



Stage 2: Issues and Options Consultation comments on behalf of Bloor Homes and Taylor Wimpey (Midlands) Ltd

South Warwickshire Local Plan Part 1

Issue V3: Strategic Objectives

Q-V3.1:

Do you agree that the Vision and Strategic Objectives are appropriate?

It is important to have in mind that South Warwickshire is to grow and evolve in the plan period to 2050. Change is inevitable, and the planning process functions to support sustainable growth and should not be applied to stymie or otherwise place unnecessary obstacles in the way of new development.

Thus, tackling the climate emergency cannot be at the expense of delivering new housing, employment and retail and other space.

We consider that the Vision has been modified to better reflect this important principle, and one of the six Strategic Objectives now relates to meeting sustainable development needs. This is welcomed and reflects our earlier submissions. However, we consider that this should be further amended to make clear that development needs must be met *in any event*, and that it is for the plan to set out how this is achieved sustainably.

Issue I1 Sustainability Appraisal

Q-I1:

Sustainability Appraisal – please add any comments you wish to make about the SA, indicating clearly which element of the appraisal you are commenting on.

The SA prepared to support the Issues and Options explores reasonable options in relation to:

- 5 Growth Options which provide details about where development should be distributed at a strategic scale across the South Warwickshire area
- 7 New Settlement Locations for large-scale development of not less than 6,000 new homes and associated infrastructure
- 32 Broad Locations which represents options for up to 2,000 homes located around the main settlements for medium scale development and associated infrastructure in any one Broad Location
- 22 Small Settlement locations for intermediate scale development for between 50-500 homes in any one location, typically associated with smaller settlements and villages.
- 116 Policy alternative options for shaping the relevant policies. Subjects include for example climate change, tourism and health.

Each option has been assessed/scored against each of the 13 SA objectives in relation to 1. climate change; 2. flood risk; 3. biodiversity and geodiversity; 4. landscape; 5. cultural heritage; 6. pollution; 7. natural resources; 8. waste; 9. housing; 10. health; 11. transport; 12. education and 13. economy.

The comments below relate first of all to the housing numbers and then to the growth options and broad locations around main settlements.

Housing numbers

Two reasonable alternatives to establishing housing number calculations have been undertaken.

Option 1 – the HEDNA trend- based projections which point to a need for 868 dwellings per annum in Stratford-on-Avon and 811 dwellings per annum in Warwick – **total of 1,679 dwellings per annum.**

Option 2 – uses the Standard Method and identifies the need of 564 dwellings per annum in Stratford-on-Avon and 675 dwellings per annum in Warwick – **total of 1,239 dwellings per annum.**

It is reported within the SA that using the HEDNA figure would more accurately represent local housing need and would better meet the needs of the various members of the community (including affordable homes, student accommodation, older people's accommodation, specialist housing and custom and self-build plus gypsy and traveller and travelling show people communities).

Both options have a similar negative impact on climate change, biodiversity, pollution, natural resources and potentially waste. Option 1 would likely have a greater adverse impact on landscape and townscape character due to higher housing numbers.

Both options have a similar minor positive impact on 11 – transport, by the location of new housing in closer proximity to workplaces.

The consideration of housing numbers does not provide any locational information and so the impacts in relation to climate change, cultural heritage, health, education is uncertain.

Whilst overall, at this stage option 2 appears to perform better overall, we would support the use of the higher HEDNA figure which will allow flexibility within the overall development strategy. This will enable the plan to accommodate a meaningful percentage of displaced unmet housing needs of the adjoining authorities – notably Birmingham, Black Country and Coventry.

Growth options

As set out in the SA, scores each option against the SA objective, which indicates that each option is likely to perform better than others. All perform positively in relation to employment and housing and so, at this stage, no stage should be ruled out in our view.

The broad locations for proposed new development have also considered reasonable alternatives within Alcester, Kenilworth, Royal Leamington Spa and Whitnash, Shipston-on-Stour, Southam, Stratford-upon-Avon and Warwick. These locations were further analysed to test distances from GP surgeries, schools, public transport etc, to remove land within flood zones 2 or 3, AONB, Grade 1 agricultural land, scheduled monuments, SSSI, Registered Parks and Gardens and Ancient Woodland.

These broad locations all perform similarly against the SA objectives and at this stage, we would consider it too early to discount any broad locations without understanding which individual sites or areas of land have the potential to come forward as a result of the Call for Sites. It may only become apparent at this stage, once details of any other site constraints and opportunities are fully understood that the Growth Options are further refined or discounted completely. The same principle is considered appropriate in terms of reasonable alternatives put forward in relation to small settlement locations.

Early indications within the SA consideration in relation to New Settlements suggest that this growth option would perform poorly against climate change overall and waste, use of natural resources and landscape; some performing poorly against flood risk, pollution, health, education and biodiversity and local wildlife sites. Whilst this option would achieve up to 6,000 dwellings, thereby resulting in a significant contribution towards meeting the housing need, and seen as being a major positive impact on housing provision, these large-scale developments invariably take years to come to fruition, requiring major investment in all types of infrastructure before housing can come forward. Numerous local plans relying on this type of option have failed. This option, in our opinion therefore is the least favoured and potentially should be ruled out at this stage.

Issue I2 Infrastructure Requirements and Delivery

Q12a: This option, to set out infrastructure for all scales, types and location of development within Part 1 of the Local Plan is considered is preferred. This would allow the requirements to be applied equally across the District and provide developers with more certainty when coming to consider implications for proposed development/proposed sites across both Stratford and Warwick.

Issue I3 CIL

Q-13a: This option for CIL is preferred, which would set a single levy for the whole of South Warwickshire. This would give developers greater certainty regarding likely development costs.

Issue I4 Infrastructure Safeguarding

Q-I4.1

Should we include a policy to safeguard specific infrastructure schemes within the SWLP?

Yes, in part.

We consider that it is appropriate for a policy to safeguard specific infrastructure schemes within the SWLP, where those infrastructure schemes have been evidenced through the plan making process. Where infrastructure schemes have not been evidenced, it would be inappropriate for the plan to specify and safeguard such schemes, since these would not be justified having regard to the tests of soundness embedded in the NPPF.

Where specific infrastructure schemes are safeguarded, the policy must be sufficiently flexible to be adaptable to changing circumstances. For example, one such infrastructure scheme which may be safeguarded is the improvement of the A46 at Bishopton and Wildmoor junctions. We are aware that scheme proposals for junction improvements are evolving, and the land take required may change over time. Where a plan showing the extent of safeguarding is embedded in the SWLP it should be made clear that the precise extent of safeguarding may change (either extending or shrinking) due to changing circumstances.

Issue I5 Green and Blue Corridors

Q-S1 – Option S1a

We consider that the SWLP should identify Strategic Green and Blue Corridors in advance of the Local Nature Recovery Strategy being produced.

However, this should be based upon proportionate evidence, which must be up to date. The SWLP refers to the Warwickshire Coventry and Solihull Sub regional green infrastructure study being used to inform policies, however this study dates back to 2013, and is therefore some 10 years old. This should be updated if it is to be used for the purposes of policy making, and included in the forthcoming suite of additional evidence base documents which can be commented upon as part of the plan making process in Stratford and Warwick.

Issue S2: Intensification

Please select all options appropriate

Option S2c – Do not have a policy which encourages intensification.

Each site should be considered on its own merits to take account of site-specific constraints and opportunities. A blanket approach to a policy with an ‘in principle’ support for intensification or even the identification of sites which are considered to be particularly suitable could be counterproductive. Whilst it is acknowledged that the current Framework promotes the effective use of land in meeting the needs for homes, this should not be at the expense of healthy living spaces, or, as advised in footnote 47, “except where this would conflict with other policies in the Framework.” Any proposed intensification, per se could run contrary to the achievement of “well-designed or beautiful places” advocated by the Framework, which places great emphasis on “the creation of high quality, beautiful and sustainable buildings and places”.

Furthermore, we are concerned that higher anticipated yields from such sites resulting from an intensification policy approach could result in the allocation of fewer sustainable green field sites – which could ultimately result in failure of the plan to deliver its requirement over the plan period because of the reliance on the yield from the intensification of the site, which may, in due course not be supported due to adverse impact on living conditions for future occupiers or character/appearance reasons and so on.

Issue S3 Using Brownfield Land for development

Q-S3.1-Option S3.2c

We do not consider that a policy should be included in the SWLP to prioritise the use of brownfield land for development.

There is no such policy imperative set out within the NPPF, and as result were the SWLP to prioritise brownfield land over greenfield development it would be inconsistent with national policy and fail the tests of soundness. By way of context, it is important to note that prior to the publication of the NPPF in 2012 the concept of sustainable development was largely based upon the delivery of previously developed land, with an express sequential approach set out in PPG3 (latterly PPS3) and PPG1 (latterly PPS1). This sequential approach was specifically removed from national policy, and a more nuanced approach to sustainable development set out. There is no indication that a sequential approach is to be brought back in, despite the various revisions to the NPPF which have been published since 2012.

This is because utilising brownfield land does not automatically render a proposal sustainable; and to prioritise brownfield land would be to bring forward development that does not meet the three pillars to sustainably and potentially unbalance plan strategy and plan delivery, since development would only be brought forward where brownfield land exists, not where the plan making process determined development should be.

Policy can make clear that the emphasis should be on utilising brownfield land for development, but this must not be expressed as a sequential approach nor applied as such through the development management function.

Issue S4: Growth of existing settlements

Q-S4.2:

Yes, we agree that some of the existing settlements should be part of the overall strategy. The SA has explored a number of alternative options for growth at existing settlements. The importance of considering the potential for growth around the edges of existing settlements is acknowledged. The growth of all existing settlements (proportionate to their size) could also assist the council to secure benefits associated with the 20-minute neighbourhood principle – the settlement analysis undertaken as part of the evidence base identifies settlements which are considered to be suitable for growth – based on connectivity, accessibility and density analysis.

Q-S4:2

Taylor Wimpey (Midlands) Ltd and Bloor Homes have an interest in a parcel of land at The Asps, which is located on the southern edge of Warwick and to the west of Royal Leamington Spa. It has been submitted to the Call for Sites and known as Agricultural Land.

The Asps site is located to the south-east of Warwick and as such the following comments relate to the analysis of that area contained within the Settlement Analysis undertaken by the Council to inform the Local Plan. The connectivity analysis considers The Asp Farm within Area 8. There is no real commentary other than to highlight that the site is served by one brown route (the A46). It has been graded as Grade D – which is the equivalent of an amber score.

We do not necessarily agree with the above score but do accept that the site does not physically link with the southern edge of Warwick. We would like to point out however, that the development of this whole site for residential development for up to 900 dwellings, a primary school, a local centre and a Park and Ride facility for up to 500 spaces, with access from Europa Way and Banbury Road, areas of public open space, landscaping enhancements and archaeological mitigation was allowed at appeal in 2014, following a refusal by the council. The appeal was called in by the Secretary of State for determination. He placed moderate weight on the accessibility drawbacks of the site but considered that the Park and Ride facility would be a substantial benefit that has the potential to reduce vehicular traffic in the town centre and surrounding highway network as well as alleviating town centre parking congestion.

Essentially then, the site at the Asps once developed in accordance with the outline consent will become a separate neighbourhood, with access to a primary school, local centre and served by a park and ride facility with regular bus services running into Leamington Spa and Warwick. The connectivity for residents throughout the development to services/facilities required on a daily basis will be good, accessible by bus, cycle or walking. The phase 1 Reserved Matters consent resulted in the diversion of a public right of way which leads through the site onto the Banbury Road. Discussions are ongoing with phase 2 proposals to ensure pedestrian connectivity through the site is achieved through the site to services/facilities on Banbury Road (particularly Warwick school).

The Park and Ride reserved matters application is currently being considered by the LPA and discussions have been on-going with the Council to ensure that it meets their expectations and complies with the specification set out within the S106 legal agreement.

The site falls within the red line boundary of the outline approval and is not indicated on the approved phasing plan for any purpose. The advanced planting stage was approved by a separate Reserved Matters application and has been implemented. The infrastructure phase has also received consent and also implemented. The Reserved Matters schemes for phase 1 have been approved (450 dwellings in total); and the layout fixed for phase 2 and currently under consideration (also for 450 units), which cumulatively achieves the 900 dwellings approved by the outline – the development of the agricultural land cannot be carried out without a fresh consent.

The site could provide up to 70 units and development of them would make efficient use of the land and form a logical extension to the Asps. Further site-specific details can be considered at relevant points in the future as the development of the plan progresses.

From a sequential point of view, the site is not contained within the Green Belt or within a Landscape Sensitivity area and so as such, should be given priority for development over other sites located within sensitive locations such as those within the Green Belt.

Issue 7 Refined Spatial Growth Options

QS7.1

For each growth option, please indicate whether you feel it is an appropriate strategy for South Warwickshire:

Option 1 – We consider it appropriate to consider rail corridors as part of refined spatial growth options. Rail has the potential to contribute to sustainable development and we would support further considering this option as the SWLP advances.

We note that the high-level Sustainability of Growth Options sets out the likely effects of each of the Growth Options. Option D (Enterprise Hubs) has identified 1 Significant Negative effect in relation to Health. Options E (Socio-Economic) and F (Main Urban Areas) both identify 2 Significant Positive effects, both in relation to Transport and Housing. All other options have been attributed with a similar number of positive and negative effects.

Although the work so far undertaken is high level, it is already apparent that each option has advantages and disadvantages. We consider that it is too soon to discount any of the Growth Options at this stage without understanding which individual sites or areas of land have the potential to come forward as a result of the Call for Sites. It may only become apparent at this stage, once details of any other site constraints and opportunities are fully understood that the Growth Options are further refined or discounted completely.

We are currently of the view that in order to provide housing which meets the needs of the population (to all sectors), the development strategy should seek to provide new dwellings in a variety of sustainable locations across the Districts. The final strategy therefore could result in a combination of certain Options or a mixture of all five options as currently drafted.

Option 2 – We consider it appropriate to consider sustainable travel as part of refined spatial growth options. Sustainable travel has the potential to contribute to sustainable development and we would support further considering this option as the SWLP advances.

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Option 3 - We consider it appropriate to consider economy as part of refined spatial growth options, however we are less supportive of this option – especially in relation to strategic scale development sites which are likely to bring forward their own suite of employment opportunities and as such would be less reliant upon existing employment opportunities.

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Option 4 - We consider it appropriate to consider sustainable travel and economy as part of refined spatial growth options, however as per Option 3 we are less supportive of this option – especially in relation to strategic scale development sites which are likely to bring forward their own suite of employment opportunities and as such would be less reliant upon existing employment opportunities.

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Option 5 - We consider it appropriate to consider a dispersed approach as part of refined spatial growth options. This has the potential to contribute to sustainable development and we would support further considering this option as the SWLP advances. It is to be noted that the current development plans for the two Districts are founded upon a strategy of 'balanced dispersal' which has been an effective and deliverable strategy, it is therefore a strategy which has been successful in the past and should be given serious consideration in the SWLP.

We note that the high-level Sustainability of Growth Options sets out the likely effects of each of the Growth Options. Option D (Enterprise Hubs) has identified 1 Significant Negative effect in relation to Health. Options E (Socio-Economic) and F (Main Urban Areas) both identify 2 Significant Positive effects, both in relation to Transport and Housing. All other options have been attributed with a similar number of positive and negative effects. Although the work so far undertaken is high level, it is already apparent that each option has advantages and disadvantages. We consider that it is too soon to discount any of the Growth Options at this stage without understanding which individual sites or areas of land have the potential to come forward as a result of the Call for Sites. It may only become apparent at this stage, once details of any other site constraints and opportunities are fully understood that the Growth Options are further refined or discounted completely.

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Issue S8: Small scale development outside of the chosen spatial growth option

Q-S8.1: For settlements falling outside the chosen growth strategy, do you think a threshold development approach is appropriate, to allow more small-scale developments to come forward?

Yes.

We consider that it is appropriate for small scale development to come forward outside of the chosen strategy. This allows for unidentified development (windfall) to come forward over the plan period, which has the potential to support the vitality and viability of existing communities.

New development in this circumstance should not be determined by a threshold. By setting a threshold, the suggestion would be that any specific settlement has some form of capacity or limit, and therefore any development exceeding the notional threshold would be inconsistent with the plan strategy. That cannot be the case. The ability for a settlement to accommodate new development will change over time (and noting that the plan period for the SWLP is extensive, to 2050), new development has the potential to increase the ability for a settlement to absorb growth (for example bringing with it new facilities, either on site or via the S106 regime). In any event development requirements should be expressed as a minimum with no ceiling or cap.

Issue S9: Settlement Boundaries and infill development

Q-S9 – It is our preference for Part 1 of the Plan to review and define all settlement boundaries across the combined district. This would achieve a consistent approach and allow smaller settlements to take more proportionate growth to enhance the vitality of rural communities.

Issue H2: Providing the right tenure and type of homes

Q-H2-1: What is the best way to significantly increase the supply of affordable housing across South Warwickshire?

Affordable housing is a significant issue for the SWLP.

It is firstly important to have in mind that delivering housing to meet identified needs will assist in keeping affordability ratios in check, since demand will meet need and will avoid housing prices rising due to elasticity of supply issues. Even in circumstances where housing need is being identified and met, there is an acute need for affordable housing in South Warwickshire. The public sector is unable to deal with this issue, it is therefore for the private sector to deliver necessary affordable housing provision.

Exception type housing will deliver a proportion of affordable provision, this however will be very low. The most effective way of delivering affordable housing is via allocations and windfall development over the plan period, by way of an appropriate – viability tested – threshold and percentage delivery requirement.

The SWLP should maximise the delivery of market housing delivery, so as to correspondingly maximise the opportunity to deliver affordable housing. This is singularly the only way in which meaningful quantities of affordable housing will come forward in the plan period.

Q-H2-2a

We consider that with a single plan for South Warwickshire, combined as a unified policy area, there should be a single South Warwickshire wide affordable housing requirement – both in terms of threshold and percentage requirement.

Issue H3: Providing the right size of homes

Q-H3a. We would support option H3a – which does not seek to include minimum space standards in a policy. We would agree that this is not of strategic importance across South Warwickshire and so could be considered in Part 2 of the plan, and assessed against evidence provided that it is a requirement within the District that would not impact of the affordability of properties.

Issue H4: Accommodating housing needs arising from outside of South Warwickshire

Q-H4-1: Do you agree with the approach of contributing to meeting the Birmingham and Black Country HMA shortfall to 2031 on the identified sites in Stratford-on-Avon?

Yes.

South Warwickshire is inextricably linked with three wider housing market areas; Birmingham, Coventry and the Black Country.

For Birmingham, the latest evidenced position is that unmet need is in excess of 78,000 houses. This is a materially worsening position, and it is likely that the actual unmet need will be substantially greater at the point of SWLP examination and adoption.

Coventry has a significant housing requirement, which it too cannot meet in full. The precise unmet need is being determined, once known this too will need to be factored in.

The Black Country is a third HMA which requires the export of housing. It is complicated by the collapse of the Black Country Core Strategy Review, which means that each of the Black Country authorities will need to prepare individual development plans, albeit to some extent based upon the evidence base already prepared.

The extent of export from the Black Country is likely to increase over time. Through the Solihull plan examination in 2021 and 2022 it became clear that the Black Country authorities had set a very low bar in terms of 'sustainability' so as to minimise the extent of export, we consider that the Black Country authorities will revisit this approach and raise the 'sustainability' bar, and if this occurs the extent of housing export will increase, and potentially substantially so.

The wider HMA issues will need to be factored in to future iterations of the SWLP. It is suggested that the current working assumption of between 5,000 to 10,000 houses (which excludes Coventry) is too low and runs the risk of the SWLP proceeding, undershooting its contribution, and having to be paused to increase the quantum of housing it is delivering. Better to test and assess a bigger contribution now, to allow the SWLP to proceed on its anticipated timeline.

Q-H4-2 Please add any comments

The Black Country is a HMA which requires the export of housing. It is complicated by the collapse of the Black Country Core Strategy Review, which means that each of the Black Country authorities will need to prepare individual development plans, albeit to some extent based upon the evidence base already prepared.

The extent of export from the Black Country is likely to increase over time. Through the Solihull plan examination in 2021 and 2022 it became clear that the Black Country authorities had set a very low bar in terms of 'sustainability' so as to minimise the extent of export, we consider that the Black Country authorities will revisit this approach and raise the 'sustainability' bar, and if this occurs the extent of housing export will increase, and potentially substantially so.

The wider HMA issues will need to be factored in to future iterations of the SWLP. It is suggested that the current working assumption of between 5,000 to 10,000 houses (which excludes Coventry) is too low and runs the risk of the SWLP proceeding, undershooting its contribution, and having to be paused to increase the quantum of housing it is delivering. Better to test and assess a bigger contribution now, to allow the SWLP to proceed on its anticipated timeline.

Q-H4-3 If we are required to meet housing shortfalls from outside of South Warwickshire, how best and where should we accommodate such shortfalls?

The extent of the shortfall from the wider HMA's is so significant that by ring fencing its delivery there risks a plan strategy which is driven by HMA issues rather than being developed in the context of sustainable development. Thus, whilst the temptation will be to accommodate housing to serve the wider HMA's at the northern edge of the SWLP plan area, we consider that the approach should be to a) identify the overall housing requirement for the SWLP having regard to 'internal' housing requirements and HMA unmet need; and then b) develop a plan strategy to deliver all of this housing in full. This avoids any form of ring fencing within the SWLP area. It also avoids the complex trigger mechanisms set out in the draft SAP which are, in practice, difficult to apply in a development management context.

Issue H5: Providing custom and self-build plots

Q-H5a and c

The Self-build and Custom Housebuilding Act 2015 (as amended) places duty on Councils to keep a register of individuals and associations of individuals and associations of individuals who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects. They are also required to have regard to this register and grant enough development permissions to serviced plots of land to meet the identified demand, where the demand is dictated by the number of entries on the Council's Self-build register within each base period.

The Planning Policy Guidance (PPG) states that self-build or custom builds helps to diversify the housing market and increase consumer choice. In such types of projects, the initial homeowners choose the design and layout of their home, allowing for innovative creativity.

On this basis, we consider that the Council should give proper consideration to the identification of a range of specific sites on the edge of existing settlements to be developed for self and custom build homes. This is preferable to requiring large developments (over 100 dwellings) to provide a proportion within the overall site. This would not be appealing to most national house builders and difficult to implement in policy terms. Wyre Forest's recently adopted Local Plan (SP12) includes a specific policy requiring major development schemes of 50 or more dwellings to "take into consideration the demand shown in the Self-Build and Custom-Build register and where possible provide suitable plots." Where plots are made available and marketed for at least 12 months, and there is no demand – they may be built out by the developer.

Issue C3 Carbon Sequestration

Q-C3.1 A carbon off-setting approach to new developments could be supported in principle, if it was demonstrated that it is not possible to achieve net carbon zero requirements on a particular site. Further information is required on this subject and presumably this will be included in subsequent consultations.

Issue C4: New Buildings

Q-C4.1 We consider that there is no requirement to have a specific policy covering the energy efficiency standards of new development. This would be a duplication of Building Regulations which are being updated regularly to reflect the national desire to reduce carbon dioxide emissions from previous standards. The frequency of changes to Building Regulations will probably mean that plans adopted to align with current standards will soon be out of date.

Issue C6: Whole Life-Cycle carbon emissions assessments

Q-C6.1c – none of these. The requirement for such an assessment would be unduly onerous on the developers and we would argue that Building Regulations and the need to comply with them, will adequately safeguard emissions to agreed levels (set nationally by the Government).

Issue C7: Adapting to higher Temperatures

C7b: We do not believe that a policy requiring new developments to incorporate measures to adapt to higher temperatures are necessary, particularly within Part 1 of the Plan. We consider that such measures are most likely to occur through the market in time, if required. If it were to become part of a policy requirement, we would expect that viability would be taken into account. Such measures should be carefully considered to ensure that they do not stifle the provision of much needed dwellings across the District.

Issue C8: Adapting to flood and drought events

Option C8b: We consider that there is no requirement to have a specific policy to incorporate measures to adapt to flood and drought events. This would be a duplication of Building Regulations which are being updated regularly to manage flood risk and water consumption. The frequency of changes to Building Regulations will probably mean that plans adopted to align with current standards will soon be out of date.

Issue C9: Mitigating Biodiversity Loss

Q-C91a. The Environment Act 2021 requires all planning permissions in England to deliver at least 10% biodiversity net gain (date yet to be confirmed) but expected to be November 2023. The NPPF already encourages BNG and most developers accept that their proposals will need to take account of it. Most new local plans are including specific policies dealing with biodiversity loss and gain. Any policy should be consistent with national policy and subject to thorough evidence testing and consulted upon as the Plan progresses, in particular if the target is for greater than 10% BNG.

Issue C10: Climate Change Risk Assessments

Q-C10.2. Further information/ evidence testing and further consultation is required in relation to the need for new development to undertake a Climate Change Risk Assessment. At present, based on the information available it could be viewed as duplication of other proposed policies (such as adapting to higher temperatures, carbon emission etc).

Issue C11: Water Management

QC11b. The quality of water is important and this issue is often dealt with in Part 1 of a local plan. We consider option b to be the most appropriate option which would prioritises water quality as a strategic issue, and develop a new policy based upon up-to-date evidence. This should be tested through evidence and consulted on as the Plan progresses.

Issue C12: Flood Risk

We are content with the approach proposed to flood risk which is consistent with the requirements of the NPPF in both national and local terms. The Strategic Flood Risk assessment undertaken for Part 1 together with the Water Cycle Study which will follow will inform emerging future policy which should take account of updates to the PPG in August 2022 following the government's review of policy for development in areas of flood risk and bring it in line with recent changes to the NPPF.

Issue D1: Strategic design principles

Q-D1.1 Yes, the components listed (comprehensive development; attractiveness; sensitive to context; distinctiveness; connectedness; safety; environmental sustainability and adapting to climate change and; mix and amount of development – are considered to be an appropriate range of topics for a strategic design policy. The proposed content aligns with chapter 12 – achieving well-designed places of the NPPF as is currently worded. Proposed amendments to the NPPF currently under consultation strengthen the importance of good design.

Issue D2: Design Codes and design guides

Q-D2. We consider that the high level principles of good design could be contained within a suitably worded policy within Part 1 of the Plan which could relate to the whole of the South Warwickshire geographical area – there may be limited merit in doing so however, as expectations are already set out within the National Design Guide and National Model Design Code – for part 1, generally then, it may be sufficient to refer to the Framework and the National Design Guide requiring applicants to demonstrate compliance with.

To ensure that design guides/design codes respond to local characteristics, it is essential in our view that these are prepared on an area (if a group of settlements share common features) or individual settlement basis. The design codes/guides should ideally be formulated over time, with input from all key stakeholders including local residents and business owners as well as technical and environmental personnel from both the private and public sector to ensure that these guides will be robust in their assessment of the character and what would be acceptable in terms of visual and environmental (to capture effects of climate change and so on) and deliverable from a developer point of view.

Due to the nature of the above; being a collaborative exercise, which will take time, it is considered that the finer detail required to produce such codes, should be required at a later stage of the local plan – either within Part 2, and specific to new allocations proposed, or following adoption, when new sites are confirmed, where a site specific design code/guide could be required. The use of site wide design codes for new allocations is supported, provided there is proper consultation with relevant council departments at both District and County to avoid problems post adoption.

We have experience with a site in Warwick (The Asps) which has an adopted site wide design code (which was prepared following a series of workshops with key stakeholders and relevant officers from both the District and County, submitted and approved via a discharge of condition attached to the outline consent). It was very prescriptive in terms of layout, design, materials, car parking spaces, public open space, connectivity and so on, even down to the widths of roads and pavements which would be expected for the main spine road, primary, secondary and tertiary roads. Whilst this code enabled the applicants to prepare reserved matters applications to a set of agreed principles, which the District (planning officer) confirmed they were supportive of; we were significantly delayed by the repeated objections from the County Highways officer who maintained concerns over highway safety and general layout of tertiary roads. This was despite apparently having provided comments on the proposed design code before it was approved. This situation left the District in a difficult position - the Code has been approved and therefore has considerable status in planning terms – to satisfy highways, tertiary roads were re-designed – to appear more engineered and to have footways on both sides – which is contrary to the design code – the engineered appearance significantly detracts from the intended character of these streets. Despite many discussions to try to persuade Highways and to remind them that they were involved with the production of the Code – it was easier to amend the proposals than to continue to argue. In addition to this, tertiary roads have been approved (as per the Design Code) with block paving. We have now received objection to use of block paving and a particular kerb height (again specified within the code) from the Technical Team. We are categorically being told that these materials will NOT receive technical approval. Initial discussions with the District (to try and resolve) have not progressed as the technical team have suggested the use of black tarmac and high kerbs is the only solution – this would fundamentally change the nature of the tertiary roads and character areas in which they are located. This would be across the whole development consisting of 900 dwellings. The planning officer is not keen to support as cumulatively, this change would adversely impact on the appearance of the whole of the development – contrary to the adopted Site Wide Design Code.

For any design code to be acceptable therefore, it is critical that the correct officers, statutory and non-statutory consultees and other key stakeholders are consulted on and their views properly taken into account before adoption to avoid similar problems again. Whilst laudable, if any document is adopted without concerns or objections being addressed, it can cause a significant delay to the granting of permission for schemes which will ultimately affect their deliverability.

Issue D3: Designing adaptable, diverse and flexible places

Q-D3a. We consider that option a – to include a policy which underlines the relevance and importance of density, but which does not identify an appropriate minimum density or range of densities across South Warwickshire is the most appropriate option. This would allow a greater flexibility to be considered for individual sites as they come forward for development. There will be a need to take into account the character of the surroundings and density is just one element of this.

Issue D4: Safe and attractive streets and public spaces

Q-D4.1 Yes. We agree that the range of topics listed is appropriate for a policy on the design of safe and attractive streets.

Issue D5: Protecting and enhancing heritage assets

Q-D5: Should we continue with the approach to include a high-level strategic policy within Part 1 plan and to utilise heritage assessments to inform the growth strategy, and delay detail policies to Part 2?

Yes. The NPPF advises that plans should set out a positive strategy for the conservation and enjoyment of the historic environment.

Issue W2: Health Impact Assessments for major development

Option W2b. We do not consider that a specific policy on Health Impact is required. From our experience the health impact screening requests often required by LPA's (to understand whether a full HIA for the specific proposals are required) is just a tick box exercise with no real purpose.

Issue W3: Ensuring the built environment provides healthy and inclusive communities

Q- W3a. We consider option a which would include an overall policy on health is the most appropriate for South Warwickshire. A policy worded to aim all aspects of health and assist in creating communities which are safe, healthy and inclusive would be consistent with chapter 8 of the NPPF and build upon existing health policies within the Warwick District Local Plan and the Stratford Core Strategy.

Issue T1: 20-minute neighbourhoods

Option T1b: We consider that there should not be a specific blanket approach to a policy on the principles of the 20-minute neighbourhood for new development. We fully acknowledge the benefits of achieving a 20-minute neighbourhood but if applied stringently, this requirement could effectively rule out many sites, which otherwise could come forward to assist the council in meeting its housing requirement. Option b therefore is considered the most appropriate option to allow flexibility of the approach and to allow site specifics to be taken into account.

Issue T2: Sustainable transport accessibility across South Warwickshire

Q-T2a. We consider that a policy which takes a hierarchical approach in terms of prioritizing transport infrastructure should be taken. This would include lowering of car parking standards for areas where there are good/active public transport links and include opportunities to use existing green and blue infrastructure as potential active travel options. This approach would be consistent with chapter 9 of the Framework which encourages the planning system to actively manage patterns of growth to support the objectives of promoting walking, cycling and public transport and assisting with environmental gain.

Issue B1: Areas of Restraint

Please select the option which is most appropriate for South Warwickshire

Q-B1 Option B1a

We consider that Areas of Restraint are an effective policy tool for ensuring development is kept free of identified development parcels. This has been a long-standing policy commitment in Stratford and, for consistency, this should be applied to Warwick too.

It would allow for a hierarchical approach, which is embedded in the NPPF, and as such would be consistent with national policy.

The precise Areas of Restraint should be the subject of thorough evidence base testing and consulted upon as the SWLP advances.

Issue B5: Environmental Net Gain

Q-B5 a

We consider that the work should be undertaken by the Council to explore and potentially pursue and integrated Environmental Net Gain Policy which will support nature's recovery. We are aware of the government's Environmental Improvement Plan 2023 which seeks to halt and reverse the decline in nature – in the reaching of this goal, there should be a reduction in environmental pollution which would include noise, water quality, soil, carbon capture. One policy to deal with these elements seems sensible. As always though, any such policy would need to be evidence tested and thoroughly consulted upon. There would also need to be an awareness of the implications on viability – if overly onerous, the policy could act as a real disincentive for developers, who would seek instead, to build outside of South Warwickshire.

Issue B8: Agricultural Land

Q-B8.1 Do you agree that the plan should include a policy avoiding development on best and most versatile agricultural land, unless it can be demonstrated that the harm to agricultural land is clearly outweighed by the benefits of development?

Yes.

We recognise the importance of BMV in considering development proposals. However, any such loss of BMV needs to be balanced with the competing – and highly important – need to deliver housing and other development. Any policy which restricts the loss of BMV would be inappropriate, and beyond the scope of the NPPF which would fail the tests of soundness. It is however appropriate to provide a policy which recognises the importance of BMV but allows for its loss where it is outweighed by the need for new development.

Issue B9: Protecting Biodiversity and Geodiversity assets

Q-B9: Should the plan include a policy requiring the safeguarding of sites of national importance, sites of local importance, and other non-designated sites?

Yes – although SSSIs are protected by national policy. Paragraph 175 states that plans should distinguish between the hierarchy of international, national and locally designated sites, and on this basis such a policy should be included.

Issue P1: Part 1 and Part 2 plans

We agree with the proposed broad content of the Part 1 plan, which would deal with the vision, strategic objectives, growth strategy and strategic policies. This approach, would in our view could expedite the plan making process, provide clarity and certainty for developers and allow a focus on the strategic priorities. However, we do continue to have reservations as indicated to our response to the scoping consultation, repeated below.

In splitting the Local Plan out as envisaged, it is important that the part 1 Local Plan progresses on its own LDS programme/timetable and advances to adoption as expediently as is reasonably possible. It would not be appropriate for the part 1 Local Plan to be delayed to tie in with an LDS programme in relation to other elements of the Development Plan.

It is also important that the part 1 Local Plan is the subject of its own examination – by way of example, in North Essex the three Councils submitted both their part 1 and part 2 Local Plans concurrently, and because the part 1 Local Plan was significantly delayed at examination stage (and significantly altered through the examination) it caused a follow-on significant delay to the part 2 Local Plan without the Councils being able to make any changes to part 2 plan content.

It is also the case that deferring all allocations to later parts of the Development Plan relies upon those later parts being found sound. Were that not to be the case, the result would be a defined development strategy and housing and other development needs but no delivery mechanism absent of any positive allocations to implement the part 1 requirements. This is precisely the trap South Kesteven fell in to with their Development Plan – the Core Strategy identified a development strategy heavily reliant on Grantham (with over 50% of the entire plan period housing to be delivered at Grantham) and allocations deferred to an AAP. The AAP was found unsound at examination, and with no ability to deliver housing at Grantham the Council were faced with unplanned housing applications to determine.

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