**TOWN AND COUNTRY PLANNING ACT 1990**

**SOUTH WARWICKSHIRE LOCAL PLAN PART 1**

**ISSUES AND OPTIONS CONSULTATION (REGULATION 18)**

**SUBMISSION ON BEHALF OF THE BIRD GROUP**

**LAND ADJACENT TO BANNATYNE HEALTH CLUB AND SPA, 294 ALCESTER ROAD, CV37 9QY**

**MARCH 2023**

 **FRAMPTON TOWN PLANNING LTD**

**OUR REF: LS/10602**

1. **INTRODUCTION**
	1. This statement has been prepared by Frampton Town Planning in response to the South Warwickshire Local Plan Issues and Option Consultation (2023)
	2. The statement is submitted on behalf of The Bird Group for hotel and leisure development in respect Land Adjacent to Bannatyne Health Club and Spa, 294 Alcester Road, Stratford-upon-Avon, CV37 9QX(‘the Site’). A location plan of the site is attached (ENC 1).
	3. Representations were submitted to the Scoping Consultation (2021) and the site was submitted in response to the Call for Sites (2021) (Ref ID 486 and Ref ID 486) and these comments should be read alongside these previous submissions.
	4. It is considered that the site offers a very suitable location for business uses to locate to, including attracting new commercial investment into the town. The site has ‘presence’ to main highways; comprises an attractive setting to reflect the image of new businesses, and is well located to Stratford Parkway Station and Park and Ride. The site is located adjacent to an existing sports and health spa.
	5. It is of course acknowledged that the site lies within the Green Belt. Para 138 of the framework states: *‘when drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account.’*
	6. The allocation of the site will provide a suitable location to attract new business to invest in the town. Support economic growth by planning, *’proactively to meet the development needs of businesses and support an economy fit for the 21st century.’* It is considered that the site should be available for a hotel and a supporting range of commercial uses.
	7. The principal planning issue should be to achieve high quality buildings that are appropriate to the setting, which will be reflected in the form of built development. The site can be developed with extensive landscaping which will enhance the appearance of the site and the setting of adjoining land in the Green Belt. It is submitted that the contribution this proposal will make to sustainable development amounts to exceptional circumstances justifying the release of land from the Green Belt.
2. **RESPONSE TO QUESTIONS**

**Chapter 4**

**Q-I1: Please add any comments you wish to make about the Sustainability Appraisal, indicating clearly which element of the appraisal you are commenting on.**

* 1. **Response:** It is noted that the SA in the conclusion for the Sustainability Appraisal states, at paragraph 7.15.11:

*‘High level assessment of Spatial Growth Options that are not all distinct from each other, with the exception of Option 5, means that* ***sustainability performance can only be evaluated with several caveats****. These include the fact that detailed locational information is not available and the ability to identify effects with precision is challenging. The scores in Table 7.1 are strictly a guide and do not represent a diagnostic analysis****. Mitigation has not been factored into the performance of the Growth Options since it is best worked up once more detailed locational information is available****.’ [emphasis added]*

* 1. As the Issue and Options are very high level at this stage, it is hard to properly comment on the SA which by its own admission is caveated and not mitigation has not been considered.

**Q-S3.2: Please select the option which is most appropriate for South Warwickshire**

**Option S3.2a: Prioritise brownfield development only when it corresponds with the identified growth strategy, or if it can be proven that the development is in a sustainable location or would increase the sustainability of the area.**

Dependent on the results of the urban capacity study, it could be that brownfield development forms a part of our development strategy. Brownfield sites are frequently found within towns and can therefore often accommodate a higher development density. Prioritising development on brownfield land, especially at higher densities, might reduce the need for greenfield development. However, instead of developing all brownfield sites, this option looks to prioritise brownfield redevelopment in line with the identified growth strategy, where it can be proven the site is in a sustainable location, or when the development can show that it would have a positive impact on the sustainability of the area. In some instances brownfield redevelopment can exacerbate issues and result in development occurring in unsustainable locations. This option aims to reduce such development.

**Option S3.2b: Prioritise development on brownfield land, incorporating existing buildings into development proposals wherever possible, irrespective of its location**

This option looks to prioritise the redevelopment of all brownfield land irrespective of whether the site is in a sustainable location.

Whilst redevelopment of brownfield land is, on the whole, a sustainable approach, locating redevelopment in unsustainable locations can sometimes exacerbate issues within an area, and this is a risk of prioritising all brownfield sites for redevelopment.

**Option S3.2c: None of these**

* 1. **Response:** It is noted that the South Warwickshire Urban Capacity Study (October 2022) has concluded on capacity that:

*‘This capacity of around* ***19,950*** *compares to a housing need for South Warwickshire over the new plan period of* ***30,750****. This housing need figure is subject to change, and is also likely to require the addition of a buffer to allow choice and competition in the market in accordance with Planning Practice Guidance. We have sought to ensure that the assumptions underlying these figures strike an appropriate balance between conservatism and optimism to ensure robustness – whilst there may be some scope to further optimise capacities, particularly if the SWLP were to include policies to require the higher end of our established optimised density ranges, this is likely to require a higher burden of evidence in order to ultimately demonstrate that the SWLP is a sound local plan. A theoretical exercise to consider the potential yields from car park consolidation has indicated that between 800 and 3,400 dwellings could be created. This would however require significant levels of intervention and management to be realised.*

*The shortfall between urban and existing committed housing capacity could be reduced by undertaking development on public car parks around South Warwickshire, where we have identified potential yields of up to 3,400 dwellings. However, this would necessitate a significant programme of intervention and management in order to be realised. It may also be possible to apply the optimised densities established through the Urban Capacity Study to some sites which have been allocated in existing local plans but which do not yet have planning permission (Site Category 2). However, whilst the measures considered through this study could allow the SWLP to get a reasonable way towards meeting housing needs through urban sites and existing commitments,* ***we consider it impossible to meet development needs without significant greenfield development.’ [emphasis added]***

* 1. Therefore, albeit referring to capacity for housing land, the Council(s) evidence base clearly demonstrates the need for the release of greenfield land.

**Q-S4.1: Do you think that growth of some of our existing settlements should be part of the overall strategy?**

 Yes | ~~No | Don’t Know~~

**Q-S4.2: Please add any comments you wish to make about the settlement analysis, indicating clearly which element of the assessment and which settlement(s) you are commenting on**

* 1. **Response:** With regards to the settlement analysis for Stratford-upon-Avon this gives the site an accessibility of ‘C’ i.e., *‘barriers may be overcome, but not easily’***,** which is defined as connects to:
* one brown or red route
* potential for connecting existing cul-de-sacs or loops into new red route
* active links (e.g., via green / blue infrastructure or other active links) are possible but not easy

It is noted therefore that although the are some accessibility sustainability restrictions on the site they could be overcome*.*

* 1. It is agreed that the Strategy should provide a wide range of employment opportunities in accessible locations. Moreover, the Strategy needs to respond to the needs of businesses. The National Planning Policy Framework (NPPF) at paragraph 8 states that the economic objective for achieving sustainable development requires the planning system to ensure *that ‘sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity’.*
	2. The Local Plan should indeed support the growth of new industries/sectors as part of a portfolio approach to supporting economic growth within the Districts. In so far as there is some level of balance between employment land requirements and housing provision, the public interest is better served by an over-provision of employment land than an under-provision because local development plans are insufficiently agile to release further land in order to accommodate employment needs. As such, the Local Plan should include a policy that allows for additional land to be released for employment purposes in circumstances where it can be demonstrated that existing employment sites are either not suitable or not available to meet employment requirements. A criteria based policy would be appropriate to establish the need and suitability of additional land to meet employment needs.
	3. Sustainable locations should be considered, for example adjacent to existing employment locations and adjacent to main towns including Stratford-upon-Avon Council. In so far as the majority of employment opportunities are located within and adjoining the main towns of both Districts, these settlements should be the focus for new employment locations.

**Q-S5.2: Do you think new settlements should be part of the overall strategy?**

 Yes | ~~No | Don’t Know~~

* 1. **Response:** The Bird Group do not object to the consideration of new settlements as part of the Council’s Growth Option.
	2. A range of sites varying in scale and size should be explored in order to secure the delivery of new homes. The expansion of existing settlements and new settlements allocated in the Local Plan should also be explored further to see whether there is capacity to be extend these further.

**Q-S5.3: In response to the climate change emergencies, we are looking at rail corridors as a preferred approach to identifying potential locations. Do you agree**?

Yes ~~| No | Don’t Know~~

**Q-S5.4: If not, what approach would you take?**

**Q-S7.1: Please provide any comments you have on the emissions estimation modelling for the five growth options**

**Q-S7.2: For each growth option, please indicate whether you feel it is an appropriate strategy for South Warwickshire:**

**Option 1: Rail Corridors**

Appropriate strategy | Neutral | Inappropriate strategy

Further comments

**Option 2: Sustainable Travel**

Appropriate strategy | Neutral | Inappropriate strategy

Further comments

**Option 3: Economy**

Appropriate strategy | Neutral | Inappropriate strategy

Further comments

**Option 4: Sustainable Travel and Economy**

Appropriate strategy | Neutral | Inappropriate strategy

 Further comments

**Option 5: Dispersed**

Appropriate strategy | Neutral | Inappropriate strategy

* 1. **Response:** The current thinking of the Government on national planning policy for protecting the Green Belt is to say that boundaries are not required to be reviewed and altered if this would be the only means of meeting the objectively assessed need for housing of the plan period.
	2. Consultation is not a process of announcement and the Government will be required to undertake a conscientious consideration of consultation responses when finalising national planning policy.  The Government states that it remains committed to boosting the supply of new homes.  In south Warwickshire, none of the 5 options are necessarily reliant upon the review of existing Green Belt boundaries.  In consequence, the proposed revision to national planning policy at NPPF paragraph 142 will not be engaged.
	3. The NPPF remains as extant policy in the context of establishing ‘exceptional circumstances’ for any revision to Green Belt boundaries.  In the context of the advice at paragraph 143, it is self-evident that adjoining authorities, particularly those in the conurbation cannot accommodate more development without impacting upon the West Midlands Green Belt.
	4. Paragraph 144 of the NPPF, which is not proposed for change, emphasises the need *‘when drawing upon or reviewing Green Boundaries’* that the promotion of sustainable patterns of development should be taken into account.  Green Belt policy is not the master of sustainable development and is one but only one policy facet of the overarching aim to promote sustainable patters of development.
	5. It is fundamental to recognise that Green Belt policy is not the master of sustainable development. In preparing this local plan for period up to 2050 it should not be the starting point that the redrawing of Green Belt boundaries is the *‘last resort’.*
	6. The NPPF paragraph 138 makes clear: *‘When drawing up or reviewing Green Belt boundaries the need to promote sustainable patterns of development should be taken into account’*. The purpose of the planning system is to contribute to the achievement of sustainable development. The objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
	7. Section 39 of the *‘Planning and Compulsory Purchase Act’ requires* the LPAs in discharging the function of development plan preparation to *‘contribute to the achievement of sustainable development’*. Put shortly, in the preparation of the local plan, *‘the examination of all other reasonable options for meeting identified need for development’*, should not ignore the potential for the release of land from the Green Belt which can overall achieve better performance to the sustainability objectives. Such a situation may indeed occur where the Green Belt has been tightly drawn around settlements large and small preventing the accommodation of growth to meet identified needs – which spatially can be accommodated in locations that provide high levels of connectivity to existing facilities and services, and with good quality access to railway station.
	8. **Option 1**

Rail corridors suggest that *‘this growth option would require the release of a significant amount of Green Belt land’*.

* 1. **Option 2**

Sustainable travel would relieve pressure on the Green Belt to the amount of land to be released for housing.

* 1. It is submitted that Options for growth necessarily should not be applied with prescription and inevitably while a focus for growth may be towards a particular growth option, some allocation, which may be aligned with other options, will complement the fundamental achievement for sustainable patters of development.
	2. It is submitted that, in this overall spatial planning context, the emerging local plan should provide for land releases from the Green Belt of a limited scale around the edges of Stratford-upon-Avon
	3. Stratford-upon-Avon is a settlement that provides for day to day services to be conveniently available and fundamentally has the availability of a railway station to promote modal transfer from road to rail to Warwick/Leamington, the conurbation and beyond.
	4. The land so identified relates well to the existing settlement pattern and is relatively close to the Stratford-upon-Avon park and ride. A compact extension to the urban form of Stratford -Upon-Avon would be created.
	5. **Option 5**

This option allows development be distributed over a range of settlements rather than in single settlements in order to ensure the vitality and viability of settlements is entirely consistent with national policy and the principles of sustainable development (see notably NPPF paragraphs 77-78).

* 1. The adopted Core Strategy was found sound by the examining Inspector back in July 2016 and therefore is consistent with national policy then in force.
	2. The merits of allocating a range of size of sites, is that the overall housing market will be more fluid and competitive simultaneously due to a larger number and wider range of developers being involved in delivery.
	3. The site can be comprehensive planned development to be achieved to deliver new leisure use (hotel) which is well-located in relation to the town and will enhance its vitality in line with national planning policy.
	4. It is consistent with national planning policy and basic sustainability principles to ensure development is focused in or adjacent to existing towns such as Stratford-upon-Avon, where there are existing services, and where there is a need to ensure vitality. The site at Land Adjacent to Bannatyne Health Club and Spa should be allocated for development.

**Option S9a: Save all existing settlement boundaries where these are already defined within the Core Strategy, Local Plan, emerging SAP or an NDP.**

Any revisions to existing boundaries, and consideration of which settlements have boundaries, would be saved for Part 2 plans and NDPs. The advantage of this approach is that waiting until Part 2 is likely to mean more detailed information is available – for example non-strategic allocations will likely not be made until Part 2, so waiting for these to come forward means any boundary revisions can accurately reflect new allocations. The disadvantages are that inconsistencies of approach between Stratford-upon-Avon and Warwick Districts would not be addressed in the short term; and it results in a longer time period to address any out-of-date boundaries.

**Option S9b: Within this Part 1 Plan, review which settlements have boundaries defined and which do not, as well as the extent of any such boundaries.**

The aim would be to achieve a consistent approach across Stratford-upon-Avon and Warwick Districts regarding the type or size of settlement that has a defined boundary. The main impact is on where limited infill development is permitted, and where ‘open countryside’ policies apply. The disadvantage is that some nonstrategic land allocations will likely not be made until Part 2 plans come forward. In such cases, it becomes difficult to make appropriate revisions to boundaries in advance of these non-strategic allocations.

**Q-S10: Please add any comments you wish to make about the development distribution strategy for South Warwickshire**

* 1. **Response:** All settlement boundaries should be reviewed as part of the SWLP, this will ensure consistencies of approach between Stratford-upon-Avon and Warwick Districts.

**Chapter 5**

**Q-E1.1: Do you think that the HEDNA evidence provides a reasonable basis for identifying future levels of employment need across South Warwickshire?**

~~Yes~~ | No | ~~Don’t Know~~

* 1. **Response**: In so far as there is some balance between employment land requirements and housing provision, the public interest is better served by an over-provision of employment land than an under-provision because local development plans are insufficiently agile to release further land in order to accommodate employment needs. The Local Plan should include a policy that allows for additional land to be released for employment purposes in circumstances where it can be demonstrated that existing employment site are either not suitable or not available to meet employment requirements.
	2. The Local Plan should indeed support the growth of new industries/sectors as part of a portfolio approach to supporting economic growth within the Districts.
	3. It is evident that some allocations in the current development plan have failed to deliver new employment development. The availability of such sites to contribute to the supply of employment land opportunities should be reviewed. No purpose is served in allocating land for employment development where the land is not then brought forward into development. The effective supply of employment land is then over-estimated, which frustrates new investment and jobs. It would be inappropriate to envisage that existing employment sites are capable of producing new sources of land for investment. The joint Plan must allocate new land for employment development on the urban edge of the main settlements. The land must be suitable and attractive for new inward investment.

**Q-E1.2: If your answer to E-1.1 is No, what would be a more appropriate approach to calculating future employment needs for this Local Plan?**

**Q-E2: Please select all options which are appropriate for South Warwickshire**

**Option E2a: Include a policy which encourages businesses to be low carbon**

This could be in terms of their use of materials, promotion of active travel initiatives for employees and the use of clean technologies in construction and in infrastructure delivery, their buildings, transport arrangements, supporting development of clean technology clusters close to innovation areas and identifying sites suitable for material reuse hubs to support a circular economy. The policy could also include prioritisation for businesses looking to use low carbon infrastructure such as renewable energy. This would be a new policy in response to the need to address climate change as neither Core Strategy or Local Plan currently has a specific policy on this.

**Option E2b: Do not include a policy encouraging businesses to be low carbon**

It is acknowledged that it could be difficult and costly for some businesses to become greener especially if it involves retrofitting. As there is still a strong emphasis on maintaining a thriving economy, it is important not to discourage businesses to the area.

**Option E2c: Include a policy which looks to identify sites or development zones which are targeted at businesses wishing to be innovative towards a low carbon economy.**

This would help to brand South Warwickshire as a place where green businesses may wish to locate to. It would be a new policy in response to the need to address climate change.

**Q-E3: Please select all options which are appropriate for South Warwickshire**

**Option E3a: Include a policy expanding on SDC's current existing policy.**

This sets out the principles for economic activity within South Warwickshire and would also include setting out how much employment provision would need to be provided.

* 1. **Response:** In so far as there is some balance between employment land requirements and housing provision, the public interest is better served by an over-provision of employment land than an under-provision because local development plans are insufficiently agile to release further land in order to accommodate employment needs. The Local Plan should include a policy that allows for additional land to be released for employment purposes in circumstances where it can be demonstrated that existing employment site are either not suitable or not available to meet employment requirements.
	2. A criteria based policy would be appropriate to establish the need and suitability of additional land to meet employment needs.

**Q-E10: Do you agree that Tourism should be addressed in Part 2 of the South Warwickshire Local Plan?**

~~Yes~~ | No | ~~Don’t Know~~

Whilst tourism is essential to the vitality of South Warwickshire, there are few aspects of tourism that have an effect on the spatial planning of an area. It is therefore proposed that tourism is addressed fully, within Part 2 of the South Warwickshire Local Plan.

* 1. **Response:** The consultation document notes that *‘Tourism makes up a significant chunk of the area's economy, and it will be important to support this where possible*’ and that *‘One particular issue in relation to tourism is the lack of affordable accommodation, which prevents larger tour groups staying overnight, resulting in many 'day trippers'. Day trippers are known to spend less within the town, with those staying overnight spending on average £400 in comparison to £40. This issue also extends to the provision of accommodation for conferences and other business uses.’*
	2. It is considered that tourism is an important issue that the Local plan will need to address and plays a spatially strategic role, and should therefore be addressed in part 1 of the South Warwickshire Local Plan.

**Q-E11: Please add any comments you wish to make about delivering South Warwickshire's economic needs**

* 1. Some allocation in the current development plan have failed to deliver new employment development. The availability of such sites to contribute to the supply of employment land opportunities should be reviewed No purpose is served in the allocating of land for employment development where the land is not then brought forward into development. The SWLP must allocate new land for employment, including tourism and leisure uses (such as hotels) on the urban edge of the main settlements, the land must be suitable and attractive for new inward investment.