

# South Warwickshire Local Plan (SWLP)

## Issues and Options Consultation (Regulation 18)

**In respect of:**

Land off Station Road, Bishop's Itchington

**By**

McLoughlin Planning Ltd

**On behalf of**

Mactaggart and Mickel (Mac Mic Group)

**Date of Document**

March 2023

Reference: 0512



**McLOUGHLIN**  
PLANNING



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## 1.0 Introduction

- 1.1. These representations have been prepared by McLoughlin Planning on behalf of Mactaggart and Mickel (The Respondent) and relate to the South Warwickshire Local Plan (SWLP) Issues and Options Consultation (Regulation 18).
- 1.2. The SWLP Issues and Options Consultation Document (the Consultation Document) has been jointly prepared by Warwick District Council and Stratford-on-Avon District Council (the Councils) and is subject to public consultation until the 6<sup>th</sup> of March 2023.
- 1.3. This document makes a series of representations on the Consultation Document and promotes the Respondent's interests within the settlement of Bishop's Itchington for housing development.
- 1.4. It is against this context and within its capacity as a residential land promoter and house builder that the Respondent comments on the Consultation Document and those policies of relevance to the delivery of housing.
- 1.5. The structure of these representations is as follows:
  - Section 1: Introduction
  - Section 2: Representations
  - Section 3: Land off Station Road, Bishop's Itchington
  - Section 4: Conclusion
- 1.6. A Vision Document in respect of Land off Station Road, Bishop's Itchington is appended to these representations as Appendix 1 and provides further information regarding the delivery of this site.
- 1.7. Should the Councils have any queries in respect of these representations, or the Vision Document appended, then they are invited to make contact via the contact details at the end of this Statement.

## 2.0 Representations

- 2.1. This section sets out the Respondent's representations on the Consultation Document and specifically, the questions posed by the Councils where they are pertinent to the delivery of major housing development. These representations make clear where the Respondent agrees with the Council's approach and where they object and suggests alternatives, where relevant.

### General Observations

- 2.2. Section 1.3 of the Consultation Document confirms that the SWLP will become the Local Plan for both Stratford-on-Avon District Council and Warwick District Council up to 2050. Paragraph 22 of the National Planning Policy Framework (NPPF) requires that all strategic policies should have a minimum timeframe of 15 years from point of adoption. While the SWLP is compliant with Paragraph 22 there is concern that a plan period to 2050 may be too ambitious in so far as it may be difficult for the plan to adapt to change. A further concern is that in establishing a 25-year plan period, the SWLP will make decisions that are so long term that it could compromise meeting the development needs of the area. By way of example, the SWLP could allocate a site which would genuinely take 20 years to deliver as a key part of its development strategy and given the magnitude of such sites could lead to smaller sites, in deliverable locations, not coming forward to meet housing needs in the intervening period.
- 2.3. Section 1.4 of the Consultation Document confirms that it remains the Council's intention to prepare a two-part plan. The Respondent's main concern regarding a two-tier system is the inevitable delay in plan-making that will occur as a result and the impact that this will have on the ability to deliver the Councils' growth strategy in a timely manner, including the delivery of market and affordable housing. Owing to the interrelationship between a Part 1 strategic plan and subsequent lower tier plans, there will also be no flexibility in this second-tier documents to make changes to the development strategy to reflect updated evidence needs. This is a particular concern given the projected end date of the plan being some 25 years hence.
- 2.4. The suggested timetable for the SWLP's preparation is also considered to be highly ambitious. Given that most Local Plans take more than a year to be Examined by the Secretary of State it is considered very unlikely that Part 1 will be adopted before 2027

and potentially beyond if there is slippage between the public consultation stages indicated in Figure 2 (Page 16) of the Consultation Document.

### **Response to Questions Posed in Consultation Document**

- 2.5. The following representations comprise the Respondent's response to the questions posed in the Consultation Document that are considered particularly relevant to the delivery of housing.

***Q-V3.1: Do you agree that the Vision and Strategic Objectives are appropriate?***

***Q-V3.2: If no, please indicate why:***

- 2.6. The Respondent is in general agreement with the vision and strategic objectives set out in the Consultation Document but considers that the delivery of market and affordable housing to meet housing needs, including unmet need arising from neighbouring authorities, should be given greater emphasis in the Council's Vision for the Local Plan (V1).

- 2.7. The respondent would suggest the following amendment:

*"The vision is to meet South Warwickshire's sustainable development needs to 2050, **including new market and affordable homes**, while responding to the climate emergency. Where appropriate and agreed, this **should** include unmet need from neighbouring authorities. The plan will provide homes and jobs, **to** boost and diversify the local economy, and provide appropriate infrastructure, in suitable locations, at the right time. Five overarching principles will determine how this development is delivered:"*

- 2.8. With regards to V3: Strategic Objectives, the role that all current settlements can play in meeting housing needs should be recognised.
- 2.9. Furthermore, in recognition that it may not be possible to fully off-set carbon emissions in all cases (see comments made later in this Statement), the Council should consider updating the strategic objective of "Contributing towards Net Zero Carbon targets" to refer to "Minimising net carbon emissions arising from new development as far as practicable" (or similar).

***Q-12: Please select the option which is most appropriate for South Warwickshire***

**Option I2a: Set out infrastructure requirements for all scales, types and location of development**

- 2.10. The Respondent considers Option I2a as being most appropriate to ensure a consistent approach across the plan area and avoid disconnect between the SWLP and current extant Local Plan policies.
- 2.11. While the Respondent would not object to the utilisation of a combination of S106 Planning Obligations and Community Infrastructure Levy (CIL) as per the current system, any policy must reflect the provisions of the CIL Regulations 2010 (as amended) and particularly Regulation 122, which requires S106 obligations to be fairly and reasonable related in scale and kind to development.

***Q-13: Please select the option which is most appropriate for South Warwickshire***

**Option I3a: Establish a South Warwickshire CIL (or emerging new Infrastructure Levy) to support the delivery of the Plan**

- 2.12. The Respondent considers that a single CIL for the whole of South Warwickshire is most appropriate since it will provide greater certainty to developers. While the Consultation Document indicates that separate levies could better respond to different conditions in different areas of South Warwickshire (i.e., the Stratford-on-Avon and Warwick Districts), in the Respondent's view, this can equally be achieved through the implementation of different charging zones where these are justified.
- 2.13. The Consultation Document confirms that an Infrastructure Delivery Strategy (IDS) will be prepared which will set out the key pieces of new infrastructure needed to deliver the Councils' growth strategy and how such infrastructure will be delivered. The Respondent is supportive of this action and considers the preparation of an IDS to be an essential component of the evidence base.

***Q-14.1: Should we include a policy to safeguard specific infrastructure schemes within the SWLP? Y/N/DK***

- 2.14. Yes. The Respondent considers it sensible to include a policy that safeguards land that will facilitate the delivery of key infrastructure projects where this is justified. The Respondent recognises that safeguarding would be difficult to achieve post adoption

of the SWLP and is best considered at an early stage of the plan preparation process to ensure that the growth strategy is capable of being delivered.

***Q-15: Please add any comments you wish to make about infrastructure, viability and deliverability***

- 2.15. Completion of a robust and comprehensive Plan Viability Assessment will be essential to ensure that the SWLP is viable and deliverable in a timely manner. The Respondent considers that both an IDS and Viability Assessment should be prepared at an early stage and used to inform a preferred strategy. Any such documents should be made available for comment as part of the Preferred Options Public Consultation.

***Q-S1: Please select the option which is most appropriate for South Warwickshire***

**Option S1b: Do not identify Green and Blue Corridors within the South Warwickshire Local Plan, and instead rely on the production of the Local Nature Recovery Strategy**

- 2.16. While the Respondent does not object to the identification of Green and Blue Corridors in principle (in accordance with Paragraph 20 of the NPPF), they are not convinced that such designations can be robustly evidenced or justified in absence of the Councils' Local Nature Recovery Strategy (LNRS). The Respondent would therefore err towards not identifying such areas at this stage.

***Q-S2: Please select all options which are appropriate for South Warwickshire***

**Option 2c. Have a policy with 'in principle' support for intensification development, applicable across South Warwickshire; and develop design codes.**

- 2.17. Developers tend to err towards higher densities without the need for a planning policy requiring such. It is the inter-play of policy requirements and the input of stakeholders that tend to drive densities down rather than developer choice.
- 2.18. The Urban Capacity Study (October 2022), which forms part of the Issues and Options Evidence Base, identifies the biggest constraint to the maximisation of gross developable areas on sites as being the requirement to provide private and shared parking spaces (Urban Capacity Study, Section 3.3, Page 20). Should the Councils

therefore wish to optimise densities, careful thought will need to be given to the implication of other policies and requirements on the ability for developers to build at higher densities.

- 2.19. With regard to Design Codes, while these can sometimes be helpful in providing clarity on the design approaches and standards that are likely to be acceptable, they are generally overly prescriptive and lack flexibility, which can do more harm than good from an urban design and density perspective.
- 2.20. Since developers tend to err towards maximising the efficiency of sites anyway, the preparation of a design code simply to support intensification would seem a disproportionate response to the issue at hand. It would be better if the Councils' focus on the consideration of the wider implications of policies and standards contained in the plan which are known to drive densities down.

***Q-S3.1: Please add any comments you wish to make about the Urban Capacity Study.***

- 2.21. The Urban Capacity Study identifies a potential baseline housing supply for the 2025-2050 plan period of 19,950 dwellings. Of this, 6,145 dwellings would be located within existing urban areas and the remainder located elsewhere (including new settlements).
- 2.22. The conclusion drawn at Section 4.6 of the Urban Capacity Study confirms that greenfield land must be released to meet South Warwickshire's housing needs and states that:

*"...whilst the measures considered through this study could allow the SWLP to get a reasonable way towards meeting housing needs through urban sites and existing commitments, **we consider it impossible to meet development needs without significant greenfield development.**"*  
*(Section 4.6, Page 37, own bold)*

- 2.23. While the study indicates that the shortfall between urban and existing committed housing capacity could be reduced by undertaking development on public car parks around South Warwickshire this would seem highly unlikely given the significant programme of intervention and management that would be required for such capacity to be realised. The Respondent would also anticipate the likely yield from such sites to be considerably less than 3,400 dwellings and more likely towards the lower end of the range indicated (800 dwellings).



- 2.24. In the Respondent's view, the inevitability of significant greenfield land being required adds considerably to the case for Green Belt release given that it is within the Green Belt that development can be most sustainably located.
- 2.25. It is agreed that to allow choice and competition in the market in accordance with National Planning Practice Guidance (NPPG) a buffer should be applied to the housing need as suggested in the Urban Capacity Study (Paragraph 4.6).

***Q-S3.2: Please select the option which is most appropriate for South Warwickshire***

**Option S3.2a: Prioritise brownfield development only when it corresponds with the identified growth strategy, or if it can be proven that the development is in a sustainable location or would increase the sustainability of the area.**

- 2.26. While the Respondent recognises the importance of re-using Brownfield land, having considered the options presented in the Consultation Document, Option S3.2a is considered most appropriate in South Warwickshire, with Brownfield sites prioritised only where they are sustainably located and in line with the identified growth strategy. To do otherwise could result in unsustainable patterns of development that would conflict with the overarching vision and strategic objectives of the plan.

***Q-S4.1: Do you think that growth of some of our existing settlements should be part of the overall strategy? Y/N/DK***

- 2.27. Yes. The Respondent agrees that growth of existing settlements should be part of the overall growth strategy for South Warwickshire. As opposed to new settlements, sustainable development at existing settlements has the benefit of being delivered without significant infrastructure investment and within a much shorter time frame.
- 2.28. Turning to Bishop's Itchington, the Respondent's site represents a sustainable and logical extension that is capable of being developed without technical impediment and would assist in supporting existing facilities and the vitality of the rural community in accordance with Paragraph 79 of the NPPF. Such matters are discussed in further detail in the site-specific representation at Section 3.0 of this Statement.

***Q-S5.2: Do you think new settlements should be part of the overall strategy? Y/N/DK***

- 2.29. Broadly yes. The Respondent is generally supportive of the inclusion of new settlements in the overall growth strategy as they can be an effective way, at least in theory, of delivering new housing where there are barriers to the sustainable delivery of sufficient housing elsewhere. However, in reality, the physical implementation of new settlements is often complex and costly, which can significantly hamper their delivery. The Respondent would therefore caution against over reliance on new settlements in the preferred growth strategy.
- 2.30. Where new settlements are proposed the infrastructure requirements should be identified and robustly costed to ensure that delivery is viable. The Councils should also take a conservative approach regarding assumed capacity and likely build-out rates and avoid including housing completions from new settlements too early in the plan period. The Lichfield's Start to Finish (Second Edition) 2020 report may be a helpful starting point in this regard, although any assumptions that are made will need to be fully evidenced having regard to site specific constraints and circumstances.
- 2.31. To improve choice and competition and help to mitigate the risk and implications of such sites not coming forward within the timescales envisaged it is recommended that a buffer is applied to the housing need, with a greater number of small-medium sites allocated at sustainable settlements to ensure adequate housing delivery in the short-medium term.

***Q-S5.3: In response to the climate change emergencies, we are looking at rail corridors as a preferred approach to identifying potential locations. Do you agree? Y/N/DK***

- 2.32. Yes. The Respondent considers it sensible to look to rail corridors as a preferred approach to the identification of potential locations. However, given the problems and delays that can often occur with the provision of new rail services and stations, it considered that the intensification of existing rail services should be considered before new ones.

***Q-S7.2: For each growth option, please indicate whether you feel it is an appropriate strategy for South Warwickshire:***

- 2.33. Given the emphasis on mitigating the impacts of climate change and considering the evidence base prepared to date, the Respondent would agree that Option 2 (Rail and Bus Corridors) would appear to align best with the overall objective of mitigating the impacts of climate change and, on balance, considers this to be the most appropriate

option for South Warwickshire. However, in the interests of maintaining the vitality of existing settlements there is also considered to be merit in Option 5 as a hybrid approach.

- 2.34. It is likely that even with Green Belt release the Councils will need to look beyond the initial list of settlements identified under Option 2 to meet South Warwickshire's needs in full. On which basis it is recommended that the Councils also look to the next tier of settlements and locations, such as the Category 1 Service Villages identified in the Stratford-on-Avon Core Strategy (which includes Bishop's Itchington). The benefit of such an approach being a more even distribution of housing across the plan period that strikes a better balance between prioritising development at the most sustainable settlements but also ensures the vitality of sustainable rural communities in accordance with Paragraph 79 of the NPPF.
- 2.35. For the avoidance of doubt, bearing in mind the accessibility of Bishops Itchington and the magnitude of the housing need to 2050 it is considered that the village could reasonably be included under any of the growth options as a potential location for new housing development (despite only currently being included under Options 5). Such matters are discussed in more detail in the site-specific representation at Section 3.0 of this Statement.

***Q-S8.1: For settlements falling outside the chosen growth strategy, do you think a threshold approach is appropriate, to allow more small-scale developments to come forward? Y/N/DK***

- 2.36. No. The sustainability of settlements falling outside of the chosen growth strategy will vary to a significant degree and should not therefore be treated as equal.
- 2.37. Settlements such as Bishop's Itchington, which is defined as a Local Service Village under Policy CS15 of the current Stratford-on-Avon Core Strategy, have the potential to accommodate significantly more growth than is being suggested in the current Consultation Document and in the interests of maintaining the vitality and viability of such settlements should not be ignored in the development of a preferred strategy; particularly where they have a good range of facilities and access to public transport services.
- 2.38. Turning to Bishop's Itchington specifically it is understood from the Bishop's Itchington Neighbourhood Development Plan (BINDP) that 117 dwellings have been built in the parish and a further 370 approved in the period since 2011 against an indicative target

of 112.5 new dwellings. It would therefore seem irrational, given the inherent sustainability, role and function of the settlement and the clear opportunities for further growth at the village that over the next 25 years development could be restricted to sites of 10 or fewer dwellings under the SWLP.

- 2.39. In the Respondent's view, a comprehensive settlement audit should be undertaken for those settlements that fall outside the identified growth strategy to better understand their functionality and relative sustainability. The results of which can then be used to inform an appropriate distribution strategy across these settlements in a less arbitrary and more transparent way. To do otherwise would put at risk the vitality of such settlements in conflict with Paragraph 79 of the NPPF.
- 2.40. A site-specific representation in favour of the allocation of additional housing development at land off Station Road, Bishop's Itchington is set out under Section 3.0 of this Statement.

***Q-S9: Please select the option which is most appropriate for South Warwickshire***

**Option S9b: Within this Part 1 Plan, review which settlements have boundaries defined and which do not, as well as the extent of any such boundaries.**

- 2.41. Of the options presented the Respondent considers that a consistent approach across Stratford-on-Avon and Warwick District is most appropriate and would therefore lean towards Option S9b as being the most appropriate option for South Warwickshire.
- 2.42. The Consultation Document notes that one disadvantage of this option is that some non-strategic land allocations will likely not be made until Part 2 comes forward and that it would be difficult to make appropriate revisions to boundaries in advance of these non-strategic allocations being made. The Respondent does not disagree and considers this to be one of a number of disadvantages in proceeding with a two-tier plan rather than a single one as discussed under QP1.2.

***Q-H1-1: The HEDNA is proposing that we move away from an approach where future household needs are based on the 2014-based household projections towards a trend-based approach. Do you think that the HEDNA evidence provides a reasonable basis for identifying future levels of housing need across South Warwickshire? Y/N/DK***

- 2.43. Yes. Overall, the Respondent considers that the HEDNA provides a reasonable basis for identifying future levels of housing need across South Warwickshire. However, it should be noted that the level of future housing need stated in the HEDNA is a floor figure and does not include any unmet housing needs that may arise from other local authorities, which still needs to be established under the duty to cooperate.
- 2.44. In setting a housing requirement for the plan area it is suggested that the Councils look to allocate significantly more sites than may be required to meet the minimum housing need identified in the HEDNA to increase the supply of affordable housing and attempt to address the issue of affordability in both districts (discussed further under Question Q-H2-1 below). This could be reasonably achieved through the application of a reasonable buffer on top of the minimum housing need identified, which the Urban Capacity Study would also appear to recommend.

***Q-H2-1: What is the best way to significantly increase the supply of affordable housing across South Warwickshire?***

- 2.45. Fundamentally, the best way to increase the supply of affordable housing across South Warwickshire is to allocate more land for market housing (a proportion of which would be delivered as affordable).
- 2.46. The principal barrier to a housing development's ability to deliver affordable housing is viability, which is particularly less assured on brownfield sites and in new settlement allocations hence why affordable housing provision is inevitably reduced on such sites. The Councils therefore need to carefully consider the impact of their preferred strategy, along with the financial implications that other policy requirements may have on the provision of affordable housing, for affordable housing provision to remain viable throughout the plan period and to boost supply.
- 2.47. While it is appreciated that building more houses does not necessarily bring the value of homes down, ensuring that more than enough land has been allocated to meet housing needs will greatly assist in the timely delivery of market housing which, assuming that other policy requirements are pitched correctly, will translate to the timely delivery of an increased quantum and range of affordable housing product.

***Q-H2-2: Please select the option which is most appropriate for South Warwickshire:***

**Option H2-2a: A single South Warwickshire wide affordable housing requirement**

2.48. The Respondent considers that a consistent approach with regards to affordable housing should be applied across both Districts. Accordingly, of the options presented, Option H2-2a is probably the most appropriate in that it would appear to give the greatest certainty to developers and avoid making some areas more attractive than others. However, whatever the option that is settled upon it is imperative that the approach is thoroughly tested in terms of its viability and is appropriately justified.

***Q-H3: Please select all options which are appropriate for South Warwickshire***

**Option H3a: Do not seek to include minimum space standards in a policy in the SWLP.**

2.49. The Respondent agrees that should the Councils wish to impose minimum space standards that they should be adopted as development plan policy.

2.50. The Councils' aspiration to raise the standard of design of new homes in South Warwickshire is understood. However, given the notable unaffordability issues within the Warwick and Stratford Districts, where house prices are around 25% higher than the rest of the HMA, the Respondent has significant reservations regarding the imposition of space standards. Specifically, the respondent is concerned about the implication that such standards could have on the viability of sites, as well as the affordability of new homes, given that properties are generally valued and sold on a £ for square ft basis.

2.51. Should the Council wish to introduce the application of Nationally Described Space Standards (NDSS) or optional Building Regulations M4(2)/M4(3) then Footnote 49 of the NPPF makes clear that the need for such standards needs to be justified. Further work will therefore need to be undertaken to demonstrate an appropriate justification.

2.52. For the avoidance of doubt the Respondent would strongly object to the imposition of space standards beyond NDSS.

***Q-H4-1: Do you agree with the approach of contributing to meeting the Birmingham and Black Country HMA shortfall to 2031 on the identified sites in Stratford-on-Avon District? Y/N/DK***

2.53. Yes broadly. The Respondent agrees that there is a strong argument that the homes needed to contribute to the Birmingham and Black Country HMA shortfall to 2031 should be located close to the source of those needs. However, the Respondent

considers that locations that are proximate in terms of sustainable transport connections, and particularly rail services, which benefit from a reasonable commute to sources of need should also not be ruled out.

***Q-H4-2: Do you have any comments about the scale of the shortfall from the Birmingham and Black Country HMA that South Warwickshire should accommodate within the South Warwickshire Local Plan? Y/N/DK***

- 2.54. Birmingham City Council has identified a shortfall in housing of 78,415 homes in its Local Plan Review 2042 Issues and Options Consultation Document, which equates to approximately 55% of the City's total housing need (based on the latest HELAA). Under the current adopted Birmingham Local Plan the shortfall is 38,000 homes to 2031, which the Greater Birmingham and Black Country Strategic Housing Needs Study indicated would largely need to be met on greenfield sites, including green belt land outside Birmingham's administrative area. Options, including urban extensions and growth around railway stations, were also identified as possible ways of addressing the shortfall." (Black Country Plan Issues and Options, Paragraph 3.11).
- 2.55. The SWLP Consultation Document suggests that additional shortfalls could also arise from the other Black Country authorities. The magnitude of the shortfall that the SWLP might need to accommodate up to 2050 therefore has the potential to be quite significant. On which basis it is imperative that the relevant Councils engage fully as a matter of urgency in the duty to co-operate process to establish what percentage of the identified shortfall the SWLP plan area will be responsible for.

***Q-H4-3: If we are required to meet housing shortfalls from outside of South Warwickshire, how best and where should we accommodate such shortfalls?***

- 2.56. The Respondent considers that if shortfalls from outside of South Warwickshire need to be met then these would be best accommodated close to the source of those needs and/or locations that are proximate in terms of sustainable transport connections, and particularly rail services, which benefit from a reasonable commute. Such locations are likely to reside in the Green Belt.
- 2.57. For the reasons explained under Q-S5.2, the Respondent would caution the Councils against the development of a growth strategy that is overly reliant on the delivery of new settlements and should also look to maximise opportunities adjacent to existing settlements with sustainable transport connections and particularly rail.

***Q-H5: Please select all options which are appropriate for South Warwickshire***

**Option H5c: Rely on a case-by-case approach whereby planning applications for self and custom build homes will be assessed against a range of criteria to determine their suitability.**

- 2.58. The Respondent has experience of providing self-build plots on developments in other parts of the Country and would caution that there is often a disparity between the number of people that register an interest in such plots and those that will make a firm commitment and complete a purchase.
- 2.59. As the Consultation Document points out, there are people who may express an interest for a self-build property but do not want to live within or on the edge of a new housing estate. In a largely rural authority, it is considered likely that the demand for self/custom build is for single plots on the edge of small villages/hamlets or on plots within the open countryside. A case-by-case approach as per that suggested under Option H5c would therefore seem most appropriate in South Warwickshire or for specific sites on the edge of existing settlements to be allocated specifically for this purpose where there is identified demand (Option H5a).
- 2.60. If Option 5b is to be taken forward, then there must be the flexibility to revert self-build plots back to normal build plots once they have been marketed for an appropriate amount of time. The period of marketing required to demonstrate a lack of demand should not prevent the main developer from completing the self-build plots before the construction programme finishes, since it would not be desirable for developers to be left with vacant plots or for new residents to be subjected to construction activities for a prolonged period.

***Q-C3.1: Do you think we should develop a carbon offsetting approach to new developments where it is demonstrated that it is not possible to achieve net carbon zero requirements on site? Y/N/DK***

- 2.61. Don't know. As recognised in the Consultation Document, some developments may not be able to completely neutralise their carbon emissions on site and in these cases a carbon off-setting approach would seem reasonable. However, it will be imperative that the SWLP provides an appropriate mechanism for carbon offsetting. The Consultation Document suggests that in addition to natural solutions such as tree planting that a fund could be created through the pooling of financial contributions



from developers which will enable the existing housing stock to be retrofitted with measures to help reduce carbon emissions. However, it is not clear how such a scheme would operate in practice (i.e., how will financial contributions be calculated and who would be responsible for administering, delivering and monitoring such a scheme?) or if it would meet the tests of Regulation 122 of the CIL Regulations 2010 (as amended). Without more information it is therefore very difficult to comment. Accordingly, the Respondent reserves their right to comment once more information is made available in this regard.

***Q-C3.3: Please add any comments you wish to make about renewable energy generation or carbon sequestration in South Warwickshire***

- 2.62. The integration of renewable energy and carbon sequestration within new developments could both be feasible options in helping to achieve net zero carbon development but, as stated elsewhere in this Statement, anything above standard requirements will need to be carefully considered in the context of other policy requirements to ensure that any approach adopted by the Councils is justified, viable and deliverable.
- 2.63. In the Respondent's view, significantly more information needs to be provided before developers can provide any sort of meaningful comments on the suggested approach to renewable energy generation or carbon sequestration in South Warwickshire. The Respondent therefore reserves their right to make further comments once more information is made available in this regard.

***Q-C4.1: Please select all options which are appropriate for South Warwickshire***

**Option C4.1a: Do not have a policy and allow new development to comply with the national building regulation requirements, which may change over time.**

- 2.64. The Respondent considers it superfluous to include a policy requiring new development to comply with national building regulation requirements given that developers will need to comply with Building Regulations in any event.
- 2.65. While the Councils aspirations to raise the standard of design and achieve net zero carbon is understood, and to some extent supported, achieving this will come at a significant cost to development which, given the time frames involved, is unlikely to be

easily absorbed and therefore has the potential to put at risk the delivery of sites and, in turn, the timely delivery of market and affordable homes.

- 2.66. Considering these concerns, Option 4.1a is considered to be most appropriate. If, however, the Councils are minded to set a higher local standard, then it is advised that realistic transitional arrangements are allowed for to enable the development industry time to respond. In the Respondent's view, the timeframe indicated in Option C4.1c is the minimum that should be adopted. In imposing standards caution also needs to be shown to ensure that redundant technology is not prescribed and that developers can make an appropriate choice of systems at the time houses are being delivered. In addition, the Plan will have to be supported by evidence demonstrating that the viability both technical and financial has been taken into account.

***Q-C6.1: Please select the option which is most appropriate for South Warwickshire***

***Option C6.1c: None of these***

- 2.67. While the Councils' aspiration to raise standards and seek greater reductions in embodied emissions is appreciated, the Respondent has significant concerns regarding the additional cost to the development industry, which cannot be easily absorbed.

***Q-C6.2: If a phased approach is used, what dates and thresholds should be used? For example, achieve 80% reduction by 2030 and 100% reduction by 2040.***

- 2.68. If the decision is made to proceed with a policy that seeks reductions in embodied emissions, then a phased approach should be adopted. However, it is difficult to advise where this threshold should be set without more information being provided regarding the potential implications of such a policy. The Councils should therefore look to test the various options and present this work as part of a preferred strategy which can be commented on in due course.

***Q-C8: Please select the option which is most appropriate for South Warwickshire***

**Option C8b: Do not include a policy that goes beyond existing building regulations, requiring new development and changes to existing buildings to incorporate measures to adapt to flood and drought events**

- 2.69. The Respondent is generally supportive of the management and use of water within new developments and already seeks to incorporate SUDS in its schemes where it is feasible to do so. Furthermore, the Respondent has no in principle objection to the implementation of measures to reduce water consumption, however, they would not currently support a policy which goes beyond existing Building Regulations.

***Q-C9.1: Please select the option which is most appropriate for South Warwickshire***

**Option C9.1b: Do not include a policy requiring new development and changes to existing buildings to incorporate measures to increase biodiversity**

- 2.70. The Respondent is generally supportive of incorporating measures to increase biodiversity within new developments and notes that the need to provide 10% Biodiversity Net Gain (BNG) is soon to become mandatory under the Environment Act 2021. In light of which the need for an additional policy is unclear.
- 2.71. The introduction of any policy that has the potential to affect the viability and delivery of sites needs to be cautiously considered, with overly prescriptive requirements (such as limitations on the amount of hard landscaping that can be used within sites etc.) avoided. In the Respondent's view, suggestions regarding how a development might go about achieving biodiversity increases on site should be set out in supporting text and not directly in policy wording to reflect best practice rather than a strict policy requirement.
- 2.72. While the delivery of on-site BNG may be preferred, the ability to deliver off-site BNG should not be ruled out, since there will be sites where BNG on site is not achievable. In this regard it is imperative that the SWLP provides an appropriate mechanism for offsetting when it is simply impractical to provide the level of net gain by any calculator being adopted by Natural England.
- 2.73. For the avoidance of doubt, the Respondent would have significant objections if the level of BNG required in South Warwickshire were to extend beyond the 10% required in line with the provisions of the Environment Act 2021.

***Q-D2: Please select all options which are appropriate for South Warwickshire***

**Option D2d: None of these**

- 2.74. While Design Guides can sometimes be helpful in providing clarity on the design approaches and standards that are likely to be acceptable in a local authority area, they are generally overly prescriptive and lack flexibility, which can do more harm than good from an urban design perspective since they can give rise to homogeneity.
- 2.75. The Respondent would also caution against the preparation of design guides for numerous different areas, which would seem an overly complex approach.
- 2.76. If the Councils decide to proceed with the preparation of design guides or codes for specific places, then it is considered imperative that these are publicly consulted on.
- 2.77. If intended to be used as policy rather than flexible guides, then Design Guides must be brought forward as Development Plan Documents (DPD) and independently examined given the implications that they could have on the viability and delivery of development.

***Q-D3: Please select all options which are appropriate for South Warwickshire***

**Option D3a: Include a policy which underlines the relevance and importance of density, but which does not identify an appropriate minimum density or range of densities across South Warwickshire.**

- 2.78. The Respondent is not convinced that a policy that prescribes densities is entirely necessary and considers Options D3c and D3d to be unduly complex. However, it is acknowledged that density does need to be optimised in accordance with Paragraph 141 of the NPPF if Green Belt release is to be justified. Considering the options therefore, the Respondent would suggest the inclusion of a policy that is in line with Option D3a but which is perhaps supplemented with explanatory supporting text with regards to the sort of density ranges that developments should be aiming for depending on their location, accessibility and context.

***Q-T1: Please select all options which are appropriate for South Warwickshire***

**Option T1b: Include reference to the principles of a 20-minute neighbourhood or other similar design approach (e.g. Building for a Healthy Life) within a broader overarching policy.**

- 2.79. The Respondent is supportive of the maximisation of opportunities for people to meet their day-to-day needs near to where they live and are therefore supportive, in principle, of the 20-minute neighbourhood concept. Turning to Bishops Itchington, the Respondent's site to the west of the village is compliant with the 20-minute neighbourhood principle and is considered to be a good candidate for allocation. Further information regarding this site is set out under Section 3.0 of this Statement and the accompanying Vision Document.
- 2.80. The main issue with the application of the 20-minute neighbourhood concept is the predominant rural nature of South Warwickshire, where 20-minute neighbourhood principles will be difficult to translate. As noted elsewhere in this Statement, the Councils have an obligation to consider the vitality of rural settlements in accordance with Paragraph 79 of the NPPF. To adopt a strategy that plans solely on the basis of the 20-minute neighbourhood concept therefore is to potentially ignore large swathes of the plan area to the disadvantage of the vitality and viability of those settlements located within the rural hinterlands. The Council will therefore need to allow for flexibility in the way that 20-minute neighbourhood principles are applied should they proceed with such an approach. The same goes for alternatives such as Building for Healthy Life, which in the Respondent's view should be presented as best practice as opposed to a specific policy requirement.

***Q-T2: Please select the option which is most appropriate for South Warwickshire***

**Option T2a: Include a policy which takes a hierarchical approach in terms of prioritising transport infrastructure.**

- 2.81. The Respondent is supportive of the inclusion of a policy that seeks to maximise opportunities for sustainable transport by taking a hierarchical approach. However, it should be recognised that opportunities to maximise sustainable transport solutions will vary between urban and rural areas as per Paragraph 105 of the NPPF.
- 2.82. The introduction of lower parking standards in areas that have good active/public transport links may be appropriate but only where there is robust evidence to suggest that such action is likely to achieve a change in travel habits. This will help to avoid issues related to insufficient parking provision once developments are occupied.

***Q-B1: Please select the option which is most appropriate for South Warwickshire***

**Option B1b: Remove Areas of Restraint designations**

- 2.83. A disjointed approach between the two local authority areas should be avoided wherever possible. Of the options presented therefore, the Respondent would favour removal of existing areas of restraint, with open areas of land that serve to preserve the structure and character of settlements protected through more generic heritage and/or landscape policies.

***Q-B3: Please select the option which is most appropriate for South Warwickshire***

**Option B3c: Discard Special Landscape Areas and bolster general landscape policy**

- 2.84. A disjointed approach between the two local authority areas should be avoided wherever possible. Given that Special Landscape Areas are now a somewhat outdated concept the Respondent considers, in the interests of consistency across the plan area, that Special Landscape Areas should be discarded (rather than seek to establish such areas across the whole of South Warwickshire).

***Q-B4: Please select the option which is most appropriate for South Warwickshire***

**Option B4a: Maintain the current policy approach, without the use of a buffer**

- 2.85. Creating a buffer around the Cotswold AONB is superfluous to national planning policy that requires development within the setting of AONBs to be sensitively located and designed to avoid or minimise impacts. The Respondent therefore considers Option B4a, which seeks to maintain the current policy approach without use of a buffer to be sufficient in this case.

***Q-B5: Please select the option which is most appropriate for South Warwickshire***

**Option B5c: None of these**

- 2.86. Environmental Net Gain is an entirely new concept with no tried and tested approach to its delivery. It is therefore currently unknown how Environmental Net Gain would work in practice. The Respondent therefore reserves their right to make comment once more detailed information is available.

***Q-B6: Should the South Warwickshire Local Plan introduce Wildbelt designations? Y/N/ DK***

- 2.87. No. Wildbelt is a highly aspirational concept with no statutory or national planning policy basis. Unlike other designations there is no tried and tested method for the identification or delivery of Wildbelt. It is therefore unclear upon what basis the Council would seek to justify such designations particularly in light of the absence of the Local Nature Recovery Strategy (LNRS), which is understood from the Consultation Document to be many years away. The Respondent therefore reserves their right to make comment once more detailed information is made available.

***Q-B8.1: Do you agree that the plan should include a policy avoiding development on the best and most versatile agricultural land, unless it can be demonstrated that the harm to agricultural land is clearly outweighed by the benefit of development? Y/N/DK***

- 2.88. No. Agricultural Land quality is only one of a number of factors that is taken into account when considering whether a site should be developed or not. While Paragraph 174b of the NPPF recognises the benefits of best and most versatile agricultural land this is expanded on in Footnote 58 on Page 50 of the NPPF which requires consideration of the issue only where 'significant development' of agricultural land is demonstrated to be necessary. In such instances, the Footnote considers that poorer quality land should be 'preferred' to that of a higher quality. However, this does not mean that it is mandatory to avoid the development of best and most versatile agricultural land. It is therefore highly inadvisable to promote a policy that looks to avoid the development of or seeks the retention of best agricultural land as suggested.

***Q-P1.1: Do you agree with the proposed broad content of the Part 1 plan? Y/N/DK***

- 2.89. No.

***Q-P1.2: If no, please indicate why***

- 2.90. No. The Respondent has significant concerns regarding the preparation of a two-part plan. The Respondent's main concern with regards to a two-tier system is the inevitable delay in plan-making that will occur as result and the impact that this will have on the

ability to deliver the Councils' growth strategy in a timely manner, including the delivery of market and affordable housing.

- 2.91. The current two-tier approach in Stratford-on-Avon District Council is a prime example of where significant delays in the preparation of second tier policy documents have occurred. In proposing a two-tier SWLP, the authorities are in danger of repeating the same mistakes of the Stratford on Avon Local Plan and putting in place a Plan that will genuinely not be reviewed every five years as required by national guidance.
- 2.92. Owing to the interrelationship between a Part 1 strategic plan and subsequent lower tier plans there will also be no flexibility in the second-tier documents to make changes to the development strategy to reflect any updated evidence needs. This is a particular concern given the projected end date of the plan.
- 2.93. While it is noted that the intention is to "*allow for a flexible, robust and long-lasting framework*" this can be difficult to achieve in practice and will need to be given very careful consideration when policies are drafted.
- 2.94. The South Worcestershire Development Plan has demonstrated that it is entirely possible for authorities to work together to produce a complex development plan covering all aspects of managing growth across three or four LPAs without recourse to a divisive and time-consuming two-tier approach.
- 2.95. On this basis, it is considered that a comprehensive local plan should be prepared that includes a full complement of allocations and development management policies; with Area Action Plans, Neighbourhood Plans, Design Codes and Design Briefs/Masterplans prepared in a timely, albeit subsequent, timeframe.



## **3.0 Land off Station Road, Bishop's Itchington**

- 3.1. This Section of the Statement seeks to promote land at Bishop's Itchington, which the Respondent can confirm is under the unified control of Mactaggart and Mickel (Mac Mic Group) and is available for residential development.

### **The Site**

- 3.2. The Respondent's site at Bishop's Itchington is situated on the western edge of the village. The village contains a good range of facilities and services, all of which are within walking distance of the site. Such facilities include a Primary School, Convenience Stores, Doctors Surgery, Community Centres, a Takeaway, Pub and Church.
- 3.3. The Site itself comprises two agricultural fields totaling approximately 18.6 hectares (ha). The fields are enclosed by hedges and divided by a mature hedgerow running broadly north- west to south-east. The landform is generally flat with the highest area, approx. 125m above Ordnance Datum (aOD).

### **Constraints & Opportunities**

- 3.4. The village is relatively unconstrained in so far as it is not subject to any local or national designations (i.e., Green Belt, Special Landscape Area, AONB).
- 3.5. A comprehensive summary of the site's constraints and opportunities is set out in the accompanying Vision Document which demonstrates that the site is free from technical impediment and is therefore capable of being delivered for housing early in the SWLP plan period. The Respondent also has adequate control of land to bring forward a comprehensive green infrastructure strategy and provide at least 10% Biodiversity Net Gain.

### **Case for Additional Housing Development at Bishop's Itchington**

- 3.6. Bishop's Itchington is defined as a Local Service Village under Policy CS15 of the adopted Stratford-on-Avon Core Strategy. In the context of the current Development Plan for Stratford-on-Avon the village is therefore considered to be a sustainable location for new housing development in principle.
- 3.7. It is noted that under Policy CS15 Bishop's Itchington was identified as being a suitable location for approximately 112 dwellings across the plan period 2011-2031 (20 years)

although significantly more has been permitted/delivered in the period since 2011 (see response to Q-S8.1).

- 3.8. Turning to the accessibility of the village, the now made Bishop's Itchington Neighbourhood Plan (February 2023) states that:

*"The nearby conurbations of Warwick, Leamington Spa and Coventry are within easy reach for employment opportunities but, since the building of the M40 motorway in the early 1990s and the opening of Warwick Parkway station, there have been further changes to the nature of the village. Easy access to the motorway and rail networks makes the village attractive to commuters working further afield. Aston Martin Lagonda and Jaguar Land Rover operations at the former RAF Gaydon site have further increased the appeal of Bishop's Itchington as a place to live." (BINPD, Paragraph 5.5)*

- 3.9. Bearing in mind the accessibility of the village and the magnitude of the housing need to 2050 it is considered that (despite the current Consultation Document identifying Bishop's Itchington as a potential location for growth under Option 5 only) that the village could reasonably be included under any of the growth options as a potential location for new housing development. However, it is the Respondent's fundamental position that the development of additional housing land at the village would be commensurate with the guidance in Paragraph 79 of the NPPF in terms of supporting the vitality of rural communities.

### **The Vision for the Site**

- 3.10. It is proposed that land off Station Road is brought forward on a comprehensive basis, although it is equally recognised that not all of the site needs to be developed.
- 3.11. The Vision Document that accompanies these representations, while it illustrates only one way in which the site could be developed, demonstrates that development off Station Road would be seen as a logical extension of the village.
- 3.12. Through comprehensive analysis of the contextual, planning and technical parameters it provides evidence that the site is an appropriate location for development, is available now and can deliver new homes within the next plan period without any technical impediment.
- 3.13. The document also demonstrates that while the site represents development moving further westwards and beyond the proposed BUAB, that through appropriate

masterplanning and the use of peripheral boundary planting and landscaping, development could be accommodated in this location without compromising the settlement's form or character, unlike other sites that are being promoted which seek to extend the village in linear form away from its general nucleated settlement pattern.

### **Conclusion**

- 3.14. It is clear from the accompanying Vision Document that the Respondent's site at Bishop's Itchington is not subject to any major constraints. The site's unified control by a trusted and experienced land promotion company (Mactaggart and Mickel) and its non-dependence upon any major new strategic infrastructure means that the site is readily deliverable.
- 3.15. For the reasons explained above, it is the Respondent's belief that the site is the superior option for the accommodation of new homes at the village and accordingly should be allocated for housing development for circa 200 new homes to assist in meeting the housing requirements of the SWLP in a positive and effective way in accordance with both Paragraph 79 of the NPPF and the tests of soundness set out under Paragraph 35 of the NPPF.

## 4.0 Conclusion

- 4.1. While there is clearly still much to consider it is welcomed that the Councils have taken a pragmatic approach to progress with the preparation of a South Warwickshire wide Local Plan, and we look forward to engaging with the Councils in the upcoming stages of the SWLP preparation process.
- 4.2. Please note that we would be happy to discuss the matters raised in this response with the Councils in greater detail, including the option of bringing forward the Respondent's land at Bishop's Itchington. Nevertheless, we trust that the Councils will duly consider the representations made and hope that they are found useful in the continued preparation of the SWLP.
- 4.3. We would be grateful if you could please acknowledge receipt of these representations and keep us informed of progress using the contact details provided below:

Mactaggart and Mickel (Mac Mic Group)

c/o McLoughlin Planning, 119 Promenade, Cheltenham, Glos, GL50 1NW

Email: [nathan.mcloughlin@mplanning.co.uk](mailto:nathan.mcloughlin@mplanning.co.uk)

## **Appendix 1**

### **Land off Station Road, Bishop's Itchington**

#### **Vision Document**

**(bound separately)**



**McLOUGHLIN**  
PLANNING