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25809/A3/LY/MXS/sw

22nd April 2016

Dear Mr Barber,

**REPRESENTATIONS TO WARWICK DISTRICT COUNCIL'S DRAFT PUBLICATION LOCAL PLAN (PART 1) PROPOSED MODIFICATIONS: LAND AT HATTON STATION**

These representations have been prepared on behalf of Mr Johnnie Arkwright in respect of his land surrounding Hatton Station. Some of this land was put forward in response to the Council's recent 'call for sites', although this has not carried forward in to the Proposed Modifications. We therefore welcome the opportunity to comment on the Proposed Modifications and in particular, to set out the case for the Plan to allocate housing on land at Hatton Station. In our view, the Draft Local Plan is unsound for a number of reasons, which we explore below. We wish to attend any relevant hearings held as part of the examination in to the Plan.

Together with this letter, we submit a completed response form, a Concept Study (which includes a site location plan) and a Landscape and Visual Appraisal and Green Belt Review.

We set out our comments on the Proposed Modifications below.

Mod 1 – Policy DS2 and Mod 2 – Para 2.3

We welcome the Council's intention to provide for the full objectively assessed housing need of the District and for the unmet housing need arising from outside the District. The Coventry & Warwickshire Memorandum of Understanding of September 2015 looks to identify the full C&W HMA need. We consider however, the Plan is not positively prepared (paragraph 182 of the Framework). The identified housing need whether in the District or from outside the District is below that which is properly required. This is a fundamental matter and is evidenced in the Updated SHMA Report by GL Hearn (September 2015), the uncertainty around the figure assumed for Nuneaton & Bedworth (the shortfall alone here could be as much as 4,020 dwellings) given they have not signed the Memorandum of Understanding and Barton Willmore's own conclusions that the level of OAN in the Proposed Modifications fails to meet the demographic and economic needs of the District and HMA.

The Framework sets out the policy on the duty to co-operate at paragraphs 178 – 181. Progress has been made, but the Plan does not meet its objectively assessed development and infrastructure requirements, which includes unmet requirements from neighbouring authorities, which we say it is reasonable to do so and consistent with achieving sustainable development. Further, through our OAN work on the Birmingham HMA in relation to the Birmingham Development Plan, including an anticipated distribution of their unmet need, it is inevitable that some of this need will need to

be taken by authorities in Warwickshire. The Warwick Local Plan currently ignores this outcome and seeks to rely on its immediate neighbours (North Warwickshire and Stratford on Avon to cater for this). The Birmingham Plan Inspector's Report – released yesterday – confirms the level of shortfall at 37,900 dwellings. In our view, the Council are not meeting the Duty to Cooperate provisions or the test of soundness, requiring the plan to be positively prepared, justified and effective.

What changes should be made to make the Plan sound? The Plan should revisit the OAHN for the C&W HMA based on the evidence they already have and submitted to the Proposed Modifications, and ensure the OAN can be met in full. This should include taking a proportion of Birmingham City's identified unmet need\*.

\*It is worth noting that if Warwick Council continue to rely on their neighbours to meet the Birmingham shortfall – which we do not agree with as an approach – the land at Hatton Station sits adjacent to the Stratford on Avon administrative area and the train services serve Solihull and Birmingham Moor Street and Snow Hill etc. Put simply, it is a sustainable site to allocate for housing and associated development in this Plan, to meet some of the unmet needs from Birmingham City. We refer to the recognition that public transport corridors are one of the spatial options to meet this shortfall in the PBA 'Greater Birmingham and Solihull LEP Black Country Local Authorities Strategic Housing Needs Study Stage 3 Report (August 2015)'.

#### Mod 3 – Policy DS4

In our view the Strategy is not justified or consistent with national policy. The Proposed Modifications do not provide a clear strategic basis, given the increase in housing required and the challenges this sets, for the proposed site allocations. For instance, there is no definition as to what constitutes urban or built up areas in sustainable locations.

It does not recognise the importance of new housing sites proximity to sustainable transport links, especially rail, and as such fails to reflect SA Objectives 2 and 3 and the National Planning Policy Framework. One of the Core Planning Principles at paragraph 17 of the NPPF, which should underpin plan making, is to 'actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.' There is an absence of recognition around the potential of siting housing around existing rail stations, and as such, the opportunity at Hatton Station has not been considered.

The land at Hatton Station is a sustainable location in which to site development given its proximity to the Rail Station; which is located on the Chiltern Mainline providing services to Warwick, Leamington Spa, Stratford upon Avon, Solihull, Birmingham and London.

This land would not compete or complicate the existing allocations around Leamington, Warwick and Coventry, but rather complement them.

We consider the site can accord with the Plan's Spatial Strategy at Policy DS4 – please see below.

#### **Figure 1**

<b>Spatial Strategy</b>	<b>Explanation</b>
a) in the first instance, allocations will be directed to previously developed land within the urban areas and in particular those areas where there is greatest potential for regeneration and enhancement	
b) where greenfield sites are required for housing, they should generally	There is a preference for housing to be allocated on the edge of built up areas, but this

<p>be located on the edge of built up areas in sustainable locations close to areas of employment or where community facilities such as shops, bus services, medical facilities and schools are available or can be made available</p>	<p>is not at the exclusion of other sustainable locations.</p> <p>The site is located on the edge of Hatton, with access to Hatton Station and other facilities, including Hatton Technology Park. The Rail Station is located on the Chiltern Mainline which provides services to Warwick, Birmingham and London.</p> <p>The site surrounds Hatton Country World which includes a children's nursery, retail floorspace and leisure.</p> <p>The proposals would provide a site for a Primary School.</p>
<p>c) 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 are in close proximity to existing or proposed housing subject to ensuring there is no undue impact on residential amenity</p>	
<p>d) limiting development on sites which would lead to coalescence of settlements to ensure settlement identity is retained</p>	<p>The development of this land would not lead to the coalescence of settlements and ensure that the settlement identities are retained.</p> <p>Avoiding the coalescence of settlements has been a clear consideration and is demonstrated in the Green Belt Review accompanying this representation.</p>
<p>e) sites which have a detrimental impact on the significance of heritage assets will be avoided unless the public benefits of development outweigh the harm</p>	<p>There is a Grade II Listed Building on the southern boundary of the site, adjacent to the M40. We consider the proposed development would lead to less than substantial harm to the significance of this heritage asset, and this should be weighed against the public benefits of new housing.</p>
<p>f) areas assessed as high landscape value or other highly sensitive features in the natural environment will be avoided</p>	<p>The site is of low to medium landscape value, and is not noteworthy of scenic beauty, as it is agricultural land which is common place.</p> <p>The Landscape and Visual Appraisal and Green Belt Review demonstrates that the areas suitable for development have been selected due to their limited landscape value.</p>
<p>g) taking the national Green Belt policy in to account, sites that are currently in the green belt will only be allocated where exceptional</p>	<p>The Council's Distribution of Development states "It is important to note that the Council's strategy and resulting distribution of development has never sought to exclude</p>

<p>circumstances can be justified. The following will be taken into account in considering exceptional circumstances:</p> <ol style="list-style-type: none"> <li>i. the availability of alternative suitable sites outside the Green Belt;</li> <li>ii. the potential of the site to meet specific housing or employment needs that cannot be met elsewhere;</li> <li>iii. the potential of the site to support regeneration within deprived areas; and the potential of the site to provide support to facilities and services in rural areas.</li> </ol>	<p>Green Belt development where exceptional circumstances exist.”</p> <p>The site could help to meet the identified shortfall of housing need of the District and outside the District, in a sustainable location, with access to Hatton Station.</p>
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What changes should be made to make the Plan sound? Amend b) to include reference to ‘.....areas in sustainable locations close to areas of employment, public transport corridors or where community facilities such as shops, medical facilities and schools are available or can be made available.’

#### Mod 4 – Policy DS6 and Mod 5 – Para 2.20

Please see our comments above to Mod 1 - Policy DS2 and Mod 2 – Para 2.3 above.

#### Mod 6 – Policy DS7

The Council proposes additional 801 dwellings over and above the proposed minimum requirement of 16,766 dwellings over the Plan period. Given the scale of the housing need, this is a very small allowance. To meet the current identified housing need, the Plan is reliant on a number of large sites, but experience indicates that these type of sites are slower at delivery housing, especially in the early years.

There is a need for greater flexibility to be built in to the Plan. Safeguarding land on its own will not be enough. Further land needs to be allocated and/or reserved to meet the identified housing need.

However, Policy DS7 in its current form does not provide the Council with the level of flexibility required to meet the changing housing demands should circumstances such as the following arise during the Plan period:

- (a) To bring forward alternative sites to respond to an identified shortfall in the amount of housing being delivered;
- (b) Additional needs identified from continued work with the Coventry and Warwickshire HMA which are appropriate to be met within the District;
- (c) Additional needs identified from outside the HMA which are appropriate to be met within the District.

In relation to (c) above, the Inspector’s initial matters and issues of 1 June 2015, makes clear at paragraph 18 that some authorities in the HMA could be asked to accommodate unmet needs from the Greater Birmingham area in due course. Part of Warwick District falls in the Birmingham HMA, but more so, Solihull, Stratford on Avon and North Warwickshire, who also fall in to the Coventry

HMA. The land at Hatton Station borders Solihull and Stratford on Avon administrative boundaries.

Policy DS7 does not meet the requirements of the Framework at paragraph 14 which states:

“Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change.”

Warwick District's neighbour, Stratford on Avon (i.e. within the same HMA) proposed a reserve site policy in their recent Core Strategy. The Stratford on Avon Core Strategy Inspector's interim conclusions found that where the scale of the need crystallizes a reserve sites policy would enable the Council to meet the need much earlier than a review and furthermore it would also be less resource intensive. The Inspector considered that a reserve sites policy would better reflect paragraph 14 of the Framework in terms of meeting OAN with sufficient flexibility to adapt to rapid change.

This approach would also assist the Council in demonstrating that they have been both aspirational and realistic in progressing a Plan in accordance with paragraph 154 of the Framework.

Warwick District Council have included safeguarded land as part of some of their larger housing allocations in the Proposed Modifications. Alongside the inclusion of a reserve site, the inclusion of safeguarded land at Hatton Station will play a key role in achieving the above outcomes and as a requirement of paragraph 85 of the Framework – 'local planning authorities should where necessary identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period.'

What changes should be made to make the Plan sound? The land at Hatton Station should be allocated for 1310 dwellings now. If this cannot be achieved, the inclusion of the land as a reserve site in the Plan would provide the Council with the flexibility needed to meet their housing requirement over the Plan period.

#### Mod 12 and 13 –Policy DS12

We support the allocation of land for education to meet the needs of the District. The land at Hatton Station would provide a new primary school to meet the needs of the existing (in Hatton) and new residents coming forward on the development.

#### Mod 16 – Para 2.81

We support the Council's approach to releasing land from the Green Belt to meet the housing needs of the District and outside the District.

In November 2013 the Council undertook a Green Belt and Green Field Review. The site which is being put forward now, was not assessed in its current form. Furthermore, the Council's Green Belt and Green Field Review is one study, and the site needs to be considered in the context of the housing need and the sustainable advantages of locating development at Hatton Station.

We have prepared a Green Belt Review and Landscape and Visual Appraisal. This concludes that the land at Hatton Station shown for 1310 dwellings in the accompanying Concept Study scored 11 out of 20 utilising the published methodology for the District, the Joint Green Belt Study – Stage 1 (2015). As such, the site is considered a 'mid-performing Green Belt parcel', together with the other land identified in the Joint Green Belt Study to the west of Warwick, some of which have been identified for allocation in the Plan.

Furthermore, the Green Belt and Landscape and Visual Appraisal identifies additional land which is suitable for release from the Green Belt and can provide the Council with safeguarded land to meet the longer-term development needs beyond the Plan period. This approach is consistent with the Framework.

#### Mod 17 – New Policy DS20

In relation to this Policy, we note that the Council intends to schedule a partial Plan Review within five years of the adoption date of this Plan. However, our response to this new Policy is consistent with the view of the Inspector's interim response to the Stratford Core Strategy, in that a reserve housing policy would provide the Plan with flexibility to rapidly respond to changing circumstances which would be less resource intensive than a Plan review.

#### **Conclusion**

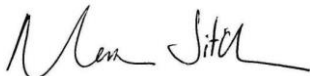
We consider the Warwick District Local Plan, with these Proposed Modifications, does not meet the duty to cooperate and remains unsound in terms of the tests at paragraph 182 Framework.

The Spatial Strategy does not recognise the potential of locating housing on public transport corridors, including existing rail stations and the sustainability benefits that would arise from such an approach. The Proposed Modifications do not enable the Plan to meet its full OAN and the unmet housing need arising from outside the District, and lacks with the level of flexibility required to adapt to rapid changes.

We consider the remedy to this, would be to allocate the land at Hatton Station for 1310 dwellings, which would be in a sustainable location. The alternative to this, would be reserve site status. In the case of Hatton Station there is a case for including safeguarded land within a new Green Belt boundary.

We trust that you will find these comments helpful in progressing the Plan. Should you require any further information or wish to discuss this in more detail (including the offer to meet), please do not hesitate to contact Lucy or myself.

Yours sincerely



**MARK SITCH**

Senior Partner