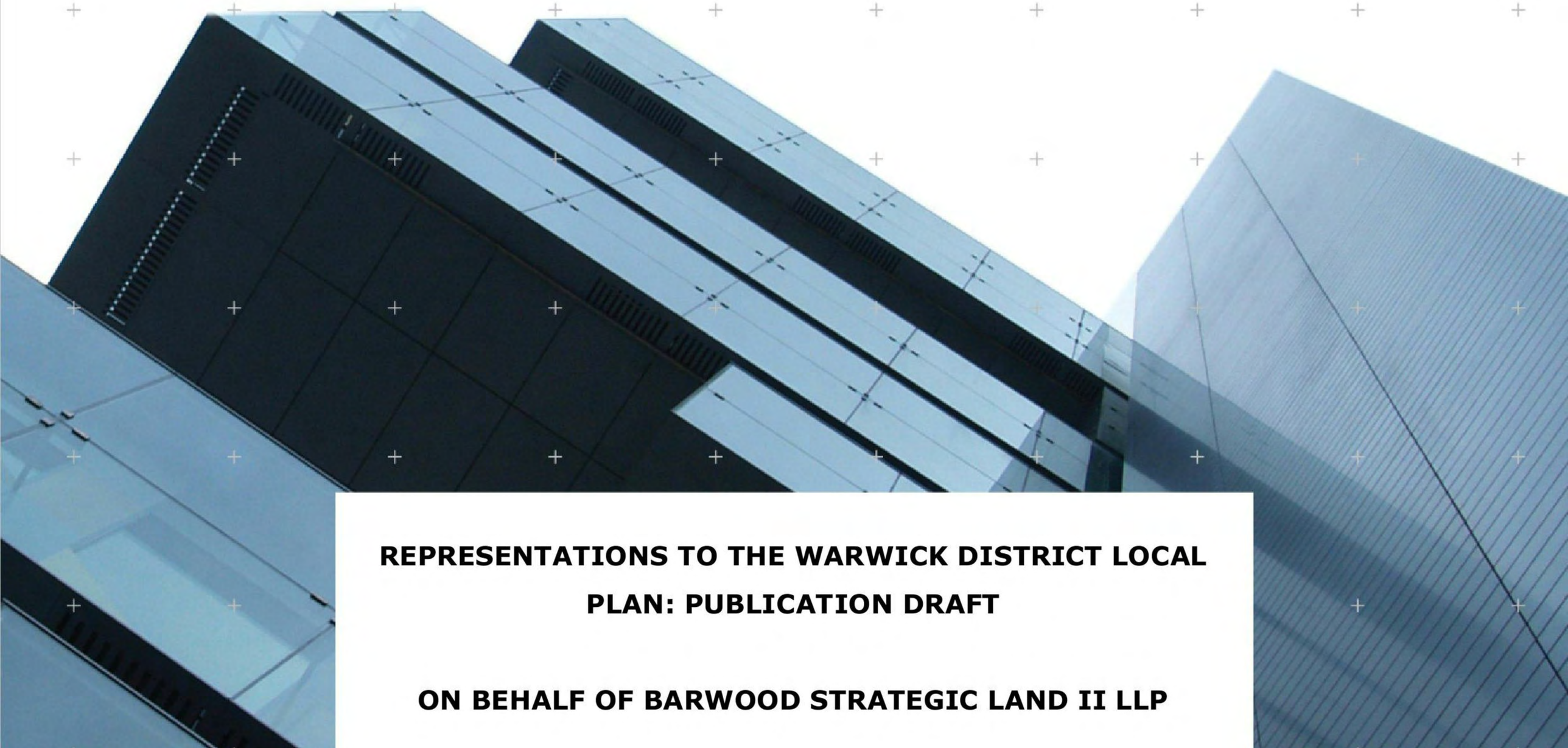
HOW

Planning and Environmental Advisers



REPRESENTATIONS TO THE WARWICK DISTRICT LOCAL PLAN: PUBLICATION DRAFT

ON BEHALF OF BARWOOD STRATEGIC LAND II LLP

JUNE 2014

[redacted]

REPRESENTATIONS TO THE WARWICK DISTRICT LOCAL PLAN: PUBLICATION DRAFT

ON BEHALF OF BARWOOD STRATEGIC LAND II LLP

JUNE 2014

[redacted]

HOW

CONTENTS

		Page
1.	INTRODUCTION	1
2.	THE COUNCIL'S VISION AND STRATEGIC POLICIES	3
3.	DEVELOPMENT STRATEGY REPRESENTATIONS	5
4.	REPRESENTATIONS IN RESPECT OF DRAFT POLICIES AND SUPPORTING TEXT	23
5.	SUITABILITY OF THE ASPS	25
6.	CONCLUSION	29

APPENDICES

Appendix 1: Site Location Plan

Appendix 2: Peter Brett Associates Report on Housing Requirement for Warwick District

HOW

1. INTRODUCTION

1.1 These representations are made on behalf of Barwood Strategic Land II LLP ('Barwood') in response to the Warwick District Local Plan 2011-2029 Publication Draft ('the Publication Local Plan') consultation being undertaken by Warwick District Council ('the Council').

1.2 Through its appointed professional consultants Barwood has engaged fully with the Council at all key stages of the Local Plan process to date, including detailed representations to the Revised Development Strategy (July 2013).

1.3 The Council's vision for Warwick District, as set out in the Sustainable Community Strategy, is *"to make Warwick District a Great Place to Live, Work and Visit."* However, the District faces a number of issues which must be addressed to enable the vision to be delivered. Relatively high house prices in the District are exacerbating the affordability problem, creating a need for more affordable housing and a need to provide more housing to meet future needs.

1.4 The Publication Local Plan's Spatial Strategy identifies the Council's intention to concentrate growth within and on the edge of existing urban areas in sustainable locations close to areas of employment or where community facilities are available or can be made available.

1.5 In testing the Publication Local Plan the Examining Inspector will have regard to the key requirements of the National Planning Policy Framework ('the Framework') and in particular paragraph 14 which confirms that for plan making:

- *"Local planning authorities should positively seek opportunities to meet the development needs of their area;*
- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
  - *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  - *Specific policies in this Framework indicate development should be restricted."*

HOW

1.6 This is echoed in the Core Planning Principles set out at Paragraph 17 which confirms that planning should proactively drive and support sustainable economic development and that plans should set out a clear strategy for allocating sufficient land which is suitable for development taking account of 'the needs of the residential and business communities.' The Framework Core Principles also state that planning should actively manage patterns of growth and to focus significant development in locations 'which are or can be made sustainable.'

1.7 Paragraph 47 of the Framework confirms the Government's intention is for Councils to 'boost significantly' the supply of housing and to use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policy set out in the Framework.

1.8 The Framework confirms therefore that Local Planning Authorities should meet in full the need (demand) for housing in their areas, insofar as they have the sustainable capacity to do so. Where this capacity does not exist, need should be 'exported' to neighbouring authorities, and these neighbouring authorities should accept it, up to the limits of their sustainable capacity. Where Authorities are part of the same housing market area they should work together to manage these transfers and to accommodate need that is not tied to particular local authority areas. As well as a national policy requirement, this joint working is a legal requirement being part of the Duty to Cooperate introduced by the Localism Act 2011.

1.9 These representations particularly focus on land at The Asps, Warwick (as shown edged red on the plan at **Appendix 1**) over which there has been an ongoing dialogue with the Council, resulting in the submission of a planning application on the site.

1.10 The following representations set out Barwood's observations on the Publication Draft Local Plan, and where appropriate, the changes which they wish to see in order to meet their concerns and overcome major issues of soundness which the Plan currently faces.

HOW

2. THE COUNCIL'S VISION AND STRATEGIC POLICIES

Strategic Policy DS1: Supporting Prosperity

2.1 Barwood supports this strategic policy and the Council's aspiration to "*provide for the growth of the local and sub-regional economy*" by ensuring sufficient and appropriate land is available within the District to facilitate the growth of the local economy.

Strategic Policy DS2: Providing the Homes the District Needs

2.2 Barwood supports the principle of Strategic Policy DS2 which commits the Council to providing for the objectively assessed needs of the Borough to meet housing needs. However, later in these representations we demonstrate that the Council is failing to provide for the full, objectively assessed housing needs of the Borough, and therefore the Housing Market Area. The planned level of housing development over the period to 2029 needs to be increased substantially if the Council's aspirations to drive economic growth and satisfy housing needs are genuinely to be met. If it is not then the Plan fails to deliver its strategy.

Strategic Policy DS3: Supporting Sustainable Communities

2.3 Barwood supports this strategic policy, which identifies the key aspects of sustainable communities, echoing key themes of the National Planning Policy Framework.

Strategic Policy DS4: Spatial Strategy

2.4 Strategic Policy DS4 sets out the spatial strategy for the Publication Local Plan, identifying the locations where housing and employment allocations are to be distributed across the District.

2.5 The policy begins:

"Allocated Housing and Employment will be distributed across the District to take account of the following:

a) In the first instance, allocations will be directed to previously developed land within the urban areas and in particular those areas where there is greatest potential for regeneration and enhancement…"

2.6 Whilst the Council's allocation strategy may have been to firstly review previously developed land sites, this cannot be enforced as a delivery policy. A 'brownfield first' approach is not consistent with the Framework, which does not advocate this priority or inflexibility. The Spatial Strategy should not be used negatively to prevent sustainable development. Policy DS4 has identified the broad locations which are to deliver growth over the Plan period, and allocated specific sites accordingly, therefore the Council should not promote a hierarchical approach to the delivery of their allocations.

2.7 Policy DS4 as currently drafted is not justified nor is it effective. To ensure Policy DS4 is compliant with the Framework, Barwood suggest that the following amendment is made.

"Allocated Housing and Employment will be distributed across the District to take account of the following:

a) ~~In the first instance~~, ~~a~~Allocations will be directed to previously developed land within the urban areas and in particular those areas where there is greatest potential for regeneration and enhancement;…"

3. DEVELOPMENT STRATEGY REPRESENTATIONS

3.1 This Section of the representations addresses the soundness of the Development Strategy, the policies which set out the growth strategy for the District.

DS6: Level of Housing Growth

3.2 The policy confirms that the Council is planning to provide for 12,860 new homes between 2011 and 2029. Barwood raise strong objection to this policy. In the first instance Barwood object to the Council setting a definitive target for housing growth. Rather, the Council should provide for *at least* 12,860 new homes. The Council has concluded that a figure of approximately 714 dwellings per annum over the Plan period is the appropriate level of objectively assessed need for Warwick.

3.3 The Planning Inspector appointed to examine neighbouring Coventry City Council's Core Strategy, Inspector Robert Yuille, recommended that the City Council carry out a Joint Strategic Housing Market Assessment ('Joint SHMA') with Warwick District, Rugby Borough and Nuneaton and Bedworth Borough Councils[1]. 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. A Joint SHMA was undertaken and the findings published in November 2013, however it has not been subject to any public consultation or scrutiny by an independent Inspector.

3.4 Paragraph 58 of the Framework obliges Local Planning Authorities to ensure their evidence is up to date, taking full account of relevant market and economic signals. The Council has identified that it is their intention to undertake a revised evidence base for the wider Housing Market Area (HMA) to ensure the HMA has a sub-regional evidence base to support collaborative work on a sub-regional spatial strategy[2]. The suggested revised evidence base includes a Green Belt Assessment and overview of SHLAA methodologies for the HMA. This is substantial and significant evidence which must inform the production of *this* Local Plan.

[1] Paragraph 7, 27 February 2014 Letter from Inspector Yuille to Coventry City Council
[2] This is set out in Appendix 5 (Coventry and Warwick Duty to Cooperate, Sub-Regional Approach to Delivering the Housing Requirement) to the 23 April 2014 Local Plan Submission Draft Report to Full Council and Executive.

HOW

Currently, the Council is promoting an approach contrary to paragraph 159 of the Framework, which states that a proportionate evidence base is required for Local Planning Authorities to have a clear understanding of housing needs in their area.

3.5 Notwithstanding the unsound approach to the proposed joint HMA evidence base, the Council's approach to the level of housing growth to be provided for Warwick is **unsound** as it is not justified or positively prepared. The key evidence that informs the Council's identified level of housing growth is the Joint SHMA. The Joint SHMA considered the objectively assessed need for the HMA. At the time of Publication of the Local Plan, the Council is unable to definitively state that they are meeting the Borough's objectively assessed need as the strategies for the other HMA Local Planning Authorities have not been confirmed. If, for example, Coventry or Rugby are unable to deliver their objectively assessed need due to supply constraints then they will be reliant on another member of the HMA to provide the required housing numbers. As such, Warwick may have to provide housing growth for the wider HMA and until the Local Planning Authorities have fully assessed whether they are capable of delivering the required growth, Warwick cannot definitively state that they are planning for the Borough's full objectively assessed housing needs.

3.6 The Joint SHMA assessed that the overall need for Warwick District up to 2031 is 720 dwellings per annum. In order to establish how appropriate and robust the Joint SHMA is, Barwood appointed specialist consultancy Peter Brett Associates (PBA) to carry out an independent assessment of the housing market area's requirements. Their report forms **Appendix 2** to these representations and key considerations are summarised below.

Past Undersupply

3.7 The interim 2011-based official demographic projections roll forward into the future trends observed in a past 'base period'. In relation to migration, which is an important driver of household growth in Warwick, the base period is five years (2007-2012). In that base period, and indeed throughout the decade to 2011, net migration into Warwick fell steeply and steadily. Unsurprisingly, this net migration trend paralleled the trend of annual housing delivery (completions), which also followed a steep downward trend.

3.8 Indeed examination of Warwick's planning history demonstrates that this was a supply side effect, people were prevented from living in Warwick because planning was not providing enough development land to meet demand, and this constraint tightened steadily up to 2011. A demand-side effect would follow a cyclical pattern, with housing completions high in the boom and low in the recession. In Warwick however, the trend was already downward in the boom, though it became steeper in the recession. Furthermore, Warwick's planning history shows how planned land supply increasingly underprovided against demand:

- The Regional Strategy target of 330-500 dwellings per annum was deliberately set to undersupply demand in 'greenfield' locations including Warwick, and steer it towards the Major Urban Areas. That strategy is no longer in force.
- From 2008 onwards housing delivery fell far short of the RSS target. There are two clear reasons for that, both related to planning policy:
    - Between 2005 and 2009 the Council imposed a moratorium on the release of housing sites '*in order to ensure that supply does not significantly exceed the RSS target.'*
    - Allocated housing sites were virtually exhausted by the middle of the last decade and not replaced by new allocations. Consequently, in recent years, including the base period of the demographic projections 2007-2012, housing delivery was almost wholly dependent on windfalls.

3.9 In recent years the planned land supply fell well short of housing demand and need, and the demographic projections carry forward that planning constraint into the future. The Planning Practice Guidance ('the Guidance') advises that in these circumstances, the projected housing need should be adjusted upwards, though it is silent regarding how the adjustment should be calculated.

Cross Boundary Housing Need

3.10 Inspector Yuille's conclusions to the Coventry City Core Strategy stressed with importance that the level of housing provision is a strategic priority planning issue that crosses local boundaries and the need for Coventry and its neighbouring Local Planning Authorities to produce a Joint SHMA. The Inspector also criticised

HOW

the mechanism for dealing with how a potential shortfall was planned to be addressed. A Joint SHMA was published in November 2013.

3.11 The housing targets detailed within the HMA LPAs' published Local Plans demonstrate that there is a total of 3,075 dwellings per year proposed. The Joint SHMA identified an annual need of 3,800, therefore a shortfall of 725 dwellings per annum in the HMA. The shortfall is split unevenly across the LPAs, most have minor shortfalls however there are two large shortfalls - 511 dpa in Coventry[3] and 120 dpa in Rugby. The HMA Local Planning Authorities have not demonstrated that they are planning to meet the full objectively assessed need of the HMA. Furthermore, the Publication Local Plan, at paragraph 2.87 identifies that shortfall from the 'Greater Birmingham area' could be delivered by the HMA LPAs.

3.12 The uncertainties of the Greater Birmingham area housing land supply are further increased by the recent judgement issued by Mr Justice Hickinbottom regarding the Solihull Local Plan, which quashed various parts of the Local Plan so that sites would no longer be designated Green Belt. In delivering the judgement, the Court focussed on the Local Plan Inspector's Report from November 2013, which formed the basis of the Council's adoption of the Plan. The Inspector had failed to acknowledge the Framework's greater policy emphasis on housing provision and the requirement to start with objectively assessed housing need. Solihull had adopted a Local Plan that was not based on objectively assessed housing need, therefore the quashed parts of the plan relate to housing numbers for the plan period. Barwood consider that the objectively assessed needs of Solihull, as part of the Greater Birmingham area, should be taken into consideration by Warwickshire and Coventry HMA to ensure that the unmet requirements of the physically constrained neighbouring authorities can be delivered.

3.13 Barwood believe that the Publication Local Plan is **unsound** as it plans for an artificially supressed level of housing growth in conflict with the objectively assessed housing needs of the Housing Market Area. No provision is made to meet the needs of Coventry or Rugby's housing deficits. As such, the policy is unsound as it is **not positively prepared** as the policy approach does not provide a delivery strategy to meet the unmet requirements from the HMA, nor is

[3] Coventry's shortfall is assessed against the target from their withdrawn Core Strategy.

HOW

the policy **justified** as Policy DS6 does not provide the most appropriate strategy for Warwick, nor is the policy approach **consistent with national policy**.

DS7: Meeting the Housing Requirement

3.14 Policy DS7 sets out the Council's approach to meeting their identified housing requirement. It proposes the following categories of supply:

Sites completed between 2011 and 2013	406
Sites with outstanding planning permission at 1st April 2013	1,906
Sites with planning permission granted between 1st April 2013 and 31st December 2013	1,317
An allowance for windfall sites coming forward in the plan period	2,485
Small Urban sites assessed in the SHLAA as being suitable	393
Consolidation of existing employment areas and canal-side regeneration	269
Sites allocated in this Plan	6,188
Total	**12,964**

3.15 These components of supply are discussed below.

Completions

3.16 It is completely appropriate that sites completed between 2011 and 2013 should be included within the Council's identified housing supply.

Sites with Permission

3.17 In line with footnote 11 of the Framework sites with planning permission are to be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years. Barwood suggests that a non-implementation allowance is included to allow for any slippage in planning permissions not being built out. Barwood recommends that a 10% non-implementation allowance is allowed on sites with planning permission, therefore reducing the number of deliverable units from 3,223 to 2901.

HOW

Windfall Allowance

3.18 The Framework defines windfall sites 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."*

3.19 The Publication Local Plan has identified potential for 2,485 dwellings (approximately 19% of the total housing requirement) to come forward over the Plan period from windfalls. This figure has been informed by the '*Estimating a Windfall Allowance: Publication Stage' (April 2014)* background paper.

3.20 The Framework advises that Local Planning Authorities may make an allowance for windfall sites in the five-year supply 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. Paragraph 48 further advises that any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.

3.21 In the first instance it is appropriate to consider how the figure of 2,485 dwellings was calculated. The *Estimating a Windfall Allowance: Publication Stage (April 2014)* 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 windfall sites coming forward within the plan period but which will be completed beyond the plan period.

3.22 The analysis of past trends identifies that over the past 11 year period an average of 191 dwellings have come forward through windfall developments. These are split into the following categories with specific annual averages:

- Rural areas: 24
- Conversions and changes of use: 62
- Redevelopment/new build (<5 homes): 10
- Redevelopment/new build (>5 homes): 95

3.23 The period of assessment between 2002 and 2013 included a range of different market conditions including period of very buoyant conditions, as well as those in the recent and ongoing economic downturn; additionally the Council had a moratorium on new housing permission between 2005 and 2009. As such, the *Estimating a Windfall Allowance* report did not consider adjustments to allow for different market conditions. The report did, however, suggest that it is likely that the supply of windfall sites on the following locations are likely to continue to grow:

- Rural sites including limited, village infill development sites in sustainable villages and feeder smaller villages; conversions of rural buildings; and limited redevelopment of existing rural brownfield sites;
- Surplus public sector land and buildings (including Council-owned land);
- Offices (for changes of use) up until May 2016;
- Small to medium industrial and commercial buildings; and
- Former public houses.

3.24 In order to take into account these likely future trends, the Council propose to:

- Increase by 40% the allowance for rural windfalls; and
- Increase by 20% the allowance for conversions and changes of use to allow for more office conversions up to May 2016 and for increased demand for private rented accommodation, including student accommodation and accommodation for older people.

3.25 The appended PBA report of Warwick's Housing Numbers identifies that allocated housing sites were virtually exhausted by the middle of the last decade and not replaced by new allocations. Subsequently, the District's housing delivery was almost wholly dependent on windfalls. The Publication Local Plan allocates new sites to deliver the District's growth to 2029. As new allocations have been provided to deliver the needs of the Borough, the Council cannot assume that the historic rate of windfall development will continue.

HOW

3.26 The yield from windfalls in the first few years of the plan period will come mostly from sites with planning permission (which are part of the identified supply) rather than from as yet unidentified windfall sites. Consequently, at the start of the assessment period it is doubtful whether the full averaged annual allowance of 138 additional windfall dwellings will be delivered.

3.27 The development of any windfall site has the potential to place unforeseen demand on infrastructure; this is especially the case where the sites are large. It will therefore be necessary to carefully consider the impact of windfall development on infrastructure.

Small Urban SHLAA Sites

3.28 Clearly as none of these sites benefit from planning permission caution should be applied when deriving an appropriate figure. From our professional 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. This has not been applied by the Council. Applying this 20% reduction would reduce the units capable of being delivered on small urban SHLAA sites to 314, a reduction of 79 units.

3.29 Importantly, the Council has identified a number of 'confidential sites' as capable of delivering 207 units over the Plan period. By the very nature of these sites, there is no information available to the public to view and comment on these sites, presumably because the sites are sensitive. Notwithstanding the Council's concerns regarding the identification of the site, these site have not been consulted upon and the Council has not been open in their open to land allocations. Barwood consider this approach to be **unsound** as these sites have not been subject to consultation, as set out in The Town and Country Planning (Local Development) (England) Regulations 2012. This approach is not legally compliant as the 'confidential sites' have not been made available for inspection by public in accordance with Regulation 19.

Consolidation of Existing Employment Areas

3.30 The *Warwick District Employment Land Review Update (May 2013)* 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. The Employment Land Review identified a number of sites which have employment suitability issues and where future redevelopment for alternative uses many be appropriate, these are:

- Cape Road/Millers Road, Warwick: rationalisation of employment land in the western part of the site for redevelopment of 4.5 hectares of land;
- Montague Road Industrial Estate, Warwick: redevelopment of the site for alternative uses may be appropriate;
- Common Lane, Kenilworth: redevelopment of the site for alternative uses subject to the relocation of existing occupiers and provision of additional employment land to serve the settlement; and
- Sydenham Industrial Estate, Leamington Spa: rationalisation of employment land with potential redevelopment of 8 hectares on the northern part of the estate.

3.31 The identified employment sites may not come forward for residential development exclusively, which will have an impact on the number of dwellings that can be delivered on these sites, however the Housing Trajectory does identify that the development of these sites is likely to take place in year 8 onwards of the Plan period with the majority of development taking place in years 13 to 18. Notwithstanding the anticipated delivery within the medium phase of the Plan period, the fact that these sites, to an extent, remain occupied and are in existing use must not be ignored. The Council must ensure that there is sufficient capacity for the existing employment users to relocate elsewhere and undertake an assessment of the sites in accordance with the principles set out in Policy EC3: Protecting Employment Land and Buildings.

Site Allocation in the Publication Local Plan

3.32 The sites allocated within the Publication Local Plan are assessed in greater detail under Policy DS11: Allocated Housing Sites below.

HOW

3.33 In summary, Barwood consider Policy DS7 to be **unsound** as the policy is not **effective** as elements of this policy are not deliverable.

DS10: Broad Locations of Allocated Sites

3.34 This policy identifies the broad locations for allocated housing sites and identifies specific locations in accordance with the spatial strategy. The majority of new development is directed to 'Urban Brownfield sites' and 'Greenfield sites on the edge of Warwick, Leamington and Whitnash'. Barwood supports the Council's strategy of meeting housing needs in sustainable locations, as these locations are best placed to make use of, and improve, the existing infrastructure and services. Notwithstanding this support, Barwood reiterate paragraph 17 of the Framework which states that Local Planning Authorities should actively manage patterns of growth and focus significant development in locations which are or *can be made* sustainable (emphasis added). Additionally, the Framework[4] states the supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages, which follow the principles of Garden Cities.

3.35 The Framework states that once established, Green Belt boundaries should only be altered in exceptional circumstances, having regard to their intended permanence in the long term so that they are capable of enduring beyond the plan period. Barwood object to the approach taken by the Council concerning Green Belt as it is not **justified**, this point is expanded upon further in the comments to Policy DS19: Green Belt.

3.36 Allocation of The Asps site would be consistent with the Council's spatial strategy, furthermore The Asps offers the potential to deliver a Sustainable Urban Extension.

[4] National Planning Policy Framework, paragraph 52

DS11: Allocated Housing Sites

Urban Brownfield Sites

3.37 The strategy of prioritising urban intensification places considerable reliance on the ability of urban areas to accommodate a significant proportion (22% of the allocated housing sites are directed to urban brownfield sites) of the housing growth anticipated by the Council. The assumption that *all* the urban brownfield sites, along with the small SHLAA sites, will yield 1,330 (1723 inclusive of the small SHLAA sites), with no allowance for non-implementation or slippage is therefore questionable.

3.38 In total these sites are suggested to be capable of accommodating approximately 1330 units, which is an increase of 725 units from those identified within the Revised Development Strategy. Two key additions of note are Kenilworth School (250 units) and Kenilworth VI Form (130 units). Although the Housing Trajectory details that the sites are likely to come forward in years 14-18, this site could not be delivered until alternative provision is built and available to accommodate the former Kenilworth School pupils.

3.39 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 Stagecoach bus depot is required. The Homes and Communities Agency and a Registered Housing Provider 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.

3.40 Of the remaining proposed Urban Brownfield Allocations, Riverside House, which is identified to accommodate 100 units (an increase of 50 units from the capacity identified in the Revised Development Strategy) 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.

3.41 Barwood suggests that this site should be deleted as an allocation and 100 units accommodated elsewhere. Furthermore, to reflect the uncertainties connected to the deliverability of a number of the urban brownfield sites, Barwood recommends

HOW

that a 10% reduction is applied to the number of dwellings which could be delivered on urban brownfield sites. This would, therefore, reduce the number of brownfield units from 1,330 to 1,197.

Greenfield Sites – Edge of Warwick, Whitnash and Leamington

3.42 The Preferred Options Local Plan identified The Asps as part of a strategic site described as 'Land South of Gallows Hill', adjacent to an allocation to the North (Myton Garden Suburb) with a further allocation to the East (West Warwick Gates).

3.43 The Asps was not carried forward in the Revised Development Strategy, essentially being replaced by the addition of Lower Heathcote Farm (720 units) and Grove Farm (575 units), which lie to the north east of The Asps, between the southern fringes of Leamington and the village of Bishop's Tachbrook to the south.

3.44 Both these sites are located directly to the north of Bishop's Tachbrook. Barwood supports the allocation of Tachbrook Country Park (Policy DS13) to ensure Leamington and Bishop's Tachbrook remain separated.

3.45 Land identified as Land South of Gallows Hill[5] was included within the Revised Development Strategy, however has not been carried forward into the Publication Local Plan as the Council consider that the landscape impacts, and in particular the impacts on key heritage assess, such as Castle Park and Warwick Castle, which are of such substance that it is inappropriate to allocate.

3.46 Further to the removal of both The Asps and Land South of Gallows Hill from the Local Plan, the Council has produced two draft evidence base documents entitled '*The Setting of Heritage Assets',* one of which relates to The Asps and one related to Land South of Gallows Hill. Both documents are stated to be in draft and, to our knowledge, have not been subject to consultation or scrutiny.

3.47 Barwood's consultant team have previously, in our response to the Revised Development Strategy, provided a detailed and thorough response to the RMA work and English Heritage's commentary. The soundly based technical Heritage

[5] A planning application has now been submitted on a parcel of this site for up to 450 dwellings. Application reference number: W/14/0681

HOW

Setting Assessment prepared by EDP and submitted in support of The Asps planning application demonstrates 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.

3.48 Barwood consider that Policy DS11 is **unsound** as the approach is not **justified** or **effective.**

DS15: Comprehensive Development of Strategic Sites

3.49 The policy approach of Policy DS15 is supported by Barwood. It is important that the masterplans for the strategic urban extensions are approved by the Council to ensure site deliverability. However, Barwood consider that the policy lacks clarification on the process by which the Development Brief or Masterplan will be approved.

DS19: Green Belt

3.50 Barwood has fundamental concerns regarding the approach taken to the review of the Green Belt for Warwick. The Framework advises that Local Planning Authorities with Green Belts in their area should only alter the Green Belt boundary in exceptional circumstances, through the preparation or review of the Local Plan. Furthermore, the Framework requires Local Planning Authorities to ensure that Green Belt boundaries should have permanence in the long term and be capable of enduring beyond the Plan period.[6]

3.51 The Council has identified that it is its intention to undertake a revised evidence base for the wider Housing Market Area (HMA) which, significantly, includes a review of the Green Belt. A review of the HMA's Green Belt is fundamental to the strategic approach to development taken by the HMA LPAs and should inform the strategy taken in *this* Local Plan as, in accordance with the Framework, Green Belt boundaries are to only be altered in exceptional circumstances and be capable of enduring beyond the Plan period. The strategic review of Green Belt should not be undertaken through a partial review of a Local Plan. This approach is unsound.

[6] National Planning Policy Framework Paragraph 83

HOW

3.52 Furthermore, and as identified in Barwood's representations to Policy DS6, the Council is unable to definitively state that they are meeting the Borough's objectively assessed need as the strategies for the other HMA Local Planning Authorities have not been confirmed, and importantly have not yet been found sound. The Council has not undertaken a strategic review of the Green Belt and therefore does not have the evidence base to selectively remove sites, such as Red House Farm (H04), from the Green Belt. This is confirmed by the justification given by the Council[7] for the removal of the 'Campion Hills' allocation:

> *"It is now proposed that land at Campion Hills is <u>not</u> removed from the Green Belt and is <u>not</u> allocated for development. This is because at the present time we do not need the housing numbers that the site would bring forward (50 dwellings) and do not have the evidence base to justify the 'exceptional circumstances' for removing the land from the Green Belt"*

3.53 In summary, Barwood considers that Policy DS19: Green Belt is **unsound** as the approach is **not justified**. The Council has identified that it is their intention to undertake a revised evidence base for the wider Housing Market Area (HMA) which, importantly, includes a review of the Green Belt. This evidence base must inform *this* Local Plan as changes to Warwick's Green Belt cannot be implemented through a partial review.

DS20: Accommodating Housing Need Arising from Outside the District

3.54 This policy addresses the issue of accommodating housing need arising outside the District. The policy states that the existence of unmet housing need arising outside the District will not render the Plan out of date, however the Plan will be reviewed if evidence demonstrates that significant housing needs arising outside the District should be met within the District and cannot be adequately addressed without a review.

3.55 The Localism Act 2011 defines strategic matters as sustainable development or use of land that has or should have a significant impact on at least two planning

[7] 23 April 2014 email from Dave Barber to Councillors, Regarding: Local Plan Amendments

areas. Warwick's housing market area (HMA) is not self-contained. In the context of Warwick the issue of housing provision is evidently a strategic matter therefore.

3.56 The Government is explicit in its guidance that the development of a Local Plan should be based on co-operation with neighbouring Authorities[8] and in preparing the relevant evidence base, for example in the production of a Strategic Housing Market Assessment. Local Planning Authorities are expected to work with neighbouring authorities where housing market areas cross administrative boundaries[9]. The Framework at paragraph 178 confirms what the Government expects from joint working in that the outcome of this process should be that Local Planning Authorities worth together to enable development requirements to be met and there should be clear evidence of Council's having 'effectively co-operated' in order to plan for issues with cross boundary impacts. Hard evidence of this is therefore required to be submitted with Local Plans for examination and can be demonstrated through the use of a Memorandum of Understanding[10].

3.57 With regard to housing provision, Planning Practice Guidance ('the Guidance') provides for further specific guidance advising Councils to assess their development needs working with other Local Authorities in the relevant HMA. This is especially important because, as the Guidance points out, housing needs are rarely constrained precisely by Local Authority administrative boundaries and HMA's will vary and are cross cutting[11].

3.58 With regard to establishing housing need therefore, national guidance sets out a prescriptive set of requirements in relation to the Duty to Cooperate and it is confirmed that robust evidence is required to demonstrate how this has been complied with. This necessitates an approach which goes beyond the level of basis discussions, which are not sufficient in isolation, and where Local Authorities are reliant upon another district to meet their housing requirements this will need to be formally agreed and recorded as part of the plan making process and evidence of this provided for examination.

[8] National Planning Policy Framework Paragraph 157
[9] National Planning Policy Framework Paragraph 159
[10] National Planning Policy Framework Paragraph 181
[11] Planning Policy Guidance – Paragraphs 007id: 2a -007-20140306

HOW

3.59 In respect of Warwick, the issue or housing provision and the Duty to Cooperate has been considered through the production of a Joint SHMA. The Joint SHMA identifies an objectively assessed need of 3750 – 3800 dwellings per annum for the HMA. A significant risk to delivery of the HMA's objectively assessed need, according to the *Coventry and Warwickshire Duty to Cooperate – Sub-Regional Approach to Delivering the Housing Requirement,* is whether the Local Authorities within the HMA have sufficient capacity within their boundaries to deliver their identified objectively assessed housing need. Specifically, the report identified concern, and therefore risk, that Coventry City Council will not be able to accommodate 1180 dwellings per annum within the City boundary.

3.60 The *Sub-Regional Approach to Delivering the Housing Requirement* report identifies that further work is required to ensure the HMA has a robust sub-regional evidence base to support collaborative work on a sub-regional spatial strategy. The evidence base referred to includes a Joint Green Belt Study, Comparison of SHLAA Methodologies; and Implications of the Birmingham City Council's Emerging Shortfall. This evidence is fundamental to the Publication Local Plan's strategic priorities, and should have informed the Plan's strategic approach rather than being considered as an afterthought. An indicative timetable identifies that the joint evidence base will be compiled between 2014 and 2016. This evidence base goes to the heart of the Plan's soundness.

3.61 To be positively prepared a Local Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development. Within this policy the Council has stated the existence of unmet housing need arising outside the District will not render the Plan out of date. Whilst the Council has relied on the objectively assessed need identified in the Joint SHMA, no effort has been made to ensure the HMA's objectively assessed need can be delivered, as such the policy is not **effective**. In part, this is due to uncertainty as the wider HMA Local Planning Authorities are all at various stages of preparing their Local Plans.

3.62 As noted above, the HMA Local Authorities propose to undertake a Joint Green Belt Study to assess Green Bet parcels against the Green Belt criteria set out in

HOW

the Framework in order to allow a fair assessment of all Green Belt land to be made so that the suitability of the Green Belt across the HMA can be made. This Joint Green Belt study will have serious implications for the permanence of the Green Belt and the definition of a long-term, defensible boundary. Long-term certainty and infrequency of review are hallmarks of national Green Belt policy and the Council's approach to the HMA evidence base update is inconsistent with these fundamental principles, conflicts with **national policy** and is thereby **unsound**.

3.63 Another key piece of evidence that the joint HMA is proposing to undertake is an assessment of how the emerging housing shortfall for Birmingham City Council will impact on authorities in Coventry and Warwickshire. Birmingham City Council's Proposed Submission Draft Local Plan identifies an initial shortfall in meeting its objectively assessed housing need by approximately 29,000 dwellings. Clearly there will be significant spatial implications for the Coventry and Warwickshire HMA. The Council's approach to the Local Plan's housing spatial strategy is premature given the significant uncertainties which the joint HMA evidence base could deliver.

3.64 The Council's approach is to simply state that the Plan will be reviewed if evidence demonstrates that significant housing needs arising outside the District should be met within the District and cannot be adequately addressed without a Plan review. Whist paragraph 153 of the Framework confirms that Local Plans can be reviewed in whole or in part, the review is intended to provide flexibility to respond to changing circumstances. The partial review should not therefore be used as an approach to update the Plan dependent on the outcome of *emerging* evidence. Paragraph 158 of the Framework clearly identifies that Local Plans are to be based on adequate, up-to-date and relevant evidence. As identified within the previous paragraph, the HMA's emerging joint evidence base goes to the heart of the strategic priorities for the HMA. Furthermore, the anticipated timescale for the completion of the evidence base is too long, and therefore too uncertain. This evidence base is needed to inform *this* Local Plan.

3.65 This approach lacks certainty and is dependent on a number of significant pieces of technical evidence that are not yet complete. Whilst the Council has demonstrated the beginnings of a collaborative approach with the Coventry and Warwickshire Housing Market Area Local Authorities, with so much certainty

regarding the outcome of a new joint evidence base it cannot be demonstrated that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans. The Council's approach to the Duty to Cooperate and housing provision is not sound and it is not compliant with the Framework. There can be no assurance that the Council's assumptions will translate to the HMA's unmet housing requirements being provided for.

3.66 Barwood concludes that the legal compliance of the Plan has not been satisfied on the basis that the Duty to Cooperate is not a matter which can be rectified at the Examination stage.

4. REPRESENTATIONS IN RESPECT OF DRAFT POLICIES AND SUPPORTING TEXT

H0: Housing

4.1 Barwood support this policy which sets out the Council's strategic approach to housing, aiming to ensure the District has the right amount, quality and mix of housing to meet future needs.

H1: Directing New Housing

4.2 This policy directs new housing growth in accordance with the Publication Local Plan's Development Strategy. As identified through the Development Strategy policies, the Publication Local Plan directs new housing growth to sustainable locations including urban areas, growth villages and greenfield sites on the edge of Warwick, Leamington and Whitnash.

4.3 Barwood considers that the allocation of The Asps site would be compliant with Policy H1, as the site presents the opportunity to deliver a Sustainable Urban Extension. This suitability of The Asps is further explored within Chapter 5 of these representations.

TR5: Safeguarding for Transport Infrastructure

4.4 Policy TR5 safeguards locations for transport infrastructure, including High Speed Rail 2, Keilworth Station and areas of search for Park and Ride sites. The Strategic Transport Assessment Phase 3 (May 2013) identified the potential for a Park and Ride facility to the south of Warwick and Leamington. The locations of the Park and Ride areas of search have been chosen as the District's focus of growth is within this area and therefore has potential to mitigate a higher proportion of the impact.

4.5 The Asps application proposals allocate in the region of 2 hectares of land for a strategic Park and Ride with the capacity to accommodate up to 750 car parking spaces, ideally located for traffic heading to Warwick and Leamington Spa. The Asps presents the only deliverable option for a Park and Ride site, due to the

HOW

comprehensively designed development which has fully considered how the Park and Ride site will work in practice and a willing landowner.

4.6 The delivery of a Park and Ride facility on this site, as part of the development of a comprehensive sustainable urban extension, is the only way in which the Council's long-standing ambition to see such a facility provided in the District can be delivered.

5. SUITABILITY OF THE ASPS

5.1 The Asps was identified as part of a wider parcel of land, 'Land to the South of Gallows Hill', as a provisional allocation in the Preferred Options Local Plan in 2012, with the potential to provide 1,600 homes. However, The Asps was omitted from the Revised Development Strategy (RDS) in June 2013, despite the Council clearly favouring development to the south of the District, in preference to Green Belt release to the north.

5.2 The reasons for the omission appear to be because of landscape and heritage concerns which were identified in a Landscape Character Assessment report by Richard Morrish Associates (RMA), prepared on behalf of the Council. By undertaking much more detailed analysis utilising advanced LIDAR data, and the preparation of a landscape-led design approach, The Asps development team has demonstrated clearly that the findings of the RMA report are insufficient accuracy for purposes of considering a planning application and the issues it raises can be fully addressed, confirming The Asps is suitable for development.

5.3 Furthermore, the development site to the north of The Asps, Land South of Gallows Hill, has been excluded from this Publication Local Plan. The Council state that this is a result of '*increasingly clear evidence that the landscape impacts and in particular the impacts on key heritage assets (such as Castle Park and Warwick Castle) are of such substance that it is inappropriate to allocate*'[12].

5.4 The Council's concerns regarding landscape impacts and impacts on key heritage assets have been fully considered through the Environmental Statement submitted in support of planning application reference W/14/0300. A summary response to the heritage and landscape concerns is set out below.

Landscape Impacts

5.5 The Environmental Dimension Partnership (EDP) undertook a Landscape and Visual Impact Assessment (LVIA) to support a planning application at The Asps. The objective of the LVIA was to determine whether development of the site will have any 'significant' effects on the character of the landscape. The assessment process considered first, the effects on the character of the wider Feldon

[12] Local Plan Submission Draft Report to Full Council and Executive, 23rd April 2014

HOW

Parklands landscape of which the site forms, and second, the specific effects on the visual/sensory character, the topography, hydrology and fabric of the site itself.

5.6 The following overall conclusions can be drawn from the assessment:

- The proposal will not give rise to significant effects on the wider character of the 'Feldon Parklands', of which the site forms part.
- Given the proposed conversion of the site from agricultural use to proposed development, there will be significant effects on the visual and sensory character of the site. This is unavoidable and would be the same of any proposed 'greenfield' development.
- By virtue of the content and design of the proposed masterplan, there will be no significant adverse effects on either the topography, hydrology or fabric of the site. There will be a significant beneficial effect on quantity, variety and distribution of key locally characteristic landscape elements such as woodland, ponds, hedgerows and hedgerow trees.

5.7 The development proposals conform with the broad objectives of relevant landscape policy and the allocation of The Asps within the Local Plan would not give rise to significant effects on the landscape character of the surrounding area.

Impact of Key Heritage Assets

5.8 EDP undertook a Heritage Assessment to support the planning application at The Asps. The work undertaken by EDP to assess the heritage value of the site and the effect of development on the setting of Castle Park has been far more detailed than any previous studies undertaken. The following conclusions can be drawn from the Heritage Assessment:

- There will be no physical impacts on the fabric of Castle Park;
- Due to the dense screening effect of Castle Park's own boundary treatments, which were specifically designed to give users privacy and keep out the wider population, there is no intervisibility between the site itself and the Park;
- The portion of the Castle Park boundary closest to the site is already degraded;

- The wooded Park boundaries are not easily appreciable in the wider landscape. The Barwood proposals will not materially affect this;
- There is one listed building close to the site; its setting is respected by the Barwood proposals;
- The highest proportion of the site, which is believed to be of the greatest archaeological interest, will remain free from development.

5.9 The report concludes that there will be no physical effects on Warwick Castle itself, that there is no intervisibility with the Park or Castle grounds and accordingly it setting will be maintained. Given the early stage at which the heritage assets have been considered the interests have been protected and preserved through the indicative masterplan as this has been developed.

5.10 A planning application was submitted for the development of The Asps in February 2014 and proposed the delivery of up to 900 high quality, energy efficient new homes, a primary school, a local centre and a Park and Ride facility with access from Europa Way and Greys Mallory Roundabout, areas of public open space, landscaping and archaeological mitigation and enhancements.

5.11 There are a number of significant material considerations which should be afforded substantial planning weight:

1. **Housing Land Supply**: The Council has a failing housing land supply and cannot demonstrate a 5 year supply of deliverable housing. It has a significant shortfall of housing land with only 2.8 year housing supply, as identified within the Council's Annual Monitoring Report 2013.[13]

2. **A Deliverable Housing Site**: The land is suitable, available, achievable and viable for housing development. The Council's own assessment of the land identified the site as being capable of accommodating almost 1,000 houses to be delivered over the period 2019-2029 as presented in the 2012 SHLAA.

3. **A Suitable Housing Site**: The site is situated in a sustainable location for housing development. It is positioned on the edge of Leamington Spa and

[13] Published February 2014

Warwick Urban areas and is accessible. The site is located in proximity to a range of shops, services and public transport facilities situated within a 2km pedestrian catchment, with both town centres of Warwick within the 4km cycle catchment and Leamington only just beyond it;

4. **Presumption in Favour of Sustainable Development**: The scheme proposals fully accord with the NPPF's policies in promoting the presumption in favour of sustainable development. The sustainable urban extension provides a range of social benefits through the provision of a primary school and a wide choice of high quality homes, and significant infrastructure benefits through the delivery of a Park and Ride. The development will not result in any adverse impact that would significantly and demonstrably outweigh the benefits of the development and the proposals accord with the specific policies of the Framework. Furthermore, the specific policies of the Framework do not indicate that the development should be either restricted or refused. The development of a new garden suburb community at The Asps will provide a range of benefits for the wider south Warwick/Leamington area;

5. **A Technically Robust Application:** The submitted application was supported by an Environmental Statement which promoted a comprehensive series of mitigation measures and confirmed there to be no insurmountable reasons why the site cannot be developed;

6. CONCLUSION

6.1 Barwood raise fundamental objections to the overall level of housing growth proposed across the Borough and in particular the approach taken to meet cross-boundary unmet need from other authorities in the Housing Market Area.

6.2 Barwood considers that the Publication Local Plan is unsound as it plans for an artificially supressed level of housing growth in conflict with the objectively assessed needs of the Housing Market Area. Furthermore, no provision is made to meet the needs of Coventry City Council's or Rugby Borough Council's housing deficits. The Council has stated that it is their intention to undertake a revised evidence base for the Housing Market Area in order to review the allocation of sites for cross-boundary provision, however this is not likely to be completed until 2020. Whilst the Council has demonstrated the beginnings of a collaborative approach with the Coventry and Warwickshire Housing Market Area Local Authorities, with so much uncertainty regarding the outcome of a new joint evidence base it cannot be demonstrated that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans. As such, the Publication Local Plan is unsound.

Changes Sought

6.3 The following changes are sought to the Warwick District Local Plan 2011-2029 Publication Draft:

I. Amendments to Policy DS7 (Meeting the Housing Requirement):
   a. Reduce the number of deliverable dwellings with planning permission by 10% to allow for non-implementation.
   b. Reduce the number of deliverable dwellings on small SHLAA sites by 20% to allow for non-implementation.
   c. Reduce the number of deliverable dwellings on urban brownfield sites by 10% to reflect uncertainties in the sites' deliverability.

II. Amendments to Policy DS11 (Allocated Housing Sites)
   a. Delete Site H14 (Riverside House) due to significant deliverability constraints and reallocate 100 dwellings elsewhere in the Borough.

HOW

b. Include The Asps as a sustainable urban extension capable of delivering 900 dwellings.

6.4 The basis for these requested amendments to the Plan, which are considered necessary to make the Plan sound, is set out in detail within these representations and supporting appendices.

HOW Planning LLP

June 2014

This report has been prepared by HOW Planning LLP, with all reasonable skill, care and diligence. The scope of this report is subject to specific agreement and has been prepared solely for the benefit of our Client and should not be relied upon by any other party. Any third parties that use this information do so at their own risk. HOW Planning LLP accepts no responsibility for information contained within this report that has been independently produced or verified.

HOW Planning LLP is a Limited Liability Partnership. Any reference to a Partner means a member of HOW Planning LLP.

Registered Office: [redacted] Registered in England and Wales. Registered Number: OC318465

APPENDIX 1:

SITE LOCATION PLAN

Site Boundary

N

THE ENVIRONMENTAL DIMENSION PARTNERSHIP

Tithe Barn, Barnsley Estate, Barnsley, Cirencester,
Gloucestershire, GL7 5EG t 01285 740427 f 01285 740848
e info@edp-uk.co.uk www.edp-uk.co.uk

client

Barwood Strategic Land II LLP

project title

The Asps, Warwick

drawing title

Site Location Plan

date	31 JANUARY 2014	drawn by	EB
drawing number	EDP 1871/125	checked	CW
scale	1:2500 at A1		

© Environmental Dimension Partnership. Reproduced from Ordnance Survey digital map data © Crown Copyright 2014. All rights reserved. Licence number 0100031673

APPENDIX 2:

HOUSING REQUIREMENTS FOR WARWICK DISTRICT

Barwood Strategic Land II LLP

Housing Requirements for Warwick District
Representations on Warwick District Local Plan

Peter Brett Associates
June 2014

16 Brewhouse Yard, Clerkenwell, London EC1V 4LJ T: +44 (0)207 566 8600 E: london@peterbrett.com

Document Control Sheet

Project Name: **Housing Requirements for Warwick District**
Report Title: **Representations on Warwick District Local Plan**
Project Ref: 28353 Barwood Warwick

Peter Brett Associates LLP disclaims any responsibility to the client and others in respect of any matters outside the scope of this report. This report has been prepared with reasonable skill, care and diligence within the terms of the contract with the client and taking account of the manpower, resources, investigations and testing devoted to it by agreement with the client. This report has been prepared for the client and Peter Brett Associates LLP accepts no responsibility of whatsoever nature to third parties to whom this report or any part thereof is made known. Any such party relies upon the report at their own risk.

© Peter Brett Associates LLP 2014

THIS REPORT IS FORMATTED FOR DOUBLE-SIDED PRINTING

CONTENTS

1 INTRODUCTION 1

2 PAST UNDERSUPPLY 2

3 CROSS-BOUNDARY HOUSING NEED 5

Introduction 5
The Coventry Core Strategy 5
Housing needs and targets in the HMA 6
The Warwick draft Local Plan 7
The Coventry and Warwickshire Joint Committee 8
Practical delivery 9

TABLES

Table 3.1 HMA Local Plan status 6
Table 3.2 HMA plan targets and objectively assessed needs 7

FIGURES

Figure 2.1 Warwick housing completions and net migration, 2001-11 2
Figure 2.2 Warwick housing completions, 2001-13 3
Figure 2.3 Housing completions on allocated and windfall sites, Warwick 3
Figure 3.1 Joint Committee timetable 9

1 INTRODUCTION

1.1 Warwick's draft plan proposes a target of 714 net new dwellings per annum (dpa) for the plan period 2011-29. This is close to the 683 d.p.a proposed in the Revised Development Strategy last year but it is based on new evidence, namely the Coventry and Warwickshire Strategic Housing Market Assessment (SHMA) published in November 2013.

1.2 The SHMA concludes that Warwick's OAN over the plan period is around 720 d.p.a. This number is mainly based on the 2011-based official household projections, with various adjustments and updates which seem reasonable. According to the Council's calculations it also provides a large enough workforce to support the district's forecast employment growth.

1.3 However in the case of Warwick the plan's housing target should be higher than the demographic projections, for two reasons.

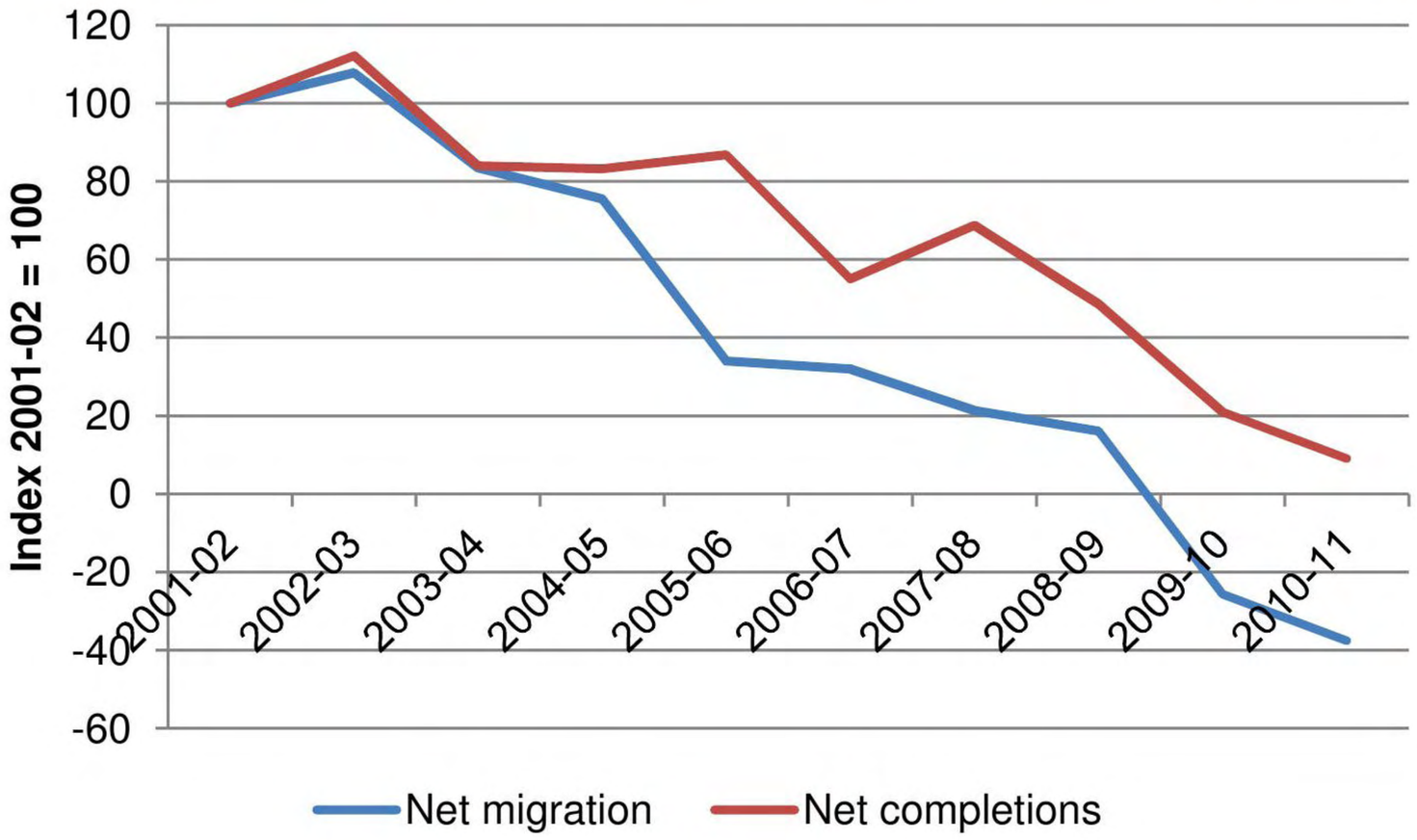
1.4 Firstly, planning in Warwick in the past has undersupplied the demand and need for housing. The demographic projections, being based on past trends, roll forward that underprovision. Therefore in line with the Planning Practice Guidance (PG), the projections understate the OAN and should be adjusted upwards.

1.5 The second problem with the proposed target is that it makes no provision for cross-boundary unmet need from other authorities in the housing market area (HMA). Again this is contrary to national policy and guidance. It is a major problem, particularly because of the supply constraints affecting the neighbouring authorities of Coventry and Rugby. Warwick should be planning to accommodate as much of the resulting unmet need as is consistent with its sustainable development capacity.

2 PAST UNDERSUPPLY

2.1 As mentioned above, the official demographic projections roll forward into the future trends observed in a past 'base period'. In relation to migration, which is an important driver of household growth in Warwick, that base period is five years, 2007-12. In that base period, and indeed throughout the decade to 2011, net migration into Warwick fell steeply and steadily. Not surprisingly, this net migration trend paralleled the trend of annual housing delivery (completions), which also followed a steep downward trend.

Figure 2.1 Warwick housing completions and net migration, 2001-11



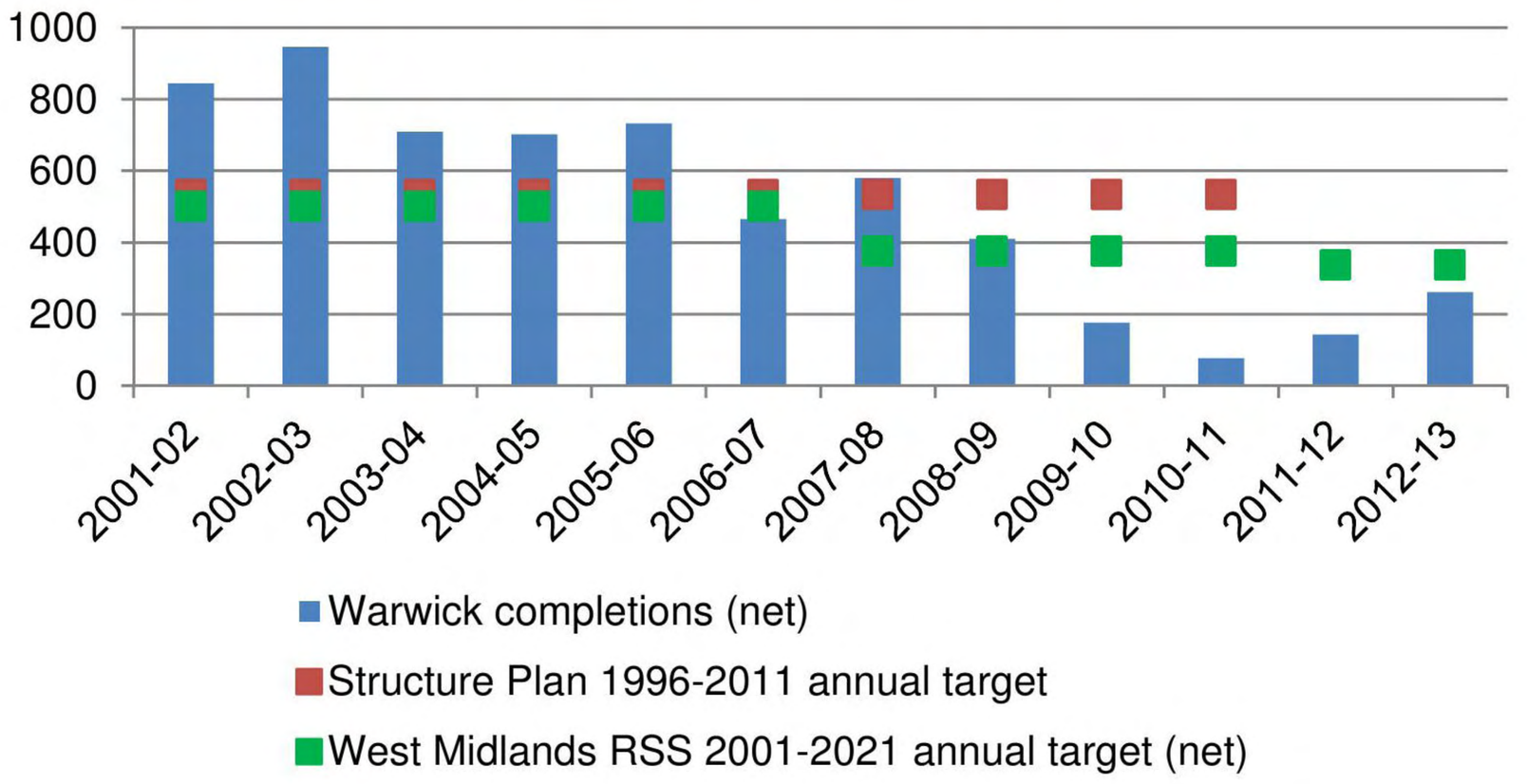
Source: ONS / Warwick AMR

2.2 It may be argued that the steep fall in migration and housebuilding resulted from a fall in demand, whereby fewer people wanted and could afford to live in Warwick and therefore fewer houses were built. But this would be wrong, because a demand effect would follow a cyclical pattern, with housing completions high in the boom and low in the recession. In Warwick the trajectory was different: the trend was already downward in the boom (though it became steeper in the recession), suggesting that a supply-side effect was at work.

2.3 Indeed examination of the area's planning history shows that housing development was constrained by planning, so developers were prevented from building homes in Warwick, and hence people were prevented from living there, because planning was not providing enough development land to meet demand.

2.4 The planning constraint was built into the Regional Strategy target of 330-500 dpa, which was deliberately set to undersupply demand in 'greenfield' locations including Warwick, and steer it towards the Major Urban Areas. Under that strategy, which is no longer in force, planning did not set out to meet objectively assessed need in Warwick and similar locations.

Figure 2.2 Warwick housing completions, 2001-13

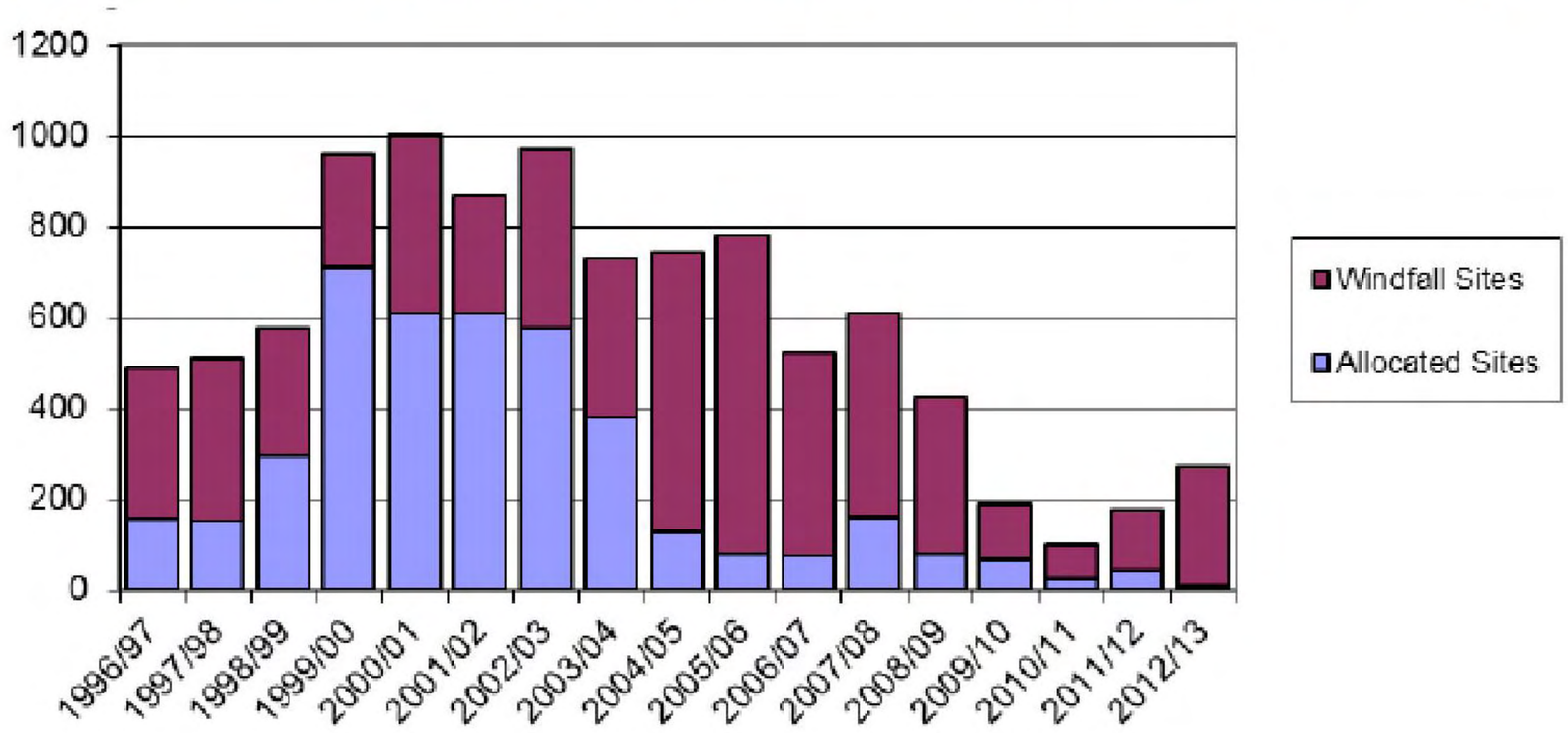


Source: Warwick AMR / Structure Plan / West Midlands RSS

2.5 Not only did the RSS planning target fall short of demand; to add to the planning constraint, from 2008 onwards housing delivery fell far short of the target. There are two clear reasons for that, both related to planning policy:

- Between 2005 and 2009 the Council imposed a moratorium on release of housing sites, 'in order to ensure that supply do not significantly exceed the RSS target'. As the chart above shows, this measure very much overshot its objective.
- Allocated housing sites were virtually exhausted by the middle of the last decade and not replaced by new allocations. Consequently in recent years – including the base period of the demographic projections, 2007-12 – housing delivery was almost wholly dependent on windfalls (Figure 2.3).

Figure 2.3 Housing completions on allocated and windfall sites, Warwick



Source: Warwick: estimating a windfall allowance: publication stage (April 2014)

2.6 To sum up, in recent years Warwick's planned land supply fell well short of housing demand and need; and the planning constraint tightened steadily up to 2011, so that planned land supply increasingly underprovided against demand. The demographic

projections carry forward that underprovision into the future. In these circumstances the projections understate future housing need and should be adjusted upwards.

3 CROSS-BOUNDARY HOUSING NEED

Introduction

3.1 In this section we review the current housing targets across the Coventry and Warwickshire HMA and compare these with the latest HMA-wide SHMA that was published in November 2013 to understand whether there is a surplus or shortfall of housing provision. We also review Warwick's draft plan to understand what the plan is planning regarding housing provision and the duty to co-operate.

3.2 First, though, we review the Inspector's concerns over the Duty to Cooperate with Coventry's withdrawn Core Strategy from 2012. This provides the context that led to the SHMA for the HMA authorities being undertaken.

The Coventry Core Strategy

3.3 In October 2012, Coventry City Council submitted its Core Strategy to the Secretary of State. After some initial hearings with the Inspector, the Council formally withdrew the Coventry Core Strategy from the Examination process on 16 April 2013.

3.4 On 27 February 2013, the Inspector wrote to the Council outlining his concerns over the Core Strategy and confirming that the plan did not comply with the Duty to Cooperate. The Council did not engage constructively or effectively with its neighbours in respect of housing provision. The main issue was that a SHMA covering all authorities in the HMA had not been done, and, as a result, that the housing needs for Coventry and the rest of the HMA was unknown. In addition, the Core Strategy also confirmed that the authorities in the HMA were all aiming to meet their own needs in their own areas, and that there requirement for any local authority to meet any part of its housing requirements in another area.

3.5 The Inspector found that Coventry's previous Core Strategy – which was withdrawn following being found sound in 2010 – made provision for housing requirements in Warwick (3,500 dwellings) and Nuneaton & Bedworth (3,500 dwellings). Whereas the Core Strategy submitted in 2012 only made provision for Coventry. Further, the Inspector noted that Birmingham and Nuneaton & Bedworth expressed concern about Coventry's apparent under-provision of housing and the effect that it would have on them.

3.6 In his conclusions, the Inspector stressed the importance that the level of housing provision is a strategic priority planning issue that crosses local boundaries and the need for Coventry and its neighbours to produce a joint SHMA. He also criticised the mechanism for dealing with how a potential shortfall was planned to be addressed, which was no more than an agreement to seek to agree in the future.

3.7 Since the Inspector's letter, a SHMA was published in November 2013 by the HMA authorities. We now review each local authority to understand where their plans are and whether they are planning to meet the objectively assessed needs in the SHMA.

Housing needs and targets in the HMA

3.8 The table below currently summarises where each local authority is in regards to adopted plans and plan preparation.

Table 3.1 HMA Local Plan status

District	Local Plan stage	Date	Plan background update
Coventry	Core Strategy Proposed Submission	July 2012	Following the withdrawal of the Core Strategy, the Council has not published a revised Core Strategy or new plan for consultation. The Council is now re-evaluating their evidence base and assessing the findings from the new SHMA.
North Warwickshire	Core Strategy Submission Version	February 2012	In February 2012 the Council published its Core Strategy Submission version, with the hearings in January 2014. A consultation on revised wording for the affordable housing policy followed the hearings, and a final session on the suggested changes to the policy took place in June.
Nuneaton & Bedworth	Borough Plan Preferred Options	May 2013	The Council undertook a preferred options consultation in July and August 2013 for its Borough Plan. The Pre-submission consultation is expected to take place in summer 2014.
Rugby	Adopted Core Strategy	June 2011	The Core Strategy was adopted in 2011, but work is now underway in drafting a new Local Plan. This is at an initial consultation stage and does not contain any housing target policy, although it does include discussion on the latest SHMA and its objectively assessed needs for Rugby. The Council are planning to adopt the new Local Plan in 2016.
Stratford on Avon	Core Strategy Proposed Submission Version	June 2014	In June 2014 the Council approved its Core Strategy for submission to the Secretary of State. The plan is currently open for consultation until July 2014.
Warwick	Warwick Local Plan Publication draft	April 2014	Warwick's draft Local Plan was published in April 2014. Consultation is currently underway, ending on 27th June. The Council plan to submit to the Secretary of State later in 2014.

Source: Local Plans

3.9 With the exception of Coventry, all local authorities are working towards getting a Local Plan adopted and are at varying stages. This includes Rugby who has a recently adopted Core Strategy. North Warwickshire is closest to adoption in the HMA area.

3.10 Looking at the housing targets in the published plans, the table below shows that there is a total of 3,075 dwellings per year proposed. From the SHMA 2013, there is a total of 3,800 dwellings per year of housing need. The last column shows that, when the total of OAN is taken from the proposed targets, there is a shortfall of 725 dwellings per annum in the HMA.

Table 3.2 HMA plan targets and objectively assessed needs

District	Local Plan stage	Plan period	Housing target (plan period)	Annual target (dpa)	OAN plan period (SHMA 2013)	OAN annual target (SHMA 2013)	Shortfall against OAN
Coventry	Core Strategy Proposed Submission	2011-2028	11,373	669	20,060	1180	-511
North Warwickshire	Core Strategy Submission Version	2006-2028	3,800	173	3,850	175	-2
Nuneaton & Bedworth	Borough Plan Preferred Options	2010-2028	7,900	439	8,910	495	-56
Rugby	Adopted Core Strategy	2006-2026	10,800	540	13,200	660	-120
Stratford on Avon	Core Strategy Proposed Submission Version	2011-2031	10,800	540	9,120	570	-30
Warwick	Warwick Local Plan Publication draft	2011-2029	12,860	714	12,960	720	-6
HMA total			**57,533**	**3075**	**68,100**	**3800**	**-725**

Source: Local Plans / Core Strategies

3.11 The shortfall is split unevenly across the local authorities in the HMA. Most have minor shortfalls, but there are large shortfalls at Coventry and Rugby. Coventry's shortfall is 511 per annum, but this is against the target from their withdrawn Core Strategy; until the Council publish a new plan for consultation, this is the best available target. For Rugby, we know that the Council is working on a new Local Plan and are aware of the new evidence, so we expect this shortfall to reduce when the draft plan is published with a housing target.

3.12 The Inspector at the Coventry EiP referred to Coventry's previously withdrawn Core Strategy, which was found sound. As we discussed above, this plan was providing for some of Nuneaton & Bedworth's and Warwick's needs.

3.13 The table shows that Warwick is now managing to deliver its own needs, so we now turn to their draft plan to understand the background to their housing target, and whether they are willing to take unmet need from other authorities to reduce the shortfall.

The Warwick draft Local Plan

3.14 The draft plan acknowledges that each authority in the sub-region is at a different stage in preparing their local plan / core strategy, and that the capacity of the other districts to delivering their housing requirement in full is therefore not known. So there is potential that one or more authorities will not be able to meet their needs.

3.15 The Coventry and Warwickshire Joint Committee has met twice to discuss housing provision in the HMA since terms of reference were agreed in January 2014. So we

now look into what the committee has proposed in more detail, particularly the sub-regional strategy referenced in the draft Local Plan.

The Coventry and Warwickshire Joint Committee

3.16 A report titled 'HMA Duty to Cooperate and the sub-regional approach to delivering housing' was published on 20 March 2014 by the Coventry and Warwickshire Joint Committee (CWJC).

3.17 It states that the CWJC recognise the SHMA's finding that the OAN for the HMA is 3,750-3,800 dpa, stressing the importance of meeting it in full, to support the economic growth ambitions for the C&W LEP and SEP (Warwickshire Strategic Economic Plan) and underpin sound local plans for all local authorities.

3.18 The committee notes the risk of not finding sufficient capacity to meet the target, and that there is a 'significant risk' that Coventry will not be able to accommodate 23,600 within its border. In addition, the report acknowledges that there is a risk that authorities in the HMA will be asked to accommodate growth resulting from a lack of capacity in Birmingham.

3.19 As a consequence of this, the committee recommends to all authorities:

- that the OAN from the SHMA is met in full;
- to prepare a joint evidence base;
- that a sub-regional housing spatial strategy is prepared;
- that all authorities commit to a review of their Local Plans if needed according to a shared timetable.

3.20 With regard to the sub-regional strategy, the report states that 'to ensure that the OAN is met, it will be necessary to prepare a bottom-up, collaborative strategy which balances the need from growth in the sub-region, with the challenges and constraints faced by specific areas'. And that the purpose of the strategy is to:

- Ensure the OAN is met in full;
- Align the local of housing delivery with the sub-regional growth agenda set out in the Strategic Economic Plan.
- Identify strategic spatial options for meeting the OAN and based on this broad locations for development based on the sub-regional evidence, but taking local evidence in to account.

3.21 This strategy will be based on the joint evidence work the authorities have committed to. Once the strategy has been prepared, authorities will have to undertake a review of their respective Local Plans according to the timetable below.

Figure 3.1 Joint Committee timetable

	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Compile Joint Evidence						
Prepare Sub-Regional Housing Spatial Strategy						
Undertake Plan Review						
Anticipated Date of Adoption						

Source: Coventry and Warwickshire Duty to Cooperate Sub-Regional Approach to Delivering the Housing Requirement, March 2014

3.22 The timetable shows that the spatial strategy will be prepared whilst the joint evidence work is carried out. It is expected to be ready by 2016-17. Once it is ready, local authorities will have to undertake a plan review between 2017 and 2020.

3.23 The report states that the timetable reflects the need to ensure that local authorities are able to progress Local Plans as quickly as possible, and without having progress hindered by the progress of neighbours.

3.24 Further, the report confirms that the timetable is set to ensure that housing can be developed in a coordinated way, as and when they are needed.

'As the main development pressures for cross-border housing provision are likely to arise predominantly from Coventry and the West Midlands conurbation, it is reasonable to plan to complete plan reviews by 2020 as both the City and the conurbation will be prioritising brownfield sites for the earlier part of their Plans and are unlikely to require cross border sites until towards the end of their Plan periods.'

Practical delivery

3.25 Warwick and its partners express the right intentions. But in practice their co-operation is not effective.

3.26 The timetable set out by the Joint Committee is too long. As shown in Figure 3.1 above, the plan review that allocate sites for cross-boundary provision will not be completed until 2020. Taking account of the inevitable lead-in time before development can start, it will be even longer until new homes are delivered in practice.

3.27 Even against this extended timetable, it is likely that delivery will slip. At present none of the six authorities in the HMA has an up-to-date adopted plan. Thus the Joint Committee timetable requires that six new plans be adopted by 31 March 2017. Even if this achieved, there will then by just three years to complete up to six plan reviews – which may be slowed down by the interdependencies between the different authorities.

3.28 Against these protracted delays, the need is for sites to be identified as soon as possible. There is no evidence that, as claimed in the joint committee report, the 'deficit' authorities have enough brownfield land to tide them over until the middle of the next decade. The protracted process set out by the Joint Committee will only

postpone hard decisions which should be taken now, while housing gets scarcer and more expensive.

3.29 It is already clear that the HMA has a deficit of planned housing land – certainly in Coventry, which adjoins Warwick and for which Warwick is a natural overspill location. The Joint Committee should agree an interim strategy based on the evidence already available, which would meet a proportion of the estimated cross-boundary need though the current round of Local Plans. Further allocations can be made through plan reviews at a later date, in the light of further evidence including Green Belt reviews.