

REPRESENTATIONS FROM BISHOPS' TACHBROOKPARISH COUNCIL

Warwick District Council Local plan consultation on Proposed Modifications (2016).

Part B

Q4	Modification	Mod 1	Paragraph number	Policy DS2
Q5	Not sound		Q6	Not positively prepared nor effective
Q7	The suggested rewording is too general and "outside the District "can mean anywhere.			
Q8	Omit " <i>and for unmet housing need arising from outside the District where this has been agreed.</i> "			
	Add " <i>and for unmet housing need arising from other authorities in the Housing Market Area where this has been agreed as a strategic policy between those authorities.</i> "			
Q9	No			
Q4	Modification	Mod 2	Paragraph number	Policy DS2 paragraph 2.6
Q5	Not sound		Q6	Not positively prepared, effective or consistent
Q7	Line 1 omit " <i>to boost significantly</i> " as it is a generalised non-specific phrase to induce panic into the provision of housing.			
Q8	Although the phrase is used in the NPPF, the better terminology in a Local Plan would be " <i>to meet the housing requirement as projected by the Department of Communities and Local Government to meet the full objectively assessed housing need in the District having regard to those projections for the housing market area. This means thatetc</i> ".			
Q9	No			
Q4	Modification	Mod 3	Paragraph number	Policy DS4 page 16, clause b)
Q5	Not sound		Q6	Not positively prepared, Justified, effective or consistent
Q7	The paragraph does not address the spatial strategy for the district and the housing market area. If it is to clarify clause b), then it should align with the examination of the local plan in June 2015, not the consultation of a year earlier from which the unsound plan was devised, with a requirement to have a clear strategic basis for the proposed site allocations to meet the housing need.			
Q8	It is suggested that the clause should say			
b)	where greenfield sites are required for housing, they should generally be located adjacent to on the edge of urban built up areas and close to the part of the Housing Market Area where the unmet need is identified, in sustainable locations that are close to areas of employment or and where community facilities such as shops, bus services, medical facilities and schools are available or can be made available			
Q9	No			

Q4 Modification Mod 4 Paragraph number
Policy DS6 page 18 Level of housing Growth.

Q5 Not legally compliant, not sound

Q6 not positively prepared, justified, effective or consistent the National policy

Q7 Level of housing Growth

1. Distribution of the HMA FOAN ACROSS the HMA.

1.1 The statement that the Council will provide for 16,776 new homes between 2011 and 2029 so that it aligns with updated housing needs requires evidence, but within the Coventry & Warwickshire Memorandum of understanding for housing requirements is an incorrect assessment of the evidence on which this figure is based.

1.2 The Inspector at the examination of the Draft Local Plan reported on his initial findings on June 1st 2015, finding the plan unsound, because there was not a strategy in the plan to meet the unmet need that other members of the housing market area may identify. Utilising the latest DCLG housing projections that are based on mid 2012 ONS population projections, the Inspector agreed that, as a minimum, the housing Market area need should be

Table 1	Mid 2012 based DCLG projection (May2015)
Coventry	1811
North Warwickshire	204
Nuneaton & Bedworth	422
Rugby	453
Stratford on Avon	508
Warwick	606
TOTALS	4004
18 year need	72072

1.3 The Shadow Economic Prosperity Board commissioned a further report from G L Hearn that was published in September 2015. The report - "Updated Assessment of Housing Need: Coventry – Warwickshire HMA" reviewed the 2012-based household projections based on 2013 & 2014 Mid-year population estimates. As well as revising demographic based need , each authority was examined for economic growth and supporting affordability and correctly entered the total for each authority as in column A in Table 2 below.

Table 2	Hearn report Sept 2015 Conclusions on Objectively-Assessed Housing Need, Homes per Annum 2011-31				
	Demographic based need	economic growth	support affordability	A TOTAL	B Hearn total need excluding economic growth as ¶ 1.15
Coventry	2099	0	21	2120	2120
North Warwickshire	163	47	27	237	190
Nuneaton & Bedworth	423	73	6	502	429
Rugby	464	0	16	480	480
Stratford on Avon	449	201	9	659	458
Warwick	600	0	0	600	600
TOTALS	4,198	321	79	4,598	4,277
18 year need	75,564	5,778	1,422	82,764	76,986

The total given for column A in the report was 4,272 but the actual total is 4,598. The reason for showing the lower figure in the total box was explained by the report in paragraph 1.15 on page 4 of the Executive Summary of the report that *GLH considers that unmet needs should be assessed against the Demographic based need plus affordability uplift. Adjustments to support economic growth can contribute to meeting unmet needs from other areas, as meeting unmet needs will support population and workforce growth.* This explanation is however not very clear.

It is further explained in the main report paragraph “7.23 GL Hearn considers that where an authority is meeting unmet needs from another, this will support population and workforce growth within the receiving authority’s area. On this basis it is important not to double count unmet needs and provision to meet economic growth. “

In other words, when GL Hearn were advising on the total housing need, it was considered that there was sufficient provision for economic growth in the demographic and affordability factors, resulting in the projections in column B of Table 2 above, which totals 4,277.

- 1.4 Over 18 years the difference between column A that adds in the economic growth totalling 4,598 or 82,764 over 18 years, as compared with 4,277 as assessed by GL Hearn or 76,986 over 18 years, is significant, being 5,778 extra dwellings.

When all authorities are having difficulties in meeting the projections in their urban areas due to constraints from green belt and retention of countryside that the NPPF requires to be protected and enhanced, as well as additional expenditure to public authorities to provide related infrastructure for this additional number, it is important to provide for the projection, not less nor more.

- 1.5 The Memorandum of Understanding uses a different and increased HMA total dwellings per annum to Hearn of 4,408, distributed as table 3 below. There is no indication of either the reason for this or the strategy for distribution of the Coventry unmet need and the suggested distribution in the MoU is an increase in the shire districts as set out in column C with no apparent reason for the wide range of % increases from 29.17% to 63.87%.

Table 3	SEPB HMA Memorandum of Understanding		B Hearn total need	C M o U % increase over Hearn	D Hearn % distribution of shire districts need	E Revised shire districts support to Coventry	F Revised housing 18 year need
	MoU dpa	18year FOAN					
Coventry	1230	22140	2120			1230	22,140
North Warwickshire	264	4752	190	38.95%	8.81%	268	4,831
Nuneaton & Bedworth	703	12654	429	63.87%	19.89%	606	10,908
Rugby	620	11160	480	29.17%	22.25%	678	12,206
Stratford on Avon	659	11862	458	43.89%	21.23%	647	11,646
Warwick	932	16776	600	55.33%	27.82%	848	15,256
TOTALS	4408	79344	4,277			4,277	76,986

The % distribution of Hearn numbers for each Shire district is shown in column D. The housing need for the shire districts is 4277 – 2120 =2157. Warwick’s need of 600 is 27.82% of 2157. If those %’s are used to establish each shire districts contribution to the HMA, then the figures in column F would be appropriate. For Warwick this would reduce the number to 15,256.

- 1.6 If however the other shire districts are content to supply the numbers agreed in the MoU then all of the Hearn recommended figure reduction could be applied to Warwick and then its requirement reduces to 14,418 for 18 years or 801 dwellings per annum. This is still the highest number in the shire districts as shown in Table 4 and it still achieves the requirement to show a clear commitment to meet the full housing need of the housing market area, doing so with a clear strategy of the method of distribution of the Coventry unmet need.

Table 4	dpa	18year FOAN
Coventry	1230	22140
North Warwickshire	264	4752
Nuneaton & Bedworth	703	12654
Rugby	620	11160
Stratford on Avon	659	11862
Warwick	801	14418
TOTALS	4277	76986

- 2 Coventry’s ability to meet its unmet need at least in part should be challenged.
- 2.1 The housing need established for Coventry by Hearn of 2,120 exceeds its stated capability to provide only 1,230 dwellings per annum or 24,600 dwellings in 20 years which is equivalent to 22,140 in 18 years. This limited capability should be challenged across at least the following matters.

2.1A. Release of Green Belt in the city

To achieve this level (24,600) requires the city to release some of its green belt within its boundary, but still retains a significant proportion of it.

It is known that Coventry could accommodate all its housing need within the city if all its green belt is released. So it comes down to a choice as to whether green belt in the city or green belt in the rural areas is sacrificed. That then is dependent on the quality of the green belt areas involved and a superficial assessment of those green belts has been carried out. Using the criteria in the green belt review and applying them to the countryside that is threatened for development finds that the majority of green belt and countryside outside the city is of greater green value than that in the city. Hence it is more acceptable to increase Coventry's housing supply on green belt within the city boundary than to export the Coventry housing need to rural and open countryside sites of better quality.

2.1B. City needs and affordability

People moving into Coventry do so for specific reasons, amongst other things, of potential job availability, educational opportunity in the universities, city living and housing affordability. To provide housing outside of its boundary has disadvantages as those reasons are not met as well outside of the city and transport to work miles increase and more people need affordable social housing as the new homes being built in Warwick and some other districts are beyond their financial reach. If 40% of new homes are to be affordable homes then the financial problems for people working in Coventry but in social housing outside the city are increased by higher transport to work costs which in addition increases carbon dioxide emissions as well as longer journey times.

2.1C. Provision for students

It is also known that Coventry University in particular has a policy of increasing its international students substantially and that this began in about 2008. The housing need for students, who tend to move between universities fairly often, is substantially different to that of the general population and this should be taken properly into account by the University and the City Council by providing appropriate new accommodation for students to reduce the pressure on family homes. The international student population and the housing provision made for it should be separately identified and accounted for in Coventry's Local Plan that is not taken into account in the Hearn report of Coventry's housing need. The Hearn September 2015 updated assessment report makes only two references to student housing provision and neither take into account the policy change or only relates to student households that utilise normal family homes. Since there were 25,000 students in Coventry in the 2011 census who were living in either in halls or in student only housing and that since then numbers may have risen due to the expansion policy, work should be done to establish the best way to provide housing for this sector of the market.

2.1D. Number of dwellings per ha should be brought into line with Warwick.

Coventry states in its Local plan that outside the city centre, housing will be provided at 30 dwellings per ha. Warwick's policy is to build at 35 d/ha. Any housing provided for Coventry

in Warwick will be provided at 35 d/ha so it would not seem unreasonable to establish that Coventry should also build to the same density. All that the District has published is that officers have been satisfied that this has been examined but no information seems to be available to provide robust evidence that 35 d/ha is not feasible in Coventry. As a city, that urban environment is normally built to much higher densities. If this policy is brought in line with the Warwick policy then about 3000 homes could be added to the 24,600 potential that Coventry declares, reducing the demand on neighbouring authorities.

2.2 These matters must be thoroughly addressed before the Memorandum of Understanding finalises the distribution of housing across the housing market area since there is considerable potential for Coventry's unmet need to be reduced from its current 16,020 dwellings to be provided outside the city boundary. (38,160 – 22,140). That is Coventry's reciprocal duty to cooperate with its partners in the Housing Market Area.

Q9 To present the case for an alternative acceptable level of housing growth that aligns with the GL Hearn Update report.

- Q4 Paragraph number Policy DS6 paragraph 2.20 page 18
- Q5 Not legally compliant, not sound
- Q6 not positively prepared, justified, effective or consistent the National policy
- Q7 To clearly explain the reasoning for the proposed level of housing growth.
- 1.1 The proposed replacement paragraph fails to explain, clearly or otherwise how the proposed level of housing was arrived at. In the objection to Mod 4 it is clear is that the full objectively assessed housing need for Warwick is 600 dwellings per annum and this is agreed by the Examination Inspector and results in an 18 year need of 10800 dwellings based on DCLG mid-2012 housing projections.
- 1.2 What is not clear is why and by what strategy, other than a finger in the air, does the asserted unmet need in Coventry robustly establish why that needs to be increased by 332 dwellings or 55.33%, the highest contribution to Coventry's unmet need in any of the shire districts. This is despite the Updated Assessment of Housing Need by GL Hearn that no adjustments need be made to the mid-2012 based DCLG projection due to the demographic-based need for Warwick, to support economic growth or to improve affordability and confirms that the need is reasonably assessed and remains at 600 dwellings per annum.
- 2 As set out in Mod 4, it appears that the Shadow Economic Prosperity Board misinterpreted the GL Hearn report when setting the total housing need for the HMA that should have been 4,277 dpa but which became, for no explained reason to be 4,408. There is nothing in the Memorandum of agreement that sets out a formal strategy, merely a table to paragraph 3 of the MoU of the 20year total to be set for each authority. This is a very important matter as it results in 2,538 additional sites to be found in Warwick District on what was already a very high figure.
- 3.1 As shown in table 4 in Mod 4 representation, if the only change that is made to the MoU to correct the misinterpretation is to change the Warwick District contribution from 932 to 801 dwellings per annum, then the 18year requirement for Warwick would be 14,418 dwellings and not 16,776.
- 3.2 Hence, the proposed modification clause should be amended in its 3rd & 4th sentences to say *However, in recognition that Coventry City Council is unable to accommodate its housing needs in full within the City boundary, the Local Plan seeks to provide for ~~332~~ 201 dwellings per annum (5976 3618 over the plan period) towards Coventry's housing needs. Warwick District therefore aims to meet its housing requirement by providing for a minimum of ~~16,776~~ 14,418 new homes between 2011 and 2029.*
- 3.3 It is important not to add to the problem by such misinterpretation as the result is that developments take place where they are not consistent with the Framework purely because there are few sites left available otherwise to provide the numbers demanded by the projections.
- Q9 to present the case for a level of housing growth that aligns with the GL Hearn update report and to be consistent with the NPPF

- Q4 Modification Mod 6 Paragraph number Policy DS7 pages 18/19
Meeting the housing requirement
- Q5 Not legally compliant, not sound
- Q6 not positively prepared, justified, effective or consistent the National policy
- Q7 The housing assessment given is not up to date
- 1 The table to the policy is more than 12 months out of date as it only records completions between April 2011 and March 2015. PPG says that plans should be made on up to date data and since the housing programme is accelerating from its low level, post the housing moratorium, it is important to base decisions on the most up to date available data there is.
- 2 You will be aware that BTPC has been keeping an updated record of all compliant planning approvals given and building regulations data that has been deposited and recorded starts and completions. These include applications that do not need planning approval as they are permitted developments but nevertheless need to comply with building regulations and that produce additional dwellings. It uses data available on the WDC website and records all planning and building regulation reference numbers. It has a facility to detect and eliminate possible double counting and uses the factors promoted by the District to convert student or retirement / nursing home provision to equivalent dwelling numbers. A copy of relevant parts of the assessment is attached to this representation.
- 3 The objective of the housing programme is to achieve completions. Since reporting completions through the Building Inspector provides robust evidence of completions achieved, it can be erratic in reporting at the time completions occur. Hence, the number of completions reported should be seen as being a minimum. This is particularly a problem when approved Inspectors are involved. Other than these reported completions, only other completions are those known to the compiler and these are included with notes. Rather than 1,483 completions, at least 2,200 completions are known to have occurred since 1st April 2011 to date. This compares with the DCLG household projection for mid-2016 that was 2,599 completions may be required and the actual number of completions required to meet the 2013 and 2014 mid-year population estimates converted to completions of 2,050 by mid-2016.
- 4 The table below compares the DS7 table with the BTPC assessment. The detail of the WDC (Warwick District) column table is not known, but it is assumed that that sites with planning permission includes sites not started and under construction. This last category is important because once construction is commenced, only exceptional circumstances will mean that a completion will not occur. This reduces the risk that sites granted will not reach completion and means that 46% of dwellings needed by Warwick District are completed or under construction within 28% of the plan period.

Analysis of Policy DS7		
	WDC	BTPC
sites completed	1483	2200
sites with planning permission	5161	
not started		4440
started		2778
allowance for windfalls	1134	1320
small urban sites	230	0
employment areas + canal side	200	0
sites in modified plan	9369	
vacant returns		225
DLP subtotal not yet granted		2721
mods to DLP not yet granted		538
additions to DLP not yet granted		3835
	17577	18057
overprovision		
if 16776 goes forward	801	1281
if 14418 goes forward	3159	3639
if 15256 goes forward	2321	2801

The table shows that the total number of sites in the table to DS7 is 17,577 whilst the BTPC analysis shows there are at least 18,057 sites either with planning permission or are sites in the modified plan proposals have not yet reached planning application stage. BTPC also includes an allowance for the return of vacant dwellings to the building stock as set out by the planning practice guidance based on DCLG tables for the returns that have been completed to October 2014 (the latest available). Windfalls have been included on the formula as set out by the examination inspector in June 2015 and windfalls are any site that is not in the LP DS11 policy allocated housing sites list. WDC still have small urban sites and employment areas which the Inspector thought might lead to double counting.

- 5 The final numbers show that even if the maximum figure of 16,776 goes ahead, there are 1,281 sites more than needed to provide for both Warwick District and Coventry's unmet need. But there is more flexibility if either of the 2 lower figures are adopted.
- 6 Within the modified plan there are now many references to providing sites for Coventry's unmet need immediately adjacent to Coventry. It is also clear that without any further planning grants there are already 9,418 sites, either not started, started or complete to meet Warwick's FOAN of 10,800 sites.
- 7 The conclusion is that since all the Warwick FOAN is fully planned and available and there are sufficient sites around Coventry and the north of the District to meet Coventry's unmet need, then there is no further need to include any more sites than the 5,415 sites south of the towns of Warwick, Leamington and Whitnash that already have been given permission. This will be addressed in representations to Mod 8, 9, 10 & 11.

Q9 To present the case that Coventry's unmet housing need to be taken by Warwick can be done around Coventry, without any further housing allocated south of Warwick Leamington Spa & Whitnash.

Q4 Modification Mod 7 Paragraph number Policy DS7 paragraphs 2.21 to 2.24 and Appendix A page 19

Q5 Not legally compliant, not sound

Q6 not positively prepared, justified, effective or consistent the National policy
 Q7 Sources of housing supply in the modifications and the revised time line for delivery.

2.21 The reference to the spatial strategy does not correctly reflect the sites that are allocated in the plan of 9369. If the table in DS7 is correct, then 9369 is the sites allocated in the plan that do not yet have planning permission because these are presumably within the 5161 in the 2nd line of the table. In mod 8, DS10 states the broad location of sites within the whole plan so presumably includes those that are committed as well as those not committed. So the commitments should be added to the 9369 as follows

Urban Brownfield sites	1208+37+212+90	1457
Greenfield sites on the edge of Kenilworth	1500	1500
Greenfield sites on the edge of Warwick, Leamington and Whitnash	3270+985+1160	5415
Greenfield sites on the edge of Coventry	2245	2245
Sites within Growth Villages and the rural area	1146+44+60+150+69	1539
Total	9,369	12156

This may not be quite correct as it is difficult to follow in the text, but essentially the Broad allocation should be correctly set out to accurately describe the spatial strategy of the plan.

2.24 The trajectory in Appendix A seems very optimistic. It shows housing completions of 1800 dpa in 2021, which since the modified local plan won't be approved until 2017, seems an impossible target. Since the Warwick plan is well under way, would it not be sensible to have 2 trajectories, one for Warwick and one for Coventry. Coventry will presumably want to monitor their progress to include all the support projects from the other authorities, otherwise they will never know if their FOAN has been achieved. This is due to Coventry being a late entrant to the Warwick plan period so is not a fair reflection on the Warwick achievement.

Thought should also be given to a separate 5 year housing land supply because if they are combined, for Warwick there can never be a 5 year housing land supply and so there will not be any control over speculative applications. Ironically, it also means that Coventry will find it has become easier to meet their 5 year housing land supply having exported a large part of its problem to neighbours.

Q9 No

Modification Mod 8

Paragraph number Policy DS10 page 24/25 Housing distribution.

DS10 Revise table as indicated in Mod 7

Q4 Modification Mod 10 Paragraph Policy DS11 Appendix B schedule of modifications

Q5 Not legally compliant, not sound

Q6 not positively prepared, justified, effective or consistent the National policy

Q7 Arising from the conclusions set out in Mods 4, 5 & 6, given that

- the land south of Warwick. Leamington and Whitnash has provided 5,415 sites to the total needed for the Warwick OAN of 10,800 already, and
- given the acceptance in various parts of the modified local plan proposals that housing needed by Coventry residents should be located adjacent to the city or as close as possible, and
- that there is surplus overprovision in the plan of between 3646 and 1288 sites whilst still meeting the FOAN of the HMA,

there is no case to support the loss of further rural and open countryside, south of the Harbury Lane/Gallows Hill.

Q8 The following sites should be removed from Appendix B in both the draft local plan and the modification additions as they are not necessary, are not sustainable in environmental terms and are not consistent with the NPPF protection and enhancement of valued landscapes.

1. H02(part) Former sewage works, south of Harbury Lane..

This is incorrectly described as an urban brownfield site and is planned for 215 dwellings. First it is not urban. It is a long since vacated set of sewage storage tanks that has been superseded by up to date facilities elsewhere to clean the drainage outfall before discharge into the Tach Brook. The tanks are set into the ground and are still in position so far as we know as the site is not accessible. It is quite possible that the site is contaminated and would need considerable attention prior to any construction on it.

However, the site is part of the north side of the Tach Brook valley and slopes down to the Brook with an increasing gradient as it gets close to the Brook. It is now a major environmental contributor to the Valley with healthy grass banks and bushes and a substantial tree belt between the works and the Heathcote Park estate to its northern boundary. There are no above ground buildings that can be seen from the south so the site is very rural and in open countryside. From a Landscape assessment, the site is described as

sensitive. NPPF17 core planning principle point 8 applies exempting this site from brownfield development as it is of high environmental value.

Given that

1. the site is immediately adjacent to the proposed country park, and the country Park was reduced in size in January last year from the original proposals; and
2. the retention of this site in the housing programme is no longer needed as the required housing has or is being provided elsewhere,

the best use for this site is to add it to the country park. This would tie in with the adjacent playing field provision in the Lower Heathcote development that should help to mitigate the Lower Heathcote and Grove farm housing estates. It would improve the recreational facilities for the 5000 plus new houses as well as for the residents of Warwick Gates and Whitnash and help establish the desired Garden village concept of the new developments. It is also an opportunity to plant new woodland as an essential part of reducing some of the large volume of carbon dioxide emissions that the new developments that will be discharged into the atmosphere.

This site can be removed from the plan without detriment to the housing programme but with significant advantages to the environment and character of the new garden village concept of the new housing developments as well as complementing the country park.

2. H13 Soans site, Sydenham Drive.

Note that the planning application granted was for 143 dwellings not 147..

3. H02(part) Land south of Harbury Lane (Excluding former sewage works)

This is described as 620 (plus 985 included in commitments). This description is out of date as the commitments are - Lower Heathcote 785, Grove Farm 1 for 200 and Grove Farm 2 for 520 giving a total of 1505. The proposal is for 1605, increasing the housing by 100.

No explanation as to why this has been done is given, there is no plan to show where it is proposed to enlarge the granted provision. From information just received on enquiry, it appears that this is to be added to Lower Heathcote, not Grove Farm by omitting the playing field area and building 100 houses on the triangular piece of land. However, these are houses that the programme no longer needs and will add further damage to the Tachbrook Valley. This change has been discreetly added by the change of a number with no justification statement or consultation with the community. The removal of the playing field means that there is no relatively level play area available for the new 1500 houses and replicates the problem found when Warwick Gates was built that there was not an easily accessible play area for team games because the area provided for this purpose was a considerable distance away from Warwick Gates, opposite Mallory Court along Harbury Lane. This was a serious cause of concern for the new Warwick Gates residents and it still remains inaccessible to them.

This additional housing is not needed to provide for Coventry's unmet need and can be removed from the plan without detriment to the housing programme but with significant advantages to the retention of sufficient playing field that can provide recreational opportunity for the new estates and deficiencies in Warwick Gates recreational provision as needed to meet NPPF73 and Chapter 8 to promote healthy communities.

4. H46A Gallows Hill

This is now allocated for 630 dwellings. The appeal that was allowed by the Secretary of State was for 450 dwellings, but knowing the sensitivity of this site to the residents of Warwick, particularly, as well as to the other local communities, it seems that the District Council is not prepared to set a plan that limits development to that which is needed. The plan does not even show the line of the site that has been allowed on the map as though it was hoped that no one would notice.

However, this site is an important heritage site to keep as rural area with an agricultural purpose. The Asps development was careful to keep development away from the Banbury Road by retaining fields along the Banbury road as part of the special entrance to the Historic Town of Warwick. The same philosophy should apply to this site as it is a visually valuable piece of field landscape as part of the grand entrance to Warwick.

This additional housing is not needed to provide for Coventry's unmet need site and can be removed from the plan without detriment to the housing programme but with significant advantages to the visual quality and historic character of the town and its visiting public. Enough damage has been done to the town by the Secretary of State without the District council adding to it unnecessarily.

5. H49 Bishops Tachbrook Seven Acre Close.

5.1 This site has been allocated for 30 dwellings without any reference to the Parish council or any cognisance for the draft Neighbourhood Plan that has gone through all the consultation processes and is now to go to the examiner who has just been appointed.

5.2 The District Council approved the Village Housing Options and Settlement Boundary Consultation report in November 2013. This site was considered in the sites review for Bishop's Tachbrook but was discounted in favour of a site south of the school (Local Plan site H23) that better met the economic, social and environmental aspects of the development. It was considered that H23 could be enlarged from 75 to 150 as it was in a location that could accept that level of development, in an appropriate part of the village with an extension to the village settlement boundary. The Neighbourhood Plan team also considered all potential sites in the village, some 16 sites. The only viable site available that retained the cohesive community of the village was H23. But the Neighbourhood Plan Team also found that the village community had a deficit in recreational land and this site should be considered for recreational community space in terms of promoting healthy communities. This policy is now part of the draft Neighbourhood Plan proceeding to examination.

In addition, to meet Local Plan policies to protect the coalescence of settlements, the Neighbourhood plan defines what that means to the community of Bishop's Tachbrook, as

found in the community consultation process and establishes an Area of Coalescence Protection within which the application site is set and within which only specified housing types will be allowed in compliance with NPPF54 & 55.

The community would expect that these matters would be given considerable weight given the progress now achieved with the Neighbourhood Plan and not form part of a housing allocation unless there was no other alternative.

- 5.3 An outline application for 125 dwellings on Land south of Mallory Road was refused by the District Council on 26/02/2014 and a subsequent appeal was dismissed by the planning Inspector. The appeal was dismissed for reasons, many of which apply to site H49 that is on the opposite side of Mallory Road to the appeal site. It therefore sets a standard that should determine whether the settlement boundary should be extended or the site selected as a strategic site for housing to meet the FOAN of Warwick District.

The Inspector dismissed the appeal for strong reasons being

- The appeal site forms part of the attractive countryside that surrounds the village of Bishop's Tachbrook. The unspoilt open qualities of the site and its pastoral character with established hedgerows and roadside trees make an important and pleasing contribution to the rural setting of this village. Charming views can be obtained across the Warwickshire countryside. These include distant views towards the landmark tower of the Collegiate Church of St. Mary in Warwick.
- Development would seriously harm the Character and appearance of the area and spoil the countryside and setting of Bishop's Tachbrook. It would conflict with LP policies DP3(c) and RAP10, emerging LP policy NE4 and national planning policy which is aimed at protecting and enhancing valued landscapes. This weighs very heavily against granting planning permission
- The release of neighbouring land for housing (referring to H23) has been selected as the preferred option for housing in the emerging LP and draft NP. This followed careful consideration of alternatives, including the appeal site. Unlike the proposal before me, the permitted scheme for up to 150 homes accords with the emerging Development Strategy and policy H1. This approved scheme has also received the support of the PC.
- This is not a situation where the local community is unwilling to accommodate an appropriate share of housing growth. The local support for housing on the neighbouring land cannot be ignored nor can the value the community attaches to the undeveloped attributes of the appeal site. Moreover, any landscape and visual harm arising from the permitted scheme would not be offset by the proposal before me. In combination, these two schemes would result in about a 36% increase in the number of dwellings in the village. This would be a very sizeable expansion of the settlement. The provision of so many new dwellings over the next few years could erode the identity of Bishop's Tachbrook as a compact rural settlement.
- I have also found that there would be serious harm to the character and appearance of the area. When this is also weighed in the balance I find that the totality of the harmful

impacts significantly and demonstrably outweighs the benefits of the scheme. In the context of 'the Framework' as a whole, the proposal would perform poorly against the environmental dimension to sustainable development. I therefore conclude that the appeal should not succeed.

This decision fully supports the communities view that Seven Acre close should not be extended for further housing.

- 5.4 A Landscape Sensitivity and Ecological & Geological Study was produced jointly by Warwickshire County Council (WCC) Ecological Services & Habitat Biodiversity Audit and WCC Landscape Architects in November 2013.

This study found that the application site is included in the 'High' category of sensitivity to housing development and said that *"Due to the zone's high visibility and the area of young trees on the settlement edge, this zone is considered unsuitable for development"*.

"The site has Key views of a medium scale landscape which are diverse in nature due to the mix of land use in the zone. There are views towards and beyond Warwick, where St. Mary's church tower is visible."

Conversely, the site will be prominent to views from the urban edge of Warwick Gates southwards. From Para 7.4 of the Landscape and Visual Impact Assessment *"As the higher ground forming the side of the Tach Brook valley continues west to Greys Mallory, any expansion west from Bishop's Tachbrook will be seen as an extension to this 'strip' in views from the north. As any native trees, to be planted as part of the mitigation proposals grow to maturity, they will visually break up the elevations of the proposed houses; however the general presence of buildings rather than field will remain discernible in the view."*

- 5.5 From the Public Right of Way W105 the roofs of Seven Acre Close houses are clearly visible. The proposed development will be seen to the right of them and will be more prominent from the whole of the Tachbrook Valley reaching the hedgerow boundary with the open field and be in front of and taller than the roofs of the existing housing. It would have a detrimental effect on the rural nature of this part of the Parish.

The village community as well as many people in Warwick, Warwick Gates and Whitnash are quite clear that the Tachbrook Valley from Harbury Lane to Mallory Road outside the existing village envelope is distinctive and a visual amenity that should be preserved and enhanced as part of NPPF109 to 125 and to meet the Publication Draft Local Plan Policies NE4 b),c),e) and f). Although it has been fenced recently with temporary fencing, the site was open and used by the community for many years with a path across the unmanaged grassland through to the public footpath W105.

- 5.6 Traffic implications on Mallory road.
The site is on the west side of the village boundary with access from Mallory road via Seven Acre Close. This will mean that the majority of traffic movements out of the estate will tend to be to the west and the Banbury Road. Consequently, the new population will only give a minimal boost to the local economy of the village so that any claimed Economic benefit is unlikely to accrue. The shop and village centre are 10 minutes walk away from this far end of

the village. The result will be that virtually all that trade will go to the major supermarkets to the south of Leamington and elsewhere.

The additional traffic on the Mallow Road where it joins the Banbury Road will increase the problem of that road junction. The Banbury Road at this point is a difficult junction at peak times because the traffic in both directions on the Banbury Road is very fast as traffic comes off the M40 or gears up to get on to it. There have been a number of serious accidents on this junction due to misjudgements of traffic joining the fast moving traffic or turning into Mallow Road from the Banbury Road. Additional traffic from this estate will exacerbate the problem and lengthen the queues waiting in Mallow Road to find a break in the continuous traffic flows at peak times.

- 5.7 This additional housing is not needed to provide for Coventry's unmet need and can be removed from the plan without detriment to the housing programme but with significant advantages to the retention of the community cohesion that the compact settlement village has built up over the years.
6. These 4 sites are suggested in the plan to provide 525 dwellings. As has been shown in the table in Mod 6, there are between 1,281 and 3,639 sites overprovided for the combined Warwick/Coventry housing provision if the Hearn update report is adopted and more, if Coventry can produce more within its own boundary. The omission of these 4 sites from the plan would not jeopardise the soundness of the plan but would also mean that sites are being provided in the right place to meet the identified needs.
- Q9 Because this matter is about achieving the correct spatial distribution where the need is established.

Q4 Modification Mod 11 Paragraph Policy DS11 paragraphs 2.41 to 2.53
Amendments to paragraphs to appendix B.

Q5 Not sound

Q6 not positively prepared, justified, effective or consistent the National policy

Q7 & 8

2.45 Correct 147 dwellings to 143

2.46 Omit in the light of our representations in Mod 10.

2.49 Revise in the light of our representations in Mod 10.

Q9 No

Q4 Modification Mod 14 Paragraph Policy DS15 , amendments to DS15 a & g + other comments

Q5 Not legally compliant, not sound

Q6 not positively prepared, justified, effective or consistent the National policy

Q7&8

1. Revise DS15 in the light of our representations in Mod 10 by the omission of *“including the former sewage works “* in item a).
2. Reduce the area of land at Gallows Hill to that granted on appeal in item g) in the light of our representations in Mod 10
3. Why is the LPA not providing the overall masterplan across this part of the district for developers to take their part of the overall development to which they have to demonstrate that their proposal complies?

Q9 No

Q4 Modification Mod 15 Paragraph Policy DS15 paragraphs 2.66 to2.68

Q5 Not sound

Q6 not positively prepared, justified, effective

2.66 This new paragraph is of concern. Leaving matters to landowners to work closely together to produce the most appropriate overall scheme for the site is unlikely to produce the result anticipated. Multi-headed leadership rarely works. The LPA should take the lead and co-ordinate the parts of the development to an overall masterplan agreed before the detail developer work commences.

2.68 Who judges that the strategic sites are being developed in a comprehensive manner? Left to the developers it will lead them to expect that their schemes will be nodded through, as costs come into consideration.

Q9 No

Q4 Modification Mod 17 Paragraph r Policy DS20 page 36 Review of the Local Plan

Q5 Not sound

Q6 not positively prepared, justified, effective

DS20 should also make provision for the need to relate the plan to reduction as well as growth if the need for housing is reduced by forthcoming household projections. Growth relates to economic growth not physical growth that cannot be sustained.

Sub para a) Through the Duty to Co-operate, it is necessary to accommodate the [housing development needs of the Housing Market Area when another member authority is unable to meet its full objectively assessed housing need. Unmet housing need will be shared between the other members of the HMA in the manner set out in the strategy contained in the Memorandum of Understanding as they need to be provided](#) within the District. ~~—and these development needs cannot be accommodated within the Local Plan’s existing Strategy~~

Q9 No

Q4 Modification Mod18 Paragraph Policy DS20 page 36 To reflect the MoU

Q5 Comment

Q6

Q7 & 8 Suggest that this clause is brought more in line with Planning Practice guidance as this wording is stronger than is required and ‘substantial and sustained’ is an interpretive phrase.

Sub para b) National planning guidance is clear that [wherever possible, local needs assessments should be informed by the latest available information. The National Planning Policy Framework requires that Local Plans should be kept up-to-date. A meaningful change in the housing situation should be considered in this context, but this does not automatically mean that housing assessments are rendered outdated every time new projections are issued.](#) ~~updated evidence (such as new national household projections) will not necessarily render the Plan out of date. However where evidence signals a substantial and sustained change to the context of the Local Plan, A meaningful change~~ will trigger a review (partial or whole) of [the Local Plan](#).

Q9 No

Q4 Modification Mod 19 Paragraph Policies map/maps Amend policies maps as follows

Q5 Not legally compliant, not sound

Q6 not positively prepared, justified, effective or consistent the National policy

Q7 & 8

1. H46A Gallows Hill. Only the part of this site that the Secretary of State has granted planning permission of 450 dwellings should be included and not 630 contained in this plan as it has been shown that the additional 180 dwellings are not required to meet Warwick District housing need and the housing required for Coventry can be met elsewhere in the plan. It is more important to retain the remainder of this site as rural and open countryside in relation to the Grade 1 listed Castle Park and the proximity to and context with Warwick Castle.

This applies to Allocating Additional Land and amending The Urban Area Boundary on pages 14 and 15 and also to appendix C page 39 Mod PM2a

2. H49 Bishops Tachbrook – Seven Acre Close. This area is outside the village envelope and should remain so as set out in Mod 10

Amendments H46A. H49 H46A map 2 and Appendix C Growth village envelopes.

This applies to Allocating Additional Land and Amending The Growth Village Envelope on page 15.

Q9 Yes – in relation to other representations.

Q4 Modification Mod 20 Paragraph Policy DSNew1 policy wording various

Q5 Not sound

Q6 not positively prepared, justified, effective or consistent the National policy

1. In the first line of page 18, why is HS2 mentioned as contributing to the area of growth. HS2 only passes through the area. To get to it you need a station which will be in the centre of Birmingham or perhaps at B'ham International, either of which involve a long journey on roads under increasing pressure by the projected expansion. You need only to refer to proposed transport networks to encompass these issues in the local plan policy.
2. The inclusion of this policy is welcomed together with the potential for it to expand in the future if it should become necessary. It means that further land take south the towns to accommodate the new requirement from the HMA problem is no longer necessary since further land south of Coventry is and this is where the need is more likely to be.
3. In the final paragraph on page 18 in the list of partners it is important to encompass the remainder of the housing market area as Coventry's problem is being shared as set out in Mod 4 above. It is important that the Duty to Cooperate obligations across the HMA are acknowledged in the local plan to ensure continuing cooperation of the HMA authorities.
4. This list of key objectives on page 19/20 is important for all to be aware of but the tone of the clause is that it will be up to major developers to come forward with their views of what this may mean when making planning applications.

The Planning system, NPPF says, is plan-led. It is therefore for the joint authorities to devise that plan so that when developers are preparing their parts of the plan, they have a clear idea of what they are expected to include within their planning application. Co-ordination of the complete range of related issues in preparing the plan will only happen if it is plan-led.

It's opening statement that "It is likely that some of this development activity will extend beyond the current plan period." Is optimistic, to say the least. Change 'likely' to 'certain' and if that proves to be wrong, people will be pleasantly surprised..

To illustrate the importance of a plan-led system, you have only to look at the Asps where the developer chose to include a park and ride which now has been included by the Secretary of State in the planning permission. Few are convinced that this will work and the result will be, when it fails, a further application for more housing.

It would be expected that as these developments are initiated by their projected unmet need that Coventry's planners will take the lead in producing a comprehensive development plan for all the sites being provided by the remainder of the Housing Market Area. The infrastructure works will need to be coordinated with matters within the city boundary as well as the adjacent sites and with all the public authority providers. Developers should be subservient to the overall plan.

Q9 Yes, in the interests of ensuring a sound plan-led Local Plan

Q4 Modification Mod 21 Paragraph Policy DSNew1 new paras 1.1 yo 1.11

Supporting a comprehensive approach

Q5 Comment

Q6

New1.1 displays an unfortunate expansionist policy that appears to want to take over Coventry's problem in its entirety. The real reason is that Coventry does not want to lose all its green belt within the boundary and that should be transparently shown in the policy. The following is suggested -

New1.1 Part of the housing requirement set out in Policy DS6 seeks to meet [some of Coventry's unmet housing need as identified through the Housing Market Area projections](#). This is an important aspect of creating a sustainable and secure base for the growth of the city. The Warwick Local Plan has thus identified the need to deliver integrated, strategic development [both for its own requirements and for some of Coventry's housing need that cannot be provided within the city's boundary without losing all the Green Belt within it](#).

New 1.2 To do this, ~~an~~ [areas](#) adjacent to the boundary with the city ~~has~~ [ve](#) been identified as a suitable prospect for delivering part of the housing required. This will help create opportunities for high-quality design and layout to be delivered via coordinated masterplans. It will allow for the generation of development that benefits from its proximity to the City's employment, education and services / facilities provision in terms of travel times and infrastructure provision.

New 1.4 is an extremely dangerous way to proceed as it is too insular an approach by Warwick District for the reasons set out above. To declare that developers and promoters are at liberty to provide their own detailed masterplans is a recipe for disaster. If it is to work there has to be an overall masterplan from which developer's for each site can see what has to be provided and where, in addition to the housing for which the business provides.

New1.5 The proposals for Warwick University, which is jointly on land donated by the City Council and the District Council, is welcomed. It should be required to provide not only for its academic initiatives but also provide facilities for business's that are led by university research and for student accommodation, either on campus or in close proximity to it in the new residential developments. This applies equally to Kings Hill and Westwood Heath sites.

Q9 No

Q4 Modification Mod 23 Paragraph Policy DSNew2 paras 2.1 to 2.3

is safeguarded land in or out of the green belt?

Q5 Comment

Q6

In the explanation of Safeguarded Land, it is not directly said that the safeguarded land will no longer be included in the green belt. It does say that it will be between the new green belt boundary and the urban area and that it is not allocated for development and is within the rural area of the district so that rural and open countryside policies will apply.

Is New 2.3 strong enough to resist applications for development before a Local plan review that proposes these areas for development?

Q9 No
