

## Publication Draft Local Plan: Focused Consultation 2014

For Official Only	
Person ID	
Rep ID	

This consultation is a formal process and represents an opportunity to comment on the Council's Local Plan and accompanying Sustainability Appraisal (SA) in light of the information published in the "Focussed Consultation" before it is submitted to the Secretary of State. All comments made at this stage of the process are required to follow certain guidelines as set out in the **Representation Form Guidance Notes** available separately. In particular the notes explain what is meant by legal compliance and the 'tests of soundness'.

### This form has two parts:

- Part A – Personal Details
- Part B – Your Representations

**If you are commenting on multiple sections of the document, you will need to complete a separate Part B of this form for each representation on each policy.**

This form may be photocopied or alternatively extra forms can be obtained from the Council's offices or places where the plan has been made available (see the table below). You can also respond online using the Council's e-Consultation System, visit: [www.warwickdc.gov.uk/newlocalplan](http://www.warwickdc.gov.uk/newlocalplan)

Please provide your contact details so that we can get in touch with you regarding your representation(s) during the examination period. Your comments (including contact details) cannot be treated as confidential because the Council is required to make them available for public inspection. If your address details change, please inform us in writing. You may withdraw your objection at any time by writing to Warwick District Council, address below.

All forms should be received by **4.45pm on Friday 12 December 2014**

To return this form, please deliver by hand or post to: **Development Policy Manager, Development Services, Warwick District Council, Riverside House, Milverton Hill, Leamington Spa, CV32 5QH** or **email: [newlocalplan@warwickdc.gov.uk](mailto:newlocalplan@warwickdc.gov.uk)**

### Where to see copies of the Plan

Copies of the Plan are available for inspection on the Council's web site at [www.warwickdc.gov.uk/newlocalplan](http://www.warwickdc.gov.uk/newlocalplan) and at the following locations:

<b>Warwick District Council Offices</b> , Riverside House, Milverton Hill, Royal Leamington Spa
<b>Leamington Town Hall</b> , Parade, Royal Leamington Spa
<b>Warwickshire Direct Whitnash</b> , Whitnash Library, Franklin Road, Whitnash
<b>Leamington Spa Library</b> , The Pump Rooms, Parade, Royal Leamington Spa
<b>Warwickshire Direct Warwick</b> , Shire Hall, Market Square, Warwick
<b>Warwickshire Direct Kenilworth</b> , Kenilworth Library, Smalley Place, Kenilworth
<b>Warwickshire Direct Lillington</b> , Lillington Library, Valley Road, Royal Leamington Spa
<b>Brunswick Healthy Living Centre</b> , 98-100 Shrubland Street, Royal Leamington Spa
<b>Finham Community Library</b> , Finham Green Rd, Finham, Coventry

**Where possible, information can be made available in other formats, including large print, CD and other languages if required. To obtain one of these alternatives, please contact 01926 410410.**

# Part A - Personal Details

	1. Personal Details*	2. Agent's Details (if applicable)
Title		
First Name		
Last Name		
Job Title (where relevant)		
Organisation (where relevant)	Baginton, Bubbenhall, Stoneleigh and Ashow Parish Councils	
Address Line 1	PO Box 3230	
Address Line 2	Warwick	
Address Line 3		
Address Line 4		
Postcode	CV34 6WR	
Telephone number		
Email address	maddisonsg@bbmax.co.uk	

### 3. Notification of subsequent stages of the Local Plan

Please specify whether you wish to be notified of any of the following:

The submission of the Local Plan for independent examination	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Publication of the recommendations of any person appointed to carry out an independent examination of the Local Plan	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
The adoption of the Local Plan.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

PersonID:

RepID:

## Part B - Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

### 4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Plan (tick one only):

Focused Changes [  ]    Sustainability Appraisal [  ]

Paragraph Number:

Policy Number:

Policies Map Number:

### 5. Do you consider the Plan is :

5.1 Legally Compliant?

Yes     No

5.2 Complies with the Duty to Co-operate?

Yes     No

5.3 Sound?

Yes     No

### 6. If you answered no to question 5.3, do you consider the Local Plan and/or SA unsound because it is not: (please tick that apply):

Positively Prepared:

Justified:

Effective:

Consistent with National Policy:

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7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

**The Atkins Study commissioned in November 2013 by Coventry and Warwickshire Local Enterprise Partnership (CWLEP) does not provide a robust evidence base and associated policy recommendations to assist in the preparation of CWLEP's Strategic Economic Plan.**

**If a need for more employment site(s) were identified, then it should assess the suitability of potential sites and provide appropriate recommendations. However, too wide a range of assumptions and techniques has been used to estimate future employment land requirements to make this Study reliable; and the omission of the Green Belt constraint on the Coventry and Warwickshire Gateway site is fatal to any consideration of the sites.**

**Continued on a separate sheet:**

Continue on a separate sheet if necessary

8. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 7. above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

**The Gateway site should be removed from the emerging Local Plan.**

**A Regional Employment Study has been commissioned on behalf of the LEPs within the West Midlands area. Consequently, the findings of this Study should be considered alongside that of the Regional Sites Study when available. It follows, quite independently of what is said above, that this Study cannot be considered as conclusive.**

**If such a Regional Employment Site were justified, it should be considered as part of a future review of all Local Plans in the CWLEP area, when several alternative sites could be compared and tested by proper Environmental Impact Assessments and Sustainability Appraisals before allocating any one particular site.**

Continue on a separate sheet if necessary

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

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9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**We wish to present our reasoned objections to the Plan before an independent Inspector and we are ready to prepare and submit evidence at the appropriate time. We should like take a very active part in the Examination, including having the opportunity to question the Local Authority and their advisers on aspects of the case they have put forward in support of the Plan. Our active participation in the Examination would help the Inspector to make a full and balanced assessment of the merits of the Plan.**

Continue on a separate sheet if necessary

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

### 11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name/organisation.

*Baginton, Bubbenhall and Stoneleigh  
and Ashow Parish Councils*

Signed:

9<sup>th</sup> December 2014

Date:

Copies of all the objections and supporting representations will be made available for others to see at the Council's offices at Riverside House and online via the Council's e-consultation system. Please note that all comments on the Local Plan are in the public domain and the Council cannot accept confidential objections. The information will be held on a database and used to assist with the preparation of the new Local Plan and with consideration of planning applications in accordance with the Data Protection Act 1998.



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**Baginton, Bubbenhall, Stoneleigh and Ashow Parish Councils'  
Response to Atkins' Strategic Employment Land Study**

**9<sup>th</sup> December 2014**

The Atkins Study, commissioned in November 2013 by the Coventry and Warwickshire Local Enterprise Partnership (CWLEP), does not provide a **robust** evidence base and associated policy recommendations which assist in the preparation of CWLEP's Strategic Economic Plan.

If a need for more employment site(s) were identified, then it should assess the suitability of potential sites and provide appropriate recommendations. However, too wide a range of assumptions and techniques has been used to estimate future employment land requirements to make this Study reliable.

This NPPF requires Local Authorities to ensure that their assessment of strategies for housing, employment and other uses are integrated and that they take full account of relevant market and economic signals and are objective.

The NPPF also asks Local Authorities to use this evidence base to assess the requirements for employment land and floor space and the existing and future supply of land available to meet identified needs.

According to the Guidance in the NPPG, the assessment of development needs should be an objective appraisal of need based on facts and unbiased evidence.

These objective assessment results should enable the selection of sites to be taken forward into Local Authorities' Development Plan documents to meet objectively assessed needs.

The assessment of potential sites / locations for development should consider a range of factors including accessibility, infrastructure, appropriateness and market attractiveness, contribution to priority regeneration areas, the delivery record of the developers or landowners putting forward sites and whether the planning background of a site shows a history of unimplemented permissions. **It should also consider all three strands of sustainable development, economic, environmental and social.**

**The Plan for Growth, HM Treasury and BIS, March 2011**

The Plan states that job creation and international competitiveness will be boosted by a powerful presumption in favour of sustainable development, opening up more land for development, **but while also retaining existing controls on greenbelt land.**

**CWLEP 5-Year Strategy 2011-2016**

A key priority for the CWLEP is the creation of new jobs, claiming to focus on knowledge intensive sectors in order to remain competitive at an international level. But these economic aspirations must be balanced with other considerations, such as environmental and social impacts, which are not considered by the single-minded narrow focus of the CWLEP.

### **Coventry and Warwickshire City Deal**

The City Deal claims to confirm the important role of the advanced manufacturing and engineering (AME) sectors, particularly the automotive sector. The employment figures quoted are aspirational only.

### **CWLEP Strategic Economic Plan**

The Strategic Economic Plan (SEP), published in March 2014, presented CWLEP's vision for the sub-region, before the Employment Land Study was published.

The SEP stated that by 2031 Coventry and Warwickshire will have increased in population by 203,000 people, with half of the sub-region's population growth taking place in Coventry.

CWLEP's portfolio of sites includes Coventry and Warwickshire Gateway among many others: Ansty Park, Bermuda Park, Friargate, Lyons Park, Prologis Park (Ryton), Stoneleigh Park, Thickthorn, Whitley Business Park, Tournament Fields and more.

Claims that the Coventry and Warwickshire Gateway site is the priority employment site for the delivery of the LEP's economic plan were made before any objective assessment.

### **Policy implications**

The Plan for Growth, National Planning Policy Framework and National Planning Practice Guidance set out the Government's priorities for supporting sustainable economic growth,

There is an explicit presumption in terms of sustainable development which will create new employment opportunities and meet the needs of businesses. However, there is equally an express intention to maintain and protect Green Belt.

### **Existing employment land studies**

#### **North Warwickshire Employment Land Review Update, September 2013**

Here it is stated that, in terms of future employment land requirements, the forecasts prepared as part of the Study indicate that, to support the level and nature of employment growth forecast, there is a demand for between 212 and 410 hectares of employment land. However, these forecasts are based on the land which would be required not only by local business growth but also the continuing desire for national companies to locate within the "Golden Triangle".<sup>1</sup> Coventry and Warwickshire Gateway is not within the Golden Triangle.

#### **Nuneaton and Bedworth Borough Employment Land Review, April 2010**

The Study recommended that the Local Authority should seek to develop an RIS<sup>2</sup> at either Junction

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<sup>1</sup> Defined as the triangle formed by the M42, M6 and M1 Motorways.

<sup>2</sup> The origin of Regional Investment Sites (large, high quality sites) lies in the now abolished West Midlands Regional Spatial Strategy.

3 of the M6 or in the Bermuda / Griff area.

Only the North Warwickshire and the Nuneaton and Bedworth Reviews identified the need for additional employment land of anywhere near the scale of Coventry and Warwickshire Gateway and that was based upon evidence in the now abolished Regional Spatial Strategy.

### **Coventry and Warwickshire Joint Strategic Housing Market Assessment (SHMA), November 2013**

The SHMA does not analyse the employment land implications of the identified levels of housing need but its findings are used to inform one of the scenarios discussed in the Study.

The provision of employment land and housing should be located so as to be sustainable. Therefore the allocation of a single large employment site in one place would change the projected housing need for that area as well.

An update to the Joint SHMA has been undertaken to take account of the most recent ONS projections. There is now an Addendum to the SHMA, which this Study chooses to ignore.

### **Summary of future employment land requirements**

The Study acknowledges that each Local Authority has undertaken its own employment land research identifying future employment land requirements, the existing amount of available land and the additional amount of employment land which will need to be provided to meet future need. The review of these documents has not identified any major gaps or shortfalls in the analysis undertaken by each Local Authority.

No justification can be derived from these reviews for additional employment land of anywhere near the scale of Coventry and Warwickshire Gateway.

### **Stakeholder consultation findings**

It should be noted that the Consultation feedback discussed in this Section of the Study is stated to reflect the views of the stakeholders who expressed them and does not necessarily coincide with the views of the LEP or the individual Local Authorities. It follows that not everyone agrees with the CWLEP.

Some stakeholders felt there are misconceptions regarding the economic value of logistics operations and the number of jobs they generate, especially in terms of the level of automation of large distribution centres.

Opportunities are quoted for further growth driven by the local Universities, but these are already planned for by Coventry University taking space in Coventry City Centre vacated by Coventry City Council when it moves to the new Friargate development near to Coventry Station; and Warwick University being mid-way through a Masterplan of development.

Most, **but not all**, stakeholders agreed that the sub-region needs at least one new large site. Clearly, some disagreed. At the same time, stakeholders felt that a good supply of smaller sites should be maintained to meet the needs of smaller, local businesses.

### **Future employment land requirements**

Four scenarios were used to estimate the sub-region's additional employment land requirements over the period 2011-2031. These range from 115 ha (SHMA-linked scenario) to 659 ha (completions scenario). Using Cambridge Econometrics' base employment forecasts, the additional employment land need is estimated to be approximately 201 ha while, according to the higher growth scenario (baseline+), the sub-region's employment land requirements to 2031 are estimated to be approximately 326 ha.

This demonstrates a huge disparity between the scenarios and the Study acknowledges that estimating future employment land demand requirements in quantitative terms is not an exact science.

For no justifiable reason, the Study recommends that Scenario 2 (baseline+) is used as the minimum estimation of quantitative need in the sub-region. Under this scenario, future demand for additional land is estimated to be around 326 ha in the period up to 2031.

It is noted that this should be used as a guideline only and should be subject to regular testing and assessment. Moreover, the Local Plans of each Local Authority should enable land to be allocated and made available for development on a phased basis in order not to flood the market during the early years of plan implementation.

The allocation of the Gateway site at this early stage would do just that and be counterproductive. If such a regional employment site were justified, then it should be considered as part of a future review of all Authorities' plans in the CWLEP area when alternative sites could be tested by proper Environmental Impact Assessments and Sustainability Appraisals before allocating any one particular site. The Gateway site alone represents 308 ha, which is of the magnitude of the total requirement for the whole sub-region up to 2031.

### **Quantitative demand-supply balance**

An appraisal of major sites (over 6 ha) has been undertaken and reported in section 6 of this Study. A gross land employment land supply of 353 ha is theoretically available in the sub-region. However, approximately 71 ha of employment land is said to have either been committed or identified as likely to be lost to other uses. Subtracting this from the available land supply, the sub-region has a net availability of approximately 282 ha.

For further spurious and unjustified reasons, the Study estimates that no more than 70% of existing supply is readily available and viable for employment development. The assessment concludes that there is a significant quantitative shortfall in existing, readily available employment sites, which could amount to up to approximately 129 ha. This false number is claimed to further support the need for a major sub-regional site.

The Study notes that in developing robust employment land policies, it is essential that particular consideration is given to qualitative aspects of need. Whilst obvious, it should be pointed out that no amount of allocated employment land will meet future investment and occupier needs if the sites are located in unsuitable areas or subject to prohibitive viability constraints. The Gateway site, in particular, suffers from several such constraints.

### **Qualitative Need**

The Study states the SEP highlights that the CWLEP area has a competitive advantage in the AME cluster. Research conducted by GL Hearn using EGi data on property deals indicate significant activity in the AME market (including the automotive supply chain). This need is particularly pronounced in the market for large units (over approximately 9,000 sqm) in which it is argued by GL Hearn that readily available floorspace supply in the CWLEP area is only sufficient to meet less than two years need.<sup>3</sup>

Here the Employment Land Review tries to justify retrospectively the SEP using evidence given at the Public Inquiry in to the Coventry and Warwickshire Gateway Application. A clear example of the circular nature of the review being written after the event in an effort to justify that earlier decision.

Yet the same GL Hearn said, when reviewing the Black Country and South Staffordshire – Regional Logistics Site Study (April 2013), in its North Warwickshire Borough Council Employment Land Review Update (September 2013):

*“Importantly, the study recognises that the arising demand is capable of being satisfied by any location in the Midlands which is well served by road and rail. It need not be specifically satisfied within the Black Country/South Staffordshire area, let alone within a particular Local Authority.”*

Much less, by a site such as Gateway which is not served by rail at all.

### **Assessment of Need for Strategic Employment Sites**

The Study notes that a regional employment study has been commissioned on behalf of the LEPs within the West Midlands area. Consequently, the findings of this study should be considered alongside that of the regional sites study when available. Therefore, this Study cannot be considered as conclusive.

### **Policy Need**

The CWLEP Strategic Economic Plan is claimed to establish the policy priorities and objectives for the area of Coventry and Warwickshire. The Strategic Economic Plan states that economic growth and competitiveness depend upon the availability of the appropriate infrastructure.

This whole section of the Employment Land Study demonstrates clearly how the Study is informed by the SEP and not the SEP informed by the Study. It cannot, therefore, be considered to be objective or independent.

### **Market Need**

The Study claims that, according to the market perspective of Jones Lang LaSalle (JLL), two key growth sectors will drive the demand for strategic employment sites in the short, medium and

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<sup>3</sup> GL Hearn / Nick Ireland – Proof of Evidence, Coventry and Warwickshire Gateway Inquiry, 2014.

longer term. These are automotive and large big box logistics. The large big box logistics market is mature for the sub-region, which takes in a large part of what is known as the “Golden Triangle” (broadly defined by the M42, M6 and M1 Motorways).

The Coventry and Warwickshire Gateway is not located in the Golden Triangle nor does it have rail linkage. Gateway would require very significant infrastructure investment, as the location is presently poorly served, unlike other identified sites in the SEP.

It is noted that a number of cross boundary issues present opportunities. These most obviously include Birmingham and Solihull. However, there are parts of Staffordshire (Tamworth being an obvious example) which cannot absorb their own growth and are actively looking at the sub-region (e.g. North Warwickshire) to help out.

The Study acknowledges that the most obvious constraint is the Green Belt, which the Government has made clear remains a priority to protect against from built development.

The Study claims that GL Hearn’s market context analysis which appeared in the Review of Economic and Employment Matters relating to the Planning Application for the Coventry & Warwickshire Gateway also indicated a lack of speculative development of logistics and industrial floorspace in the region and particularly in the sub-region.

It also claims that market analysis undertaken by Savills for the Coventry and Warwickshire Gateway Planning Statement (2012) suggested there is evidence of strong demand from businesses which require large, accessible sites and a lack of existing sites capable of meeting such requirements.

These are yet further examples of the evidence presented and disputed at the Gateway Public Inquiry being taken as justification for allocating this site even before the Secretary of State has made a decision on that Application.

### **Local Economic Need**

The Study states that areas of greatest need are considered to be those meeting the following criteria:

- Areas which have seen significant population growth over the past 10 years and are projected to see further growth in the future;
- Areas with high levels of unemployment; and
- Areas with high levels of deprivation.

But these areas lie predominantly in and to the north and north east of Coventry, in North Warwickshire and around Nuneaton and Bedworth and are a long travel distance from the Gateway location. Gateway is in the wrong place.

### **Quantitative Need**

The Study acknowledges that in considering the identification of strategic sites, it is important to be focused on the purpose for doing so and to avoid the temptation of perceiving such sites as a ‘one-stop-shop’ in terms of planning policy.

The CWLEP would seem to be very narrow-minded in focusing so much effort on promoting one site over the many others. This is reflected in the conclusion of this Employment Land Study.

## **Appendix B: Assessment of Potential Strategic Employment Sites**

There follows an assessment of the various potential strategic employment sites but it is notable that at no point does it consider the most obvious and important constraint affecting Coventry and Warwickshire Gateway, namely that it is in Green Belt.

### **Conclusion**

**We conclude that the Atkins Study, commissioned in November 2013 by the Coventry and Warwickshire Local Enterprise Partnership (CWLEP), does not provide a robust evidence base and associated policy recommendations to assist in the preparation of CWLEP's Strategic Economic Plan. In fact, quite the reverse.**

**It is not legally compliant, it does not comply with the duty to cooperate and it is not sound.**

**It is not positively prepared, it is not justified, it is not effective and it is not consistent with national policy. The Gateway site should be removed from the emerging Local Plan.**

**A Regional Employment Study has been commissioned on behalf of the LEPs within the West Midlands area. Consequently, the findings of this Study should be considered alongside that of the regional sites study when available. Therefore, this Study cannot be considered as conclusive.**

**If such a regional employment site were justified, it should be considered as part of a future review of all Local Plans in the CWLEP area when several alternative sites could be compared and tested by proper Environmental Impact Assessments and Sustainability Appraisals before allocating any one particular site.**