



HOW

Planning and Environmental Advisers

**REPRESENTATIONS
TO WARWICK DISTRICT COUNCIL
REVISED DEVELOPMENT STRATEGY DOCUMENT
ON BEHALF OF
BARWOOD STRATEGIC LAND II LLP**

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HOW Planning LLP, 40 Peter Street, Manchester, M2 5GP
Contact Partner: Gary Halman Telephone: 0161 835 1333

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1. INTRODUCTION

- 1.1 These representations have been prepared on behalf of Barwood Strategic Land II LLP (Barwood) in response to the Local Plan Revised Development Strategy July 2013 (RDS) consultation being undertaken by Warwick District Council (WDC).
- 1.2 The consultation is part of the process the Council is undertaking in the preparation of the new Local Plan. The most recent previous consultation took place in May 2012 on the Preferred Options Development Strategy.
- 1.3 These representations should be read in conjunction with the Vision Document (July 2013) for The Asps Warwick, which has been prepared by Barwood's multi-disciplinary professional team, a further copy of which is attached together with other technical appendices in the form of reports prepared by Peter Brett Associates and the Environmental Dimension Partnership.
- 1.4 The Asps is a large site of strategic importance located to the south of Warwick. The Vision Document demonstrates how The Asps can be brought forward in an appropriate and sustainable manner befitting its setting for residential-led development which will significantly assist in meeting the housing needs of the District.
- 1.5 This document is structured as follows:
 - Assessment of Overall Housing Requirement
 - Spatial Vision
 - Assessment of Supply
 - Suitability of The Asps
 - Conclusion.
- 1.6 A careful appraisal of the Council's evidence base has been undertaken in order to inform the representations.

2. ASSESSMENT OF OVERALL HOUSING REQUIREMENT

- 2.1 Draft Policy RDS1 confirms that the Council proposes to adopt an Interim Level of Growth of 12,300 homes between 2011 and 2029. This figure has been revised upwards since the Council's Preferred Options Paper (May 2012) which suggested a housing target of 10,800 over the same Plan period.
- 2.2 The RDS says that the figure of 12,300 has been derived utilising:
- Office of National Statistics sub-national population projections (SNPP)
 - Strategic Housing Market Assessment (SHMA) (March 2012)
 - Economic and Demographic Forecasts Study (December 2012)
- 2.3 In the period since the Preferred Options consultation the Planning Inspector appointed to examine neighbouring Coventry City Council's Core Strategy has recommended that the City carry out a Joint Strategic Housing Market Assessment (Joint SHMA) with Warwick District, Rugby Borough and Nuneaton & Bedworth Borough Councils. The rationale behind this was the need to ensure that housing growth in the sub-region is considered strategically in order to meet the objectively assessed needs of the wider housing market area.
- 2.4 Independent consultants have since been appointed to carry out a study which will comprise a Joint SHMA. It is expected that the first draft of the Joint SHMA will be available in August 2013. WDC acknowledges that its housing requirements could therefore change depending on the findings of this study and the subsequent discussions that will need to take place between the sponsoring authorities so as to ensure the level of need it identifies is fully met. We regard it as unfortunate and premature that WDC has progressed with an interim housing figure and based the RDS on this, ahead of any outputs from the Joint SHMA, which will be fundamental to creating a sound Local Plan.
- 2.5 In order to establish how appropriate and robust the Council's interim housing target is, Barwood appointed specialist consultancy Peter Brett Associates (PBA) incorporating Roger Tym to carry out an independent assessment of the Districts housing requirements.

- 2.6 The PBA report is at **Appendix 1**, however the report highlights the following key considerations.
- 2.7 The PBA Report has reviewed the range of data which is available to inform assessments of housing need, including the official demographic projections based on 2008 and 2011 data, and has then modelled two alternative scenarios using alternative (2011 based) projections. For the Plan period using the 10 year (2001-11) scenario PBA's estimate of household growth is 672 per annum – virtually equal to the Councils Interim Housing Target of 683 per annum. Because this projection is based on the longer term (10 year) trend rather than the shorter five year (2006-11) scenario, this forecast is PBA's preferred demographic scenario. PBA point out however that this level of growth may need to be revisited (i.e. increased) in the light of Census projections, if the Council wishes to ensure delivery of economic growth (GVA) in line with its aspiration of 2.4% per annum.
- 2.8 PBA then go on to take a broader look at the wider housing market area. This takes its cue from the Coventry Inspectors Report following the Examination into its Core Strategy, published earlier this year. Here the Inspector concluded that Coventry was unable to demonstrate it had fully discharged its Duty to Cooperate and, importantly, that the needs of the wider housing market area had been fully considered. The wider housing market area was defined as the sub region comprising Coventry, Solihull and Warwickshire, including Warwick District Councils area.
- 2.9 The Inspector found that a lack of consistency in the way that housing need was being calculated by Local Authorities across the housing market area made it impossible to assess whether each Authority was capable of meeting their housing requirements within their own borders. If this were not the case then there would be a requirement for other Authorities to seek to meet any shortfall within the overall housing market area. Accordingly he was unable to find the Plan sound, and Coventry subsequently withdrew it in order to address this issue. As noted earlier in this report, the Councils have now commissioned a joint Strategic Housing Market Assessment, the results of which are awaited.
- 2.10 PBA have carried out their own projections for the housing market area comprising Coventry, North Warwickshire, Nuneaton and Bedworth, Rugby and Stratford on Avon, as well as Warwick. In addition the position with regard to

Solihull is considered, which the Authorities have chosen not to include in the housing market area, but which is closely tied to them by migration flows.

- 2.11 Through analysis of current and emerging Local Plans/Core Strategies, PBA have identified that Plan targets for the housing market area total some 3,523 new homes per year, which leaves an **annual** supply shortfall of more than 1,000 homes against the CLG demand projections (both 2008 and 2011 based). When considered against the PBA scenarios, the shortfalls are much smaller when considered on this overall basis. But at a more local level, demand and supply are significantly misaligned, with large deficits in Rugby and especially in Coventry – which of course has a close relationship with Warwick. A further point arises in relation to Birmingham, which these projections take no account of. Birmingham’s position is clear in that, despite best efforts the city will be unable to meet its projected demand; that projected demand already assumes large out migration flows from Birmingham to neighbouring areas. In reality out migration will need to be even greater, because of constrained land supply in the city, which will have knock on effects on the Coventry and Warwickshire housing market area. In that context therefore, the supply shortfalls identified by PBA could be seen as minimum estimates, which will be exacerbated by the unmet demand arising in Birmingham.
- 2.12 In summary PBA conclude that the currently proposed WDC housing target of 683 dwellings per annum is broadly in line with its own preferred forecast scenario. But according to the latest official projections, currently proposed housing targets in the wider housing market area will undersupply demand by more than 1000 dwellings per annum. Based on PBA’s assessment, the shortfalls are less but the overall position masks significant local shortfalls, in Rugby and to a far greater extent in Coventry, for which Warwick District is a natural “export” destination.
- 2.13 As there is a supply shortfall in the sub regional housing market area, and a particularly large one in Coventry, the Duty to Cooperate suggests that Warwick should help meet this within its own District boundaries, if it has the sustainable and deliverable capacity to do so.

3. SPATIAL VISION

3.1 The Preferred Options paper identified the Council's intention to concentrate growth within and on the edge of existing urban areas, and distributed across the District. This approach identified a number of potential strategic allocations to the south of Warwick and Leamington Spa on greenfield sites, but also included the release of Green Belt land, generally located to the north of the urban area.

3.2 With the exception of two significant sites (at Kenilworth and Redhouse Farm), all the proposed Green Belt sites have been removed from the RDS. Draft Policy RDS3 still confirms the principle of concentrating growth within and close to urban areas, however crucially an additional criterion has been added which is designed specifically to:

'Protect the Green Belt from development where alternative non-Green Belt sites are suitable and available.'

3.3 The Council identifies (at paragraph 4.3.2 of the RDS) that the change in the broad location for housing has come about partly as a result of consultation responses to the Preferred Options, but also because of the ability of non-Green Belt sites to the south of Warwick, Leamington and Whitnash to absorb new development.

3.4 In particular, the RDS identifies that work undertaken on landscape impact by Richard Morrish Associates (RMA); an employment review by G L Hearn; and further strategic transport assessments by Warwick County Council (WCC) all suggest that land falling outside the Green Belt to the south of the main settlements can contribute significantly towards meeting housing need. Work by WCC in particular has provided confidence that infrastructure can successfully support a significant level of growth in the south of the District.

3.5 RDS paragraph 4.3.8 suggests however that based upon the Landscape Study¹ The Asps should be protected from development because it is perceived to provide a historic context to the Castle Park and to be prominent in terms of approaches to Warwick. EDP has undertaken a thorough and objective analysis of the RMA

¹ Landscape Character Assessment for Land South of Warwick & Leamington, RMA February 2009 updated 2012.

report which is understood to have significantly influenced the Council's view. A detailed report which critiques the RMA work is attached to this document at **Appendix 2**². This clearly demonstrates that The Asps can be developed in a manner which fully respects the key landscape considerations identified in the RMA report, without any significant detriment or harmful impacts.

- 3.6 Given the weight apparently attached to the RMA work and in light of the conclusions of the EDP review, Barwood believe there is no reason why the site should not come forward for development. Furthermore encouraging discussions with English Heritage have taken place and continue as work is undertaken to ensure any points of concern regarding heritage and setting issues are suitably addressed. This is explored in greater detail later in this document.
- 3.7 In summary, Barwood is broadly supportive of the general spatial strategy set out in the RDS to deliver development to the south of the main settlements. It is apparent that the release of land from the Green Belt, with the sole exception of land at Kenilworth which has very limited alternative opportunities for development around that town, should be resisted in line with the guidance and central thrust of Policy RDS3.
- 3.8 For reasons that will be considered later Barwood however consider that certain sites proposed to be allocated should be omitted in favour of The Asps. The next section of this report considers the broad supply picture of the RDS's proposals.

² Landscape Capacity Review, EDP April 2013

4. ASSESSMENT OF SUPPLY

4.1 In this section the planned supply of housing to meet demand is assessed. At Paragraph 4.2, Table 1 of the RDS, WDC sets out how the housing requirement of 12,300 homes is expected to be met. It proposes the following categories of supply:

• Sites completed between 2011 and 2013	-	447
• Sites with outstanding planning permission at April 2013	-	1,681
• Small urban SHLAA sites which are potentially suitable	-	300
• Windfall allowance	-	2,800
• Consolidation of existing employment areas	-	450
• Sites allocated in the Plan	-	<u>6,622</u>
Total	-	<u>12,300</u>

4.2 These components of supply are discussed below.

Completions and sites with permission

4.3 These two categories account for in excess of 2,100 dwellings of the future supply. It is clearly appropriate that sites completed between 2011 and 2013 should be included. In line with the NPPF (footnote 11) sites with planning permission should also be included unless there is evidence that they will not be delivered.

4.4 For purposes of these representations it is assumed the Council has carried out an assessment of all sites with planning permission and is satisfied that there is a strong prospect of delivery within the Plan period.

Small Urban SHLAA sites

4.5 The latest Strategic Housing Land Availability Assessment (SHLAA)³ identifies that small sites (less than 5 units) could provide a total of 366 new dwellings. The

³ Strategic Housing Land Availability Assessment, WDC, 2012

RDS assumes that 300 dwellings could be provided which equates to a reduction of approximately 18%

- 4.6 Clearly as none of these sites benefit from planning permission caution should be applied when deriving an appropriate figure. In our experience an estimated reduction of about 20% is generally considered to be appropriate when assessing the likelihood of small sites being delivered at some stage over the Plan period.

Windfall Allowance

- 4.7 The NPPF defines windfall sites (Annex 2: Glossary) as,

'Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available'

- 4.8 The May 2012 Preferred Options paper identified potential for 2,300 dwellings to come forward over the Plan period from windfalls, whereas the RDS increases the anticipated yield from this source to 2,800. Both documents were informed by background papers entitled '*Estimating a Windfall Allowance*' (Preferred Options Stage May 2012 and Revised Development Strategy Stage May 2013 respectively).

- 4.9 In order to derive a reliable estimate of future windfall allowance the Council correctly considers the relevant tests as set out in the NPPF at paragraph 48, which in the context of calculating a five-year supply of housing, confirms that authorities may make an allowance for windfall development only if they have **compelling** evidence that such sites have consistently become available in the local area and will continue to provide a **reliable** source of supply. It also states that any allowance should be **realistic** having regard to the SHLAA, historic windfall delivery rates and expected future trends and exclude residential gardens (emphasis added).

- 4.10 In the first instance therefore it is appropriate to consider how the figure of 2,300 dwellings was calculated at the Preferred Options stage, before assessing the increased allowance now made in the RDS.

- 4.11 The May 2012 paper *Estimating Windfall Allowance* considers the following in order to calculate what the Council considers to be a realistic windfall allowance:
- Analysis of past trends
 - Avoidance of double counting with SHLAA sites
 - Allowance for changing market conditions
 - Allowance for changing trends
 - Application of a discount for new sites coming forward within the plan period but which will be completed beyond the plan period
- 4.12 The analysis of past trends reveals that over the past 10 year period an average total of 193 dwellings have come forward through windfall developments. These are split into the following categories with specific averages:
- rural areas (22)
 - conversions and changes of use (65)
 - redevelopment/new build <5 homes (11)
 - redevelopment/new build >5 homes (95)
- 4.13 As the period of assessment between 2002/03-2010/11 included periods of very buoyant conditions, as well as those in the recent and on-going economic downturn, the report did not recommend future adjustments to allow for different market conditions; it did however consider it appropriate to allow for a 14% uplift in likely future rural completions due to more relaxed policies which the Council considers could give rise to a greater number of rural windfall developments coming forward. The report does not specifically reference the policies, nor indeed does it explain how they might make rural windfall development more likely.
- 4.14 No changes to past rates were predicted for conversions / change of use, on the basis that they have generally come forward at a consistent rate, typically delivering apartments.
- 4.15 The report did however suggest that significant changing trends could be identified in terms of redevelopment sites coming forward and the nature of the

housing development on those sites. The report, at paragraph 6.3 specifically identifies:

- There has been a noticeable reduction in the number of large employment sites coming forward in recent years;
- The current trend is for small to medium employment sites to come forward or for former public sector sites;
- The NPPF encourages residential development on employment land to a greater extent than local policies, so more housing on certain sites is likely;
- There has been a reduction in densities of such developments with a preference for houses over the previous trend of apartments.

4.16 For this category therefore the report predicted there will be a reduction in the supply of housing from large redevelopment sites, along with a reduction in average densities with a preference for housing over apartments, but that there could be an increase in housing development on some types of employment land.

4.17 Summarising these adjustments to take account of future trends the picture presented in May 2012 is presented below.

Category of Windfall Site	WDC Adjustment
Rural	+14%
Conversions and Changes of Use	None
Redevelopment / New Build <5 units	None
Redevelopment / New Build >5 units	-20%

4.18 Allowing for these adjustments, the annual average (relative to past completions) is therefore reduced from 193 to 176 units. The paper does not assume any completions of redevelopment sites greater than 5 units over the plan period until 2019 as these should be captured in the SHLAA; furthermore a reduction is also allowed towards the end of the Plan period where windfall sites come forward but the homes will actually be built outside the Plan period.

4.19 Using this methodology, working from an average of 193 units per year, a total windfall allowance of 2,304 has been estimated by WDC (which was rounded down to 2,300 in the Preferred Options).

4.20 However as detailed previously, the RDS is now based on an updated May 2013 *Estimating a Windfall Allowance* paper. This makes use of the same methodology as the 2012 paper, but updates the past trends to account for the years 2011/12 and 2012/13, rather than through to 2010/11 (2 year update therefore provided).

4.21 The actual averages based on these updated past trends are:

- rural areas (22)
- conversions and changes of use (66)
- redevelopment/new build <5 homes (9)
- redevelopment/new build >5 homes (95)

4.22 These are virtually identical to the averages in the previous paper, however the suggested 'uplifts' the Council seeks to apply are considerably higher, as is discussed below.

4.23 The following recommendations are made in the paper for the reasons identified in the table below:

Category of Windfall	Adjustment	WDC Reason
Rural	+20%	Less restrictive polices / Green Belt changes
Conversion and COU	+20%	More office conversions considered likely
Redevelopment / New Build <5 units	None	Remain constant and consistent
Redevelopment / New Build >5 units	+10%	Council has entered into JV with affordable provider so more potential for new development; densities higher through student and elderly provision; NPPF favourable policy for employment to residential redevelopment

4.24 The result of this uplift in estimated future trends is an increase in the past completions average of 193 units per year to a forecast 221. Following the same principles as the May 2012 paper (i.e. omitting sites over 5 units until after 2019 to avoid SHLAA double counting, plus allowing for the discount for build outs which take place after the plan period,) this increases the windfall estimate to 2,808, rounded down to 2,800. Thus the assumed contribution from windfalls has

increased by 500 units between the May 2012 Preferred Options and the July 2013 RDS.

- 4.25 The principle of the Council making some allowance for windfall development is acceptable, given the evidence of past completions occurring from this source. The critical consideration however is the extent of future contribution which is assumed, and especially the uplift the Council has chosen to add to past rates going forward.
- 4.26 The NPPF definition of windfall sites is those normally comprising previously-developed land. Given the depressed market conditions which continue to prevail it is somewhat unusual that the Council should seek to place such additional reliance on uplifts on past trends, which have been derived through periods of boom and latterly, bust. Previously-developed sites commonly have severe viability issues currently, and in principle it seems largely unjustified to suggest such significant levels of uplift on past achieved rates.
- 4.27 Indeed, the May 2012 paper actually recommended a **reduction** of 20% below previous windfall rates achieved on sites over 5 units. To shift this a full 30% now to a position of a 10% **uplift** appears wholly unjustified. Furthermore it is incorrect to automatically assume higher density developments will come forward as although student and elderly accommodation can inflate averages this is a snapshot of two specific uses and not a true reflection of the broader family housing market which forms the mainstay of development activity and for which densities are still relatively low and are likely to remain so for the foreseeable future.
- 4.28 The 20% uplift in Conversions and Changes of Use, which WDC apply because of the recent Permitted Development (PD) rights, also appears to be overly optimistic, given that the windfalls falling into this category are likely to be mainly small-scale conversions of units above shops rather than larger scale changes to larger employment premises. The market is not strong enough to support such development, which typically sees such buildings changed to apartments, for which demand is severely limited. It is also relevant to note that the changes to PD rights are only temporary.

- 4.29 The May 2013 paper argues that recent changes at the national level means there will be an increase in the number of employment sites (as opposed to premises) coming forward for redevelopment for housing in the future. It is worth noting that the "recent changes in national policy" were of course already known to the Council when the May 2012 paper was written⁴; indeed it expressly references the "new" policy approach in its paragraph 6.3. Notwithstanding this, the earlier paper still forecast a 20% **reduction** from this source.
- 4.30 It is also important to recognise the Council is already assuming a significant contribution (450 units) from current employment sites and is proposing (at least in the Preferred Options policies) a policy approach designed to protect existing employment land where this is not allocated to other uses in the Plan. Such an approach would be fully consistent with the Councils evidence base; the Employment Land Report (para 29.24) says there is "*a strong case for the protection of other employment sites assessed within the District for B Class employment or related activities*" and "*We (GL Hearn) would recommend implementing a policy setting a presumption against redevelopment for alternative uses unless key criteria can be met to justify any release of existing employment land.*" In short there is no evidence to support an increased contribution from this source and the Council was correct to assess the likelihood of a reduction, as per its position in May 2012.
- 4.31 Finally assuming an increase of 20% on past rural completions, on the basis of a relaxation in planning policies is also overestimated. At this stage it is too early to determine what local policies will guide development in rural locations and it overly presumptuous to assume the NPPF will give greater licence for development in such locations to take place. It is certainly not the case, based on experience elsewhere, that emerging policies have facilitated significant additional growth in rural areas on unidentified sites.
- 4.32 Thus the Councils assertion that "*in future policies for development in villages will be less restrictive, reflecting new advice in the NPPF*" is unfounded. Its own position is that an increased contribution from the larger, more sustainable villages is being positively planned for. The RDS now includes 1000 units as

⁴ The NPPF having been published in final form on 27 March 2012

allocations in this category (up from 830 in the Preferred Options). As actual allocations these fall outside the windfall category. Elsewhere the RDS says that in smaller villages *"the scale of development will need to be very carefully managed and it is the Councils intention to introduce capped proportional growth rates for the smaller settlements..."* and that *"limited infill housing development of an appropriate proportional scale will only be acceptable..."* with five strict policy criteria specified. (RDS para 4.4.6/7). There is no basis therefore to assume a 20% increase on past achieved rates in the rural area from windfall sites, especially where the Plan is already expressly making increased provision in a wide range of rural locations.

- 4.33 We believe the Council is able to place some reliance on windfall sites contributing to housing need during the Plan period, but that this should certainly not be at any higher level than was assessed by WDC in May 2012, namely 2300 units. Even this is likely to be an overestimate however, given some of the underlying assumptions (such as a +14% increment in rural windfall sites).
- 4.34 Given the thrust of the advice in the NPPF, it would be appropriate for WDC to adopt a cautious and prudent approach in its assumptions over windfall contribution, and not place undue reliance on this as a component of its future housing supply.
- 4.35 The amount of windfall development to be counted as part of future supply should therefore be no more than 2,400, some 400 less than that currently assumed in the RDS. **At least 500 units must therefore be accommodated elsewhere.**

Consolidation of Existing Employment Areas

- 4.36 This is a new category which the Council now regard as a potential future source of residential development land which was not included in the Preferred Options paper as the *Employment Land Report* (ELR) (May 2012) was apparently still to be completed. The RDS now suggests that 450 units could be provided during the Plan period, based on the findings of the ELR.

4.37 The ELR assesses existing employment sites in terms of their suitability over the plan period, taking into account factors such as condition of stock, vacancy levels, constraints and potential for alternative uses.

4.38 Four sites were deemed by the ELR to be of “poorer” quality which paragraph 4.5.19 of the RDS identifies ‘may be suitable’ for redevelopment for other uses. It goes on to say that these could provide in the region of 19.5 ha of land suitable for development, subject to suitable alternative employment sites being found. The sites potentially identified for release are:

- Sydenham Industrial Estate, Leamington
- Cape Road / Millers Road, Warwick
- Montague Road Industrial Estate, Warwick
- Common Lane, Kenilworth

4.39 Collectively these total some 19.5 ha of potential redevelopment land. Importantly, paragraph 4.5.20 states however that:

‘Further work is needed to investigate the feasibility of redeveloping these areas including the relationship with neighbouring uses, willingness of landowners, and the potential relocation requirements of any existing companies. If the above areas were released for other uses it would be necessary to provide an amount of replacement provision. Taking into account the density and occupancy rates of these sites it is estimated that 13.5 ha would be necessary.’

4.40 It is clear that further work it will be required in order to establish the realistic potential of these sites (if any) for redevelopment. Furthermore it may not be the case that they come forward for residential redevelopment exclusively, and therefore the extent of land available for that purpose is unclear.

Sites to be Allocated for Development

4.41 Sites to be allocated for development amount to 6,630 units divided as follows:

- Urban Brownfield Sites - 380 units
- Sites on the edge of Warwick, Leamington and Whitnash - 4,550 units
- Site on the edge of Kenilworth - 700 units
- Village Development - 1,000 units

Green Belt sites

4.42 As identified earlier in this document, removal of the majority of Green Belt sites from the potential allocations is welcomed. It is accepted that the site at East Kenilworth is one of only a very limited number of sites in that area, and as such there may be a case in principle to justify release of the land from the Green Belt to meet employment and residential needs specifically arising in the north of the District and Kenilworth. It should be noted however that development of this site is subject to the successful relocation of the sports clubs which currently use the site. It is understood currently no replacement facilities exist, which could impede residential development.

4.43 The other Green Belt site which the RDS continues to promote at Redhouse Farm east of Leamington, is much more difficult to justify; even more so in that it has increased in size from 11.5 ha in the Preferred Options to 13.5 ha with the addition of land at Glebe Farm in the RDS.

4.44 Unlike the site at Kenilworth the land at Red House Farm is poorly defined, with no strong, defensible boundaries. It is also very open, being largely flat and without significant features.

4.45 The NPPF sets out (at paragraph 80) five purposes which Green Belt serves:

- To check the unrestricted sprawl of large built up areas;
- To prevent neighbourhood towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and

- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 4.46 The Council's Green Belt Assessment⁵ identified that this land currently meets three of the five purposes of the Green Belt in that it contributes to safeguarding the countryside from encroachment east of Leamington; contributes to preserving the setting and special character of Leamington and retention of the land as Green Belt will help assist urban regeneration by encouraging the recycling of derelict land. To this we would also add that the Green Belt east of the Leamington/Warwick urban area also clearly checks the unrestricted sprawl of this larger built-up area. In addition to this the awkward shape of the site, extending to wrap around the existing settlement, gives the impression of a poorly conceived boundary, which when developed would protrude into the surrounding countryside, leading to harm to the visual amenities of this attractive tranche of Green Belt countryside.
- 4.47 When the site was appraised in the SHLAA it was identified that access was currently not achievable due to the need to obtain third party land, and development of the site would likely be very visible from the surrounding area.
- 4.48 The Council seeks to justify the release of this land from the Green Belt by suggesting it could help to deliver regeneration benefits through wider housing choice, better access to open space and by the additional customers for local shops and community services.
- 4.49 Regeneration benefits can be achieved in a number of ways, through greater investment in existing facilities and services, and regeneration of existing housing stock. Alternative sites outside the Green Belt in relatively close proximity to the Red House Farm site have the potential to deliver the same benefits without the need for Green Belt release. Furthermore unlike Kenilworth which is removed from Leamington and Warwick, there are other better sites which are potentially available for allocation.
- 4.50 The *Final Interim Sustainability Appraisal Report* (June 2013) identifies that development at the Red House Farm site would lead to the loss of Green Belt land

⁵ Joint Green Belt Study 2009

with the potential for a significant long term negative effect on the prudent use of land, as well as the potential for a long term negative effect on landscape.

- 4.51 Given the availability of alternative better located sites, such as The Asps which does not lie within the Green Belt, and the lack of exceptional circumstances to justify its release, Barwood consider this allocation should be deleted, and the release of Green Belt resisted consistent with Policy RDS3. **250 houses should therefore be accommodated elsewhere.**

Land to the South of Warwick, Leamington and Whitnash

- 4.52 The Preferred Options paper identified The Asps as part of a strategic site known as Land to the South of Gallows Hill, adjacent to an allocation to the North (Myton Garden Suburb) with a further allocation to the East (West Warwick Gates).
- 4.53 The Asps has been removed in the RDS. Essentially it has been replaced by the addition of land at Lower Heathcote Farm (720 units) and Grove Farm (575 units), which lies to the north east of The Asps, between the southern fringes of Leamington and the village of Bishops Tachbrook to the south.
- 4.54 Both these sites, but especially Lower Heathcote Farm, are located directly to the north of Bishops Tachbrook. The Preferred Options paper clearly identified the need to prevent the existing built up area of Leamington spreading south to potentially cause coalescence with Bishops Tachbrook. The potential allocation of these sites would have a significant and negative impact in this regard and further evidence is needed to justify the allocation of these parcels.
- 4.55 As neither of these sites were identified in the Preferred Options stage public reaction and the views of other key stakeholders such as English Heritage cannot be gauged; this will only be possible once this consultation period has finished.
- 4.56 However both sites have previously been assessed by the Council as land "South of Harbury Lane" in its Sites Selection Methodology. The SHLAA Assessment identifies a need for a significant open buffer to the south of the site which sits within Flood Zones 2 and 3 to form a natural boundary. Third party land may be required to achieve this. The Landscape Character Assessment identifies the land

as being on a ridge of higher ground that is prominent in some views from the south; development here would be a relatively prominent urban extension. Between them the sites are said to be capable of accommodating in excess of 1,300 units.

- 4.57 It is difficult at this stage to say that the sites should definitely be included in the Local Plan. We believe further detailed work is necessary to demonstrate that they can be developed successfully. It would in our view be important to look comprehensively at all the land to the south of Warwick/Leamington, ideally in the form of a single high level master plan which should include The Asps, in order to determine the optimum way of developing the combined landholdings and the true environmental capacity of the sites, given the sensitive settings which they all occupy.
- 4.58 What is clear is from the Vision Document prepared by Barwood for The Asps, including EDP's detailed and thorough response to the RMA work and English Heritage's commentary, is that these soundly based technical assessments demonstrate the suitability of The Asps to accommodate a significant amount of development with (following mitigation) no harmful impacts on the landscape which is adjacent to it, or indeed to the historic setting of the town, the Castle Park and other relevant heritage assets. This cannot be said of the Councils proposed allocations, as so far as we are aware the required detailed assessment process (landscape capacity and heritage/setting assessments) has not been carried out, certainly not to an adequate level. In section 5 of this document we identify the very strong justification for Barwood's development proposals at The Asps, having regard to the technical work which underlies this conclusion.

Whitnash East

- 4.59 WDC consider Whitnash East is capable of accommodating approximately 500 units. It lies immediately to the south of a smaller site⁶ which has recently received planning consent for housing at appeal.
- 4.60 The land which has received permission is well related to existing development, whereas the remaining southern element appears quite isolated, separated from

⁶ Appeal Ref: APP/T3725/A/13/2190334:Land south of St Fremund Way, Whitnash

existing built form by a railway line which forms a strong edge to Whitnash. Furthermore the proposed eastern boundary is very irregular in shape and has all the appearance of encouraging urban sprawl into the open countryside.

- 4.61 We believe that consideration should be given to drawing a boundary which better aligns with the current, fairly linear pattern in Whitnash, which would be likely to entail a reduction in the number of units to be provided. **It is estimated that around 100 units should be deducted better rationalise the eastern boundary of this site.**

Land Allocated to Villages

- 4.62 The RDS allocates 1,000 units to villages. Growth is based on the *Settlement Hierarchy Report* which informed the decision making process when assessing the potential suitability of villages to accommodate growth.
- 4.63 Amendments have been made to the weighting afforded to the various elements of the assessment criteria to reflect feedback from the Preferred Options paper, and the villages which are classified as Primary Service Villages or Secondary Service Villages are considered by the Council as having potential to accommodate around 1,000 houses between them.
- 4.64 Whilst the detail of exactly where within or more likely, adjacent to these villages this development is likely to take place is yet to be determined, the number of sites promoted in the SHLAA would suggest that 1,000 appears to be a reasonable estimate.

Urban Brownfield Sites

- 4.65 In total these are suggested to be capable of accommodating approximately 380 units.
- 4.66 The site which contributes greatest to this supply is Station Approach where 220 units are proposed. It is understood that for this site to come forward relocation of the existing and active Stage Coach bus depot is required. The HCA and a RSL

have now purchased part of the site and development now looks more feasible. Again however, there cannot be certainty that the site will come forward.

- 4.67 Of the remaining proposed Urban Brownfield allocations, Riverside House, which is identified to accommodate 50 units, should be discounted given that a significant proportion of this land lies within flood zones 2 and 3; there are also protected trees across the site, and the building is currently in active office use. **50 units to be accommodated elsewhere.**

Summary

- 4.68 Barwood object to the RDS on the basis that sites at Red House Farm (250 units); Whitnash East (reduce estimated capacity by circa 100 units); Riverside House (50 units) should not be included within the Local Plan housing land supply.
- 4.69 In addition the RDS's assumption that redevelopment of four existing employment areas estimated to yield 450 units is misplaced and this level of delivery cannot be relied upon within the Plan period. Finally the Councils assumed contribution from windfall sites is unduly optimistic and unsupported by the evidence; we regard the RDS allowance as overstating this potential source of supply by at least 500 units. In aggregate therefore the RDS has proceeded on the basis of a total of circa 1350 units being provided which cannot be relied upon as being deliverable. Even assuming the Council's assessment of housing need is correct (which cannot be confirmed pending sight of the results of the Joint SHMA), there is a need to identify additional land in the Local Plan in suitable locations (outside the Green Belt) for circa 1350 homes.
- 4.70 In the following section we set out why The Asps should once again be identified as an allocation for residential led development.

5. SUITABILITY OF THE ASPS

5.1 The main issues identified with The Asps, as identified through the Preferred Options consultation in 2012 and subsequent discussions with the Council and other stakeholders are:

- Impact on setting of Warwick Castle Park
- Impact on Open Countryside in Area of High Landscape Value
- Infrastructure considerations

5.2 We have considered these points carefully and a summary response is set out below.

Impact on Warwick Castle Park

5.3 Attached as **Appendix 3** is a Heritage Setting Assessment prepared by EDP (July 2013). This is a detailed piece of work which demonstrates that there is very limited potential for impacts on the setting of Warwick Castle, its registered Park and on other heritage assets within the local area. The mitigation proposals, as summarised in the Vision Document (**Appendix 4**), coupled with a careful and environmentally sensitive approach to master planning, will be sufficient to ensure that the approach to Warwick as it currently exists will be maintained – indeed enhanced – and there will be no significant impact on either the setting or the value of the heritage asset as defined in the NPPF.

5.4 More recently English Heritage has made observations on the development potential of The Asps, set out in a letter of 23 May 2013 to WDC. This was in response to the studies prepared by EDP, referred to earlier in these representations, which sought to address the landscape and setting/heritage issues previously raised by English Heritage. It appears however that whilst English Heritage received and reviewed the Landscape Capacity Review report, unfortunately it did not have the benefit of the Heritage Setting Assessment when formulating its 23 May response. This explains many of the comments in that letter and has now been remedied. It is anticipated that English Heritage will now wish to reconsider its position in the light of the comprehensive information it has received. In the meantime, **Appendix 5** comprises a Heritage Position Statement

prepared by EDP which explains this background in more detail, and sets out a response to the key points in English Heritage's 23 May letter, for completeness and for the benefit of the Council.

Impact on Open Countryside in Area of High Landscape Value

- 5.5 **Appendix 2** comprises a Landscape Capacity Review carried out by EDP. It follows detailed fieldwork and baseline assessment which greatly exceeds that done by the Council's consultant, RMA, which appears to have strongly influenced the Council's thinking about the ability of this site to support major development.
- 5.6 EDP's work concludes that the emerging indicative master plan for the site (contained within the Vision Document – see **Appendix 4**), responds to and complies with all the RMA guidance for development in the area, and demonstrates, following a systematic and evidence – based approach, that none of the issues raised by RMA represent sound reasons for de-allocating the site.
- 5.7 English Heritage's 23 May letter, attached to the Position Statement (**Appendix 5**) also comments on landscape matters. There is an encouraging level of agreement between the parties in relation to the capacity of the site to accept development in landscape terms. Where there is scope for further discussion, for example in the context of the design of the mitigation proposals (such as the depth and planting mix of the woodland shelter belts), Barwood propose to do so in the form of constructive pre application consultation with English Heritage (and of course the WDC landscape officer).

Infrastructure Considerations

- 5.8 The Vision Document contains information on infrastructure matters at section 3 (Technical and Environmental Analysis). It demonstrates that there is an ability to effectively service the site and that there are no infrastructure constraints which would prevent its viable development during the first part of the Plan period.
- 5.9 In terms of highways and transportation issues- a major part of the consultation feedback- Barwood notes that since the Preferred Options consultation the Council has been working closely with Warwickshire County Council (WCC) which has

completed phases 2 and 3 of a Strategic Transport Assessment. The conclusion of this is that modelling confirms there is an ability to accommodate significant growth in south Warwick/Leamington, and that appropriate mitigation measures can be put in place to ensure its delivery. Whilst more detailed work will undoubtedly be necessary, this key conclusion is important for the Local Plan, and allows decisions to be made now on the most appropriate sites within the broad location to be identified for allocation, in the knowledge that highways and transportation issues are capable of resolution.

- 5.10 Other infrastructure needs, such as new schools, Park and Ride, social and community facilities can and ideally should form part of a comprehensive master planning exercise across the full extent of the proposed urban extension (including The Asps).

6. CONCLUSION

- 6.1 Barwood control a significant area of land south of Warwick known as The Asps and wish to promote it for a high quality, residential led development. Detailed baseline work has been carried out by a multi-disciplinary professional team appointed by Barwood. This demonstrates that the site is sustainable and has capacity in environmental, heritage, landscape and planning terms to support major development provided this is carefully planned and incorporates appropriate mitigation.
- 6.2 Documents appended to these representations summarise this technical work and are submitted to WDC to support its evidence base, as the Council moves forward through the next stages of its Local Plan. Barwood are continuing to work closely with key stakeholders, including WCC (highways) and English Heritage in evolving indicative master plan options for the site, including looking more comprehensively at the relationship of The Asps with other sites that are being promoted by WDC (and some by developers currently) in the vicinity, to ensure that a well-planned area capable of delivering the Councils strategic objectives can be realised.
- 6.3 The Council has published a Revised Development Strategy (RDS) which proposes a level of housing growth for the District to 2029. However at the same time it is participating in an exercise to explore housing needs on a sub-regional basis, following the direction given by the Inspector examining the Coventry Local Plan. The Council acknowledges its draft Plan must respond to the findings of this study, the first outcomes from which will not be known until August; there will then be an important period for co-operation between the districts, to seek to agree how the sub-regional level of need can be met in full. The RDS is in our view premature until this exercise has taken its course.
- 6.4 Previously consultants advising WDC have alerted the Council that its own needs would not be met by the level of growth it was proposing in the Preferred Options document. In the RDS the Council has sought to respond to this, and an independent appraisal of the RDS's proposed housing provision by PBA/Roger Tym on behalf of Barwood confirms it is now at a more realistic level. But the actual level of need which WDC must accommodate cannot be finalised until the joint

housing study is complete and the relevant districts resolve between them how wider needs are to be met. There are strong indications, from the work done to date by PBA, that presently planned levels of development within the wider housing market area will seriously under provide for objectively assessed needs, and moreover within the overall picture there are some worrying misalignments between individually locally planned growth levels and actual need.

- 6.5 Against this uncertain need picture the Council seeks to make provision for 12,300 new homes in the RDS. But there are allocations which are not sustainable (such as on some Green Belt land) and underlying assumptions have been made on matters such as windfall, redevelopment within existing employment areas and other sources which mean that planned and deliverable supply is, in our view, being significantly overestimated.
- 6.6 Conversely the Asps represents a sustainable, appropriate, viable and deliverable strategic site which can help to make up the identified shortfall in ways preferable to many of the Councils proposals. Barwood looks forward to continuing and positive dialogue with the Council, and seeks through this and these representations to ensure that The Asps can play a full role in helping to meet the Districts housing needs.

Gary Halman
HOW Planning
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HOW Planning LLP

40 Peter Street
Manchester M2 5GP
T: 0161 835 1333
howplanning.com

