



FAO: Dave Barber
Planning Policy Manager
Warwick District Council
Riverside House
Milverton Hill
Leamington Spa
CV32 5HZ

By Email

23253/A3/RC/KV

26th June 2014

Dear Mr. Barber,

**REPRESENTATIONS TO WARWICK DISTRICT COUNCIL PUBLICATION DRAFT LOCAL PLAN
– 2011-2029: RADFORD SEMELE**

We write on behalf of Taylor Wimpey UK Ltd in respect of their land interests to the south of Southam Road, Radford Semele; find attached a land use plan showing the Site area and a potential layout at Appendix 1.

We respond below to the respective policy areas and chapters below of the Revised Growth Strategy document:

Plan Period

Paragraph 157 of the NPPF clearly expects that Local Authorities Plan for a 15-year period post-adoption and to comply with this we consider that the Council should be planning to, as a minimum, 2031. In all likelihood following the submission of the Plan and the Examination process, adoption would be in mid-2015 at the earliest and thus the Plan is likely to cover a period of less than 14 years post-adoption. The decision not to plan to 2031 is further questioned given that Table 97 of the Coventry and Warwickshire joint-SHMA sets out a housing requirement covering the period up to 2031 for the District; and this provides a critical part of the time-sensitive evidence base.

Vision and Objectives

The Council's vision is broadly appropriate and we particularly agree that ensuring the level of housing provision enables development that is both of a high quality and affordable is critical to the future prosperity of Warwick District. In addition we agree with the aspiration to support growth in the economy and note that providing the right type of housing in the right locations is critical to the Council in achieving this.

Policy DS6 – Level of housing growth

The Council have set out a housing requirement of 12,860 dwellings over the period 2011-2029 (714 dpa). Please find enclosed with our representations at Appendix 2 the Coventry Sub-Regional Housing Study, as produced by Barton Willmore. This study provides an up-to-date position including reference to the May 2014, 2012 Sub National Population Projections (SNPP).

This document has been prepared on behalf of a consortium of developers with land interests across the West Midlands, including within the Coventry and Warwickshire Sub-Region. Whilst not wishing to repeat this document in full, there are some key points which it is appropriate to emphasise within this letter.

The minimum recommended target for Warwick District is 900 dpa, as part of a requirement of 5,100 dpa across the HMA. We also note that this doesn't include any dwellings required to be delivered by the Coventry HMA authorities as part of Birmingham's housing needs; which Barton Willmore have previously forecast at between 61 and 195 dwellings per annum for North Warwickshire and between 110 and 387 dwellings per annum for Stratford-on-Avon as part of the Birmingham sub-Regional Housing Study. Whilst this does not directly impact on Warwick District, the additional pressures placed on other authorities within the Coventry HMA will inevitably have some impact on the need for cooperation.

In order to meet what we consider to be the minimum requirement there will need to be an increase of 186 dpa in Warwick District and an increase of 1,300 dpa across the HMA against the 'Assessed Need' in Table 97 of the Coventry and Warwickshire SHMA.

The increase to this dwelling target will assist the Council in complying with the NPPF and PPG by enabling:

- Demographic need to be met;
- Forecasted economic growth to be accommodated;
- Sufficient affordable housing to be supplied; and
- A significant contribution made towards addressing the adverse market signals.

Significantly we consider that this increased housing need provides the exceptional circumstances required to justify the release of additional housing allocations.

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DS20 - Duty to co-operate

The Localism Act and paragraphs 17, 157 and 178 of NPPF require neighbouring authorities to work in a joint manner and co-operate in order to address planning issues which cross administrative boundaries or on matters that are larger than local issues.

The Council is working closely with other authorities from within the sub-region (Coventry, North Warwickshire, Nuneaton & Bedworth and Rugby) that have been involved directly in the production of the joint-SHMA. Furthermore, Solihull MBC, Birmingham City Council, Stratford-on-Avon District Council and Warwickshire County Council have been engaged as consultees in this process.

As is set out in paragraph 3.20 of the Coventry Sub-Regional Housing Study (Appendix 2), although North Warwickshire and Stratford-on-Avon demonstrate strong linkages to the Birmingham HMA, they are also share economic and political ties with Coventry and Warwickshire. As such it is not unreasonable to assess housing need for the sub region as a coherent HMA.

In terms of the duty-to-cooperate, fundamentally our concern relates to the point set out by the Council in paragraph 1.22 of the Publication Draft Local Plan:

"Each of the authorities within the sub region is at a different stage in preparing their local plan or core strategy. The capacity of the other districts to deliver their housing requirement in full is therefore not known. In this context, the potential remains that one or more of these authorities will not be able to meet their housing requirement within their boundaries."

However, the NPPF states the following in relation to the duty to cooperate:

“179. ... Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of this Framework...

181. Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination...”

Therefore, in our view it is clear that the duty to cooperate requires local planning authorities to meet – and therefore understand through joint working - the housing needs of authorities within the wider Housing Market Area who are unable to accommodate their own needs.

In essence what the Council are attempting to achieve is an agreement to cooperate at an undefined date in the future, when in reality there is no mechanism available to developers or neighbouring authorities to force Warwick District to review the Local Plan – particularly given the substantial areas of Green Belt which will to a large extent protect the District from appeals based on a housing land shortfall.

Given this position it is wholly appropriate that the Council continue to engage fully with the other HMA authorities until such time as the housing needs of each area – and the ability of those areas to accommodate their own needs – is understood.

If the Council chooses to proceed with the New Local Plan without this information, and with the same housing target, then one option to plan positively and give some confidence to developers and the Planning Inspectorate that the Council will assist neighbouring authorities if required, is to safeguard sustainable areas of land such as the land east of Radford Semele as shown at Appendix 1 to meet housing needs from across the HMA, should it be required.

This would add an amount of additional flexibility to the New Local Plan and ensure that the Council progress a Plan that is able to respond to changing circumstances over the plan period, as encouraged in paragraphs 21 and 50 of the NPPF.

The site would need to be clearly shown on the Key Diagram and the following draft policy wording is proposed for inclusion:

If it is demonstrated that either:

- *there is a shortfall in the supply of housing sites against housing delivery targets for a consecutive two year period; or*
- *should a Council within the Coventry HMA demonstrate that it is not feasible for them to accommodate their own housing need.*

The Council will work with the developers to release and phase the delivery of land east of Radford Semele, currently identified on the Key Diagram, to help meet the identified shortfall/housing need.

Policy H0 – Housing

We note that the Council intend that this Plan *will 'provide in full for the Objectively Assessed Need for housing in the District'*. However, as per our representations above and the Coventry Sub-Regional Housing Study (Appendix 2), the focus of national guidance is very much on the housing needs of HMAs. In fact, paragraph 47 of the NPPF states that:

**“... 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...”**

The focus on the District as opposed to the HMA in this Policy is also concerning given that the focus for any review of the document is likely to be justified by the need to assist neighbouring authorities who are unable to meet their own needs; which is likely to be an issue in an urban area such as Coventry.

We would welcome a change in the emphasis of this policy from the District to the HMA to reflect these concerns.

Policy H2 – Affordable Housing

Policy H2 should be re-worded in order to clarify that the overall requirement of 40% affordable housing can be reduced based on viability. In its current form the policy appears to allow for the: form of provision of affordable housing; location on the site of affordable housing; and the means of delivery of affordable housing to be subject to negotiation at the time of a planning application, and it states that the viability of the development will be a consideration in such negotiations.

However, this does not clearly state that the actual proportion of affordable housing can be negotiated based on the viability of a site, which when considered against paragraph 173 of the NPPF is something which a developer should clearly be capable of doing.

Policy H10 - Bringing forward Allocated Sites in the Growth Villages

This policy seeks to provide guidance on how sites listed in Policy DS11 are progressed across the growth villages, including Radford Semele. In terms of the three aspects to this Policy, Taylor Wimpey are broadly content with part 'a' and 'b'. In relation to part a, Taylor Wimpey welcome the opportunity to work with stakeholders and in order to design a scheme that best meets the needs of the locality. Part b requires that developers take account of local housing needs as set out in a local assessment or from the District-wide SHMA. We agree that meeting local housing needs is important but add that there should be an opportunity in part b for the developer to produce their own mix based on local housing needs. This may provide either more up to date or more localised information where a village is relying on the District-wide SHMA and would improve the outcome for all parties.

Finally, in relation to part 'c', we must object to the use of such an arbitrary figure. Whilst Taylor Wimpey would work with the Council to bring sites forward in a manner which suited both parties, the commercial realities of delivering a site mean that restricting a delivery on site to only 50 dwellings over a five-year period is not feasible. Furthermore, there seems to be no evidence base which supports this figure as to why at this point there is an impact and whether it is significantly increased or decreased from a site of 40 or 60 dwellings.

It would clearly not be viable for a national house builder to build out schemes at a rate of 10 dwellings per annum in order to comply with this policy as there is inevitably an additional resource from being on a site for such an elongated period.

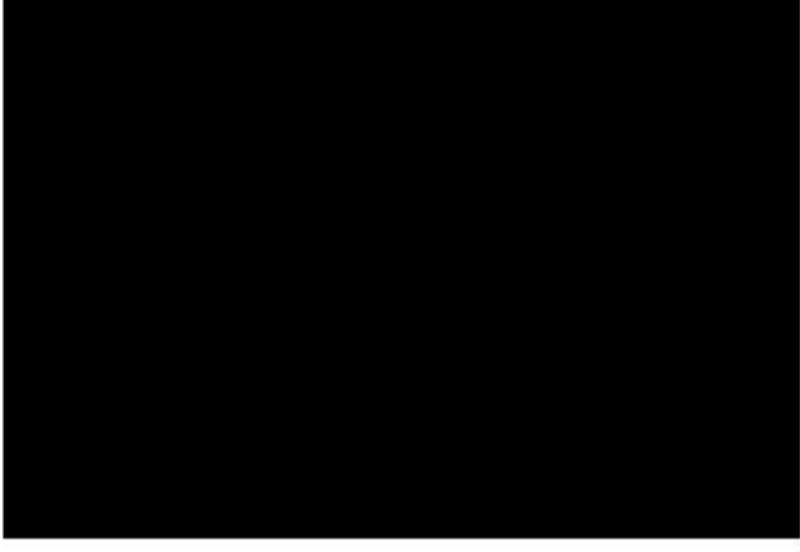
We would therefore wish to see part 'c' struck out and part 'b' amended to allow for developers to: justify housing mixes based on their own local evidence base; allow for market demand; and allow for a continued site build out to support the delivery of affordable housing and also the delivery of S106 contributions linked to the development of the site.

Conclusion

We hope that these representations are of use to you in preparing the Local Plan and welcome the acknowledgement that Radford Semele is a sustainable growth village. We have enclosed copies of the relevant representation form, including stating where changes are required, at Appendix 3.

We would be grateful if you could inform us of all future consultation events for the New Local Plan, and any other relevant documents that the Council produce as part of the process. In the meantime, if you require any further information or wish to discuss the above in greater detail, then please do not hesitate to contact me.

Yours sincerely,



RUSSELL CROW
Senior Planner