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Dear Sir

Warwick District: Revised Development Strategy

Our client, Commercial Estates Group (CEG) has asked us to review the recently published Revised Development Strategy (RDS).

In summary, CEG object to:

- RDS.1 On the basis that it is not appropriate to produce an interim housing figure. The housing requirement should be based on up to date evidence. We are aware this is being prepared and the local plan preparation should await the findings of the housing study.
- RDS.3 On the basis that the identification of the location of housing development is not based on the correct approach required by the NPPF. The correct approach to Green Belt review and sustainability would result in fewer housing units being identified on greenfield land to the south of Warwick. Instead, land at Blackdown, to the north of Leamington, would be identified as a broad location for some of the housing required in the district.
- 5.1 For the reasons outlined above.
- 5.1.15 The extensive highway mitigation works referred to, and the costs associated with this, would not be required if the distribution of development was rebalanced, as outlined above.
- 5.6 As above.

As it stands, we consider that a Local Plan, based on the RDS, would be unsound. We set out the reasons for these objections in detail below but, first, briefly recap our understanding of the background to the development strategy for the District.



Background

Land at Old Milverton and Blackdown was identified in Warwick District Council's Preferred Options in May 2012 as a potential location for future development to serve the needs of the District. CEG has an interest in land at Blackdown and it has started promoting this land through the consultation stages on the Council's Preferred Options. It is a developable site and could meet housing requirements of the District.

However, the RDS now proposes that a significant amount - and proportion - of new development will be brought forward to the south of Warwick / Leamington Spa / Whitnash, outside of the Green Belt. The justification for this is *"to protect the Green Belt from development, where alternative non-Green Belt sites are suitable and available"* (RDS 3).

Notwithstanding this approach, the Council has identified that there is still a need to review the Green Belt boundary and to release land for housing because *"in the case of development to meet the needs of Kenilworth, there are no non-Green Belt options and land at Thickthorn is considered to be the least harmful alternative in terms of the purposes of Green Belt land and the most sustainable in terms of its proximity to the Town and its services. In addition a further Green Belt site at Red House Farm in the Lillington area will provide a potential opportunity for the wider regeneration of the locality"* (para 4.3.12).

CEG has a number of concerns regarding the latest approach now being proposed in the RDS and these are set out below.

Timing

It is inappropriate to publish a RDS before all of the necessary evidence is available. This would indicate that the strategy is leading the evidence, as the strategy has been set out before it is known what it is required to achieve. This is inconsistent with the NPPF which states:

"...local planning authorities should: - use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period". (Para. 47).

The Council does not yet have the evidence base on the full, objectively assessed needs for housing.

The Council acknowledges that:

"It is important to note that some work regarding the evidence base to support the final proposals for the Local Plan is ongoing. ...In particular, Warwick District Council is working with other Councils in the Coventry and Warwickshire sub-region on a new Strategic Housing Market Assessment. ... It is possible that this assessment will change the evidence which supports the level of growth set out in this Revised Development Strategy and this means at this stage, there remains a degree of uncertainty" (para 1.3).

The RDS should be withdrawn until the full evidence, particularly on housing requirements is known.



Green Belt

The approach that has been adopted towards the Green Belt review is wrong. Paragraph 83 of the NPPF states that *“Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period”* (our emphasis). Given that the Council has decided that there is a need to review Green Belt boundaries through the current draft Local Plan, this should be a comprehensive review, looking at boundaries of the Green Belt.

In terms of how to judge the appropriate areas to alter, para. 84 explains:

“When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development”. When a Green Belt review is underway, it is important to consider, as a priority, sustainable patterns of development. (When the Council considered sustainable patterns of development through the Preferred Options, land to the north of Warwick was considered to be favourable).

The NPPF continues:

“When defining boundaries, local planning authorities should:

- *ensure consistency with the Local Plan strategy for meeting identified requirements **for sustainable development**;*
- ***not include land** which it is unnecessary to keep permanently open;*
- *where necessary, **identify in their plans** areas of ‘safeguarded land’ between the urban area and the Green Belt, in order **to meet longer-term development needs** stretching well beyond the plan period; which it is unnecessary to keep permanently open;*
- *make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;*
- *satisfy themselves that Green Belt boundaries **will not need to be altered at the end of the development plan period**. (Para. 85)”*.

These requirements have not been followed in the RDS; a short term approach to Green Belt release has been taken. At the very least, even if housing land was not allocated, as the Council is reviewing Green Belt boundaries it should satisfy itself that boundaries will not need to be altered at the end of the plan period and it should also consider what other land does not need to be kept open and/or should be identified as ‘safeguarded land’.

The Council states (para. 4.3.10) that the result of the Phase 2 of the Strategic Transport Assessment *“meant that exceptional circumstances for releasing green belt for developments on traffic grounds could not be justified”*. However, this is not the correct test, as the Council has already identified a need to review Green Belt boundaries in the District as a whole and this should be undertaken comprehensively. More importantly, in undertaking the Green Belt boundary review of the District, the Council needs to be focusing on the requirements for sustainable development not traffic impact – and also the potential longer term needs for the District.



Justification for Concentration of Development

The Council highlights the concerns about the impact of a large amount of development to the south of Warwick, Leamington Spa and Whitnash. We agree with the points made, that include:

- the reduction in the gap between the three towns and the village of Bishop's Tachbrook and the perception of coalescence between the settlements;
- the cumulative impact of this level of development to the south;
- the impact on infrastructure, in particular transport and increased car journeys along the Europa Way corridor; the town centres and the M40; and the lack of choice of location of housing.

In the Preferred Options it is stated that **“The Council has concerns about focussing around 6,000 new homes in such a concentrated area”** (para. 7.30) for the reasons set out above.

These remain valid considerations and circumstances have not changed sufficiently to lead to a different outcome. Notwithstanding new information on landscape impact and transport impact, it remains the case that there are strong merits in seeking a more balanced choice of location of housing to achieve transport and sustainability benefits. Land at Blackdown will provide these benefits to the north of Leamington Spa, where it will be closer to employment areas to the north, including the proposed Coventry Gateway employment development to the east of Blackdown.

Distribution of Development

There are also concerns about concentrating all development to the south in terms of cumulative impact and the potential risk to delivery, where all new housing is being located in one area. Large sites take many years to come forward and, for delivery and marketing it is important to have a range of sites available. These issues are recognised in paragraph 5.23 of the Preferred Options.

The NPPF requires that local planning authorities should *“identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements, with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land”* (para. 47). By identifying all of the land for Warwick to the south, the Council has not met this important objective.

Furthermore, the NPPF states that *“to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:*

- *plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);*
- *identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand”* (Para. 50).



There is no evidence that the Council has taken in to account the need to create sustainable and inclusive communities, with a range of housing in particular locations, when devising the RDS.

The Preferred Options stated that:

“There are advantages to locating some development to the north of Leamington Spa and Warwick. These include:

- *The possibility of including some employment land within the development - employment areas are currently concentrated in the south of Leamington, leading to many cross town centre trips*
- *Greater choice of location of new homes*
- *The benefits which could be realised from the construction of a northern relief road which would relieve congestion on through routes between Warwick and Leamington town centres” (Para. 7.31).*

These remain compelling reasons to justify the identification of some housing land to the north of Leamington Spa and the emphasis now, on land to the south is flawed as it cannot address this previous sound analysis.

Transport

The RDS recognises that the modelling showed that “development distributed in this way would lead to **significant amounts of additional traffic in this area**” (Para. 4.3.10). The environmental and social impact of this solution must be a critical component in any cost-benefit analysis of the development options.

The Council support the housing distribution in the RDS on the grounds (4.3.11) that the Phase 3 Transport Assessment work “showed that the level and distribution of growth in the Revised Development Strategy could be accommodated, subject to extensive mitigation measures”. The need for such ‘extensive’ mitigation measures needs to be assessed against alternative strategies where such substantial mitigation measures are not necessary. The environmental costs of such mitigation and the potential resultant loss of funds towards community benefits and infrastructure, must be a key consideration in the preparation of a local Plan for the District.

The Warwickshire County Council’s Phases 2 and 3 of the Strategic Transport Assessment (STA) have been reviewed and the following aspects are of concern.

The STA has been developed in stages over some time and rather than being used to help inform the pattern of growth across the District, has been produced in a reactive manner that seeks to justify a pattern of development that requires a disproportionate level of new highway infrastructure to support the growth. Growth is being focused on what are already the most congested elements of the Warwick and Leamington Spa highway network, where significant delays and safety risks are identified by the highway authorities and police.

The latest STA identifies that at least 27 highway intervention schemes will be required to support such focusing of growth at a preliminary cost of £39.1m or £3,300 per dwelling. WCC has only completed high level cost appraisals and not satisfactorily quantified areas that present very high cost escalation risks, such as service supply diversions. Comparison of WCC’s scheme costs with recognised industry figures for the implementation of such scheme suggests a very real likelihood



of the proposals not being deliverable at the suggested cost. A clear example is the proposed £10m contribution toward managed motorways, which against the background of no other recognised funding provisions from central or local government, falls well short of that required to implement such proposals.

The STA also recognises that the modelling to date has not identified all mitigations works that will be necessary on the highway network or, indeed, the necessary sustainable transport interventions. The STA therefore clearly evidences that highway infrastructure costs will further escalate.

Given the incomplete nature of the STA work and evidenced gaps in the appraisals, it is almost inevitable that there will be significant inflation in costs for highway infrastructure, which strongly brings into question the financial viability and delivery of the plan proposals.

Of concern is that the STA states at Paragraph 4.6:

"...in spite of the application of all proposed mitigation measures, the impacts of the development allocation strategy are not fully mitigated. Should any of the mitigation measures be removed completely these impacts would inevitably be further exacerbated."

Therefore, despite WCC and WDC proposing highway infrastructure dominated proposals in support of the southern focus, it is evidenced that the proposals will not mitigate for the planned growth and therefore exacerbate existing delays on this most congested area of the highway network.

In all likelihood, the level of infrastructure mitigation will need to be reduced to make the proposals viable and this will lead to significant and unacceptable impacts, particularly in the historic areas of Warwick that rely on tourism as a major contributor to the local economy. The present WDC plan proposals are therefore highly risky, probably unviable, and will most likely fail.

Rather than implementing a southern focused Local Plan, WDC should rightly consider a more dispersed pattern of growth, where highway infrastructure is less constrained and demands are less concentrated. The allocation of an element of growth in north Leamington Spa, at Blackdown, will be appropriate in this regard when coupled with other suitable disbursement sites. A more dispersed pattern of growth will therefore result in more financially manageable highway intervention demands, allow a more equitable distribution of funds toward community benefits and social infrastructure. The approach will also de-risk the plan proposals from a deliverability perspective.

Landscape Impact of Development to the South

It is noted that Richard Morrish Associates (RMA) has completed further work on Delivering Sustainable Landscape Planning, but this was primarily to examine the cumulative impact of development to the south of the towns and the ways in which landscape impact could be mitigated (paragraph 1.5 of the 'Options for Future Urban Expansion in Warwick District – 2012).

The RMA Report notes that there are issues with development to the south of Warwick/Leamington Spa. For example, it indicates that land at The Asps is "*prominent in approaches to Warwick, is valuable in the setting of the town and provides the historic context for Castle Park*". It adds that a mix of development in the areas south of Gallows Hill and Harbury Lane "*might be possible ... as*



long as it was coupled with a recognition of the strategic importance of landscape assets ... The significance of these provisos becomes apparent when the cumulative impacts of likely development on adjoining or nearby sites at 'Europa Way triangle, at Warwick Gates and at Woodside Farm". In addition, it advises that, with regard to development at Bishop's Tachbrook, "This landscape is important in perceptions of Warwick and Leamington – especially as it provides a rural buffer between the towns and the M40 and the setting to Castle Park". For Sydenham, Whitnash and Radford the report states that "Both areas of expansion are likely to lead to the actual or perceived coalescence of the settlements" and refers to the potential impact on managed nature reserve areas at this location".

The study did also review land at Blackdown - which was considered to have development potential as *"development here could be relatively well contained by local topography .. and existing assets..., if carefully retained, could help to create a distinctive and attractive development"* (para 8.4). This is much more positive than comments on some of the other sites to the south.

Conclusions

From our analysis it is concluded that the RDS has been produced for consultation too early, as up to date evidence on housing requirements is not available. Therefore, no decisions on strategy should be made, until that evidence is available.

In addition, the Council's approach on Green Belt land review is incorrect. A decision has been made that there is a need to review the boundaries and, in this case, it is necessary to review all boundaries and to make decisions on what land in the Green Belt it is unnecessary to keep permanently open. Furthermore, the Council needs to consider longer term requirements and identify safeguarded land.

Notwithstanding this position, the Council's approach for Warwick/Leamington Spa is flawed, as it is seeking to demonstrate how all development can be 'squeezed' into land to the south (with an acceptance that significant mitigation is required) rather than considering what is the most sustainable and acceptable strategy for the wider area including the likely delivery of much needed houses.

There is clear evidence and a very convincing argument – presented by the Council - in the Preferred Options, that land to the north of Leamington Spa should be identified for housing, in addition to land to the south. The new evidence does not alter that justification. The new evidence merely indicates that it might be possible to have all development to the south, but that major mitigation is required. There has been no assessment of the impacts and costs of that mitigation and whether, by focusing all housing in one area, it will detrimentally impact delivery.

The RDS must be reviewed when evidence on housing is finalised and when other, broader, assessments have been undertaken on matters such as landscape impact and the socio-economic impact of the transport mitigation.

The RDS should also consider the longer term needs of the District when reviewing the Green Belt boundaries and determine whether safeguarded land should be identified.



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We would welcome the opportunity to discuss the issues raised above and demonstrate that land to the north of Leamington Spa, at Blackdown, remains viable and suitable to meet part of the Council's pressing housing need.

Please do not hesitate to contact me or my fellow director Nick Thompson to discuss our comments in more detail.

Yours faithfully

AP A handwritten signature in blue ink, appearing to read 'Simon Slatford', with the initials 'AP' written to the left.

Simon Slatford

Director