament Fields.

The Campbell Partnership's land ownership ('the Campbell land') extends to approximately 5 acres, as shown edged in red on the plan attached as Appendix A. Detailed representations were submitted in support of the site's allocation for residential development following public consultation in July 2012 on the Council's Local Plan – Preferred Options. A copy of our representations is attached at Appendix B for ease of reference.

As my client's land is not proposed for residential development in the Draft Revised Development Strategy (RDS), we again wish to register our formal objection to its non-allocation.

Our objections fall within three main categories:

**1. Lack of detailed appraisal of our representations on the Preferred Options**

Our first concern is the lack of detailed consideration which appears to have been given in to our representation on the Preferred Options consultation of July 2012. As confirmed with Sally Jones of the Council's Planning Policy Team, there is no written record of any considered assessment of our submission, other than a brief explanatory e-mail written by the Council officers after publication of the RDS.

As there is no written record of our representation and officer response being reported to the Council's Executive, the Draft Plan cannot possibly be considered to be 'sound' as per the requirements of the NPPF. This clearly needs to be rectified in the Council's approach to consideration of our representations on the RDS which justify a fully considered response.

## 2. Potential for noise disturbance

Our representation of July 2012 on the Preferred Options included a detailed noise assessment prepared by Resound Acoustics. Resound's report concluded:

*"On the basis of this assessment, and providing the recommended mitigation measures are implemented, it is considered that noise should not pose a constraint to development."*

The only formal comment we have seen regarding the Council's review of this technical document is the e-mail from Sally Jones of 16<sup>th</sup> July 2013 which includes a brief commentary from Peter Lawson of the Council's Environmental Health Department, together with Ms Jones' summary of verbal comments made by Mr Lawson. Mr Lawson advises that he "would not encourage an application for housing on this site" but does not record a formal objection to such a proposal. The e-mail, which obviously post-dates the publication of the RDS, is set out at Appendix C for information. Mike Brownstone of Resound Acoustics has reviewed this e-mail and subsequently discussed its contents with report with Mr Lawson. Mr Brownstone comments that:

- The solution proposed in the noise report of a row of houses that screen the rest of the development, is a common solution for sites close to noise sources, particularly roads.
- The recommendation is to install glazing with an appropriate sound reduction performance to ensure that the internal noise levels meet the guideline values, and where open windows would result in noise levels above the guideline values, an alternative form of ventilation would be installed. This would typically be a whole house system (rather than for individual rooms) and would include some form of heat recovery.
- There are houses to the north (on Young Close and Rogers Way) that are almost as close to the A46 as the houses assessed in our report (approximately 36m against 22m for Tournament Fields). It is not clear why Tournament Fields is unacceptable in principle where the development to the north was not.
- With an appropriate approach to design, the Tournament Fields site could meet the relevant guidelines on noise. We are confident that the acoustic fence would perform in line with our calculations - a drawing showing the alignment that was modelled is attached at Appendix D. We can confirm that the noise model included the various road heights. It could be made more effective if it were on highway land

We therefore ask for the above comments to be specifically and comprehensively addressed by the Council in any report responding to representations received during public consultation on the RDS.

## 3. Quality of the land as an employment site

As previously noted, there is no record of any officer response to the particular characteristics of my client's land as set out in our July 2012 representation, in particular its unsuitability for B2 and B8 use. However, we understand that officers have assumed that the generic conclusion of the GL Hearn Employment Land Review (ELR) 2013 applies equally to every parcel of land within the overall development.

This approach is inappropriate and is too 'broad brush'. We strongly believe that the outcome of the 'scoring system' which GL Hearn applied the Tournament Fields site would be very different if applied to the Campbell land in isolation. For example:

*Access* – the ELR gives a maximum score of 5 to the Tournament Fields site for access. However, the road serving the Campbell land also serves residential traffic, is of restricted width with on-street parking and also contains pedestrian refuges. It does not therefore merit a score of 5.

*Prominence* – the ELR awards a maximum score of 5 to Tournament Fields for prominence on the grounds that it is a 'gateway site'. The Campbell land, however, is tucked away at the far end of the overall area and is not visible from the main Stratford Road.

*Market attractiveness* – again a maximum score of 5 is given, meaning that the site is attractive to national companies. However, this is clearly not the case with this constrained site directly opposite a housing development. This is borne out by the fact that the Campbell land has lain undeveloped since its first allocation in 1995, some 18 years ago.

Therefore, it is wholly inappropriate to appraise the whole Tournament Fields site as one homogenous site. An approach which considers the merits of individual sites within the area is what is required.

The Council has previously acknowledged that an individual approach to site appraisal is appropriate in its decisions to grant planning permission to Kestrel Properties Ltd, reference W11/1251, for the erection of 91 dwellings on 5 acres of allocated employment and within the adjacent Tournament Fields site. The application was approved, with the Committee report on the application stating:

*"It [Tournament Fields] is therefore one of the District's most important employment opportunities currently available to meet future needs. However, the application site forms a peninsular of land extending outwards into the residential allocation and is therefore only suitable for B1 business development due to the close proximity of the residential houses along two boundaries of the site. The potential for B2 / B8 uses would be significantly reduced as they would be close to noise sensitive residential buildings, and therefore it is unlikely that large scale B2 or B8 uses would be acceptable on the application site. The attractiveness of this site to meet a broad range of future employment land needs is diminished as a consequence, and therefore the argument for its retention to meet future employment land needs is weakened"*

We also refer to the granting of permission W10/1564 at appeal for a care home on Plot Number 8002 at Tournament Fields, immediately adjacent to the southern boundary of the Campbell land. The Planning Inspector concluded that Plot 8002 was unsuitable to accommodate Class B2 and B8 uses due to its proximity to housing and was therefore of limited employment value. Given that the Campbell land is much closer to this housing than Plot 8002, the site is clearly also unsuitable for B2 / B8 development and therefore of limited employment value.

Furthermore, we also note that the District Council has only very recently granted planning permission for a continuing care retirement community on 3.23 ha of allocated employment land at Gallagher Business Park, application reference W13/0464. The Committee report on this application refers to part of the justification for the development for non-Class B use is that the site adjoins a residential area.

Given that the Gallagher site is better located than the Campbell land, but has not secured any office development since its allocation, we cannot see how it is logical for the Council to insist that the Campbell land should be retained for office use (given that the implication of the appeal decision on Plot 8002 is to confirm the land's unsuitability for B2 / B8 use).

#### 4. Over-supply of employment land

Paragraph 6.32 of the ELR notes that the average rate of employment land completions since 2008 is only 0.5 ha per annum. Yet, the draft RDS identifies a total supply of 71 ha (see Table 4 of RDS: 48.5 ha supply + 22.5 ha of new allocations). Even allowing for the 13.5 ha allowance for the redevelopment of existing employment areas, this is equivalent to over 100 years supply of land at recent average take-up rates. Moreover, this is before any consideration is given to the Coventry Gateway development.

It also appears that the figure for forecast demand of employment land include two separate 'flexibility allowances'. Table 4 of the RDS identifies a 16.5 ha flexibility margin (equivalent to 46% of the forecast demand), and an additional 5 ha has been added on to the balance to be allocated figure of 17.5 ha to increase the allocations total to 22.5 ha. Therefore, a total of 21.5 ha has been added on to the forecast employment land demand figure of 36 ha.

The result of the above factors means that the Draft RDS proposes a significant over-supply of employment land. The effect of this oversupply – which is proposed to include very high quality strategic allocations of land adjacent to Warwick Technology Park – is that the Campbell land is unlikely to be developed for office use over the lifetime of the plan. A new use therefore needs to be found for the site.

#### 5. Proposed Green Belt release

The Draft RDS proposes the development of 13.5 ha of Green Belt land at Red Farm Leamington and 46.5 ha of Green Belt land at Thickthorn, Kenilworth to help meet the District's Housing Need. The Government's National Planning Policy Framework states that:

*"Once established, Green Belt boundaries should only be altered in **exceptional circumstances**" (paragraph 89, HTP emphasis)*

In our view, it is difficult to argue that Green Belt land which forms a much-valued setting to the Leamington and Kenilworth conurbations should be developed when available and very well-located non-Green Belt development land exists within south-west Warwick and which has lain undeveloped for many years.

#### Conclusion

Paragraph 22 of the NPPF states:

*"Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities."*

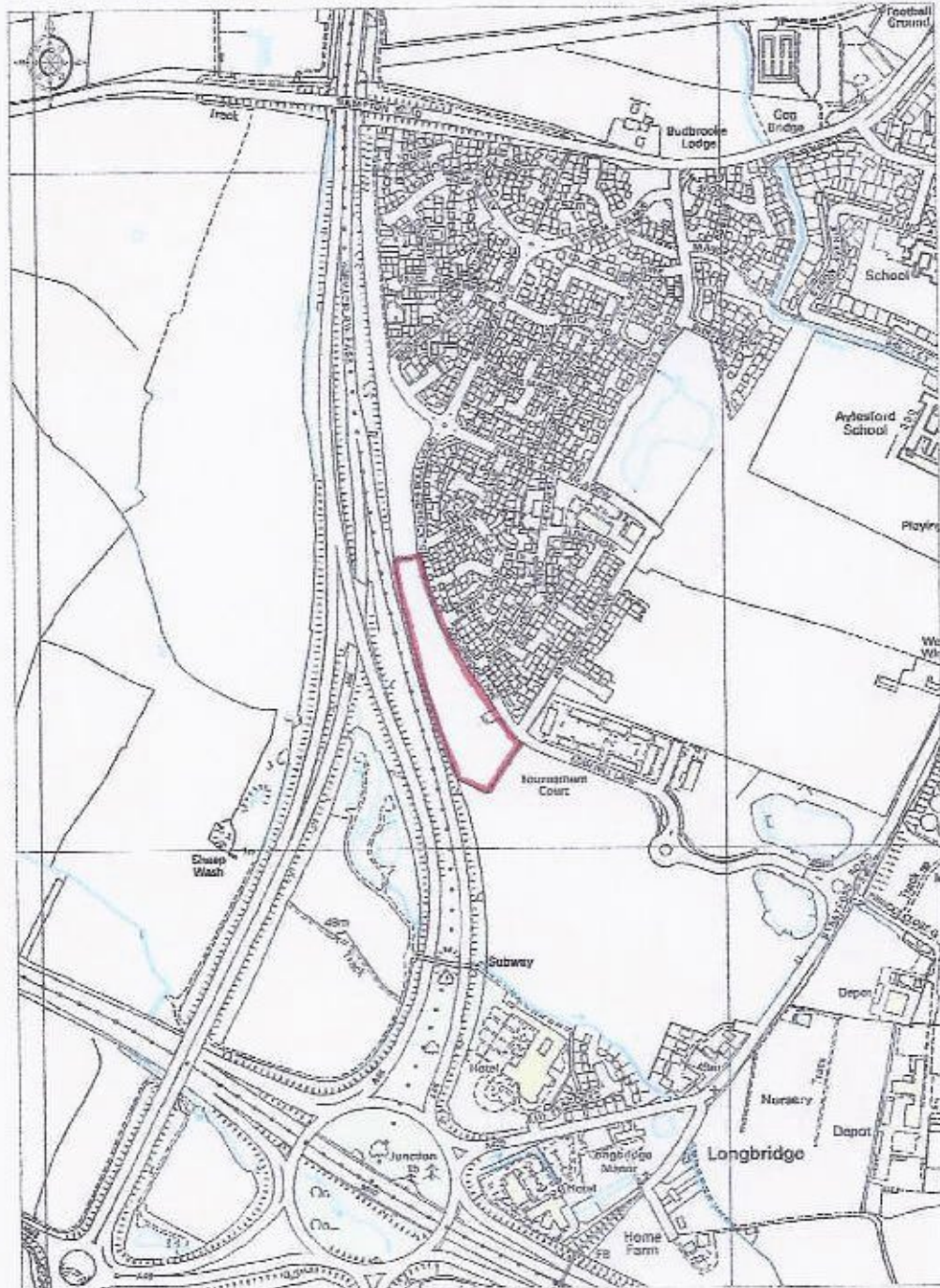
Given the unsuitability of the Campbell land for B2 / B8 development, and that housing within Chase Meadow is similarly sited within close proximity to the A46, we consider that sensitively designed residential development of the land offers an appropriate way of providing modest additional housing on an available site within a sustainable location.

We also respectfully suggest that the SHLAA is not the most appropriate forum for deciding on the merits of potential housing use of the site. A holistic overview is required, taking into account wider planning issues such as the supply of employment land, the quality of the site as employment land and the preference (or otherwise) for Green Belt release. Therefore, as indicated previously, we formally request a that detailed written assessment and response to this representation be presented to the Executive and available for public review.

Yours faithfully,



**Joel Hancock BSc (Hons) MSc MRTPI**



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CV32 5QH

26<sup>th</sup> July 2012

Dear Sirs,

**Warwick Local Plan – Preferred Options  
Land adjacent to Tournament Fields, Warwick**

Hancock Town Planning Ltd acts for The Campbell Partnership which owns land within the south-west Warwick development area, adjacent to Tournament Fields.

The Campbell Partnership's land ownership ('the Campbell land') extends to approximately 5 acres, as shown edged in red on the enclosed plan.

My client wishes to **OBJECT** to the non-allocation of its land for residential development within draft Local Plan Policy PO4: *'Distribution of Sites for Housing'*.

**Background**

The Campbell land forms part of the south-west Warwick development area, as identified in the Warwick District Local Plan 2007 and previously in the 1995 Local Plan. Whilst forming part of a residential allocation in the 1995 Plan, the 2007 Plan identifies the site for employment use. The site has previously been marketed for employment development without success and much of the adjoining employment land within Tournament Fields also remains to be developed.

The Campbell land lies directly opposite housing fronting Goggbridge Lane and which forms part of the Chase Meadow residential estate. It is therefore within easy walking distance of the local centre and adjacent public open space and relates very well to the adjacent residential community.

We understand that District Council officers have previously considered the suitability of re-allocating the Campbell land for housing but were concerned that noise associated from the adjacent A46 might adversely impact upon the suitability of the site for residential development.

## Noise assessment

In response to officer's concerns, the Campbell Partnership commissioned Resound Acoustics Ltd to undertake a detailed noise assessment of the noise climate at the site. The key findings are that:

- Taking account of the acoustic screening effect of any houses built on the site, daytime noise levels across the majority of the site are predicted to be below 55dB: this would be consistent with Noise Exposure Category (NEC) A, as defined in the now-withdrawn PPG 24. The former guidance (which we understand the Council is still using as a guide to assessing the impact of noise on development proposals) stated that noise need not be considered as a determining factor in the granting of planning permission where noise levels fall within NEC A.
- Erection a 3 m high roadside noise barrier would further reduce noise levels across the site (see Figure E.5 at Appendix E of the report).
- Taking account of the impact of built development and of an acoustic barrier, predicted night-time levels would fall within Noise Exposure Category B (see Figure E.6). The former PPG 24 stated that residential development should normally be acceptable within NEC B, subject to consideration of appropriate mitigation factors.
- For properties closest to the A46, the necessary night-time sound reduction performance could be achieved through appropriately specified glazing units and, if appropriate, passive ventilation systems.

The report also highlights that residential development of the site would also benefit the existing properties on Goggbridge Lane by creating an improved noise climate for these occupiers.

The full report is submitted as part of this representation.

Drawing together the above points, the report concludes that:

*"On the basis of this assessment, and providing the recommended mitigation measures are implemented, it is considered that noise should not pose a constraint to development."*

The District Council should therefore be satisfied that concerns regarding noise should not prevent the allocation of the Campbell land for residential development.

## Demand for commercial development

The second issue which arises from our representation is whether the Campbell land is still required to meet the employment needs of the District.

When considering this issue, the correct starting point is the National Planning Policy Framework (the NPPF) which was published in March 2012 and replaced all previous Planning Policy Guidance Notes and Statements. The NPPF makes it clear that local planning authorities should avoid the long-term protection of employment sites where there is no prospect of the site being used for that purpose. Paragraph 22 of the NPPF states:



*"Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities."*

The above guidance is applicable to the Campbell land which has lain undeveloped since its first allocation in 1995, some 17 years ago.

We also enclose a letter from Bronwich Hardy, leading local commercial agents, which provides a commentary on the local market for commercial development. The company advises that:

- No speculative commercial development has taken place within the District since 2007 and it is highly likely that there will be in the foreseeable future.
- There is little demand for occupier-led development due to market conditions and the amount of oversupply in the existing stock.
- There has been no Class B commercial activity within Tournament Fields for five years.
- The Campbell land is not particularly well located for commercial development as it is sited immediately opposite housing.

We also note the recent application by Kestrel Properties Ltd, reference W11/1251, for the erection of 91 dwellings on 5 acres of allocated employment and within the adjacent Tournament Fields site. The application was approved, with the Committee report on the application stating:

*"It [Tournament Fields] is therefore one of the District's most important employment opportunities currently available to meet future needs. However, the application site forms a peninsular of land extending outwards into the residential allocation and is therefore only suitable for B1 business development due to the close proximity of the residential houses along two boundaries of the site. The potential for B2 / B8 uses would be significantly reduced as they would be close to noise sensitive residential buildings, and therefore it is unlikely that large scale B2 or B8 uses would be acceptable on the application site. The attractiveness of this site to meet a broad range of future employment land needs is diminished as a consequence, and therefore the argument for its retention to meet future employment land needs is weakened"*

The report concluded that the application was justified due to:

- the limited harm caused to employment land supply;
- the size nature and location of the site;
- the contribution that the site would make to meeting the District's housing needs in a sustainable location;
- the ability to support community infrastructure within south-west Warwick.

Similar considerations clearly apply to The Campbell Partnership's land which is also unsuitable for B2 / B8 development due to its proximity to housing, and so support the case for its allocation for residential development.

We also refer to paragraph 8.30 of the draft Local Plan. This highlights the deficit in the provision of employment land within the north of Leamington presumably compared to the south of the conurbation. Therefore, if any additional employment land is required, it should surely be located to the north of Leamington, not to the south of the town.

Notwithstanding the above, in the event of the residential allocation of the Campbell land, should the Council seek the identification of additional employment land to offset the theoretical 'loss', then land is available for commercial development to the rear of Campbell House on Stratford Road. This land is the subject of a separate representation.

### **Reduction in the need for Green Belt release**

The draft Local Plan proposes the development of extensive tracts of Green Belt to the north of Warwick and Leamington. The Government's National Planning Policy Framework states that:

*"Once established, Green Belt boundaries should only be altered in **exceptional circumstances**" (paragraph 89, HTP emphasis)*

In our view, it is difficult to argue that Green Belt land which forms a valuable gap between the Warwick/Leamington conurbation and Kenilworth should be developed in the face of vehement local opposition, when available and very well-located non-Green Belt development land exists within south-west Warwick and has lain undeveloped for many years.

### **Conclusion**

We consider that sensitively designed residential development on the Campbell land offers an appropriate way of providing modest additional housing on an available site within a sustainable location.

If you consider it appropriate or useful, we would welcome the opportunity to meet with Planning Officers to discuss the site and any particular issues or concerns you may have.

Yours faithfully,



**Joel Hancock BSc (Hons) MSc MRTPI**

**Joel Hancock**

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**From:** "Sally Jones" <Sally.Jones@warwickdc.gov.uk>  
**Date:** 16 July 2013 09:45  
**To:** "Joel Hancock" <info@hancocktownplanning.co.uk>  
**Subject:** RE: Campbell land, Tournament Fields

Joel,

I spoke to Peter Lawson yesterday. He has given us some brief written comments on the site which I attach below:

*"Land at Gogbridge Lane*

*The area on the red line map is adjacent to the A46 dual carriage way and the slip road to a major road junction.*

*This gives rise to potential concerns regarding road noise and air quality for residents of the site. It is unlikely that an adequate internal noise environment can be achieved without sound proofing which may interfere with adequate natural ventilation. Orientation of houses to shield habitable rooms and gardens from road noise is unlikely to be successful due to the elevated position of the highway and the long narrow shape of the site.*

*Our contaminated land records suggest that the area has been subject to sewage spreading whilst used for agriculture. The developed land opposite has been remediated but it appears that this strip running alongside the A46 has not. Any prospective developer should be required to submit a contaminated land assessment prior to development and a plan for remedial works to a standard consistent with residential use.*

*We would not encourage an application for housing on this site."*

With regards specifically to the Noise Assessment, our EH Officers now use the WHO standards to assess acceptability of noise levels on sites. PPG24 has been rescinded and NPPF does not include specific standards. Notwithstanding this, Peter's view is that the standards in PP24 were misinterpreted in the Noise Assessment since the categories A-D were meant to apply to the situation on the site as it existed prior to the development, not after it has been implemented. Further, it is unclear on whose land the noise barrier would be erected – this is important because of the rise in levels towards the A46 slip road, to the west of the site. Another aspect of the mitigation proposals which concerned Peter was that it was the houses along the A46 side of the site which actually acted as a noise barrier to improve conditions for houses further east. The houses to the west, however, would experience unacceptable levels of noise.

Peter explained to me that if a planning application was submitted, he would of course provide a written critique of an up-to-date assessment. However, for the purposes of a Local Plan representation or a SHLAA submission, he is only able to issue Officer comments.

I hope this helps,

Regards,

Sally

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**From:** Joel Hancock [mailto:info@hancocktownplanning.co.uk]  
**Sent:** 15 July 2013 15:14  
**To:** Sally Jones  
**Subject:** Rc: Campbell land, Tournament Fields  
**Importance:** High

As per the attached.

**From:** [Sally Jones](#)  
**Sent:** Monday, July 15, 2013 3:08 PM  
**To:** [Joel Hancock](#)  
**Subject:** RE: Campbell land, Tournament Fields

Joel,

Sorry for the delay, we are extremely busy at the moment.

I understand that the extract refers to the wider Tournament Fields area.  
Which site do you refer to as your site?

Sally

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**From:** Joel Hancock [<mailto:info@hancocktownplanning.co.uk>]  
**Sent:** 15 July 2013 13:49  
**To:** Sally Jones  
**Subject:** Fw: Campbell land, Tournament Fields

Hi Sally,

Further to my e-mail below, I would be grateful if you could confirm points a) and b) below.

Thank you very much.

Regards,

Joel

**From:** [Joel Hancock](#)  
**Sent:** Thursday, July 11, 2013 3:41 PM  
**To:** [Sally.Jones@warwickdc.gov.uk](mailto:Sally.Jones@warwickdc.gov.uk)  
**Subject:** Campbell land, Tournament Fields

Hello Sally,

Further to our conversation, I would be grateful if you could please confirm that the attached extract from the 4th June report to the Executive a) refers to the 5 acre Campbell land (the text refers to a 5 ha site but this could just be an error) and b) assuming it does refer to the Campbell land, that it is the only reference to our representation and that I have not missed anything?

Thank you, and I look forward to hearing from you.

Regards,

Joel

Joel Hancock

Figure 1: Noise Barrier Alignment

