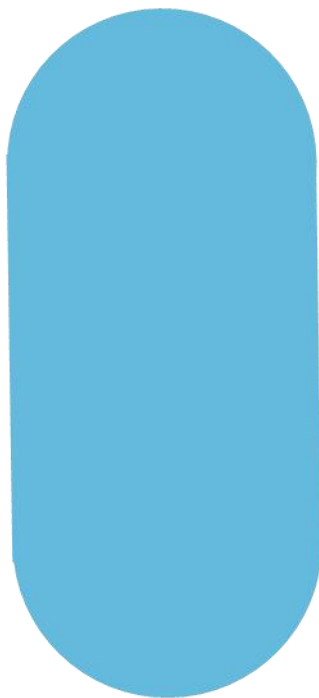
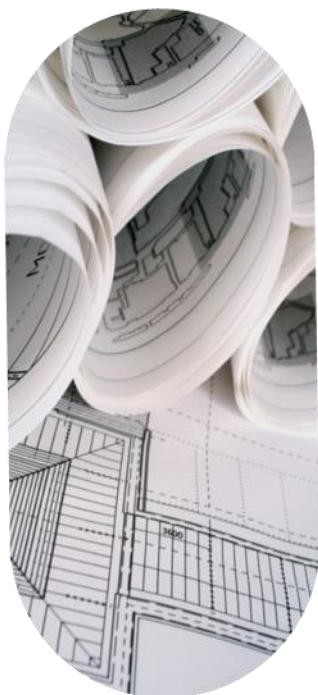


Representations

South Warwickshire Local Plan Part 1 –
Issues and Options Consultation

RICHBOROUGH ESTATES (KENILWORTH)

March 2023





1. The following representations are made in response to the South Warwickshire Local Plan (SWLP) Part 1 Issues and Options Consultation (January 2023) on behalf of Richborough Estates, in respect of their land interest east of Rouncil Lane, Kenilworth (the site). The site forms part of Broad Location 8, and has been identified as Site 199 on the Interactive Map.
2. A summary of these representations has also been submitted to the SWLP Online Consultation Portal, and appended is a South Warwickshire Housing Need Evidence Base Review Technical Report - this has been prepared to consider the evidence base relating to housing need in South Warwickshire, namely the HEDNA, and provides commentary and guidance on how this issue should be considered as the SWLP evolves.

Chapter 3 - Vision and Strategic Objectives

Q-V3.1: Vision for the Local Plan

3. Richborough Estates consider that the proposed Vision is appropriate in general terms. However, the proposed Vision makes reference to meeting unmet need from neighbouring authorities, and Richborough Estates consider it would be more appropriate to reference meeting unmet need from the wider Housing Market Areas.
4. Whilst Birmingham and the Black Country authorities are not neighbouring authorities of South Warwickshire, they do form part of the same Housing Market Area and therefore should not be excluded.

Chapter 4 - Meeting South Warwickshire's Sustainable Development Needs

Q-I1: Sustainability Appraisal

5. The following comments are made in respect of the SA for Kenilworth. As a general point, the fact that a Broad Location may not be the best performing location does not automatically mean that within that Broad Location there are no suitable sites that should not come forward as a strategic allocation. The Councils will need to be



mindful that this is only one piece of evidence at a strategic level, and the HELAA and other evidence will need to inform the selection of allocations.

6. The Site promoted by Richborough Estates forms part of Kenilworth South (Broad Location 8). In assessing the five Broad Locations (BL) identified against the SA Objectives, the SA concludes that parcels to the north of Kenilworth perform better overall. However, given the planned growth south of Coventry, parcels to the north of Kenilworth are likely to be less acceptable in relation to Green Belt purposes and preventing neighbouring towns merging into one another.
7. It is also noted that a large parts of these areas have not been submitted through the call for sites. If a large proportion of the land is not available, this is not a 'reasonable alternative'.
8. The following specific comments are made in relation to the SA and Kenilworth South.
9. SA Objective 2: Flood Risk acknowledges that only very small proportions of the area coincide with Flood Zone 3, and therefore there is negligible impact. All BLs perform arguably equally, and should be assessed as such.
10. SA Objective 3: Biodiversity considers Kenilworth Northwest is the best performing, but it is very marginal and Kenilworth South performs equally as well and should be assessed as such. Further, any effects can be more than mitigated within the site as evident for site 199 as part of this BL within the Vision Document submitted by Richborough Estates with the call for sites submission.
11. It is noted for SA Objective 4: Landscape that additional surveys are required to understand latest sensitivity qualities at each BL. This is welcomed and little weight can be attributed to this assessment in the absence of this information. Any survey undertaken should have regard to the landscape evidence provided within the Vision Document submitted by Richborough Estates for site 199 with the call for sites submission.
12. Reference is made to increased risk of coalescence with Leek Wootton to the south, although it acknowledges that mitigation can be provided to create a robust settlement edge. Such a robust settlement edge is demonstrated as deliverable within the Vision



Document submitted by Richborough Estates for site 199 with the call for sites submission.

13. SA Objective 5: Cultural Heritage notes the potential major impact of Kenilworth South on the setting of Wootton Grange Farmhouse. This asset is identified in the Heritage and Settlement Sensitivity Assessment but not identified as a constraint, and the area is assessed as 'Green' and therefore the equal best performing option. Any harm to this asset can easily be avoided through careful masterplanning and providing an appropriate buffer. As the Heritage Assessment confirms this is the equal best performing option, the SA should be amended accordingly in the next iteration.
14. SA Objective 11: Accessibility concludes that Kenilworth North is the best performing BL due to its connectivity score. Kenilworth South performs equally as well in the connectivity assessment within the Settlement Design Analysis. It is also within the target distance for a bus stop (Mortimer Road). Kenilworth South is the equal best performing option, the SA should be amended accordingly in the next iteration.
15. Further, with regard to SA Objective 13: Economy, Kenilworth South falls within the sustainable target distance for employment, and therefore performs equal best. The SA should be amended accordingly in the next iteration.
16. Kenilworth South performs better than has been recorded in this SA, and this should be recognised in the next iteration of the SA. Further, what is evident from the SA is that where adverse impacts are identified they can very often be mitigated or avoided.
17. However, the key constraint of heritage limits development of the town to the west, the A46 is a strong barrier to the east, and the planned growth south of Coventry limits growth to the north. The most logical location to extend Kenilworth is to the south, provided a strong robust edge is provided to avoid any risk of future coalescence with Leek Wootton. Richborough Estates have put forward proposals to the Council as to how this robust edge could be delivered and retained in perpetuity.

Option S2-C: Intensification

18. Intensification is a way to optimise brownfield land and realise its effectiveness. However, Richborough Estates consider that this matter should be dealt with by the



SWLP Part 2 Local Plan or Neighbourhood Plans if relevant, so that the implications of applying an intensification policy to a particular area can be assessed in terms of character and deliverability, which are key factors to consider.

19. Intensification is challenging and requires evidence around viability and deliverability before it can be considered to form part of the supply, and as such any intensification potential in the windfall allowance should be avoided.

Q-S3.1: Urban Capacity Study

20. The production of an Urban Capacity Study (UCS, October 2022) to support identification of brownfield land to help deliver the growth needs of South Warwickshire is in accordance with the NPPF¹. The following points are made in relation to how the UCS considers housing supply in the urban areas. However, it should be noted that the UCS also discusses the SWLP housing requirement and representations are made on those points under Q-H1-1 & 2.
21. In relation to housing allocations from the adopted Local Plans, Richborough Estates consider that a comprehensive review of all outstanding allocations without planning permission is required to ensure that such sites still meet the definition of developable as set out in the NPPF². In particular, evidence will be required to demonstrate why the UCS suggests the capacity of some of the allocations will increase beyond what is included within the adopted Local Plan. That review and evidence must be published prior to the next iteration of the Plan to demonstrate the capacity from the allocations can be relied upon to meet the housing need.
22. The UCS also includes within the supply 795 dwellings on sites which have been submitted to the SWLP Call for Sites process in the urban areas, and are considered to be potentially suitable. As no formal assessment of these submissions has taken place, their inclusion will need to be reviewed once the Housing and Economic Land Availability Assessment (HELAA) is published. Any allowance for such sites must be deducted from the windfall allowance.

¹ Paragraph 119 of the National Planning Policy Framework (July 2021)

² Glossary of the National Planning Policy Framework (July 2021)



23. The UCS identifies an additional five sites on vacant land in the urban areas which have not yet been submitted to the Call for Sites process, but are considered potentially suitable for 328 dwellings. There is no certainty around the availability and deliverability of these sites to include them at this stage. Further, on assessment of these sites there are some serious concerns around their suitability in any case. The UCS also identifies two additional sites on brownfield land within the urban areas, at Talisman Square, Kenilworth (65 dwellings) and Westgate House, Warwick (39 dwellings). As above, these sites have not yet been submitted to the Call for Sites process and so there is no certainty around delivery.
24. Finally, the UCS includes an assessment of the potential windfall supply with reference to the level of windfall delivery across South Warwickshire in the period 2011/12 to 2020/21. However, it is considered that this assessment is limited as it does not detail the sources of windfall supply, nor consider how the planning policy landscape in South Warwickshire may impact future windfall delivery. Whilst a windfall allowance is likely to be acceptable in principle in the SWLP, it should be calculated on the basis of compelling evidence as required by the NPPF³.

Q-S4.1: Growth of Existing Settlements

25. Yes, growth of existing settlements in South Warwickshire is imperative to deliver the overall growth targets, and achieve the Vision and overarching principles. The need for housing, affordable and specialist housing, jobs, green infrastructure, improved facilities and infrastructure is within the towns and villages. Those needs are best met sustainably adjacent to the settlements.

Q-S4.2: Settlement Analysis

26. The following comments are made in respect of Richborough Estates site (199), which is referenced as the western part of Area 17 within the Kenilworth South area.
27. In respect of Connectivity, the site has been assessed as 'B'. This is second to only Area 4 which has been assessed as 'A', although it is noted this area is separated from the town by the A452.

³ Paragraph 71 of the National Planning Policy Framework (July 2021)



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28. The land to the north of Area 17 is allocated for residential development within the adopted Local Plan. The site has yet to come forward, and therefore the potential exists for the Council to secure active and sustainable linkages through this site from Area 17. The delivery of these linkages would further enhance the connectivity of this location, and the Council should take the opportunity to secure such links.
29. In respect of Landforms, it is noted there are no physical constraints on Area 17 save for green infrastructure (allotments) which would be retained.
30. In respect of local facilities within 800m, it is noted that the report highlights the absence of Healthcare and Places to Meet for Area 17. However, such facilities could be provided within a broad location in this area if it was necessary as part of the development.
31. When taking account of the evidence above, Area 17 is a suitable location to accommodate a strategic allocation, as there are no barriers to connectivity to the town and facilities are available within 800m.

Q-S7.2: Refined Spatial Growth Options

32. Richborough Estates consider a mixture of options will be required to best deliver the growth needs of South Warwickshire for the reasons as set out below.
33. Firstly, the results of the high level testing of the five growth options in the supporting Sustainability Appraisal demonstrates that the options perform differently in different areas, with no one option standing out as the best performing option across all areas.
34. Secondly, it is important to remember that the assessment set out in the SA is provided at a high level, subject to several caveats, and without consideration of mitigation or deliverability. Options which score less favourably in the SA could therefore actually deliver more sustainable growth on closer examination.
35. Finally, given the significant level of growth the SWLP will need to accommodate (see response to Issues H1 and H4 below) this is unlikely to be able to be met sustainably through a single growth strategy.



36. Richborough Estates support the inclusion of Kenilworth in each of the Options.

Chapter 5 - Delivering South Warwickshire's Economic Needs

Q-E7.1: Core Opportunity Areas

37. Richborough Estates support option E7.1a and directing employment growth to the Core Opportunity Area.

Chapter 6 - Delivering Homes that meet the needs of all our Communities

Q-H1-1 & 2: Providing the Right Number of New Homes

38. Yes, the HEDNA provides a reasonable basis for identifying future levels of housing need across South Warwickshire. However, Richborough Estates reserve its position in respect of whether this approach is reasonable for other authorities in Coventry and Warwickshire.

39. The NPPF sets out that “to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the Standard Method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals”⁴. National policy is therefore supportive of the approach that South Warwickshire Councils are seeking to implement, and as such utilising the HEDNA to inform the local housing need for South Warwickshire is supported.

40. It is important, however, to remember that the local housing need is not the same as the housing requirement within the Plan.

41. As set out in the appended South Warwickshire Housing Need Evidence Base Review Technical Report commissioned by Richborough Estates, whilst Richborough Estates support the housing need figures for South Warwickshire set out in the HEDNA, Richborough Estates have some concerns with the approach taken in the HEDNA to economic growth and affordable housing need.

⁴ Paragraph 61 of the National Planning Policy Framework (July 2021)



42. On economic growth, whilst Richborough Estates agree with the demographic modelling assumptions used to calculate economic-led housing need in the HEDNA, the job growth assumptions require updating for the following reasons:

- The 2022 HEDNA's Cambridge Econometrics (CE) job forecast is outdated (March 2021) and was generated during strict Covid-19 measures in the UK;
- CE are a robust source of job forecasts but a more recent forecast should be used;
- Assumed GDP informing the HEDNA's job growth forecasts has now been shown to be an underestimate of growth by the Office for National Statistics;
- The higher GDP for 2021 and 2022 indicates job growth forecasts would be higher than those used by the HEDNA;
- Furthermore, job growth experienced in Warwick District and Stratford-on-Avon District during 2011 to 2019 significantly exceeded the CE forecast used to calculate economic-led housing need for the 2022-2043 period;
- It is unclear from the HEDNA whether economic growth on a number of sites within South Warwickshire are taken account of by the CE baseline projections. If not, these developments should be taken account of;
- The Council should consider job growth forecasts from Oxford Economics and Experian Economics alongside those from the CE.

43. Richborough Estates also consider that the significant level of unmet affordable housing needs across South Warwickshire should be taken into account in determining the housing requirement. The submitted analysis finds that the minimum housing need would be 1,609 dwellings per annum in Stratford-on-Avon District and 2,872 dwellings per annum to meet affordable housing needs based on past net delivery. Whilst it is recognised that this is significantly greater than the level of housing need set out in the HEDNA and is possibly unsustainable to deliver, this should influence the housing requirement through an appropriate uplift.

44. The enclosed analysis should be given consideration as the SWLP emerges, to ensure a sufficient level of housing is planned for across South Warwickshire.



45. The UCS suggests that the SWLP housing need equates to 30,750 dwellings, however this figure does not reflect the latest evidence within the HEDNA and needs updating. In addition, the UCS assumes a Plan period which commences in 2025, however this does not align with the base date of the HEDNA and as such a Plan period from 2022 is considered more appropriate to align with the evidence base.
46. On the basis of the above, we consider a more appropriate local housing need for the SWLP is 47,012 dwellings over a 28 year plan period.
47. In line with the NPPF⁵, it is considered that this figure represents the minimum number of homes needed, and that the Councils should consider whether it is appropriate to set a higher housing requirement in line with national guidance⁶; for example in order to address a significant affordable housing shortfall, support economic development, or address strategic infrastructure requirements which are likely to increase the number of homes needed.
48. Further consideration will also need to be given to unmet needs within the Housing Market Area in line with the Duty to Cooperate and the positively prepared test of soundness⁷, which is explored in further detail in response to Issue H4 below.
49. Bringing together comments on the UCS and Unmet Needs under Q-H4.2, Richborough Estates consider that the SWLP will need to plan for a level of housing growth as set out in the below Table in the order of at least 43,000 dwellings.

⁵ Paragraph 61 of the National Planning Policy Framework (July 2021)

⁶ Paragraph 010 Reference ID 2a-010-20201216 of National Guidance

⁷ Paragraph 35 a) of the National Planning Policy Framework (July 2021)



Table – SWLP Housing Requirement and Supply Calculation

<u>Housing Requirement</u>	
South Warwickshire Minimum Housing Need Derived from the HEDNA (1,679 x 28 Years)	47,012 dwellings
Uplift to Minimum Housing Need	TBC – further work required to determine whether an uplift is appropriate
Contribution Towards Unmet Needs of Coventry and Birmingham & Black Country	TBC – engagement with Birmingham/Black Country and Coventry required but suggest increase of at least 21,000 dwellings possible (circa 11,000 towards Coventry and at least 10,000 towards Birmingham)
Total Housing Requirement	68,000 dwellings +
<u>Housing Supply</u>	
Sites with Planning Permission at 1 st April 2022 (with 5% lapse rate applied)	14,360 dwellings
Outstanding Local Plan Allocations at 1 st April 2022	5,579 dwellings
Windfall Allowance	TBC – 4,840 dwellings assumed in line with UCS however this requires further justification / compelling evidence
Total Housing Supply	24,779 dwellings
Indicative Housing Requirement to be found by the Plan	43,000 dwellings +

Q-H4.2: Accommodating Housing Needs Arising from outside of South Warwickshire

50. It is imperative that that SWLP adequately considers accommodating unmet housing needs which are arising from outside of South Warwickshire, to ensure compliance with the Duty to Cooperate and so the SWLP can demonstrate adherence with the



positively prepared test of soundness set out in the NPPF⁸. It is recognised that national planning policy and law has the potential to change during the course of the preparation of the SWLP, including in relation to the Duty to Cooperate and replacement with an ‘alignment policy’, however there is no suggestion the requirement for local authorities to address unmet needs arising from within their Housing Market Areas will be removed.

51. We consider that there are two likely sources of unmet housing needs which require consideration in the development of the SWLP: Birmingham and Black Country and Coventry and Warwickshire.

Birmingham and Black Country

52. There are clearly significant unmet housing needs arising from the Birmingham and Black Country Housing Market Area which require addressing by this Plan.
53. Birmingham published a New Local Plan Issues and Options consultation document in October 2022. This identifies an overall housing need in Birmingham to 2042 (derived from the Standard Method) of some 149,286 dwellings, with total housing supply equating to just 70,871 – leaving a shortfall of some 78,415 dwellings.
54. There are significant limitations to the potential for such substantial unmet needs to be met by Birmingham’s neighbouring authorities due to lack of available land in the Black Country and significant Green Belt coverage in the Black Country and elsewhere (Bromsgrove, Solihull, North Warwickshire, and Lichfield). This was evident in the work undertaken in the now abandoned Black Country Local Plan Review, which was subject to Regulation 18 consultation in 2021 and identified a shortfall in supply across the Black Country of some 28,239 dwellings to 2039.
55. There are strong functional relationships between Birmingham and South Warwickshire, in terms of transport connections and commuting patterns, and development in South Warwickshire can contribute towards meeting unmet needs.

⁸ Paragraph 35 a) of the National Planning Policy Framework (July 2021)



56. The Councils clearly need to engage with Birmingham and the Black Country authorities and others to determine an appropriate level of unmet needs to be directed to South Warwickshire. That process needs to be transparent in accordance with paragraph 27 of the NPPF, and effective in accordance with paragraph 35 c) of the NPPF. The lack of any published Statement of Common Ground showing progress made so far by the Councils is a concern that needs to be addressed before the next round of consultation. The Councils need to properly grapple with this issue, and not allow the failings of the last round of Local Plans to be repeated.
57. It is noted that the SA has tested the effects of an additional 5,000 to 10,000 dwellings to accommodate Birmingham's unmet needs, however given the numbers discussed above Richborough Estates consider 5,000 dwellings to be at the lower end of what could be expected to be accommodated in South Warwickshire. At this stage of the process and in advance of those discussions, as a working assumption for the level of unmet need to be accommodated, the figure should be an additional 10,000 dwellings.

Coventry and Warwickshire

58. Although the question does not address Coventry's unmet needs, this cannot be ignored. Coventry has by far the greatest level of housing need across Coventry and Warwickshire as set out in the HEDNA, with a housing need calculation derived from the Standard Method of some 3,188 dwellings per annum, adjusted in the HEDNA trend-based approach to 1,964 dwellings per annum. Applying the housing need calculated in the HEDNA to the proposed SWLP Plan period suggested from 2022 to 2050 equates to some 54,992 dwellings to be accommodated to meet Coventry's needs, as a minimum.
59. Coventry is highly constrained by a tightly drawn administrative boundary, with potential for brownfield redevelopment but limited opportunity for greenfield development. This was reflected in the adopted Coventry Local Plan (December 2017), where the local housing need in Coventry in the period 2011 to 2031 was calculated at 42,400. The Coventry Local Plan set a housing requirement of just 24,600 (some 60% of its local housing need), leaving a shortfall of some 17,800 dwellings to be met elsewhere.



60. It is therefore highly unlikely that Coventry will be able to meet its local housing need identified in the HEDNA of 54,992 dwellings to 2050. Even assuming that Coventry can accommodate a proportion of its local housing need consistent with that set out in the adopted Coventry Local Plan (i.e. 60%), which is itself a challenge, Coventry could only accommodate 33,000 dwellings to 2050 leaving a shortfall of some 22,000 dwellings to be met elsewhere.
61. Given South Warwickshire's functional relationship with Coventry, and as South Warwickshire makes up around half of the population of Warwickshire according to the 2021 Census data early releases⁹, an assumption that around 50% of this shortfall will be directed to South Warwickshire is considered appropriate. This equates to approximately 11,000 dwellings and should be taken into consideration at this stage of the process as a working assumption for the level of unmet need to be accommodated.

Q-H4.3: Accommodating Housing Needs Arising from outside of South Warwickshire

62. With regard to how and where best housing shortfalls should be accommodated in South Warwickshire, Richborough Estates consider that settlements with the strongest sustainable transport connections to the conurbations where unmet housing needs are arising should be prioritised. In the case of Coventry's unmet needs, this should include Kenilworth given its rail and bus links.

⁹ [How the population changed where you live, Census 2021 - ONS](#)