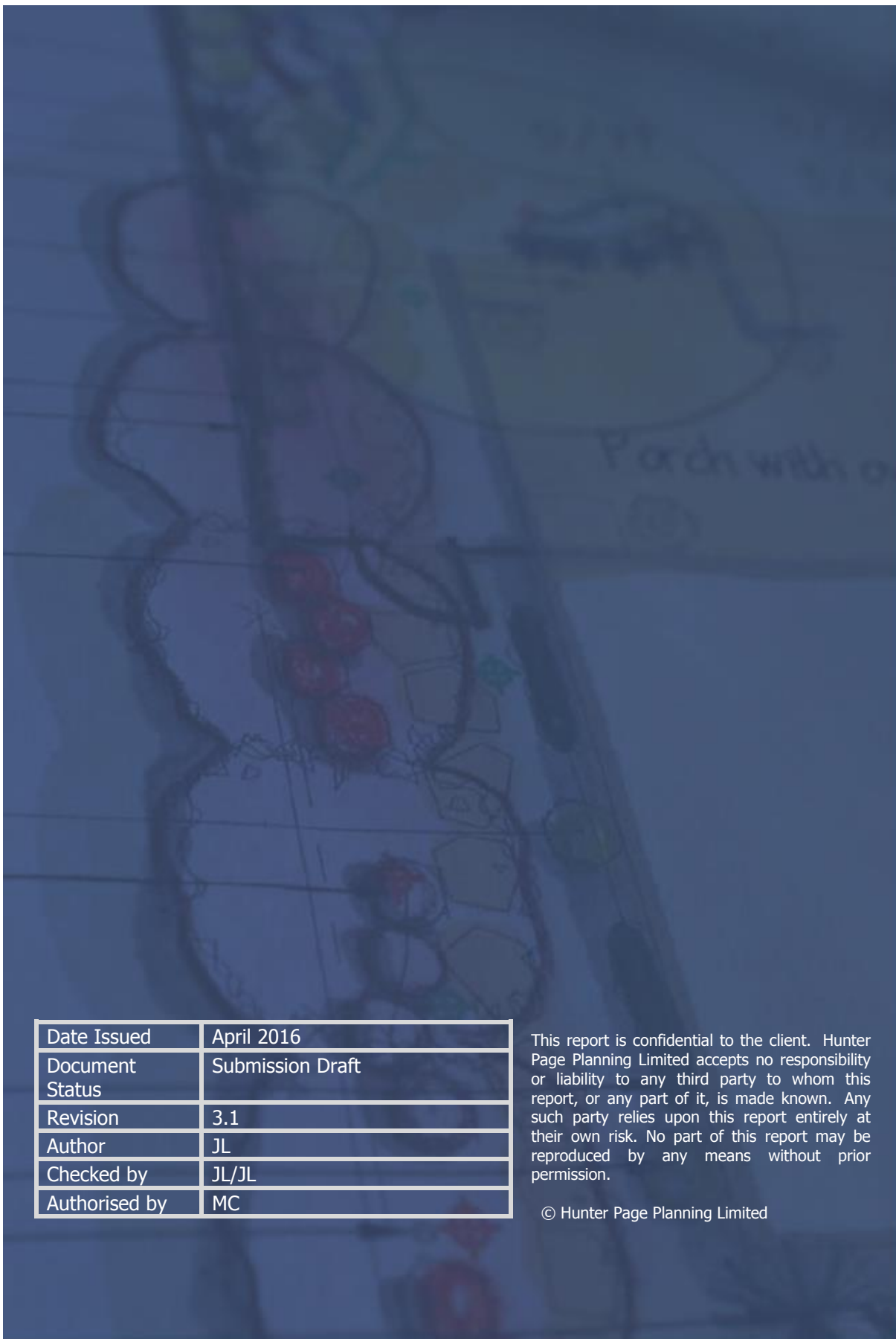


# **Warwick District Council Local Plan (Consultation on Proposed Modifications)**

Town and Country Planning (Local Planning) (England) Regulations 2012 – Regulation 19

**For Old Milverton and Blackdown Joint Parish Council  
Our ref: 5014 | March 2016**





Date Issued	April 2016
Document Status	Submission Draft
Revision	3.1
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Checked by	JL/JL
Authorised by	MC

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## Introduction

1.1 On the 1<sup>st</sup> June 2015, the Inspector wrote to Warwick District Council setting out his findings regarding initial matters and issues in respect of the Warwick District Local Plan examination. The Inspector sought further clarification on the definition of the housing requirement across the Housing Market Area (HMA) and how any shortfall from Coventry City would be met. He also commented that there was no clear strategy for the plan to meet the housing requirements of the Housing Market Area in full and that issues of commuting and maximising effectiveness need to be considered. The Inspector concluded that he did not consider the Local Plan to be sound in terms of overall housing provision and the supply and delivery of housing land.

1.2 This resulted in the Coventry and Warwickshire Joint Committee for Economic Growth and Prosperity (CWJCEGP) producing a Memorandum of Understanding (MoU) between the six HMA Councils relating to the planned distribution of housing across the HMA and to ensure that this identified need is met in full. At its meeting on 29 September 2015 five of the six CWJCEGP members signed the MoU, with the exception of Nuneaton and Bedworth District Council, who indicated that it needs to undertake additional capacity work before agreeing to the MoU. Warwick District Council endorsed this approach at its meeting on 13 October 2015.

1.3 The proposed modifications to the Publication Draft of the Local Plan have been prepared in February 2016 to specifically address the issues of soundness identified by the Inspector set out in his letter of 1<sup>st</sup> June 2015. The proposed modifications have also been prepared in accordance with the MoU between the six HMA Councils.

1.4 On behalf of Old Milverton and Blackdown Joint Parish Council, this report prepared by Hunter Page Planning sets out their representations to the proposed modifications to the Publication Draft Local Plan (Part 1).

## Housing Requirement

2.1 As set out above, a Memorandum of Understanding (MoU) between the six HMA Councils was produced which related to the planned distribution of housing across the HMA and to ensure that this identified need is met in full. The MoU covers the period between

2011 and 2031 and sets out a need for 88,160 dwellings across the six authority areas. Nearly 50% of the dwelling requirement is to meet the needs of Coventry City; however, the City Council is unable to meet its housing need in full within the City boundary, as it has capacity for just 24,600 dwellings.

2.2 The distribution of the remaining 17,800 dwellings (the unmet need for Coventry) is based upon the functional relationship between each district and Coventry City. This means that an annual dwelling requirement of 932 dwellings or 16,776 over the plan period to 2029 is needed with just over 37% of Coventry's unmet need to be accommodated in Warwick District. The Warwick District proportion is 332 dwellings a year or 5,976 to 2029. This housing requirement is now reflected in policies DS2, DS6, DS7, DS10 and DS11 as set out in Mods 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 14 and 16.

## Tests of Soundness

3.1 The proposed modifications will be subject to examination by the Inspector against the tests of soundness. A plan which is considered "sound" is one that is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

3.2 For the reasons set out in this report, Old Milverton and Blackdown Joint Parish Council do not consider the proposed modifications would render the Local Plan "sound".

## Policy DS10 Broad Location of Allocated Housing Sites and (Mods 8 & 9) Policy DS11 Allocated Housing Sites (Mods 10 & 11)

4.1 The spatial strategy embodied within the Warwick District Local Plan is to meet needs within and adjoining the built up areas where those needs arise. Proposed modification 9 amends paragraph 2.38 to read: *"where there are no suitable non-Green Belt alternatives to meet an identified need, sites are removed from the Green Belt to enable development to take place. This applies to the land to meet the needs of Coventry, Leamington, Kenilworth, some of the villages and land on the edge of Lillington to assist in the regeneration of the area."*

4.2 The proposed modifications identify a number of sites that are proposed to be removed from the Green Belt in order to meet development requirements arising from the unmet needs of Coventry. Of all the sites that have been identified within the Green Belt, only 2 sites have been identified on the edge of Coventry (Westward Heath and Kings Hill). These sites are allocated for 2,245 dwellings with 2,200 in reserve for beyond the plan period.

4.3 The other sites are found at Kenilworth (1,500 dwellings) and Old Milverton (250 allocated and land for a further 1,065 'Safeguarded' ready for a review of the Local Plan in five years).

4.4 It is the position of Old Milverton and Blackdown Joint Parish Council that the proposed strategic allocation at Old Milverton and the proposed safeguarded land will not meet the needs of Coventry and is not suitable for such purposes.

4.5 The Council's Distribution of Development paper which has been prepared to support the modifications to the submitted Local Plan sets out that it is recognised that the District has a close relationship with Coventry and that a thriving, vibrant city will also support a thriving District. The strategy therefore seeks to provide for part of the City's growth in line with the MoU. It is recognised that (subject to environmental and policy constraints) the most sustainable locations to achieve this are those closest to or with the best access to Coventry.

4.6 It is of note that the emerging Coventry Local Plan states that *"the Council is committed to continued and constructive engagement, through the Duty to Cooperate, with its Warwickshire neighbours to secure the most appropriate and sustainable locations for housing growth across the HMA. In reflection of the Warwickshire authorities supporting the delivery of the city's wider housing need, where it is shown to be desirable, appropriate, sustainable and deliverable the Council will support its Warwickshire neighbours in bringing forward land for housing and employment that sits adjacent to the city's existing*

*administrative boundaries* (our emphasis). *This will ensure infrastructure needs are met in full across administrative boundaries (where necessary and as appropriate) and support the continued growth of the city as the central point of the sub-region.*"

4.7 It is also of note that the Coventry Local Plan states that *"the City's tight boundary also means land is depleting from an employment land supply perspective. In-commuting to Coventry for work has increased substantially in the last decade, placing pressure on sustainable travel patterns and air quality."*

4.8 Analysis of origin and destination statistics from the 2011 Census (Table Reference WU03EW) shows the functional relationship between the Milverton area and Coventry in terms of journeys to work. The data is provided at middle layer super output area (MSOA) in order to protect anonymity.

4.9 Most of the proposed allocated/safeguarded area at Old Milverton falls within the MSOA which covers a rural area combining east of Leamington to the edge of Coventry and is thus not representative of the proposed extension to Old Milverton. However, the remainder of the proposed allocation/safeguarded area falls within the MSOA which coincides with the Milverton ward.

4.10 Analysis of this MSOA shows that the largest count of people work within that area, including those working mainly at home (910). The south Warwick and central Leamington MSOAs supply work for 870 residents of Milverton ward with the remaining MSOAs contained within Warwick and Leamington combining to a total of 623 jobs for Milverton residents. In contrast just 576 work in Coventry or 12.3% of all the 4,701 who are economically active in Milverton ward. In comparison 19.3% of the Kenilworth MSOA work in Coventry and over 30% of the district's commuters travel to Coventry.

4.11 More detailed analysis shows that the method of travel to work to Coventry from Milverton ward is almost exclusively by car with just 65 journeys made by bus/coach and none by train.

4.12 In light of this, it is evident that an allocation at Old Milverton will not meet the needs of Coventry. Moreover, a strategic allocation at this location will not address the issue of in-commuting to Coventry, thus placing additional pressure on sustainable travel patterns and air quality. In particular, the suggestion of a park and ride facility is not justified given the

location from the main commuter routes and planned expansion of car park capacity within Leamington. Consequently, Old Milverton and Blackdown Joint Parish Council question whether the Local Plan has been positively prepared as a strategic allocation at Old Milverton would not be consistent with achieving sustainable development.

## **Policy DS19 Green Belt (Mods 16, 17, 18 & 19)**

5.1 The NPPF states that, when reviewing Green Belt boundaries, local planning authorities should take account of the need to promote sustainable patterns of development and ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development. Accordingly, the need for sustainable development is a consideration when assessing exceptional circumstances which are required in order to justify the release of land from the Green Belt.

5.2 As set out previously, the most sustainable location for meeting the needs of Coventry is adjacent to the city. However, the Proposed Modifications only identify land for 2,245 of the 5,976 dwelling requirement. Whilst Mod 21 discusses greater potential in this area, it is not quantified and the Proposals Map does not identify these broad locations. Previous work for Old Milverton and Blackdown Joint Parish Council (attached at **Appendix 1**) has identified greater capacity adjoining Coventry.

5.3 Paragraph 84 of the NPPF states that when drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Without knowing the potential locations of the broad locations to meet the outstanding dwelling requirement, it is not possible to fully consider the consequences for sustainable development. The Proposed Modifications therefore fail the soundness test in terms of consistency with national policy and being justified.

5.4 With regards to 'Exceptional Circumstances', the Council's Distribution of Development paper which has been prepared to support the modifications to the submitted Local Plan states that although the majority of the proposed allocations fall outside the Green Belt, there are a number of sites that fall within the Green Belt. It follows that these have

been included where there are exceptional circumstances in line with the NPPF and Policy DS4 of the emerging Local Plan.

5.5 It is stated that the Council has used a three stage approach to assessing Exceptional Circumstances on any particular site:

- Is there an essential need that has to be met? If yes,
- are there any suitable sites outside the Green Belt that can meet this need? If no,
- is this the best site within the Green Belt to meet the need (taking account of the Green Belt study as well as other aspects of the site assessments)? If yes, then there are exceptional circumstances to release a site from the Green Belt and allocate it in the Local Plan.

5.6 With regards to the first bullet point, it is accepted that there is an essential need that has to be met. However, if it is accepted that there are no suitable sites outside the Green Belt that can meet this need, the third bullet point asks whether it is the best site within the Green Belt to meet the need (taking account of the Green Belt study as well as other aspects of the site assessments). In assessing alternative sites, the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy Inspector's preliminary findings should be noted. Here the Inspector states: "*When examining the justification for potential Green Belt releases, a sequential approach should be followed in considering sustainable sites in the right location that fit with the Spatial Strategy. Taking account of development constraints, consideration should first be given to deliverable/developable, non-Green Belt land, followed by land that makes a lesser Green Belt contribution, before considering land of greater Green Belt contribution*".

5.7 In allocating the land at Old Milverton to be released from the Green Belt, it is apparent that there has been no such sequential test as the Green Belt Study identifies this land as making a significant contribution to the Green Belt. Neither is this area 'degraded urban fringe' given that it is high quality agricultural land (Grade 2) and actively managed countryside providing access to the public for walking, running, biking, horse riding school trips etc. Whilst the Council's Distribution of Development paper suggests that there are no further suitable and deliverable sites on the edge of Coventry and the edge of Kenilworth, this is not supported with sufficient evidence. To highlight this point, the 2014 SHLAA identifies potential in the areas adjoining Coventry in excess of 2,000 dwellings e.g. Hurst Farm adjoining the University which are listed as being available in the 2014 SHLAA.



5.8 Furthermore, it is considered that the capacities of the sites identified on the edge of Coventry have not been fully exploited. For example, the capacity of the Kings Hill site during the Plan period to 2029 is identified as 1,800 dwellings with the remaining 2,200 coming forward after the plan period. This assumes 200 per year over the last nine years of the Plan. This is considered to be overly pessimistic and whilst there are no local examples of strategic sites of this magnitude being developed, examples from elsewhere demonstrate that up to 500 dwellings per year can be achieved on sites of over 3,000 dwellings. Similarly, in the emerging Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS), the trajectory for the only similar sized allocated Green Belt site shows 4,800 dwellings delivered over a 14 year period (average of 343 per year) and nearly 3,000 in the first 9 years.

5.9 It is also of note that policy DS New 1 of the Local Plan (Directions for Growth South of Coventry) makes no mention of the Old Milverton allocation. This further suggests that the Old Milverton allocation it is not necessary to meet the needs of Coventry.

5.10 In light of the above, the Proposed Modifications fail the soundness test in terms of consistency with national policy and being justified.

## **Policy DS New2 Safeguarded Land (Mods 23 & 24)**

6.1 For the reasons set out previously, it is clear that the allocation and safeguarding of land at Milverton is not a sustainable response to meeting the needs of Coventry. Therefore, it must be assumed that this is identified to meet the current and future needs of Warwick.

6.2 It is considered that the most suitable and sustainable areas that can facilitate Warwick District's additional housing allocations are to the south of Warwick where there is sufficient unconstrained land to accommodate both the Local Plan requirement to 2029 and to cover the period to 2031.

6.3 To illustrate this, four potential sites have been identified, as seen on the plans in the document attached at **Appendix 1**. These four parcels have been assessed against the Warwick District Council 2014 SHLAA Assessment of Capacity and are capable of providing the quantity of housing required. The Council requires 50% of sites over 10 hectares (ha) to provide supporting uses for infrastructure, employment, open space, allotments, community facilities, landscaping and major roads and 33% for sites under 10ha. Taken as a whole,

Parcels 1-4 amount to approximately 111ha of which 55.5ha (50%) would provide supporting infrastructure. The remaining 55.5ha can therefore provide approximately 1,943 dwellings, in keeping with the Warwick District Council 2014 SHLAA Assessment of Capacity, which outlines that the indicative capacity for sites is 'around 35 dwellings per hectare.'

6.4 Taken individually the highlighted sites can deliver the following:

Site	Total Size	Available Size	Dwelling Capacity
Parcel 1	27ha	13.5ha	473
Parcel 2	35ha	17.5ha	613
Parcel 3	15ha	7.5ha	263
Parcel 4	34ha	17ha	595
Total	111ha	55.5ha	1,944

6.5 However, if you add sensitivity testing that goes beyond the 2014 SHLAA Assessment of Capacity and consider that if 60% of the available 111ha is allocated for various infrastructure and open space uses, then 40% could be dedicated for residential use. 40% of 111ha amounts to approximately 44ha, which when taken as a whole can deliver a minimum of 1,540 dwellings.

## Conclusions

7.1 For the reasons set out above Old Milverton and Blackdown Joint Parish Council consider that the Proposed Modifications in relation to the allocation and safeguarding of land at Old Milverton do not meet the tests of soundness and are contrary to the principles of sustainable development contained within the Framework.

7.2 Furthermore, the Proposed Modifications do not address the need to meet Coventry's housing needs effectively.