

**Warwick District Local Plan
Representations to Proposed Modifications
A C Lloyd Ltd
Land at Blackdown, Leamington Spa.**

1. An objection is submitted to Modifications 16, 19 and 22 on the basis that inadequate provision has been made for the removal of land from the Green Belt to meet 'longer term development needs stretching well beyond the plan period'.
2. The District Council has found it necessary to define Green Belt boundaries on an exceptional basis - fundamentally to promote sustainable patterns of development.
3. It is noted that in New2.2 as part of Modification 23 *"The Council recognises that there is a limited amount of suitable land currently available outside of the Green Belt to meet long-term development needs, particularly those needs arising in Coventry. Therefore identifying 'safeguarded land' in appropriate locations may assist in meeting the long-term development needs of the functional housing and economic market area"*.
4. Therefore, it is clear that there is no realistically foreseeable planning strategy whereby development needs of the District in the next plan period can be met, other than requiring the use of land which is presently designated as Green Belt.
5. In the context of paragraph 85 of the Framework, we submit that insufficient provision has been made for safeguarded land , to meet development needs 'stretching well beyond the plan period' and that Green Belt boundaries will not need to be altered at the end of the plan period.
6. Furthermore, in terms of geographical provision of safeguarded land only two large scale sites are relied upon to meet future development needs , namely north of Milverton and south of Westwood Heath Road bordering the administrative area of Coventry.
7. In the context of the urban form of Warwick and Leamington Spa, the scale of Safeguarded Land should be increased so as to avoid subsequent redrawing of Green Belt boundaries in the roll forward of this Local Plan, A spread of sites should be identified which can promote sustainable patterns of development, promoting housing choice of location and increasing the propensity to increase the delivery of housing.
8. The site edged red on the accompanying plan identifying land south of Sandy Lane, Blackdown is not proposed for release from the Green Belt as an allocation for housing or safeguarded land in Proposed Modifications to the Local Plan as submitted for Examination, although it was proposed to be released from Green Belt and allocated for housing in earlier versions of the emerging Local Plan.
9. The Preferred Options Document, which was published for consultation between June and August 2012, proposed the release of the land from the Green Belt and the allocation of the land together with other sites to the west and the east.

10. We have attached a Plan taken from the Local Plan Preferred Options which shows the location of the proposed sites around Warwick, Leamington and Kenilworth. Policy PO4, proposed to allocate the site as part of an overall allocation of 1,170 dwellings with employment, open space and commercial at Blackdown.
11. As would be expected the Council undertook an assessment of the site to assess whether exceptional circumstances existed that would justify the release of land from the Green belt. The document comments as follows:
 - 7.26 *The northern, western and eastern edges of Warwick and Leamington and the whole of Kenilworth are bounded by the southernmost section of the Warwickshire Green Belt. If development is to be distributed across the District it will be necessary to alter the boundary of the Green Belt. NPPF states that, once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. Further, when reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development.*
 - 7.27 *Exceptional circumstances can include the need to accommodate housing and employment growth to meet the needs of a community where there are insufficient suitable and available sites outside of the Green Belt. Where it can be justified to review the Green Belt boundary in order to accommodate development, it is necessary to assess Green Belt land in terms of its contribution towards the five “purposes” of including land in the Green Belt (NPPF Para 80). The Joint Green Belt Study [2009] carried out such an assessment of parcels of Green Belt land on the edge of Warwick, Leamington, Kenilworth and Coventry.*
 - 7.29 *In the case of meeting the housing needs of Warwick, Leamington and Whitnash, the SHLAA identifies a potential capacity within the urban area of 650 dwellings on sites of 50 or more. Outside of the built up area, and outside of the Green Belt, the SHLAA identified a capacity of 7,200 dwellings. These sites are concentrated in the area around Europa Way, Gallows Hill and Harbury Lane as well as to the south and east of Whitnash.*
 - 7.30 *The Council has concerns about focussing around 6,000 new homes in such a concentrated area. The reasons for this include:*
 - *The impact on infrastructure, in particular transport and the increased car journeys between the Europa Way area, the town centres and the M40*
 - *The continued southerly spread of development and the impact of closing the gap between Warwick /Whitnash and Bishop’s Tachbrook*
 - *The lack of choice of location of new housing and uncertainty about the ability of the markets to deliver this level of development in the locality within the plan period*

7.31 *There are advantages to locating some development to the north of Leamington Spa and Warwick. These include:*

- *The possibility of including some employment land within the development - employment areas are currently concentrated in the south of Leamington, leading to many cross town centre trips*
- *Greater choice of location of new homes*
- *The benefits which could be realised from the construction of a northern relief road which would relieve congestion on through routes between Warwick and Leamington town centres*

7.32 *Assessment of Green Belt land to the north of Warwick and Leamington in the Joint Green Belt Study concluded that the land bounded by the A46 in the west, the River Avon to the north and Sandy Lane to the east was worthy of further study. This was largely because there were no other towns to the north, from which the Green Belt would provide protection from encroachment, but also because there were other physical barriers to the wider open countryside. The Green Belt assessment suggested that the land at Blackdown was not suitable for further study. However, the land has similar characteristics to land to the west in that there are no towns to the north, from which the Green Belt would provide protection from encroachment, and there are clear boundaries to the site to protect the open countryside beyond.*

12. As can be seen from above, the Council itself did demonstrate that exceptional circumstances existed which justified a Green Belt release and specifically included the land south of Sandy Lane, Blackdown as part of the Blackdown proposed allocation.
13. We agree with the Council's previous assessment of exceptional circumstances in terms of paragraphs 84 and 85 of the Framework. If such an approach was valid as a Green Belt analysis in 2012, it is logical that a similar conclusion should be reached now if it was necessary for the Council to release land from the Green Belt. It should be noted that this was against the backdrop of a proposed housing requirement of 10,800 dwellings between 2011 and 2029.
14. Subsequently the Council amended their proposed allocations. A revised document, The Revised Development Strategy was published for consultation between June and July 2013. Following the June/July 2012 consultation, the Council revised the broad locations for development. This was partly due to the consultation responses, but also as a result of new information on the ability of non-Green Belt sites to the south of Warwick, Leamington and Whitnash to absorb new development. The analysis of representations received following the June/July 2012 consultation showed considerable opposition to development in the Green Belt to the north of Warwick and Leamington, particularly if there were alternative non-Green Belt locations to the south of the towns. Further, there was a general desire for more development to take place on brownfield land.
15. In the light of representations received and new evidence, the Council re-examined the capacity of non-Green Belt land, to the south of Warwick/ Leamington/ Whitnash, and brownfield land to accommodate new development. Therefore the Green Belt release north of Leamington Spa were dropped from the Plan.

16. This strategy eventually evolved into the submitted plan (January 2015) which was considered at the Examination in May 2015 based on a housing requirement of 12,860 between 2011 and 2029
17. The proposed Modifications are based upon an updated Assessment of Housing Need (Coventry-Warwickshire HMA September 2015) which sets out the objectively assessed future housing needs of the Housing Market Area and the six local authority areas within it. The report indicates that Warwick District's Objectively Assessed Housing Need is 600 dwellings per annum, which equates to 10,800 dwellings over the plan period. However, in recognition that Coventry City Council is unable to accommodate its housing needs in full within the City boundary, the Local Plan seeks to provide for 332 dwellings per annum (5976 over the plan period) towards Coventry's housing needs. Warwick District therefore aims to meet its housing requirement by providing for a minimum of 16,776 new homes between 2011 and 2029.
18. Consequently, part of the housing requirement set out in Proposed Modification 4 - Policy DS6 seeks to meet Coventry's housing need.
19. In January 2016, there have been a two appeal decisions (The Asps (Appeal Ref 2221613) and Gallows Hill (Appeal Ref 2229398)- combined capacity of 1350 dwellings. Neither of these sites were proposed as allocations in the Submitted Local Plan. As a consequence of these decisions the Council now proposes to introduce a new allocation north of Gallows Hill for housing.
20. It is possible that the appeal decisions at the Asps and Gallows Hill may have impacted upon the Council's strategy for Green Belt release north of Leamington Spa.
21. It now even more the case that nearly all of the non-green sites suitable for development south of Warwick/Leamington have been identified. Thus one of the principal reasons for rejecting the option of further release of land from the Green Belt to meet the growth of Warwick District has been superseded - notwithstanding the Coventry factor.
22. As a result, WDC has as part of the Proposed Modifications process identified Green Belt releases (Proposals H44 and S2) north of Warwick/Leamington in terms of this being a sustainable location in terms of paragraph 84 of the Framework. Provision is also made for an area of search for a Park and Ride. However, the extent of this area of search is confusing as it appears from the Proposed Modification to the Policy Map (Leamington, Warwick and Whitnash - Milverton Extract to include land east of Kenilworth Road in the vicinity of Blackdown.
23. The Council has concluded that it is 'necessary' to identify areas of safeguarded land between the urban area and the Green Belt to meet longer term development needs (Framework 85, third bullet point).

24. While the potential capacity of the two areas of land identified under Policy DSNEW 2 (Sites S1 and S2) are not identified, a reasonable assessment may be:

S1: Land south of Westwood Road

Circa 1000 dwellings (on the basis the Safeguarded Land is about twice the allocated site H42 (capacity 425)).

S2: Land north of Milverton

Circa 700 dwellings (on the basis the area of Safeguarded Land is about two and a half times the allocated site H44 (capacity 250 dwellings)).

25. Some basic principles should apply in the identification of Safeguarded Land:

- i. While housing is the largest scale of development need in terms of land take, it should not be assumed that land is identified as Safeguarded Land solely for the purposes of accommodating future housing needs. Other spatial development needs, including for example provision for employment, education, health may require land beyond the limits of existing built up areas that are bounded by the Green Belt.
- ii. Paragraph 84 makes it clear that national planning policy expects a review of Green Belt boundaries to 'promote sustainable patterns of development. Paragraph 85, confirms that where necessary (as in Warwick DC's case) the LPA should identify 'safeguarded land', so as to meet longer term development needs well beyond the Plan period. As such, national planning policy seeks the safeguarding of a sufficient quantity of land to meet reasonable expectations as to development requirements for a period well beyond 2029.
- iii. The third bullet point of paragraph 85 is to be read with the fifth. Unless sufficient provision is made for Safeguarded Land, then there is a real risk that the boundaries of the Green Belt will need to again be reviewed at the end of the Plan period to accommodate future development needs.

26. While it is recognised that the allocation of land is to meet development needs in the Green Belt is contentious with local communities – often on a less than full comprehension of the Green Belt policy – confidence in the proper application of Green Belt policy is likely to be undermined to a greater extent with the local community if in the review of the Local Plan – which may be anticipated to commence within 5 years – proposes new proposals for redefining Green Belt boundaries.

27. As such, it is submitted that the public interest – and confidence in the plan-led planning system – is better served by excluding more land from the Green Belt and safeguarding, rather than making an inadequate provision which then requires further alteration of Green Belt

boundaries on the first review of the Local Plan. In that way, provision for Safeguarded Land is made to meet longer term development needs ‘stretching well beyond the plan period.’

28. The fact that the precise scale of development needs for the Plan period beyond 2029 cannot be determined – does not make ineffective the process of identifying adequate Safeguarded Land – and should not be considered ‘consistent with the national planning policy’ as a reasoning for not making further provision.
29. For the current plan period, the Plan proposes the alteration of Green Belt boundaries to make provision for residential development at the following locations:

Location	Site Ref	No of Dwellings
Red House Farm, Leamington Spa	H04	250
Rouncil Lane, Kenilworth	H12	130
Thickthorn, Kenilworth	H06	760
Southcrest, Kenilworth	H40	640
Warwick Road	H41	100
Westwood Heath	H42	425
Kings Hill	H43	1,800
North of Milverton	H44	250
Oak Lea Farm, Finham	H08	20
Baginton	H19	80
Burton Green	H24	90
Cubbington	H25, H26, H50	195
Hampton Magna	H27, H58	245
Hatton Park	H28, H58	120
Kingswood	H29, H30, H31, H32, H33	56
Leek Wootton	H37	5

30. This scale of necessary release of land from the Plan period may be compared to the provision for Safeguarded Land of circa 1,700 dwellings – of land that may not be required only to meet residential development needs.
31. It is submitted that this scale of provision cannot reasonably be considered consistent with national planning policy to ‘meet longer term development needs stretching well beyond the plan period’. If a basic proportionate assessment is made, this scale of provision would extend about 3 years into the roll forward of the Plan period.
32. A response to the plan – making adequate provision for longer term development needs is a claim that the land will be released unnecessarily for development, as though the notation Safeguarded Land weakens the management of development by the LPA. The fourth bullet point of paragraph 85 of the Framework dispels this fear.

33. Indeed, in research undertaken for the report 'The Effectiveness of Green Belts' [1993], this concern was examined for an evidential basis. The Report concludes:

'Three further arguments against safeguarded land were put to us. It was suggested that safeguarded land would attract much extra speculative activity, and its maintenance would therefore be impossible. There was little evidence however to demonstrate this.'

34. In conclusion, we consider that land south of Sandy Lane, Blackdown should be released from the Green Belt and be identified as Safeguarded Land as part of the Local Plan process for the following reasons:

- WDC has previously identified in 2012 that exceptional circumstances do exist which would justify the release of the subject land from the Green Belt. These exceptional circumstances apply equally in 2016, in the context of ensuring that the Green Belt boundary should be capable of enduring beyond the plan period.
- The Council has provided no evidence to demonstrate that it can be satisfied that the proposed Green Belt boundaries are capable of enduring well beyond the plan period. Indeed the disproportionate provision of Safeguarded Land suggests that Green Belt boundaries would need to be altered at the end of the plan period.
- As part of this Local Plan process, the Council has previously moved away from a Green Belt release option due to further information being available which meant that more non-green belt land could be released south of Warwick/Leamington. However, most of the land suitable for development south of the town have now been identified as proposed allocations or has planning permission and there appears to be a view amongst the general public that south of the town has had enough.
- The level of housing requirement in the district has been increasing consistently. There is no sign that this growth will tail off at the (contrived) end of the plan period in 2029. Thus, more land is likely to be required in the Housing Market Area beyond 2029.
- The analysis that informed the 2012 Preferred Options Local Plan i.e. Blackdown, and the subject land in particular, demonstrates that the land can be released from the Green Belt. This analysis forms part of the Council's Local Plan evidence base and is contained within a document entitled 'Options for Future Urban Expansion in Warwick District Considerations for Sustainable Landscape Planning - Richard Morrish Associates November 2012.

35. Having regard to the above, we conclude that exceptional circumstances exist which justify the release of land south of Sandy Lane, Blackdown from the Green Belt in the context of paragraphs 84 and 85 of the Framework. The land should be identified as safeguarded land.