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BURMAN BROTHERS

LAND FRONTING BIRMINGHAM ROAD
HATTON PARK
(SITE H28)

REPRESENTATIONS

WARWICK DISTRICT COUNCIL
PUBLICATION DRAFT LOCAL PLAN 2011 - 2029

1. INTRODUCTION

- 1.1. This representation is submitted on behalf of Burman Brothers in respect of their landholdings at Hatton Park, fronting Birmingham Road, the subject of previous representations by us, referenced to Site H28 in this Publication Draft Plan.
- 1.2. Our representations set out below refer to the respective Policy Areas and Chapters of the Revised Growth Strategy document, as follows:

2. PLAN PERIOD (PARAGRAPH 1.29)

- 2.1. We submit that the Plan period should be revised to 2031 to provide a 15-year period post-Adoption as required by the NPPF, paragraph 157. This aspect is important to properly secure the evidence base as acceptable conformity.

3. VISION AND OBJECTIVES

- 3.1. We support broadly the thrust of the Local Plan and these respects. However, supporting economic growth will mean that the "Objectively Assessed Need" will have to properly reflect the implications of growth on the provision of housing need. This economic growth, at a time of national economic growth, should not be under-estimated in housing terms.
- 3.2. It does not appear clear from the Publication Draft Local Plan that proper and reasonable economic growth scenarios were developed as required by NPPF to underpin the Local Plan. Some growth scenarios appear to have been developed by Warwick in 2009 / 2010 and they consulted on these in 2011. It is now 2014 and the economic state of the country, and in the regional / sub regional circumstances, has changed considerably. This will have a significant affect upon both the Objectively Assessed Need as well as the requirements for business in the District and as a consequence, the release of an appropriate amount of employment land. The government is committed to economic growth and we believe that Warwick District have under-provided for that, based upon out of date data and scenarios.
- 3.3. The locations of growth, particularly at Hatton Park, are ones we would support because of their sustainable criteria.
- 3.4. The release of Green Belt land is important to meet Warwick's objective need for housing and therefore exceptional circumstances exist. The Hatton Park release is a proper product of that housing need, and the release through exceptional circumstances of a sustainable urban extension.

Green Belt Boundaries
- 3.5. Attention is drawn to the NPPF and in particular paragraph 83 where permanent long-term enduring boundaries are required when releasing land from the Green Belt.

4. POLICY DS6 – LEVEL OF HOUSING GROWTH

- 4.1. Whilst Warwick have set a housing requirement of 12,860 dwellings for the period 2011 to 2029, this is set out in the policy as Warwick's housing requirement. It is not identified as their objectively assessed housing need (OAHN). Nowhere in this document is there any reference to the OAHN or to how the above housing requirement has been soundly and objectively assessed, if it has. This is a crucial question that will be investigated by any Inspector undertaking the Examination of this Plan as was recently carried out in the South Worcestershire Local Plan and currently being considered by the Inspector dealing with the Redditch and Bromsgrove Joint Local Plan. There must be urgent clarification on this point.
- 4.2. The Joint Coventry and Warwickshire Strategic Housing Market Assessment apparently objectively assessed the future housing needs for each of the individual Districts within its area. However, reaching an Objectively Assessed Housing Need must be for an individual authority such as Warwick to assess themselves, based upon criteria and policies appertaining to their area itself. They can have regard to the overall sub regional requirement but their own objectively assessed need should be for themselves to determine, an overall growth requirement and then considered against appropriate criteria should it need to be adjusted for Warwick District's individual circumstances. This does not appear to have happened and does not appear to be in accordance with the recent NPPF Guidance.
- 4.3. There will need to be an adjustment to this figure anyway to deal with the re-basing of the Plan period to 2031.
- 4.4. It is our belief that, irrespective of any requirement from the Greater Birmingham and Solihull LEP and the overspill requirement by the City of Birmingham, that the 12,860 dwellings and that there should be a minimum of 2,800 to 3,300 new dwellings in addition and also in addition to any re-basing element. This is in line with studies for the Housing Market Area and the Coventry and Warwickshire Sub Region.
- 4.5. This additional housing requirement will require Warwick to re-assess their housing numbers, and the locations and extent of future growth in order to meet this higher Objectively Assessed Need requirement.

5. POLICY BS7 – MEETING THE HOUSING REQUIREMENTS

- 5.1. For reasons set out in our representations on policy BS6, the figure of 12,860 is not correct in this policy and we would argue there are not sufficient Allocated units in this table to meet the proper Objectively Assessed Need for the Plan period to 2031.

6. POLICY DS19 – GREEN BELT

- 6.1. There is reference in paragraph 2.81 to release of land in the Green Belt at "Hatton". This is wrong. It should relate to the release of land at Hatton Park.

- 6.2. This policy needs a new heading and we would suggest you could simply add the word "release" to the end of it. The content simply mirror images the NPPF and is not required but some of the text below the policy should be taken in as part of the new policy, explaining that this policy relates to the consequential amendment of Green Belt boundaries through exceptional circumstances and through the requirement for additional new housing sites / Allocations and possibly employment as well. This policy, as re-written, must of course draw attention to the fact that the boundaries, once re-drawn, should be considered to be permanent and enduring and not lead to early revisions. This is stated NPPF and government policy.
- 6.3. In respect of Hatton Park it has been necessary for Warwick to consider the amendment of the Green Belt boundary. It is acknowledged that Hatton Park is a sustainable settlement as well as a "growth village" identified in Policy H1. It is quite clear that the boundary adopted by Warwick as their proposed new Green Belt boundary at Hatton Park does not confirm to the NPPF and recent guidance, and is therefore unacceptable, unsound and in fact irrational in that it does not adopt, as it should do, an appropriate boundary that will be permanent and enduring. There is such a boundary, being a treed and hedged boundary, running along the length of our Clients ownership within a very short distance east of the Allocation and itself running north to south to the Birmingham Road. This is a proper Green Belt boundary that exists and should be used and the Allocation properly adjusted to take account of the new boundary even if it means a small number of additional dwellings.
- 6.4. It is our submission that the whole of our Clients land should be taken out of the Green Belt which obviously includes land immediately to the north of the proposed Allocation H28 by utilising the north – south hedge / tree boundary on the eastern side. In so doing, the land to the north of the proposed Allocation could be identified as potential future housing to be released when appropriate by Warwick depending upon their needs. It is possible to envisage that with the increased housing need referred to earlier under Policy DS6, that this northern parcel of land should be included for a later phased release thus ensuring that Sustainable Urban Extensions such as at Hatton park can continue to fulfil, in part, properly and reasonably, in planning terms, the Objectively Assessed Need for the District as a whole. In this way, we would submit that the Hatton Park Allocation, north and south, could accommodate around 180 dwellings in total and this is a level of Allocation that is consistent with the "growth villages", even if a development is in two phases, as required.

7. POLICY H0 – HOUSING

- 7.1. As submitted above, we still do not believe that the evidence base for the Plan is properly and fully up to date, particularly as it uses out of date demographics and without the inclusion of the various studies being the Coventry and Warwickshire Sub Regional Study and the Greater Birmingham and Solihull LEP and its requirements we do not believe that Warwick's housing requirement is actually an Objectively Assessed Need for market and affordable housing within the relevant Housing Market Area.

8. AFFORDABLE HOUSING

- 8.1. Whilst we understand the Council's desire to seek to provide a requirement on all principal sites of up to 40% affordable housing, this has got to be properly tested for each Allocation and particularly in terms of the tenure / mix of housing in the affordable housing sector.

9. POLICY H10 – BRINGING FORWARD ALLOCATED SITES IN THE GROWTH VILLAGES

9.1. It is important that this policy reflects the requirements of the market fully. House builders are in the most appropriate position to decide upon the range and mix of housing in designing their schemes, taking on board the Council's desire, where it is appropriate, of any special Local Housing Need but the policy should not be restrictive or unreasonable. The policy, as worded, is not reasonable and needs further clarification on this point.

9.2. There is a reference in policy H10 where it relates to Hatton Park in restricting the number of dwellings to be built in a first phase to 50 out of 80. This is a ridiculous requirement because it seeks to influence the market, the build period and the economics of development on this site. There is no rational planning reason given for this requirement, it being simply the Council interfering with the release of sites and almost a reverse phasing condition across the H10 Allocations. This is contrary to the NPPF and provides a wholly uneconomic base to the proper delivery of housing sites at appropriate housing sale values. This is an uneconomic and restrictive policy element that should be deleted.

10. DUTY TO CO-OPERATE

10.1. We would echo other concerns that the influence of the Sub Regional Coventry and Warwickshire Sub Regional Study. Including the housing study, has not been fully taken on board. Nor has the effect of the City of Birmingham overspill been translated into a requirement for Warwick District to assist with. The Greater Birmingham and Solihull LEP is carrying out a housing study where the details of this will be known this year and so, again, this ought to be taken account of by Warwick District in amending their Plan. Finally, we are still concerned that the economic affects for housing of Warwick's strategy for economic growth have still not been properly and fully translated into the need and requirements for this Plan.

11. SUMMARY

11.1. We have set out above our submissions to assist the Council in reviewing their policy base for their District's Local Plan where, in general, we support the thrust of the Plan but where we have concerns in various areas and where various aspects / parts of the Plan should be amended or deleted as we have indicated.

11.2. We should be pleased if you would continue to keep us fully aware of progress on this Local Plan.

11.3. We are in discussions with Taylor Wimpey in the sale of this land and their consultants, Barton Wilmore, and it might be appropriate at a later date if these representations were taken over, at least in part, by Taylor Wimpey and their consultants. We will advise accordingly.