

Land North of Gallows Hill Warwick

Market Assessment

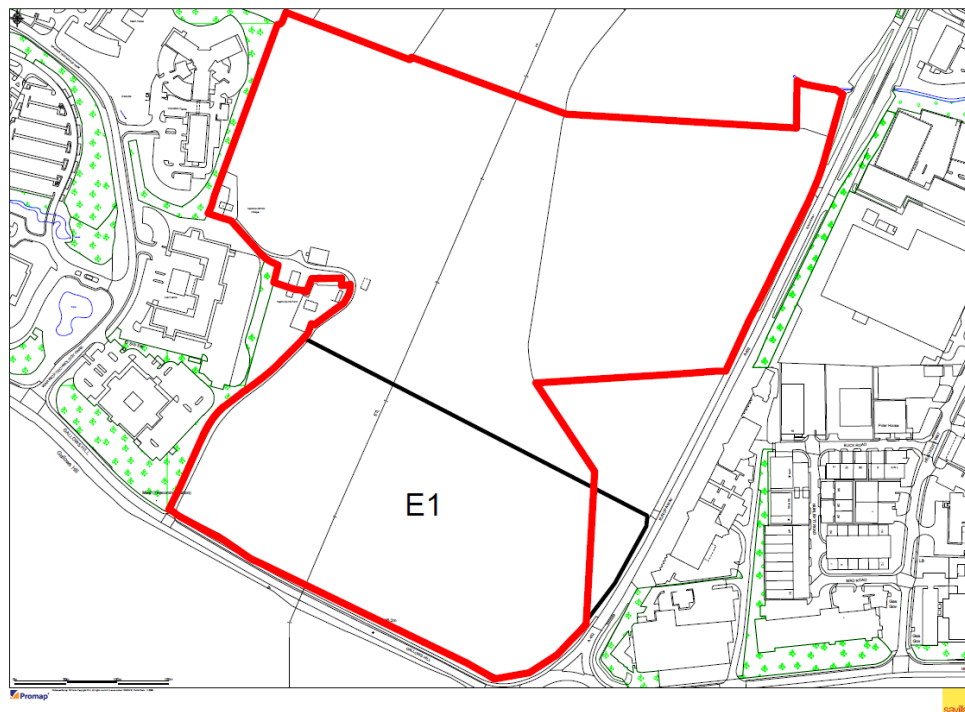
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1.0 Introduction

- 1.1 Savills are instructed by Warwickshire County Council (WCC) to undertake an assessment of the market for employment land in Warwick District, specifically in relation to the proposed allocation of 8 hectares of land for B1 and/or B2 use at land within their ownership, north of Gallows Hill in Warwick.
- 1.2 The extent of our client's ownership (red line), together with the proposed employment land allocation (black line) is shown on the plan below:

Figure 1.1: Site Plan



- 1.3 This report seeks to establish what is needed in terms of employment land in order to enable informed assessment of the suitability of our client's site to meet this need. An assessment of the property market for employment uses is set out at Section 2, including consideration of the national market as well as the supply of and demand for employment land at a local level. In light of this market assessment, we have then considered the emerging policies which relate to our client's land, as well as the evidence base which supports the proposals (Section 3). Our conclusions are then drawn together at Section 4.

2.0 Property Market Context

- 2.1 In this section we provide an overview of the office and industrial markets at a national and local level.

National Economic Picture

- 2.2 The initial recovery in UK GDP growth was led by improved consumption, as households became less cautious in response to the recovery in asset prices and improved availability of credit. It has been confirmed that the UK economy grew by 0.8% in the first three months of 2014, as households spent more and firms lifted investment. The latest figures confirm the initial estimate from the Office for National Statistics (ONS) and also confirm the economy grew 3.1% from a year earlier. This means that the UK is now one of the fastest growing western economies. Overall, the latest consensus of economic forecasters, published by Focus Economics, shows a 2.8% GDP growth for the UK this year.
- 2.3 UK firms are at their most confident for over 10 years. A poll of manufacturers signalled that activity in Britain's factories increased in April at the fastest rate for five months. The ongoing upswing in the sector's performance resulted in further job creation at manufacturers during April. Employment rose for the twelfth consecutive month, with the rate of increase identical to February's near three-year peak.
- 2.4 Surprisingly, small and medium sized enterprises (SMEs) account for approximately 99.9% of UK businesses, by number. A significant proportion of employment is within SMEs, with the Department of Business Innovation & Skills (BIS) estimating it to be around 59% of private sector employment. The property requirement from this sector is significant.
- 2.5 A recent report from GE Capital said that 12% of SMEs expect to increase capital spending by 12% over the coming year and plan to create 660,000 jobs. Of course, there is some spare capacity within their property, but this must also create additional floorspace demand in our view. In support of the GE Capital's findings, BIS have recently released their SME Business Barometer. On the whole, confidence levels have improved and many businesses expect to employ more people over the next 12 months and anticipate higher turnover. Two-thirds of businesses aim to grow their business over the next 2-3 years.

- 2.6 The fairy tale scenario for the UK economy is solid growth and on-target inflation that would drive wages and productivity. However, some commentators suggest more of another “boom and bust” scenario with overestimations of the slack in the economy and its ability to absorb economic growth. This could result in a sharp rise in inflation after the election, which would force policymakers to abruptly raise interest rates. The market expectation is for a base rate rise in February or March 2015. The latest house price figure, showing near 11% growth over the 12 months to April suggests that interest rate rises are more imminent.

Commercial Property Market Overview

Offices

- 2.7 2013 represented a step change for the UK office markets, with demand increasing across all of the key markets, representing a significant growth in take-up levels, while in many cities, office rents for regional commercial property have returned to growth in 2013. The falling availability of Grade A supply is now a key theme across the regional markets. Overall, Grade A supply has more than halved from its peak in 2009. A survey by the CBI/Accenture found that just over half of the British companies surveyed (51%) expect to create new jobs over the next year. Yorkshire & the Humber and the East Midlands were the regions with the most positive views. This positivity started to translate into office take-up in 2013 and has continued into 2014.
- 2.8 With an increase in larger lettings over the second half of 2013, the major regional office markets saw a 32% growth in take-up in 2013 in comparison to 2012 (33% if you include the M25). This is the best year since 2007.
- 2.9 Savills expect take-up to end 2014 at 13% above the long-term average. There is also evidence that the regional markets will increasingly benefit from relocations out of London to more affordable locations; a number of footloose requirements have been publicised over the last few years. A good example being Deutsche Bank's, expanding by 1,000 jobs in Birmingham as part of plans to decentralise some of their back and front office functions.

Manufacturing

- 2.10 UK manufacturing has undergone a renaissance during the latter half of 2013 and there is considerable optimism in the sector. In the UK there has been a 6% increase in take-up of

industrial property in 2013, compared to 2012. Approximately 0.75 million sq. m of large warehouse space (over 9,290 sq. m) has been transacted on behalf of manufacturers in the last 18 months (Savills Research) and total take-up is forecast to be approximately 1.3 million sq. m per annum over the next five years (Savills Research).

- 2.11 Factory order numbers are at their highest level since March 1995 (Confederation of British Industry) and a recent survey by the Manufacturing Advisory Service found that 15% of firms reported they had or were in the process of bringing their manufacturing production back to the UK. Demand will be focused in urban areas, where a skilled workforce, highly regarded educational establishments and established supply chains are present. Proximity to customers is the most important locational driver for manufacturers (EEF/GfK NOP Investment Survey).
- 2.12 The growth in manufacturing has been dominated by 'cleaner' manufacturing. The market is increasingly moving towards 'advanced manufacturing', driven by the UK's R&D capabilities. This growth has largely been driven by foreign-owned car manufacturers.

Distribution

- 2.13 Nationwide and regionally, there is a shortage of land and buildings for new distribution development. If existing buildings are not available, the alternative for an occupier is to transact on a design and build basis (if time permits), but this option is becoming increasingly restricted as well.
- 2.14 There is growing demand at all size ranges, particularly driven by the retail sector as companies rationalise and reorganise the property within their supply chains. Take-up in the region has significantly increased over the course of the last 18 months.
- 2.15 In the Midlands, there is a significant opportunity for further growth in the logistics sector. Demand has been particularly strong in the logistics sector, even through the recent recessionary years. The Midlands is an important component of the national market, consistently accounting for over one third of take-up. Coming out of recession, whilst the potential supply shortage was understood by the market the imbalance between demand and supply has become acute as the market has recovered.
- 2.16 Reflecting the improving economic conditions, there has recently been a cautious return to

speculative development of mid-size units in prime locations across the UK (focused in the Midlands and M1 corridor), driven by a combination of improving market conditions and the shortage of supply identified by this analysis.

Investment Market

- 2.17 Investment Property Databank (IPD) is the leading authority on property market performance. The annual, quarterly and monthly indices for the UK provide the most comprehensive assessment of the performance and characteristics of the property market. The indices are valuation-based, but do reflect a certain degree of transactional information. As at March 2014, the Quarterly index comprised 9,367 properties with a value of £120.7 billion capital value.
- 2.18 The recovery in UK commercial real estate was further confirmed during Q1 2014 as values rose by 2.2% for all property, contributing to a total return of 3.7% for the period, according to the IPD UK Quarterly Property Index. Although this represented a slight deceleration since Q4 2013, a return to rental growth for all sectors provided further evidence of the solid foundations now underpinning the market. The prevailing long-term recovery in the UK market was confirmed by a total return for the year to the end of March of 13.3%, significantly up on the annual return to end-2013 of 10.5%; this was also the highest level recorded since 2010.
- 2.19 Investors will be encouraged by significant value gains right across the UK market in Q1 2014, both by sector and by region. The office sector led with a total return of 4.9% for the quarter, based on the strongest capital value growth of 3.6%, re-enforcing the lead it has held over the last six quarters. Industrials were just behind, returning 4.8%, though this owed more to their higher level of income return at 1.6% for the quarter when combined with value growth of 3.1%.

Warwick Office Market

Supply

- 2.20 The supply of employment land is considered in detail in the Employment Land Review (2009) and Update (2013). The key locations for existing and/or future office development are described below:
- Warwick Technology Park – the Park was developed by the County Council with the intention of attracting companies in the high technology sectors but lack of demand has meant that it

has refocused and is now a successful out of town office park, with occupiers including National Grid. There is no further land available here but there is a total of c. 79,000 sq. ft of office space available.

- Tachbrook Park is located to the east of Europa Way, to the south of Leamington and Warwick town centres. It is the largest employment area in the District, providing a mix of employment uses including B1, B2 and B8. There are c. 14 acres available across eight plots. The majority of this land is best suited to office development, given surrounding uses and occupiers.
- Tournament Fields is a high quality out of town office scheme located at Junction 15 of the M40. There are 30 acres remaining.
- OPUS 40 – this site is located to the north west of Warwick, close to Warwick Parkway Station. In total the scheme comprised nine development plots, two of which are let to IBM, one to Telent and a fourth has been sold to Premier Inn. There are five plots remaining here with potential for c. 275,000 sq. ft.

Demand

- 2.21 As noted, there is a strong and increasing demand for office floorspace based upon economic growth, particularly of SMEs. However, supply must be in the right location to take advantage of this demand.
- 2.22 The office market in the District is split into two distinct sub-markets: the town centre (Warwick and Leamington) and the out of town office parks. Take up of town centre offices has principally been from professional and business services firms and has been consistently strong over recent years. A significant proportion of take up has been of smaller units reflecting the demand from SMEs and also the existing stock in the town centres.
- 2.23 This is in line with the growing trend for employees (and therefore occupiers) to have a preference for a town centre location and the associated amenities and transport opportunities that this offers, over a business park environment. However, occupiers requiring larger floorplates who are often more flexible in terms of location, are often precluded from locating in central locations within the District due to lack of available high quality space of sufficient scale.

- 2.24 Despite the wider need for new floorspace, demand for business parks has been less strong in the District. However, there has been some take up from regional and national occupiers, driven in part by lack of availability of high quality space within the town centre.
- 2.25 Take-up at Tournament Fields provides a useful guide to demand in this sector. An initial 17-unit 70,000 sq. ft speculative courtyard-style office scheme was developed speculatively in 2007. It is now fully-let with occupiers including Taylor Wimpey, The National Association of Estate Agents, Voith and The Riding for the Disabled Association.
- 2.26 Take-up of land at Tournament Fields has been slow but a number of smaller requirements have been attracted to the site including:
- Geberit (12,000 sq ft in 2008).
 - Pure Office (15,000 sq ft in May 2012);
 - EagleBurgman (18,000 sq ft in October 2012);
 - West Midlands Ambulance Service (14,000 sq ft in January 2013); and
- 2.27 Whilst the scheme was conceived and promoted as an out of town office park, the lack of demand from this sector has meant that a variety of alternative uses are being considered and it is now being marketed as a 'mixed-use business park'. All commercial uses would be considered.
- 2.28 Warwick Gates (Gallagher Business Park) was marketed for office development for several years but no land came forward for this use. Consequently, planning permission has been granted for residential development in light of a draft allocation in the emerging Local Plan. This indicates that there is no demand for additional land for out of town offices in this area.

Warwick Industrial and Distribution Market

Supply

- 2.29 Key industrial and distribution locations in the District include:
- Tournament Fields – whilst this site was originally marketed as an out of town office park, lack of demand has meant that other uses are now being considered. There is planning

permission for a 225,000 sq. ft B8 distribution unit.

- Tachbrook Park - as noted above, this is the largest employment area in the District and land is available for development for a range of commercial uses. It incorporates Queensway Business Park and Spa Park. The majority of land available at Tachbrook Park is best suited to office development with limited opportunities remaining for new B1/B2/B8 warehouses.
- Sydenham Industrial Estate is a large employment area to the south east of Leamington Spa providing relatively modern (c. 1980s) accommodation at cost effective rents.
- Budbrook Industrial Estate is located to the north of Warwick and includes offices as well as smaller industrial units.
- Middlemarch Business Park, Coventry is located in Warwick District but relates to the Coventry market, providing large floorplate B8 units for regional and national occupiers.

2.30 Other industrial accommodation is found on a number of secondary, smaller estates which provide affordable units to local companies who do not require high specification accommodation.

2.31 There is very little land available for the development of B2 and B8 units to meet the needs of Warwick District.

Demand

2.32 On the back of very strong regional demand and a shortage of supply, there is good levels of demand for B1/B2/B8 land in the District. Specifically, demand is from B8 occupiers and those occupiers within the advanced manufacturing sector, driven by the District's links with the automotive industry.

2.33 There is a relatively low level of vacancies when compared to other areas such as Coventry and Solihull. It is estimated that take-up is c. 300,000 sq. ft per annum (GL Hearn, 2013).

2.34 GL Hearn identify that approximately a quarter of demand for employment land will be for B8 uses. We would anticipate that the figure would be much higher than this. However, there is very little land available to cater for new industrial or distribution units, being limited to Tournament Fields and a small amount of land remaining at Tachbrook Park.

- 2.35 The locational choices of B2 and B8 occupiers are principally governed by accessibility to the regional and national road network. This is particularly important for those in the B8 sector. Areas to the south of Warwick and Leamington Spa, with good accessibility to the M40, will be most attractive to distribution occupiers.
- 2.36 B2 and B8 occupiers generally seek sites which enable unconstrained operation in terms of noise and vehicle movements and would seek to locate away from other uses, particularly residential, but also offices. Typically, sites which are adjacent to these uses see much lower levels of demand and often remain undeveloped. This can be mitigated through design but the preferred location for these uses is on a stand-alone park without risk of conflict with other users.
- 2.37 Whilst larger B1b/c, B2 and B8 requirements will be catered for by Coventry and Warwick Gateway, should consent be granted for this scheme, it is also essential to provide land to meet the needs of the District and of local companies in the manufacturing, advanced manufacturing and distribution sectors, seeking smaller scale accommodation.

Property Market Context Conclusion

- 2.38 The national economic picture is improving and demand for floorspace of all types is increasing as confidence returns to the marketplace.
- 2.39 There has been growth in office take up levels and a fall in Grade A supply across the regional markets. However, whilst there is good demand from this sector, existing out of town office sites in the District continue to see poor demand and landowners are seeking to diversify to alternative uses, such as distribution and residential. The focus of demand is for high quality accommodation within or adjacent to the town centres.
- 2.40 Whilst the traditional manufacturing sector continues to decline, there is a renaissance in the advanced manufacturing sector, driven by the automotive sector. Warwick will see good demand from local advanced manufacturing companies given the District's links with this sector. The distribution sector has seen very good levels of demand nationally and regionally and there is a severe shortage of land to serve the needs of this sector. In Warwick District, there are very few sites which are available for industrial and distribution use to meet local needs.
- 2.41 Sites for industrial and distribution uses should be located with good accessibility to the national

and regional road network. Occupiers prefer sites which are not adjacent to other uses such as offices and residential and sites which are adjacent to these uses see much lower levels of demand.

3.0 Policy Proposals

3.1 We have undertaken a review of the following documents in order to provide context to the proposed allocation of part of our client's site for employment use:

- Employment Land Review (April 2009);
- Employment Land Review Addendum (January 2011)
- Warwick District Preferred Options (May 2012);
- Warwick District Employment Land Review Update (May 2013);
- Warwick District Council Revised Development Strategy (June 2013); and
- Warwick District Local Plan 2011-2029 Publication Draft (April 2014).

3.2 We have considered the reports in chronological order.

Employment Land Review (April 2009)

3.3 GVA Grimley and GHK consulting were commissioned to undertake an Employment Land Review in 2009. A quantitative assessment of need was undertaken in light of the now abolished Regional Spatial Strategy. The Review also included assessment of existing and committed employment areas, as well as guidance on a new portfolio of sites.

3.4 The following key issues were highlighted by stakeholders in relation to demand for employment land in the District (paragraph 2.89):

- *A great deal of employment growth in recent years has occurred without employment land being taken up – this has occurred through redevelopment of existing space, particularly in Leamington town centre;*
- *Demand for office space within Leamington town centre has historically been high – as much as 40% of all demand for offices has ended up within the town centre. However, there is little space left now and most new office space will need to be located out of the town centre;*

- *Development of employment land has previously focused on quantity (e.g. Tournament Fields, Gallagher Business Park), however the future should focus on quality developments where demand is proven.*

3.5 Key office locations were identified as Tachbrook Park, Tournament Fields, Warwick Gates, OPUS 40 and Warwick Technology Park. It was concluded that the supply of industrial land was less prevalent with key locations including Tachbrook Park, Spa Park and Queensway Business Park. We would concur with this assessment, which is still relevant.

3.6 An assessment of existing and pipeline employment sites was undertaken. Riverside House (the District Council's offices which are proposed to be allocated for residential development in the emerging Local Plan) were not assessed. Gallagher Business Park, Siskin Drive and Tournament Fields scored highly in terms of marketability and physical characteristics. Overall, Gallagher Business Park was one of the highest scoring sites.

3.7 In terms of additional employment allocations, the characteristics identified as being important included being well-located in relation to existing employment areas; good access to the strategic highway network; regard to surrounding land use (e.g. employment and residential); sustainability; good profile; high quality environment; and deliverability.

3.8 Five broad alternative locations for future employment development were considered. South West Warwick and South Leamington (which includes land to the north of Gallows Hill) were recommended for office development.

Employment Land Review Addendum (January 2011)

3.9 This study was undertaken in light of revised housing targets in order to inform the preparation of the emerging Local Plan. Three scenarios were considered for housing growth. Overall demand for employment land had decreased based on the revised housing figures.

Preferred Options (May 2012)

3.10 In relation the economy, PO8 stated that the Council would ensure the availability of a wide range of employment land and buildings to meet the needs of businesses into the future by, inter alia:

- *Supporting the continued growth of knowledge industries and the low carbon economy....;*
- *Allocating a proportion of land at the following strategic sites for employment uses:*
 - *Land at Thickthorn, between Kenilworth & the A46;*
 - *Land South of Warwick and Leamington to the west of Europa Way;*
 - *Land North of Leamington at North Milverton and Blackdown.*
- *Protecting existing employment land and buildings from changes to other uses unless there is evidence that it is not suitable to accommodate projected needs.*

3.11 It was stated that the Local Plan must “*provide employment opportunities in locations to meet the needs of new housing therefore the selection of sites is guided by those identified for housing....In addition, priority should be given to available previously developed land within the urban areas first.*” (paragraph 8.27).

3.12 We do not agree with this methodology. We accept that employment opportunities should be accessible to the housing areas which they serve but sites do not need to be immediately adjacent. Indeed, the close proximity of residential development often has a detrimental impact on the marketability and attractiveness of employment sites. This is acknowledged by the local planning authority as one of the reasons why Montague Road Industrial Estate should be re-allocated to residential.

3.13 Key proposals were that committed employment land at Warwick Gates (Gallagher Business Park) be allocated for residential development and that, as an alternative, a proportion of land at South of Gallows Hill/West of Europa Way, and Myton Gardens Suburb (West of Europa Way) be allocated for employment development. The reasons for this were given as:

- Better options for configuring employment uses;
- Ability to locate development in the vicinity of Warwick Technology Park to support the clustering of industries and expansion of knowledge based sectors;
- Concentration of employment uses in the area increases opportunities to utilise existing infrastructure and could support the development of new infrastructure such as a Park and

Ride.

- 3.14 This reasoning is flawed. All these points apply equally to Warwick Gates (Gallagher Business Park), which is located in very close proximity to the proposed alternative sites. Clustering does not require companies to be located immediately adjacent to one another. Benefits are principally derived from being able to utilise supply chain linkages, shared knowledge base and skilled labour pool. The benefits of clustering apply principally to manufacturers and companies within knowledge based sectors. This does not apply to the occupiers of Warwick Technology Park.

Employment Land Review (May 2013)

- 3.15 GL Hearn prepared the Employment Land Review Update in order to inform and support the emerging Local Plan and specifically to:

- *Take account of the revised economic outlook/forecasts and current market conditions;*
- *Consider the alignment between housing and employment land provision;*
- *Consider and advise on the strategy for employment land provision (paragraph 1.4).*

- 3.16 Similarly to the 2009 Employment Land Review, an assessment of existing and proposed employment areas has been undertaken. Comments include:

- Riverside House – *“Suitable office location although site would clearly be attractive for residential redevelopment.”* (Figure 16) We agree that the site is suitable for office use. The site would see good demand from office occupiers if it were to become vacant.
- Gallagher Business Park – *“Good, prominent and accessible location.”* (Figure 17) We agree that the site occupies a very prominent location. However, it has not proved suitable for office development and is now being developed for residential.
- It is noted that Tournament Fields has the potential for an element of B8 use, as well as B1 uses (Figure 17).

- 3.17 Figure 18 sets out a number of sites which are not considered available for employment use. This includes 9.6 ha at Gallagher Business Park which was no longer available, having been allocated in the Revised Development Strategy for residential development due to lack of demand

for office use in this location.

3.18 Figure 19 lists those sites which GL Hearn “*consider have employment suitability issues and where future redevelopment for alternative uses may be appropriate.*” (paragraph 5.18). Riverside House is included within the list (1.75 ha), despite being described as a suitable office location in Figure 16. We do not agree that Riverside House should be considered for alternative uses when it is a viable, attractive and sustainable office location.

3.19 Based on GL Hearn’s assessment, it is concluded that there is:

- 48.2 ha of employment land available (taking into account re-allocation of Gallagher Business, amongst other things);
- 21.25 ha of existing employment land which “*has suitability issues for continued employment use and may be suitable for redevelopment for alternative uses.*” This includes Riverside House. As a result, the overall employment land requirement has been increased by 13.5 ha.
- Approximately 50-60 ha of land should be provided, based on the demand scenarios included within the Review;
- There is a requirement for an additional 17.3 ha of employment land in order to meet the forecast requirements over the Plan period. It is recommended that between 15 and 25 ha be provided.
- If Coventry & Warwickshire Gateway is approved, the requirement will be reduced by 6.5 ha as a result of GL Hearn’s estimates of displacement from Warwick District.

3.20 It is estimated that the majority of demand will be for B1a/b uses, with some demand for B8 storage and distribution.

3.21 The Review goes on to consider the suitability of alternative sites for employment development, including South Leamington, either South or North of Gallows Hill. GL Hearn consider that it would be appropriate to allocate land adjoining Warwick Technology Park in order to allow for its expansion. This is the only reason given as to why one of these two sites should be allocated, over and above potential alternative sites in the District. Previous studies (Employment Land Review 2009) considered a broader area, south of Leamington. There is no justification for

discounting the other sites within the surrounding area and focusing only on those adjoining the Technology Park for employment use and we strongly disagree with this methodology.

- 3.22 However, on this basis, it is acknowledged by GL Hearn that land to the south of Gallows Hill relates better to the Technology Park, given the topography of the area and the existing layout of the Park. We concur with this statement. If, as stated, the expansion of the Technology Park is the key reason for the allocation, then land to the south of Gallows Hill has a much better relationship with the existing Park and would be the logical location for its expansion.

Revised Development Strategy (June 2013)

- 3.23 Draft Policy RDS6 states that the Council will allocate 22.5 ha of new employment land 2011-2029 through the provision of 16 ha at strategic development sites and an allowance of 6.5 ha to meet local needs within the proposed site of sub-regional significance. This is in excess of the 17.3 ha of land identified as being required by GL Hearn (2013) and at the higher end of the range suggested (15-25 ha).
- 3.24 Draft Policy RDS7 states that 8 ha of land will be allocated at Southern Sites (south of Warwick and Whitnash). It is stated that this is to allow for the expansion of the Technology Park and should either be located to the north or south of Gallows Hill. As noted above, there is no justification for discounting the other sites shown on Map 3 and focusing only on those adjoining the Technology Park. There has been no assessment of alternative locations for the required employment development, which in market terms would be suitable and preferable in a number of locations along Europa Way and adjoining Tachbrook Park.
- 3.25 Notwithstanding this, we have considered the points made in relation to the two identified sites.
- 3.26 It is stated that *“The area to the south of Gallows Hill opposite the existing Warwick Technology Park has some advantages over other options. In particular, this area is well located in relation to the existing Technology Park and it would be possible to market employment land in this area as an expansion of the Technology Park. As it is visible it could potentially enhance the profile of the Technology Park.”* (paragraph 5.1.6).
- 3.27 In contrast, it is stated in relation to land to the north of Gallows Hill that *“its relationship with the Technology Park is dependent on this area being accessed direct from the existing Technology*

Park distributor road. If this area was accessed separately from Gallows Hill, the ability to market the area as part of the Technology Park would be diminished. Further work therefore needs to be done to establish whether this link can be achieved. The relationship of employment land in this location with the proposed residential area to the east and north would need careful design to avoid parking and traffic problems.” (paragraph 5.1.7).

- 3.28 Given that it is not possible to access the Technology Park from the land to the north of Gallows Hill, it is therefore clear that the local planning authority considered land to the south of Gallows Hill to be best placed to provide for its expansion at the time of the Revised Development Strategy. There has been no material change in circumstances since this time.
- 3.29 The Revised Development Strategy also proposes the allocation of Riverside House for residential development, despite it being suitable and attractive for office use, as acknowledged by GL Hearn (2013).

Local Plan Publication Draft (April 2014)

Development Strategy

- 3.30 It is confirmed in the draft Local Plan (paragraph 1.30c) that one of the issues faced by the District is the threat to the economic strength of the town centres of Warwick, Leamington Spa and Kenilworth as a result of developments elsewhere (amongst other things). We agree with this statement. The allocation of further out of town office parks will exacerbate this situation and result in increased competition for the town centres.
- 3.31 Draft Policy DS4: Spatial Strategy governs the distribution of allocated sites. It is stated that *“where greenfield sites are required for employment, they should be allocated in locations which are suitable for the needs of 21st century businesses, accessible via a choice of transport modes and are in close proximity to existing or proposed housing”*.
- 3.32 New employment development should not necessarily be located in close proximity to housing. Commercial occupiers are often deterred by proximity to residential development. The needs of 21st century businesses are not set out within the supporting text to the draft policy which limits its usefulness.

Land North of Gallows Hill Allocation

- 3.33 Draft Policy DS9 sets out the requirement for additional employment land of 19.7 ha which includes 8 ha at Land North of Gallows Hill for B1 and B2 uses. Paragraph 2.33 states that *“This will build on existing good quality employment provided at the Technology Park supporting its long term future and taking advantage of the site’s proximity to the strategic network.”* We disagree with this statement. The allocation of this site will not support the long term future of the Technology Park in any way. It will create an independent employment area, due to the lack of linkages between the two sites. Furthermore, if a B2 occupier were to locate on the site, despite this use being incompatible with the adjoining residential development, it would detract from the environment of the Technology Park, rather than support its long term future.
- 3.34 It is further stated at paragraph 2.33 that *“This can provide opportunities for the clustering of advanced manufacturing and research and development in line with wider sub-regional objectives”*. This is incorrect. The occupiers at Warwick Technology Park are not focused on advanced manufacturing or R&D but are B1a office occupiers. There is no opportunity for clustering through the allocation of this site.
- 3.35 It is further stated that *“This site offers the best location in terms of the impact of employment development on the surrounding landscape, the setting of historic assets and the attractiveness of this site to the market.”* There has been no assessment done to confirm whether this site is more or less attractive in market terms than any other sites in the area South of Leamington, or indeed within the District as a whole. Our assessment, as set out in the above paragraphs, is that this site is not well-suited to employment development.
- 3.36 Warwick Gates was deemed by both GVA Grimley and GL Hearn to be an excellent location for employment development. However, lack of demand for employment use has led to the site being granted planning permission for residential development. Given that this site has been deemed to be undeliverable for employment use, this clearly indicates that the proposed allocation of Land North of Gallows Hill would also not be deliverable, given the two sites’ extremely close proximity.
- 3.37 The requirement to expand the Technology Park is misguided, but if this is the aim then Land to the South of Gallows Hill is the most attractive site in market terms due to the relationship and

direct linkages with the existing Park. There are also other locations which would be more attractive in market terms.

3.38 As noted above, proximity to residential development can have a significant detrimental impact on the marketability of commercial land. This is particularly important given that B2 uses are suggested as being appropriate. Whilst there is strong demand for industrial and warehousing land, this is not an appropriate location, being adjacent to significant new residential development. This is not a suitable location for B2 development.

3.39 As employees and occupiers have an increasing preference for town centre locations and the associated amenities, the demand for these out of town locations has fallen. The importance of allocating sites which respond to demand and therefore are deliverable is a fundamental principal of national policy. An allocation here will not see strong demand from the office sector, as evidenced by experience at Tournament Fields and Warwick Gates, and will therefore not make a meaningful contribution to the supply of land. It is very likely that, as with other allocated out of town office sites (e.g. Warwick Gates and Tournament Fields), viability evidence will show in the short to medium term that alternative uses should be permitted due to lack of demand.

Residential Allocations (Draft Policy DS11)

3.40 Riverside House is a suitable office location, as identified by GL Hearn. In our view, there would be strong demand for the premises for continued office use when the District Council vacates. The location, adjacent to the town centre, is both attractive and sustainable, offering staff ease of access to public transport, as well as all of the other town centre amenities. This site should therefore remain in its current use. The methodology of the Employment Land Review Update (2013) is flawed in regards to this site.

3.41 The allocation of this sites is contrary to a number of other draft policies in the emerging Local Plan. Draft Policy EC3 seeks to protect existing employment land and buildings from redevelopment for alternative uses unless five criteria can be satisfied. Given that there is a requirement for additional employment land and floorspace in the District and that this site is viable and suitable in this use, the criteria are not satisfied.

3.42 Whilst we fully appreciate the need for residential development in the District, it is not appropriate to re-allocate existing and proposed employment sites, which are attractive and suitable for



continued employment use. This site should be retained in employment use, thereby reducing the requirement for additional new land to be allocated for employment.

Draft Policy EC1 Directing New Employment Development

- 3.43 Whilst this policy seeks to focus office development within town centres, it also supports the development of further out of town office parks “*within the employment land allocated as part of the Strategic Urban Extensions in Policy DS9*”. This is not in line with market signals. For office use, there is a strong preference for town centre locations.
- 3.44 It is further stated that industrial and warehousing uses should be located within Strategic Urban Extensions. Again, this is in conflict with the requirements of the market. Proximity to residential development is seen as a deterrent by occupiers due to the risk of future limitations on operations and it is therefore not appropriate to locate these uses within the Strategic Urban Extensions.

4.0 Conclusions

Economy and market

- 4.1 The national economic picture is improving and demand for floorspace of all types is increasing as confidence returns to the marketplace.
- 4.2 There has been growth in office take up levels and a fall in Grade A supply across the regional markets. However, whilst there is good demand from this sector, existing out of town office sites in the District continue to see poor demand and landowners are seeking to diversify to alternative uses, such as distribution and residential. The focus of demand is for high quality accommodation within or adjacent to the town centres.
- 4.3 Whilst the traditional manufacturing sector continues to decline, there is a renaissance in the advanced manufacturing sector, driven by the automotive sector. Warwick will see good demand from local advanced manufacturing companies given the District's links with this sector. The distribution sector has seen very good levels of demand nationally and regionally and there is a severe shortage of land to serve the needs of this sector. In Warwick District, there are very few sites which are available for industrial and distribution use to meet local needs.
- 4.4 Sites for industrial and distribution uses should be located with good accessibility to the national and regional road network. Occupiers prefer sites which are not adjacent to other uses such as offices and residential and sites which are adjacent to these uses see much lower levels of demand and are often not deliverable.
- 4.5 It is estimated by GL Hearn that the majority of demand will be for B1a/b uses, with some demand for B8 storage and distribution. This does not match market signals which indicate that there is a very strong demand for land for B2/B8 uses. Demand for office accommodation will also be significant but this will be focused in the town centres and will not therefore to be satisfied by the allocation of large out of town sites (as demonstrated by the experience of Warwick Gates and Tournament Fields).

Allocation of Riverside House

- 4.6 If this site was vacated by the District Council there would be good demand for continued office use here. It should not be allocated for residential development.

Allocation of Land North of Gallows Hill

- 4.7 There is no justification for discounting the other sites within the surrounding area and focusing only on those adjoining the Technology Park for employment use and we strongly disagree with this methodology.
- 4.8 There has been no assessment of alternative locations for the required employment development, which in market terms would be suitable and preferable in a number of alternative locations.
- 4.9 **The allocation of Land to the North of Gallows Hill will not support the long term future of the Technology Park.** It will create an independent employment area, due to the lack of linkages between the two sites. Furthermore, if a B2 occupier were to locate on the site it would detract from the environment of the Technology Park. The occupiers at Warwick Technology Park are not focused on advanced manufacturing or R&D but are B1a office occupiers. There is therefore no opportunity for clustering through the allocation of this site.
- 4.10 Whilst we disagree with the aim of expanding the Technology Park, if this is the purpose of the allocation then Land to the South of Gallows Hill is much better placed to fulfil this, given that the land to the north does not benefit from any direct linkages to the Park.
- 4.11 An allocation here will not see strong demand from the office sector, as evidenced by experience at Tournament Fields and Warwick Gates. It is very likely that, as with other allocated out of town office sites, viability evidence will show in the short to medium term that alternative uses should be permitted due to lack of demand. **Land to the North of Gallows Hill will not be deliverable or viable for office development.**
- 4.12 Whilst there is strong demand for industrial and warehousing land, this is not an appropriate location, being adjacent to significant new residential development. Proximity to residential development will have a significant detrimental impact on the marketability of the land for these uses. **Land to the North of Gallows Hill is not a suitable location for B2 development as**

proposed in the emerging Local Plan.

Publication Draft Representation Form 2014

For Official Use Only
Person ID:
Rep ID:

This consultation stage is a formal process and represents the last opportunity to comment on the Council's Local Plan and accompanying Sustainability Appraisal (SA) before it is submitted to the Secretary of State. All comments made at this stage of the process are required to follow certain guidelines as set out in the **Representation Form Guidance Notes** available separately. In particular the notes explain what is meant by legal compliance and the 'tests of soundness'.

This form has two parts:

- Part A – Personal Details
- Part B – Your Representations

If you are commenting on multiple sections of the document, you will need to complete a separate Part B of this form for each representation on each policy.

This form may be photocopied or alternatively extra forms can be obtained from the Council's offices or places where the plan has been made available (see the table below). You can also respond online using the Council's e-Consultation System, visit: www.warwickdc.gov.uk/newlocalplan

Please provide your contact details so that we can get in touch with you regarding your representation(s) during the examination period. Your comments (including contact details) cannot be treated as confidential because the Council is required to make them available for public inspection. If your address details change, please inform us in writing. You may withdraw your objection at any time by writing to Warwick District Council, address below.

All forms should be received by **4.45pm on Friday 27 June 2014**

To return this form, please deliver by hand or post to: **Development Policy Manager, Development Services, Warwick District Council, Riverside House, Milverton Hill, Leamington Spa, CV32 5QH**
or email: newlocalplan@warwickdc.gov.uk

Where to see copies of the Plan

Copies of the Plan are available for inspection on the Council's web site at www.warwickdc.gov.uk/newlocalplan and at the following locations:

Warwick District Council Offices, Riverside House, Milverton Hill, Royal Leamington Spa
Leamington Town Hall, Parade, Royal Leamington Spa
Warwickshire Direct Whitnash, Whitnash Library, Franklin Road, Whitnash
Leamington Spa Library, The Pump Rooms, Parade, Royal Leamington Spa
Warwickshire Direct Warwick, Shire Hall, Market Square, Warwick
Warwickshire Direct Kenilworth, Kenilworth Library, Smalley Place, Kenilworth
Warwickshire Direct Lillington, Lillington Library, Valley Road, Royal Leamington Spa
Brunswick Healthy Living Centre, 98-100 Shrubland Street, Royal Leamington Spa
Finham Community Library, Finham Green Rd, Finham, Coventry

Where possible, information can be made available in other formats, including large print, CD and other languages if required. To obtain one of these alternatives, please contact 01926 410410.

Part A – Personal Details

	1. Personal Details	2. Agent's Details (if applicable)
	*If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in section 2.	
Title	Mr	Mr
First Name	Steve	Michael
Last Name	Smith	Davies
Job Title (where relevant)	Head of Property	Director
Organisation (where relevant)	Warwickshire County Council	Savills
Address Line 1	PO Box 46	Innovation Court
Address Line 2	Shire Hall	121 Edmund Street
Address Line 3	Market Square	Birmingham
Address Line 4	Warwick	
Postcode	CV32 4RR	B3 2HJ
Telephone number	01926 412 352	0121 634 8436
Email address	stevesmithps@warwickshire.gov.uk	mpdavies@savills.com

3. Notification of subsequent stages of the Local Plan

Please specify whether you wish to be notified of any of the following:

The submission of the Local Plan for independent examination.

Yes No

Publication of the recommendations of any person appointed to carry out an independent examination of the Local Plan.

Yes No

The adoption of the Local Plan.

Yes No

For Official Use Only

Person ID:

Rep ID:

Part B – Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:

Local Plan

Paragraph Number:

1.42

Policy Number:

Policies Map Number:

5. Do you think the Local Plan is:

5.1 Legally compliant?

Yes No

5.2 Complies with the Duty to Cooperate?

Yes No

5.3 Sound?

Yes No

6. If you answered no to question 5.3, do you consider the Local Plan and / or SA unsound because it is not: (please tick all that apply):

Positively prepared:

Justified:

Effective:

Consistent with National Policy:

For Official Use Only

Person ID:

Rep ID:

7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

It is not clear whether the Local Plan is legally compliant.

Warwickshire County Council (WCC) notes that Warwick District Council (WDC) has sought to base the Local Plan strategy, as set out in paragraph 1.42 of the Local Plan Publication Draft consultation document, on the key priorities identified in the Warwick District Council Sustainable Community Strategy (SCS), '*A Shared Vision*', and which are listed at paragraph 1.40 of the Local Plan Publication Draft consultation document.

However it is not clear whether any regard has been given to the SCS for Warwickshire, '*People, Places and Prosperity*'. This document is neither referenced within the Local Plan Publication Draft consultation document nor appears in the list of evidence base documents on the WDC website. The three elements of the vision for Warwickshire, as set out in the Warwickshire SCS, are: tackling inequities existing either by geography or within communities; ensuring good access to services, choice and opportunity; and pursuing sustainability with respect to people, place and prosperity.

The strategy set out at paragraph 1.42 of the Local Plan Publication Draft consultation document does not make reference to tackling inequality or facilitating access. It is therefore unclear whether these matters have been considered through the plan-making process.

The Planning Inspectorate document '*Examining Local Plans Procedural Practice*' (December 2013) identifies at part B that "the Plan must have regard to any Sustainable Community Strategy (SCS) for its area (i.e. County and District)". Furthermore, the slightly older Planning Inspectorate document '*Local Development Frameworks: Examining Development Plan Documents: Soundness Guidance*'. Specifies at paragraph 1.1 that the submission of a SCS is necessary for the Examination, which in the case of a District Local Planning Authorities should also include one copy of the County's SCS.

It is not clear whether WDC intends to submit a copy of the Warwickshire SCS, given the absence of this document in the list of evidence base documents on the WDC website. Furthermore it is not clear whether the Warwickshire SCS has even been taken into account in the preparation of the Local Plan. On this basis, WCC questions whether the Local Plan is legally compliant.

For Official Use Only

Person ID:

Rep ID:

8. Please set out what modifications(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 7. Above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Local Plan Publication Draft consultation document needs to be thoroughly reviewed to ensure that it has taken the Warwickshire SCS into account. This should be evidenced in the wording used within the Local Plan and justification provided as part of the suite of submission documents as to how the Local Plan takes account of the Warwickshire SCS and what modifications have been made to ensure that this has been taken into account.

The whole Local Plan Publication Draft consultation document has been reviewed and updated, as appropriate. However WCC suggests that the updating should include amendments to the wording of paragraph 1.42 of the Local Plan Publication Draft consultation document, as follows [emphasis added]:

*“This Plan aligns with **both** the Warwick District and Warwickshire County Sustainable Community Strategies by focusing on the following strategic priorities:*

- *Supporting Prosperity: seeking to enable the District’s economy to prosper by providing opportunities for businesses to grow and relocate is an important priority for the Local Plan. To achieve this, the Plan sets out policies and proposals to support employment, vibrant town centres, ~~and~~ a strong cultural offer **and enable good access to these facilities.***
- *Providing the homes the District needs: providing opportunities to deliver the housing needed to support the District’s changing and growing population is central to the Plan, ensuring this is high quality and affordable, at the same time as meeting the needs of everyone including those with specialist needs.*
- *Supporting sustainable communities (including health and wellbeing and community safety): there are many aspects to the delivery of sustainable communities including the design and layout of new development; provision of infrastructure; spaces and services to enable healthy and safe lifestyles; regeneration and enhancement of existing communities and environments, **including tackling inequalities**, and the protection of the natural and built environment.”*

Please note that your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

For Official Use Only

Person ID:

Rep ID:

9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

WCC considers that the implications arising from the absence of any reference to the Warwickshire SCS as part of the Local Plan preparation and any modifications that have been undertaken since to take this into account should be subject to discussion at Examination, to ensure that the Local Plan can be deemed legally compliant.

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name / organisation.

Signed

Michael Danice

Date

27 June 2014

Copies of all of the objections and supporting representations will be made available for others to see at the Council's offices at Riverside House and online via the Council's e-consultation system. Please note that all comments on the Local Plan are in the public domain and the Council cannot accept confidential objections. The information will be held on a database and used to assist with the preparation of the new Local Plan and with t consideration of planning applications in accordance with the Data Protection Act 1998.

For Official Use Only

Person ID:

Rep ID:

Part B – Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:

Local Plan

Paragraph Number:

Policy Number:

DS4

Policies Map Number:

5. Do you think the Local Plan is:

5.1 Legally compliant?

Yes No

5.2 Complies with the Duty to Cooperate?

Yes No

5.3 Sound?

Yes No

6. If you answered no to question 5.3, do you consider the Local Plan and / or SA unsound because it is not: (please tick all that apply):

Positively prepared:

Justified:

Effective:

Consistent with National Policy:

For Official Use Only

Person ID:

Rep ID:

7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Warwickshire County Council (WCC) questions whether part c) of strategic policy DS4 truly represents effective spatial planning.

Part c) proposes that greenfield sites allocated for employment development should be in close proximity to existing or proposed housing.

Not all employment development is compatible with residential development. Whilst B1 uses are potentially suitable for and compatible with residential areas, the NPPF classifies offices as a town centre use. Proposals for town centre uses should be considered in accordance with a sequential assessment, focusing on reviewing the potential for town centre sites and then edge of centre sites before out of centre greenfield sites are considered. In this context there are previously-developed sites on the edge of Leamington town centre, which are being proposed through the Local Plan Publication Draft for residential development. WDC therefore needs to carefully review the potential of other, sequentially more preferable sites, in planning for office development before greenfield sites are considered. Unlike office development, proposals for residential development do not need to be subject to a sequential assessment.

B2 and B8 uses are less suitable uses for residential areas. NPPF paragraph 123 states that planning policies should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

Policy DS4 needs to recognise, as part of the strategic approach to distributing housing and employment land across the district, that the proximity of employment allocations involving B2 / B8 uses to existing or proposed housing needs to be carefully considered and planned to avoid employment development from causing adverse impacts on the amenity of nearby occupiers.

However WCC does consider that the approach within policy DS4 to allocate greenfield land for housing in sustainable locations on the edge of the urban area, which avoid areas assessed as high landscape value and where detrimental impact on the significance of heritage assets can be avoided or mitigated, is appropriate and justifiable.

For Official Use Only

Person ID:

Rep ID:

8. Please set out what modifications(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 7. Above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Strategic policy DS4 should include a provision to protect the amenity of existing or proposed residential occupiers from allocated employment sites. Such an approach could be achieved through a change in wording to part c) of strategic policy DS4, as follows [**emphasis added**]:

*"Where greenfield sites are required for employment, they should **only** be allocated in locations which are suitable for the needs of 21st century businesses, accessible via a choice of transport modes and **with good access to existing or proposed housing without compromising residential amenity** ~~are in close proximity to existing or proposed housing and only when sequentially preferable sites cannot be delivered~~".*

Please note that your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

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Rep ID:

9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

WCC owns land to the west of Europa Way which is proposed for an allocation of 8ha B1 / B2 employment uses, as part of a wider mix of proposed uses, including residential. Therefore it is considered appropriate for WCC to be present at any discussions relating to the strategy for distributing employment land, to ensure that this matter is properly considered.

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name / organisation.

Signed

Michael Danice

Date

27 June 2014

Copies of all of the objections and supporting representations will be made available for others to see at the Council's offices at Riverside House and online via the Council's e-consultation system. Please note that all comments on the Local Plan are in the public domain and the Council cannot accept confidential objections. The information will be held on a database and used to assist with the preparation of the new Local Plan and with t consideration of planning applications in accordance with the Data Protection Act 1998.

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Person ID:

Rep ID:

Part B – Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:

Local Plan

Paragraph Number:

Policy Number:

DS8

Policies Map Number:

5. Do you think the Local Plan is:

5.1 Legally compliant?

Yes No

5.2 Complies with the Duty to Cooperate?

Yes No

5.3 Sound?

Yes No

6. If you answered no to question 5.3, do you consider the Local Plan and / or SA unsound because it is not: (please tick all that apply):

Positively prepared:

Justified:

Effective:

Consistent with National Policy:

For Official Use Only

Person ID:

Rep ID:

7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Warwickshire County Council (WCC) is concerned that Warwick District Council (WDC) is not planning to meet its objectively assessed need for employment land through an up-to-date evidence base and is therefore concerned that the Local Plan is not positively prepared, justified or consistent with national planning policy.

Employment land calculations include assumptions relating to housing requirements. The Local Plan housing target for Warwick District increased between the Revised Development Strategy and Publication Draft consultation documents, following the publication of the Coventry and Warwickshire Joint Strategic Housing Market Assessment (SHMA) in November 2013.

With respect to assessing future employment land requirements, the NPPG identifies that Local Authorities should use a range of data which is both current and robust and in doing so should consider: sectoral and employment forecasts and projections (labour demand); demographically derived assessments of future employment needs (labour supply); analysis based on past take-up of employment land and property and / or future property market requirements; and consultation with relevant organisations, studies of business trends and monitoring of business, economic and employment statistics.

NPPF paragraph 158 identifies that Local Plans should be based on adequate, up-to-date and relevant evidence and that strategies for housing, employment and other uses are integrated. NPPF paragraphs 160-161 identify that Local Planning Authorities should prepare and maintain a robust evidence base to understand both existing and likely changes in the market.

Firstly, neither the WDC Employment Land Review Update (May 2013) evidence base document nor employment forecasting have been updated following the publication of the higher housing figures (labour supply) in the November 2013 SHMA. The Employment Land Review Update (May 2013) is silent in terms of housing figures used to inform the demographic-based assumptions underlying the employment forecasting, but it does refer to the earlier (December 2012) Economic and Demographic Forecasts Study. It is not clear if the higher housing figures alter the assumptions for, and outcomes of, the economic forecasting evidence base and therefore whether the employment land figures used within the Local Plan Publication Draft are still appropriate and justified for the level of growth being planned for. The Local Plan accordingly does not appear to be informed and supported by an up-to-date evidence base.

Secondly, the Savills Market Assessment report submitted alongside these representations queries the majority market demand identified by GL Hearn Employment Land Review Update (2013) for B1a/B1b uses, on the basis that market signals indicate a very strong demand for B2/B8 uses, and identifies a preference for sites in or on the edge of town centres. The evidence base informing the Local Plan does not appear to be responding to the needs of the market, which raises questions over the employment assumptions being carried forward into the employment figure set out in Local Plan Publication Draft policy DS8 and explained in supporting paragraphs 2.24-2.29.

Thirdly, the GL Hearn Employment Land Review Update (2013) makes assumptions about the redevelopment of existing employment areas which WCC considers are not effective, in particular for the redevelopment of Riverside House existing office site (which is discussed in more detail in WCC's representations to Local Plan Publication Draft policies DS9 and DS11).

There is therefore considerable uncertainty over whether WDC is planning to meet its objectively assessed and market-based employment need. WDC needs to produce an updated and robust employment evidence base.

For Official Use Only

Person ID:

Rep ID:

8. Please set out what modifications(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 7. Above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

WDC needs to produce an updated and robust employment evidence base to justify the employment figures used in the Local Plan and the policy should reflect more accurately the nature and locational preferences of demand.

Please note that your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

For Official Use Only

Person ID:

Rep ID:

9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

WCC owns an area of land within the 'Land West of Europa Way' proposed allocation, within which the majority of employment allocation proposal E1 is located. Therefore it is essential that WCC is involved in any discussions taking place at Examination which consider employment numbers and allocations, due the significant number of issues that this raises, to ensure that the allocations and employment figures set out within the Local Plan are appropriate and based on a robust evidence base, to facilitate WDC in achieving a sound Local Plan.

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name / organisation.

Signed

Michael Davies

Date

27 June 2014

Copies of all of the objections and supporting representations will be made available for others to see at the Council's offices at Riverside House and online via the Council's e-consultation system. Please note that all comments on the Local Plan are in the public domain and the Council cannot accept confidential objections. The information will be held on a database and used to assist with the preparation of the new Local Plan and with t consideration of planning applications in accordance with the Data Protection Act 1998.

For Official Use Only

Person ID:

Rep ID:

Part B – Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:

Local Plan

Paragraph Number:

Policy Number:

DS9

Policies Map Number:

E1

5. Do you think the Local Plan is:

5.1 Legally compliant?

Yes No

5.2 Complies with the Duty to Cooperate?

Yes No

5.3 Sound?

Yes No

6. If you answered no to question 5.3, do you consider the Local Plan and / or SA unsound because it is not: (please tick all that apply):

Positively prepared:

Justified:

Effective:

Consistent with National Policy:

For Official Use Only

Person ID:

Rep ID:

7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Warwickshire County Council (WCC) considers that the proposal within the Local Plan Publication Draft consultation document at policy DS9 for allocating Land North of Gallows Hill, Warwick for 8ha of B1 and B2 employment uses, in the area identified on Policies Map 2: Warwick Leamington and Whitnash under reference E1, is not justified.

WCC has commissioned Savills to produce an employment Market Assessment to accompany these representations. This is submitted in a separate document, but in support of these representations.

With respect to B1 uses, the Market Assessment identifies that although there is good demand for B1 office space across the regional markets, existing out of town office sites in the District continue to see poor demand and that landowners are seeking to diversify to alternative uses such as residential or distribution uses. In Warwick District this has been recently evidenced through Warwick District Council (WDC) granting planning permission for residential development on the 'committed' adopted Local Plan out of town employment site at Warwick Gates, which previously benefited from previous planning permission for B1 development, on account of a lack of market interest following a long marketing campaign. The focus of demand is for high quality accommodation within or adjacent to the town centres.

With respect to manufacturing uses, the Savills Market Assessment identifies that whilst the traditional manufacturing sector continues to decline, there is a renaissance in the advanced manufacturing sector. Warwick District will see good demand from local advanced manufacturing companies given the District's links with the automotive sector. There is a severe shortage of land to serve the needs of the distribution sector nationally and regionally and in Warwick District there are very few existing sites which are available for industrial and distribution uses to meet local needs. Industrial and distribution uses should be located with good accessibility to the national and regional road network. Occupiers prefer sites which are not adjacent to other uses such as offices and residential. Sites which are adjacent to these uses see much lower levels of demand and are often not deliverable. Land North of Gallows Hill does not meet the current market requirements. This was evidenced by the slow lack of take-up at the adjacent Warwick Technology Park and lack of market interest in the adjacent Warwick Gates site and acknowledged and accepted by WDC in approving planning permission (ref W/13/0607) for the development of the Warwick Gates 'committed' c.10ha employment site for residential development in August 2013. The NPPF and NPPG are both clear in their requirement for Local Planning Authorities to take account of market signals.

The market assessment also disagrees with the views expressed within the GL Hearn Warwick District Employment Land Review (ELR) (2013) that the majority of demand will be for B1a/b uses, with some demand for storage and distribution. The evidence from market signals is that there is a very strong demand for B2/B8 uses. Whilst demand for office accommodation will also be significant, this will be focused on or adjacent to town centres.

In order to meet the demands of the office market, WDC's focus on office delivery should be targeted towards the town centres and informed by a sequential assessment of potential office sites, with careful consideration given to sites within town centres and on the edge of town centres, before out of town locations are considered. There is no evidence that WDC has undertaken a sequential assessment of potential office sites within the District. It is not clear why WDC has chosen to allocate Riverside House, an existing office location on the edge of Leamington town centre, for residential development. The Savills market assessment states that "if this site was vacated by the District Council there would be good demand for continued office use here". WDC's own ELR (2013) also identifies Riverside House as a suitable office location. The expected (re)development densities for office development on the 1.75ha Riverside House site, are expected to be higher than could be achieved on an out of town site. Town centre sites can achieve up to 100% coverage and potentially allow for higher buildings than out of town sites, which may only achieve circa 40% coverage and 2-storey buildings. Achieving equivalent floorspace on an out of town site would therefore expect to require a significantly larger land area. The proposal for allocating offices in an out of town location is therefore not justified because it is not supported by appropriate evidence and reasonable alternatives for the location of office development have not been appropriately considered through the Local Plan process.

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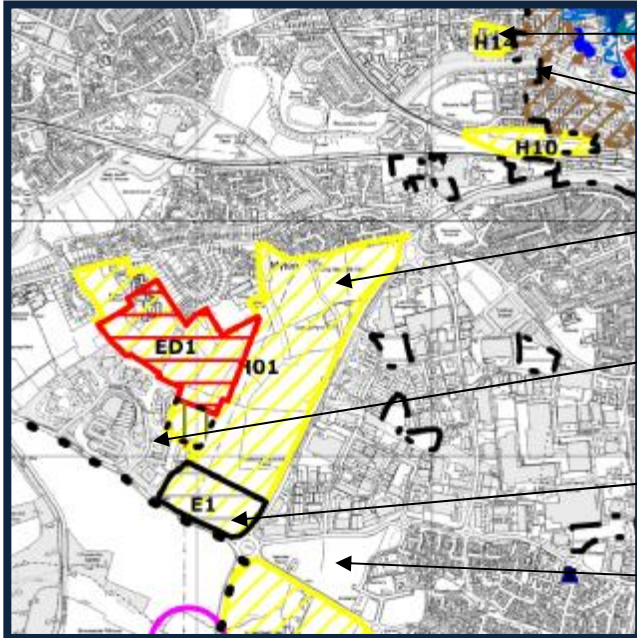
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- Riverside House (existing offices).
- Leamington town centre boundary.
- Land north of Gallows Hill / West of Europa Way proposed development area.
- Existing out-of-town Warwick Technology Park (private ownership, levels differences and no access between the site and land to the east).
- Proposed employment allocation at new urban fringe / out of town location.
- Warwick Gates – former ‘committed’ employment site / adjacent to Tachbrook Business Park

With specific reference to the proposed employment allocation to the north of Gallows Hill, no reasonable justification is given either within the policy or in the supporting text to the policy for why 8 hectares of employment land is required. Local Plan publication draft paragraph 2.33 states that is a sufficient size to meet a variety of demands, but no further explanation is given as to what, if anything, this is based on.

As highlighted within the Savills market assessment, no justification is given within WDC’s employment evidence base for rejecting other sites in the area to the south of Warwick, Leamington and Whitnash in favour of focusing on sites adjoining the Warwick Technology Park. No detailed assessment of potential employment sites which would meet the market requirements is provided by WDC.

The Savills market assessment also identifies that the allocation of land to the north of Gallows Hill would not support the long term future of the Warwick Technology Park, would not be deliverable or viable for office development and is not a suitable location for B2 development.

It should also be noted that the previous Local Plan consultation document, the Revised Development Strategy (RDS), proposes at paragraph 5.1.7 that land to the north of Gallows Hill, immediately adjacent to Warwick Technology Park, has potential to expand the Technology Park, but that “*its relationship to the Technology Park is dependant on this area being accessed direct from the existing Technology Park distributor road. If this area was accessed direct from Gallows Hill, the ability to market the area as part of the Technology Park would be diminished. Further work therefore needs to be done to establish whether this link can be achieved*”. Paragraph 8.8 of the Employment Land Review Update (2013) also highlighted the need for further feasibility and masterplanning work to be undertaken to consider the relationship between new employment and residential uses in this location.

WCC submitted objections to the last round of consultation identifying that the proposed link could not be achieved without third party land and / or loss of car parking, to overcome the levels difference between the two sites. WCC also highlighted that the unique selling point of the Warwick Technology Park created when planning permission was granted in 1986 for a restricted range of uses, such as fibre optics, telecommunications, satellite equipment, robotics and micro electronics/engineering, was diluted when planning permission was granted in 1991 (W/91/0348) for unrestricted B1 use, limiting the argument that this ‘specialist’ area should be expanded in preference to other potential sites to the south of Warwick / Leamington / Whitnash.

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Notably references relating to an intrinsic link between the Warwick Technology Park and land to the north of Gallows Hill do not appear in the Local Plan Publication Draft consultation document. WCC questions whether this undermines WDC's justification for requiring employment uses to be located adjacent to the Warwick Technology Park. It is therefore not shown how WDC's chosen approach to this particular allocation is the most appropriate given the reasonable alternatives because it is not clear whether reasonable alternatives have been considered and there is no clear audit trail showing how and why the preferred approach to allocations was arrived at. Reasonable alternative options have therefore also not been tested through a Sustainability Appraisal.

The additional evidence which the RDS and Employment Land Review stated were being produced with respect to this site has not been published as part of the Local Plan Publication Draft evidence base.

Furthermore, in terms of deliverability, spatial planning and masterplanning the effectiveness of the DS9 proposed employment allocation to the north of Gallows Hill is not clear because due consideration has not been given to the implications of the employment allocation on:

- The ability to deliver a spine road through the 'Land West of Europa Way' urban extension, which is being relied upon within the Technical Note at Appendix D of the Strategic Transport Assessment (STA): Revised Development Allocation Testing (April 2014) evidence base document for the delivery of a key bus route, if employment development does not happen within the allocation area on account of poor market demand;
- Cresting an unattractive 'gap' in the development form whilst awaiting for market interest, which may not be able to function as a viable agricultural unit in the interim (which is contrary to the recommendations at paragraph 1.3.0 of the 'Options for Future Urban Expansion in Warwick District: Considerations for Sustainable Landscape Planning' (2012) evidence base document.
- Amenity considerations arising from the juxtaposition of B2 uses with residential uses, not only relating to potential constraints on the operation of the new B2 occupiers and adjacent (Technology Park) office occupiers, but also through potential noise and other adverse impact upon the amenity of the residents (NPPF paragraph 123); and
- The impacts of employment development upon the setting of the Grade II Listed Heathcote Hill Farmhouse, which have not been tested within the heritage evidence base.

The effectiveness of policy DS9 and the Local Plan general policy approach is also questionable due to internal inconsistencies between policies, notably between policy DS9 and proposed policies DS4 and EC1, on account of the location of employment development and the impact on heritage assets.

It has also been noted that given the uncertainties regarding what form of employment development might be brought forward on the Land North of Gallows Hill, the most recently produced transport evidence, the STA: Revised Development Allocation Testing (April 2014) has made assumptions and has assumed a 50% split between B1 and B2 uses for the proposed employment allocation to the south of Warwick / Leamington. It is not clear whether any other potential apportionments of employment uses have been tested and therefore whether this is an appropriate assumption. The STA also refers to the location of the employment allocation to the south of Warwick / Leamington that has been tested through the STA as being 'Lower Heathcote Farm'. This corresponds to a location to the south of Harbury Lane. The scenario tested by the transport evidence base does therefore not reflect the Local Plan Publication Draft proposal and therefore does not demonstrate that Local Plan employment proposal E1 can be accommodated within the highway network.

The WDC employment evidence base is not therefore considered capable of justifying the proposal in Local Plan Publication Draft policy DS9 for allocating 8ha of land for B1 and B2 uses to the north of Gallows Hill.

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The employment allocation proposed for inclusion within the residential-led urban extension to the West of Europa Way, as identified on Policies Map 2 under reference E1, should be removed unless WDC is able to produce a robust updated evidence base to demonstrate: why this is the most suitable location to the south of Warwick, Leamington and Whitnash for employment development and why 8ha of land for B1 and B2 development is required. Land to the West of Europa Way can accordingly be identified as being able to accommodate a greater quantum of much-needed residential development in this sustainable residential location.

Riverside House should retain in office use and allocated accordingly to protect existing suitable office uses in appropriate, sequentially preferable office locations, unless WDC is able to produce a robust, updated evidence base to demonstrate why this should not be the case.

The Local Plan should also include provision for B2/B8 uses, in response to the market signals, in appropriate locations, following a robust assessment of potential employment sites, which WDC needs to undertake to accompany the preparation of the Local Plan. .

Please note that your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

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No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

WCC owns an area of land within the 'Land West of Europa Way' proposed allocation, within which the majority of employment allocation proposal E1 is located. Therefore it is essential that WCC is involved in any discussions taking place at Examination which consider the proposed employment allocations, due the significant number of issues that this raises, to ensure that the allocations are appropriate and based on a robust evidence base, to facilitate WDC in achieving a sound Local Plan.

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name / organisation.

Signed

Michael Danice

Date

27 June 2014

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Part B – Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:

Local Plan

Paragraph Number:

Policy Number:

DS10

Policies Map Number:

5. Do you think the Local Plan is:

5.1 Legally compliant?

Yes No

5.2 Complies with the Duty to Cooperate?

Yes No

5.3 Sound?

Yes No

6. If you answered no to question 5.3, do you consider the Local Plan and / or SA unsound because it is not: (please tick all that apply):

Positively prepared:

Justified:

Effective:

Consistent with National Policy:

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Warwickshire County Council (WCC) considers that the approach taken through policy DS10 for appropriate redevelopment of previously developed urban sites and focusing the majority of the remaining requirement to meet the housing need of the District on greenfield site to the south of Warwick, Leamington and Whitnash, to be justified and in accordance with the principles of sustainable development.

However the balance of allocated sites between urban brownfield sites and other sites is affected by the proposed distribution of employment land. If better protection and preference is given to the employment sites in or near town centres, the implication for the amount of land allocated for housing at the edge of the urban area needs to be reflected in a revised balance between urban and other sites. WDC is conversely proposing new allocations for B1 office development on the fringe of the expanded urban area (out of centre). Allocating sites for office uses on sites on the fringe of the urban area reduced the land available for housing and is contrary to the 'town centre first' approach highlighted in paragraph 23 of the NPPF, as such sites are considered to be less sustainable, less sequentially preferable and contrary to what the market is seeking.

Paragraph 23 of the NPPF specifically states that *"planning policies should be positive, promote town centre environments and get out policies for the management and growth of centres over the plan period. In drawing up Local Plans, local planning authorities should...allocate appropriate edge of centre sites for main town centre uses that are well connected to the town centre where suitable and viable town centre sites are not available"*.

WDC has not undertaken a sequential assessment for town centre (office) uses as part of the preparation of the Local Plan.

It is important that the Local Plan properly assesses options for employment sites in order to inform the broad distribution and capacity of allocated housing sites.

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The Local Plan needs to be supported by an up-to-date, objectively assessed evidence base, including sequential assessment for town centre (office) uses, to fulfil the requirements of NPPF paragraphs 23 and 161, and full justification for the release of more sequentially preferable employment sites.

Careful consideration needs to be given as to the appropriateness of allocating an existing sustainably-located office site, in close proximity to the Leamington Town Centre facilities and amenities for residential development and allocating greenfield land on the edge of the urban area for office development.

If this strategy is the most appropriate strategy then clear reasoning needs to be given. If this strategy is however shown to not be the most appropriate strategy, and Riverside House is deemed to be more suitable as an allocation for office uses, resulting in a decreased requirement for allocating B1 office development on greenfield sites on the edge of Warwick, Leamington and Whitnash, then the policy DS10 housing numbers for urban brownfield sites need to be adjusted down and the housing numbers for greenfield sites on the edge of Warwick, Leamington and Whitnash need to be adjusted up accordingly. The necessary amendments should also be made to the Local Plan policies governing the amount and location of employment land (DS8, DS9 and DS11).

Please note that your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

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No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

WCC owns land to the west of Europa Way which is proposed for allocation for a mix of uses, including employment and residential uses. Therefore it is considered appropriate for WCC to be present at any discussion on the strategy for the distribution of residential land, to ensure that this matter is properly considered.

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name / organisation.

Signed

Michael Danice

Date

27 June 2014

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Part B – Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:

Local Plan

Paragraph Number:

Policy Number:

DS11

Policies Map Number:

HO1, ED1, E1, H14

5. Do you think the Local Plan is:

5.1 Legally compliant?

Yes No

5.2 Complies with the Duty to Cooperate?

Yes No

5.3 Sound?

Yes No

6. If you answered no to question 5.3, do you consider the Local Plan and / or SA unsound because it is not: (please tick all that apply):

Positively prepared:

Justified:

Effective:

Consistent with National Policy:

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Warwickshire County Council (WCC) considers that the inclusion of Land West of Europa Way as a strategic growth area for residential development in Local Plan Publication Draft policy DS11 is justified.

The site is in a sustainable location on the edge of the existing urban area, outside of the Green Belt, with good access to Warwick and Leamington town centres and a range of existing retail, employment, education and other community uses and has been consistently promoted for a residential-led allocation throughout the Local Plan preparation process (and the Core Strategy process before that) and assessed favourably through the associated Sustainability Appraisals.

The 'Landscape Character Assessment for Land South of Warwick and Leamington' (2009) and 'Options for Future Urban Expansion in Warwick District: Considerations for Sustainable Landscape Planning' (2012) evidence base documents identify that the value of the site (referred to as Study Area C: Europa Way Triangle) has been greatly diminished by surrounding land uses and contributes little to the general landscape setting of Warwick and Leamington. The conclusions identify that the loss of all or part of the area for development may have less impact on the character and scale of southern Warwick than other land with a better conserved rural character and setting. Residential development on this site is therefore considered to also be justified in landscape terms.

The principle of including a mix of uses to the west of Europa Way is deemed appropriate, including provision of a medical centre (in accordance with NHS Property Services feedback), primary school, local centre (subject to market requirements and viability) and the principle of for the expansion of Myton Secondary School. However the Local Plan approach to the development of Community Facilities is not considered to be positively prepared, justified, effective or in accordance with national policy and WCC has concerns about the uncertainty as to the amount of land required for the expansion of Myton School. These concerns are set out in more detail in WCC's response to policies DS12 and DS14.

The inclusion of 8ha of (B1/B2) employment land to the west of Europa Way is not deemed appropriate in market, quantum and location terms. The reasons why 8ha employment land in this location is not considered to be positively prepared, justified, effective and in accordance with national policy are set out in more detail in WCC's response to policy DS9. Nor do we consider this to be "associated infrastructure" in relation to the residential development.

Furthermore it is not clear why WDC has chosen to allocate edge of town centre sites for residential development.

Paragraph 23 of the NPPF specifically states that "*planning policies should be positive, promote town centre environments and get out policies for the management and growth of centres over the plan period. In drawing up Local Plans, local planning authorities should...allocate appropriate edge of centre sites for main town centre uses that are well connected to the town centre where suitable and viable town centre sites are not available*".

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The evidence base for the Local Plan should be reviewed to properly assess the appropriateness of allocating edge of centre employment sites for residential development. If a suitable evidence base cannot be produced to justify allocating an alternative use for this existing office location, with subsequent need to allocate additional land on the edge of the urban area for office uses, then the appropriate modification to the Local Plan would be to retain the site in or even safeguard the site for office use.

The employment land allocation proposed for the Land West of Europa Way should be removed and the inclusion of other community facilities should be reviewed and justified.

Please note that your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

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WCC owns an area of land within the 'Land West of Europa Way' proposed allocation and therefore considers that it essential to be involved in any discussions taking place at Examination which consider the proposed housing allocations, due the significant number of issues that this raises, to ensure that the allocations, and additional mix of uses are appropriate and to facilitate WDC in achieving a sound Local Plan.

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

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I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name / organisation.

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Part B – Your Representations

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4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:

Local Plan

Paragraph Number:

Policy Number:

DS12

Policies Map Number:

ED1

5. Do you think the Local Plan is:

5.1 Legally compliant?

Yes No

5.2 Complies with the Duty to Cooperate?

Yes No

5.3 Sound?

Yes No

6. If you answered no to question 5.3, do you consider the Local Plan and / or SA unsound because it is not: (please tick all that apply):

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Justified:

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Warwickshire County Council (WCC) supports the principle of expanding Myton School to accommodate the increase in the number of pupils generated by the housing growth of the District proposed through the Local Plan to the south of Warwick, Leamington and Whitnash. WCC also supports the principle of accommodating some of the expansion of Myton School onto land within its ownership to the west of Europa Way.

WCC is concerned that WDC has not set out within the Local Plan how big the Myton School expansion area marked on Local Plan Policies Map 2: Warwick, Leamington and Whitnash under reference ED1 is, why it needs to be this size and why the boundaries are shown in the locations that they are.

WCC, as landowner, submitted a planning application in outline for residential-led development in June 2014 on land within its ownership to the west of Europa Way, which includes an area for the expansion of Myton School, should this be required. This is not a direct response to the Local Plan strategy proposed under Local Plan Publication Draft Policy DS12, but a decision informed through consultation with the landowner immediately to the north of WCC's land and through discussions with the Local Education Authority (LEA). The advice received from the LEA through pre-application discussions was that circa 4ha of land would be required to support the expansion of Myton School (which would increase to circa 6ha with the addition of a primary school). The sharing of this land requirement was agreed between WCC and the landowner to the north, which resulted in the submitted application proposals.

Notwithstanding these discussions, there is uncertainty as to the nature and scale of any expansion of Myton School, which the Policies Map does nothing to resolve. The Local Plan and / or Policies Map should be changed to identify land requirements for schools which are demonstrated to be necessary and reasonable.

The most recently-produced Infrastructure Delivery Plan (IDP) is the Draft IDP, dated April 2014, states that the cost for the Myton School expansion proposals is £30M, of which £14M attributed to the impact of local growth and which would be paid for through S106 and CIL contributions. NPPF paragraph 177 states that it is important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion. Until such time as the expansion proposals are shown to be 'deliverable' the Local Plan should make alternative "fall-back" provision for secondary school facilities".

WCC also notes that the most recently-produced transportation evidence base, the Strategic Transport Assessment (STA) Phase 4: Revised Development Allocation Testing (April 2014) does not appear to consider the impacts major education development in this location, as part of the assessment of the impact of the Local Plan wider growth proposals. The 'Recommendations' set out in section 9.4 of the STA recommend further testing is carried out once more certainty emerges on the provision of education facilities.

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The necessary modifications relate to the need for an evidence base justification for Policy DS12 and the respective allocation shown on the Policies Map under reference ED1 and for the need for the Local Plan to make alternative provision in the event that the Myton School expansion proves to not to be deliverable.

The evidence base needs to justify: the amount of expansion necessary; the location and boundaries for the expansion area; the approach to consultation; the appropriateness of the strategy; what reasonable alternatives were considered and why alternatives were rejected; and clarification on the delivery mechanism, timescales and ability of the highway infrastructure to cope.

Please note that your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

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No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

WCC owns land to the west of Europa Way, which is proposed for a strategic allocation for a mix of uses and which includes part of the proposed expansion of Myton School. Therefore it is considered vital for WCC to be present at any discussion on the approach to the allocation of education facilities, to ensure that this matter is properly considered.

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name / organisation.

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Rep ID:

Part B – Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:

Local Plan

Paragraph Number:

Policy Number:

DS13

Policies Map Number:

5. Do you think the Local Plan is:

5.1 Legally compliant?

Yes No

5.2 Complies with the Duty to Cooperate?

Yes No

5.3 Sound?

Yes No

6. If you answered no to question 5.3, do you consider the Local Plan and / or SA unsound because it is not: (please tick all that apply):

Positively prepared:

Justified:

Effective:

Consistent with National Policy:

For Official Use Only

Person ID:

Rep ID:

7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Warwickshire County Council (WCC) is concerned that Warwick District Council (WDC) has not fully justified the need for, size of, and delivery mechanism for a Country Park to the north side of Tach Brook.

The supporting text for Local Plan Publication Draft policy DS14 cites the Green Infrastructure Study 2010 and Green Space Strategy 2012 as identifying gaps in Accessible Natural Green Space in the southern part of the Warwick, Leamington and Whitnash urban area. WCC also notes that the Draft Infrastructure Delivery Plan (IDP) (April 2014) states that the proposed Tach Brook Country Park would extend to 62.5ha.

In reviewing the Green Infrastructure Study 2010, the findings with respect to Accessible Natural Greenspace, with specific focus on the area to the south of Warwick, Leamington and Whitnash, can be summarised as follows:

- Plan AN1 shows that land to the north of Gallows Hill, Harbury Lane and Heathcote Lane and to the east east and west of Europa Way is not currently within a 300m catchment from Accessible Natural Greenspace of greater than 2ha ('Local Sites');
- Plan AN2 identifies that some of the area immediately to the north of Harbury Lane / Heathcote Lane, to the south of Leamington, is not within a 2km catchment area from Accessible Natural Greenspace of greater than 20ha ('Town Sites'); and
- Plan AN3 identifies that all of the area to the south of, but adjacent to Warwick, Leamington and Whitnash is within a 5km catchment area from Accessible Natural Greenspace of greater than 100ha ('District Sites').

Furthermore, whilst the Green Space Strategy for Warwick District 2012-2026 appears to identify the process that WDC will go through in informing green space proposals for the District, it does not identify specific locations for where new or improved green spaces should go.

WCC questions whether the apparent existing deficiencies in accessibility to natural greenspace sites of over 2ha in the area south of Warwick, Leamington and Whitnash shown on Plan AN1 is a sufficient justification for a 62.5ha Country Park, given that a significant proportion of existing development in the areas of apparent deficiency is employment development, which does not generate a need for access to greenspace, and that much of the new development coming forward in this area will be delivering on-site open space, which will be accessible to both existing residents of adjoining areas and new residents of the properties developed on the allocated sites.

WCC also questions whether the apparent existing deficiency in accessibility to natural greenspace sites of over 20ha to the south of Leamington shown on Plan AN2 is a sufficient justification for a 62.5ha Country Park.

NPPF paragraph 73 states that planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision and that the assessments should identify specific needs based on quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the area. NPPF paragraph 73 also states that the information gained from the assessments should be used to determine what open space, sports and recreational provision is required. WCC would like clarity on where WDC's assessment of the specific open space needs based on identified deficits in existing open space provision can be found.

The 2008 Warwick District Parks & Open Spaces Audit 2008 identifies that overall open space provision within Warwick South Ward is marginally less than the District average, but does not break this provision down into individual open space typologies, does not include maps to show provision and accessibility and does not make a recommendation for a new Country Park. Therefore whilst a 62.5ha of Country Park is anticipated to be able to address an existing deficiency in Accessible Natural Greenspace to the south of Warwick, Leamington and Whitnash, it is not clear how much of the Country Park area is 'necessary' and how much is just a 'nice-to-have'. A transparent evidence base is needed to clarify this.

Continued on the next page...

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Person ID:

Rep ID:

7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

...Continued from previous page.

WCC also expresses concern over the proposed delivery mechanism for the Country Park. The Draft IDP (April 2014) proposes that the £5.4M Country Park is delivered in full through S106 contributions.

WCC questions whether this approach is able to meet the legal tests for planning obligations set out in regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended), as it is not clear why the delivery of the full extent of the proposed Country Park: is required to make new development acceptable in planning terms, especially if on-site open space provision can be made; is directly related to the developments, especially if some of the justification for the Country Park is to remedy existing deficiencies; and is fairly and reasonably related in scale and kind to the new developments coming forward.

It should also be noted that the NPPG (paragraph: 018Reference ID: 12-018-20140306) stresses that the Local Plan should pay careful attention to identifying how infrastructure can be funded and brought on stream at the appropriate time.

However, even if all the new sites proposed for housing allocations (3,245 greenfield dwellings + 215 brownfield dwellings at the former sewage works = 3,460 dwellings) to the south of Warwick, Leamington and Whitnash in policy DS11 of the Local Plan Publication Draft consultation document make financial contributions towards off-site parks and gardens open space, then this would only generate a 'need' for circa 16.6ha of Country Park land. This assumes a generic average of 2.4 people per dwelling and the application of the 2ha 'Parks and Gardens' typology from the current WDC Open Spaces Supplementary Planning Document (2009). WCC therefore questions whether this would be a more appropriate starting point for considering the need for, and payment for a Country Park (through S106 contributions for off-site provision) to the south of Warwick, Leamington and Whitnash. It is not clear whether WDC has considered this approach, with appropriate expansion, where deliverable and justifiable, to assist in remedying the apparent deficiency in Accessible Natural Greenspace of over 20ha in this area.

WCC also questions why the Country Park is required to provide flood alleviation and whether acceptable habitat creation, acceptability, usability and buffering can be achieved within a smaller area. Furthermore it is not clear how WDC moved from the £1.5M 20ha peri-urban Country Park concept idea for the area to the south of Leamington / Warwick / Whitnash included within the Warwick District Green Infrastructure Delivery Assessment (2012) to the Local Plan Publication Draft proposal.

WDC needs to have a robust evidence base in place to respond to these queries to justify the need for the proposed 62.5ha Country Park in this location and be able facilitate the delivery of this infrastructure through an appropriate mechanism.

It should be noted that WCC does not object to the principle of providing a Country Park, subject to appropriate justification being provided for a facility of this size through a robust evidence base.

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Person ID:

Rep ID:

8. Please set out what modifications(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 7. Above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The necessary modifications relate to the need for an evidence base justification for Policy DS11 and the respective allocation shown on the Policies Map with green hatching.

The evidence base needs to fully justify: the need for, size of, and proposed location of the proposed Tach Brook Country Park; what other options were considered and how the Country Park is proposed to be delivered and funded.

Please note that your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

For Official Use Only

Person ID:

Rep ID:

9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

WCC owns land within the preferred development growth area to the west of Europa Way and might therefore be asked for S106 financial contributions towards payment for the proposed Tachbrook Country Park or obliged to pay for the Park through Community Infrastructure Levy. Therefore WCC has a vested interest in ensuring that this significant piece of green infrastructure is necessary and justified by appropriate evidence. Accordingly WCC requests a place at the Examination discussion to enable it to discuss the approach taken in more detail.

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name / organisation.

Signed

Michael Danice

Date

27 June 2014

Copies of all of the objections and supporting representations will be made available for others to see at the Council's offices at Riverside House and online via the Council's e-consultation system. Please note that all comments on the Local Plan are in the public domain and the Council cannot accept confidential objections. The information will be held on a database and used to assist with the preparation of the new Local Plan and with t consideration of planning applications in accordance with the Data Protection Act 1998.

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Rep ID:

Part B – Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:

Local Plan

Paragraph Number:

Policy Number:

DS14

Policies Map Number:

5. Do you think the Local Plan is:

5.1 Legally compliant?

Yes No

5.2 Complies with the Duty to Cooperate?

Yes No

5.3 Sound?

Yes No

6. If you answered no to question 5.3, do you consider the Local Plan and / or SA unsound because it is not: (please tick all that apply):

Positively prepared:

Justified:

Effective:

Consistent with National Policy:

For Official Use Only

Person ID:

Rep ID:

7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Warwickshire County Council (WCC) considers that land to the west of Europa Way is an appropriate and justified location for a medical centre and accepts the principle of locating the medical centre on land controlled by WCC to the west of Europa Way.

WCC has included provision for a medical centre on land within its ownership to the west of Europa Way as part of an outline planning application for residential led development submitted in June 2014. This is in response to the pre-application consultation response received from NHS Property Services in December 2013, which identified that the land to the west of Europa Way and north of Gallows Hill is the NHS' preferred location for a medical centre to meet the needs generated by residential development proposed through the emerging Local Plan.

WCC also accepts that land to the west of Europa Way may be appropriate for local retail facilities, subject to evidence of need, market interest and viability.

However WCC considers that the proposal set out in Local Plan Publication Draft policy DS14 for the allocation of land in the location shown on the Policies Map, and explained in the supporting text at paragraphs 2.59-2.64, for four specific community uses as a 'Community Hub' is not positively-prepared, justified, effective or consistent with National Policy

Firstly, Policies Map 2: Leamington Warwick and Whitnash, does not clearly indicate the area proposed for a Community Hub and does not cross-refer to Local Plan Publication Draft Policy DS14. The black dashes on the Map to indicate the boundaries of the proposed allocation are almost identical to those used to define the Urban Area Boundary and very similar to those marking existing employment commitments and town centre boundaries.

With respect to whether the policy has been positively prepared or justified, the publicly-available evidence base documents do not set out a rationale for why all the proposed community uses included in the policy are: a) necessary; b) required to be located to the west of Europa Way; and c) best located within the area marked with a dotted black line on the Policies Map.

Whilst the supporting text in the Local Plan Publication Draft consultation document at paragraph 2.60 identifies that the local retailing facilities should provide for a convenience store of no more than 500sqm gross floorspace, with potential for a number of other smaller stores, neither policy DS14 nor the supporting text provide evidence to justify this floorspace threshold or the proposed location for the convenience store. The Warwick District Retail and Leisure Study Update 2014 (April 2014) does not consider local / neighbourhood retailing apart from references in paragraphs 4.6-4.27 of the Study to the existing locations of neighbourhood-level convenience retail provision and the 'top-up' function that these stores provide.

In addition, neither policy DS14 nor the supporting text provide justification for the need for, size for and specific location of the separate community meeting place and community sports complex and complementary uses (potentially including a small stadium). These uses were not considered within the Retail and Leisure Study update 2014, which focused on leisure centre and gymnasias, or within the suite of open space and green infrastructure documents (Parks and Open Spaces Audit 2008, Green Infrastructure Study 2010, Green Infrastructure Delivery Assessment 2012 and Green Space Strategy 2012) or any of the other available evidence base documents.

Therefore, in common with its response to Local Plan Publication Draft policy DS12, WCC is concerned that WDC has not set out within the Local Plan, Local Plan evidence base or Local Plan Sustainability Appraisal any of the following:

1. What the objectively-assessed community infrastructure requirements are;
2. How big the Community Hub marked with black dashes on Local Plan Policies Map 2: Warwick, Leamington and Whitnash, is and why it needs to be this size;
3. Why the Community Hub needs to be located in the area marked with black dashes on Local Plan Policies Map 2: Warwick, Leamington and Whitnash;
4. The process of consultation undertaken to establish the need for, size and location of the identified facilities;

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7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

5. Why the DS14 approach to the delivery of community facilities via a Community Hub in this location is the most appropriate approach, what the reasonable alternatives are (which could potentially include sharing facilities within the Myton School campus) and where the audit trail is to show why they have been rejected in favour of the preferred approach;
6. What the delivery mechanism (funding, land transfer) and timescales for the implementation of this policy are; and
7. Whether the transport implications of the community facilities, in particular a community stadium, can be accommodated on the existing highway network.

It should also be noted that the NPPG (paragraph: 018Reference ID: 12-018-20140306) stresses that the Local Plan should pay careful attention to identifying how infrastructure can be funded and brought on stream at the appropriate time, as well as stating: *“Where the deliverability of critical infrastructure is uncertain then the plan should address the consequences of this, including possible contingency arrangements and alternative strategies”* and *“the evidence which accompanies an emerging Local Plan should show how the policies in the plan have been tested for their impact on the viability of development”*.

It is therefore unclear why WDC has chosen this particular strategy and how Policy DS14 can be considered to be a ‘sound’ policy.

WCC has objected previously to suggestions that its land might be allocated for a replacement facility for Leamington Football Club based on lack of justification and this objection remains in place with respect to the Community Hub and small stadium. In this regard WCC is not considered to be a ‘willing landowner’ (NPPF paragraph 173).

Whilst the supporting text to policy DS14, at paragraph 2.63 of the Local Plan Publication Draft, acknowledges that the inclusion of a sports stadium within the policy DS14 community sports complex is subject to viability, there is no evidence that consideration has been given to the potential cost of such a scheme, sources of funding and timescales for delivery and therefore there is significant uncertainty over the deliverability of the proposal.

The most recently-produced Infrastructure Delivery Plan (IDP) is the Draft IDP, dated April 2014, does not include a community stadium. With respect to the Community Hub uses, it provides separate costings for a medical centre and community centre, but does not include for a community sports complex or ‘small stadium’. The IDP needs to be updated to account for this omission.

The Local Plan Publication Draft consultation document does not specify whether the ‘small stadium’ being sought is a replacement facility for Leamington Football Club. However WCC notes that the WDC Preferred Options consultation paper on ‘Sites for Gypsies and Travellers’ (March 2014) identifies under policy P01 that the existing Leamington Football Club grounds on Harbury Lane / Fosse Way is a preferred option (GT04) for 10 pitches. The justification for this approach under GT04 is that “the Football Club could be amenable to the sale of land for a Gypsy and Traveller site if they are able to relocate as part of a wider scheme through the Local Plan”.

WCC notes that the Local Plan does not specifically identify any potential relocation sites for Leamington Football Club. Therefore if the ‘small stadium’ which might form a part of the policy DS14 Community Hub’ is intended to be used to accommodate Leamington Football Club, WCC considers that: a) the Local Plan should have stated this to ensure that its approach was transparent, although notwithstanding this, WCC is not willing to support the proposals; and b) the approach to delivering this facility, including funding, is vitally important to understanding the deliverability of the Local Plan. Presently it is not clear how deliverable the proposal is.

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7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

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Furthermore, the recently-produced transportation evidence base, the Strategic Transport Assessment Phase 4: Revised Development Allocation Testing (April 2014) does not appear to consider the impacts of a community sports complex, including a small stadium, in this location, as part of the assessment of the impact of the Local Plan wider growth proposals.

It should be noted that WCC does not object to the principle of providing a community meeting place, subject to WDC providing robust evidence for the need for such a facility.

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8. Please set out what modifications(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 7. Above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Evidence base justification for Policy DS14 and the respective allocation shown on the Policies Map. The removal of item (c) in the policy and any adjustments required to reflect the clarification offered by WDC.

The evidence base needs to justify: the need for, size of, and proposed location for the Community Hub; the approach to consultation; the appropriateness of the strategy; what reasonable alternatives were considered and why alternatives were rejected; and clarification on the delivery mechanism, timescales and ability of the highway infrastructure to cope.

Please note that your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

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Rep ID:

9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

WCC owns land to the west of Europa Way, which is proposed for a strategic allocation for a mix of uses and which includes the proposed Community Hub. Therefore it is considered vital for WCC to be present at any discussion on the approach to allocated the Community Hub, to ensure that this matter is properly considered.

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name / organisation.

Signed

Michael Danice

Date

27 June 2014

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Rep ID:

Part B – Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:

Local Plan

Paragraph Number:

Policy Number:

DS15

Policies Map Number:

5. Do you think the Local Plan is:

5.1 Legally compliant?

Yes No

5.2 Complies with the Duty to Cooperate?

Yes No

5.3 Sound?

Yes No

6. If you answered no to question 5.3, do you consider the Local Plan and / or SA unsound because it is not: (please tick all that apply):

Positively prepared:

Justified:

Effective:

Consistent with National Policy:

For Official Use Only

Person ID:

Rep ID:

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Warwickshire County Council (WCC) supports the principle of comprehensively developing strategic sites, to ensure the provision of appropriate uses and necessary infrastructure across a number of different land ownerships through good design.

However WCC does not consider that the infrastructure requirements for 'Land at Myton / West of Europa Way' listed in Local Plan Publication Draft Policy DS15 are necessary and justified by a robust evidence base and has made separate representations in this respect to Local Plan Publication Draft policies DS12 and DS14.

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Rep ID:

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The infrastructure service requirements for 'Land at Myton / West of Europa Way' should be amended to only include infrastructure and services which are justified by an robust evidenced base, following an clear assessment of reasonable options.

Please note that your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

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Rep ID:

9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

WCC owns land to the west of Europa way, which forms part of the 'Land at Myton / West of Europa Way' allocation area and therefore it considers that it is essential for WCC to be involved in any discussions taking place at Examination which consider masterplanning and infrastructure considerations relating to this site.

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name / organisation.

Signed

Michael Davies

Date

27 June 2014

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Person ID:

Rep ID:

Part B – Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:

Local Plan

Paragraph Number:

Policy Number:

NE3

Policies Map Number:

5. Do you think the Local Plan is:

5.1 Legally compliant?

Yes No

5.2 Complies with the Duty to Cooperate?

Yes No

5.3 Sound?

Yes No

6. If you answered no to question 5.3, do you consider the Local Plan and / or SA unsound because it is not: (please tick all that apply):

Positively prepared:

Justified:

Effective:

Consistent with National Policy:

For Official Use Only

Person ID:

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7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

NPPF paragraph 165 states that planning policies and decisions should be based on up-to-date information about the natural environment and other characteristics of the area. Warwickshire County Council (WCC) is concerned that the Local Plan is not supported by an up-to-date ecological evidence base.

The NPPG (014Reference ID: 12-014-20140306) stresses that Local Plan evidence *“needs to inform what is in the plan and shape its development rather than being collected retrospectively. It should also be kept up-to-date. For example when approaching submission, if key studies are already reliant on data that is a few years old, they should be updated to reflect the most recent information available (and, if necessary, the plan adjusted in the light of this information and the comments received at the publication stage)”*.

The Warwick District Habitat Assessment, which forms part of Warwick District Council’s (WDC’s) evidence base, was undertaken in 2008. This is now 6 years old. WCC questions whether this is sufficiently recent to reliably inform the preparation of the Local Plan, particularly given that the analysis for each site recommends that specific additional surveys will be required in the appropriate survey season. The Assessment was also undertaken between August and October, which was not the optimum time of year to carry out comprehensive ecological assessments. WDC has had almost 6 years to address this deficiency and provide more up-to-date evidence.

WCC also notes that the Warwick District Habitat Assessment also does not assess all the preferred allocations included within the Local Plan Publication Draft consultation document, particularly in relation to the village sites. The Local Plan proposals are therefore based on an evidence base which is out of date and incomplete.

Similarly, whilst the Local Plan Habitat Regulations Screening Assessment is dated March 2014, it makes reference to a District provision of 10,800 dwellings, which was the figure consulted upon at the Local Plan Preferred Options consultation stage in 2012. The housing figure being consulted upon in the Local Plan Publication Draft document is significantly higher, at 12,860 dwellings. Given the inconsistency between the publication date of the document and the content of the document, it is not clear whether the document accurately considers the impact of the current Local Plan proposals, for instance whether the increase in dwelling numbers requires water to be obtained from Wales.

WDC needs to ensure that the Habitat Assessment evidence base is robust, up-to-date and tests the current Local Plan proposals, incorporating surveys in the appropriate survey periods.

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Rep ID:

8. Please set out what modifications(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 7. Above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

WDC needs to ensure that the Habitat Assessment evidence base is robust, up-to-date and tests the current Local Plan proposals, incorporating surveys in the appropriate survey periods.

Please note that your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

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Person ID:

Rep ID:

9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To ensure that the Local Plan is appropriately tested through robust evidence base.

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name / organisation.

Signed

Michael Danice

Date

27 June 2014

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Part B – Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:

Local Plan

Paragraph Number:

Policy Number:

TR5

Policies Map Number:

5. Do you think the Local Plan is:

5.1 Legally compliant?

Yes No

5.2 Complies with the Duty to Cooperate?

Yes No

5.3 Sound?

Yes No

6. If you answered no to question 5.3, do you consider the Local Plan and / or SA unsound because it is not: (please tick all that apply):

Positively prepared:

Justified:

Effective:

Consistent with National Policy:

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7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Warwickshire County Council (WCC) considers that the approach that Warwick District Council (WDC) has taken to the delivery of park and ride facilities through the Local Plan Publication Draft consultation document is justifiable.

During the pre-application process undertaken by WCC and its consultants prior to the submission of a residential-led planning application on land within its ownership to the west of Europa Way, WCC Highways advised (in June 2013) that its preference for a park and ride facility would be for it to be located on land to the south of Harbury Lane / Heathcote lane either east of west of the A452. The rationale for this approach was that this location would offer the earliest opportunity to intercept traffic and would also have some operational benefits for the bus services that would serve the facility. This approach to the proposed location of a park and ride also broadly accords with the assumptions for the location of a park and ride facility set out in section 9.2 of the Warwick Strategic Transport Assessment (STA): Phase 3 Assessment (2013), which are carried forward into the Technical Note included at Appendix D of the STA Phase 4: Revised Development Allocation testing.

However it is noted that the Stage 3 STA raised concerns over the feasibility of a park and ride facility to the south of Warwick and that more testing would be needed. The Stage 4 STA identified that further work had been commissioned to review the case for a park and ride facility. Therefore the approach taken in the Local Plan to identify broad areas of search for a park and ride facility to the south of Gallows Hill / Harbury Lane, which have potential to accommodate a park and ride facility, should one be deemed appropriate, desirable, viable and feasible (as referred to in paragraph 5.59.3 of the Local Plan Publication Draft), but which should not compromise the ability to plan and bring forward development in the preferred development allocation locations to the south of Warwick and Leamington, is considered to be a reasonable approach.

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8. Please set out what modifications(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 7. Above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please note that your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

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9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

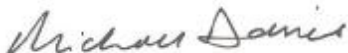
10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name / organisation.

Signed



Date

27 June 2014

Copies of all of the objections and supporting representations will be made available for others to see at the Council's offices at Riverside House and online via the Council's e-consultation system. Please note that all comments on the Local Plan are in the public domain and the Council cannot accept confidential objections. The information will be held on a database and used to assist with the preparation of the new Local Plan and with t consideration of planning applications in accordance with the Data Protection Act 1998.

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