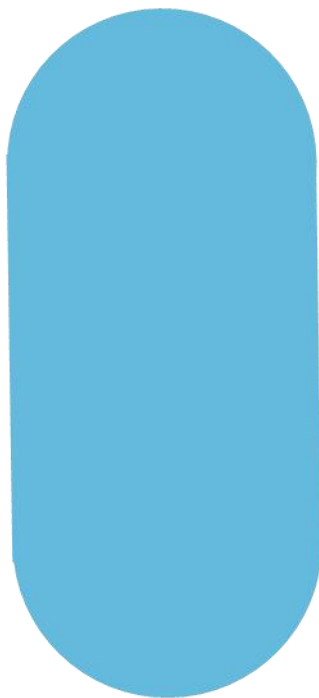
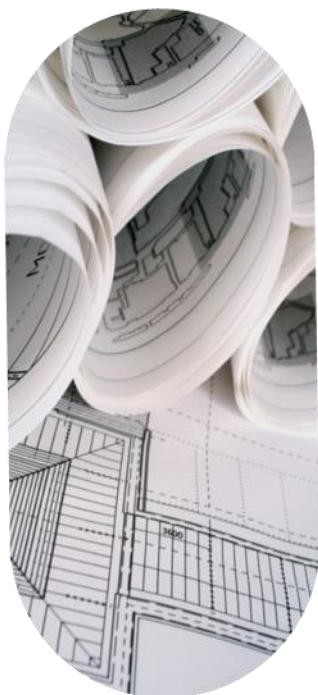


Representations

South Warwickshire Local Plan Part 1 –
Issues and Options Consultation

WILLIAM DAVIS LIMITED (SHIPSTON ON STOUR)

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 William Davis Limited, in respect of their land interest off Furze Hill Road, Shipston-on-Stour (the site). The site has been identified as Site 331 on the Interactive Map.
2. A summary of these representations has also been submitted to the SWLP Online Consultation Portal, and should be read alongside the supporting documents namely:
 - a. Vision Document

Chapter 3 - Vision and Strategic Objectives

Q-V3.1: Vision for the Local Plan

3. William Davis consider that the proposed Vision is appropriate in general terms. However, the proposed Vision makes reference to meeting unmet need from neighbouring authorities, and William Davis consider it would be more appropriate to reference meeting unmet need from the wider Housing Market Areas. Furthermore, it is stated that unmet need 'could' be met, which should be revised to state that unmet needs 'will' be met where appropriate and agreed.
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 Shipston-on-Stour, and specifically Broad Location B.19 Shipston-on-Stour Southwest. In assessing the four Broad Locations (BL) identified in Shipston-on-Stour against the SA Objectives, the SA concludes that Shipston-on-Stour West performs strongest, however this is strongly disputed as detailed in the following paragraphs.



6. With regard to SA Objective 2: Flood Risk, the SA concludes that Shipston-on-Stour West is the best performing as it is wholly within Flood Zone 1. However, the extent to which the other Broad Locations are within Flood Zones 2 and 3 is described as negligible, and easily avoided. All BLs therefore perform equal, and this should be recognised in the next iteration of the SA.
7. SA Objective 3 considers Biodiversity, Flora, Fauna and Geodiversity, with Shipston-on-Stour East considered to be the best performing Broad Location. However, there is no material difference between East and Southwest as all impacts are minor and easily avoided. East and Southwest BLs therefore perform equal, and this should be recognised in the next iteration of the SA.
8. SA Objective 4 relates to Landscape, with Shipston-on-Stour Southwest and Shipston-on-Stour West considered to be the best performing Broad Locations. For information, initial landscape and visual impact technical work in relation to Land off Furze Hill Road, Shipston-on-Stour indicates that the site is within the lowest area of landscape sensitivity in the town, with impacts on views able to be negated through a landscape-led approach to masterplanning. These findings are also supported by the existing evidence base prepared for the Stratford Site Allocations Plan.
9. SA Objective 5: Cultural Heritage concludes that Shipston-on-Stour West is the best performing Broad Location. Shipston-on-Stour Southwest is identified as having a potential impact on a number of Grade II Listed Buildings, however these are some distance from the Broad Location and any harm easily avoided.
10. The Heritage and Settlement Sensitivity Assessment also finds that land to west and south-west of Shipston-on-Stour has potential for development in recognition of the lack of historic environment constraints. West and Southwest BLs therefore perform equal, and this should be recognised in the next iteration of the SA.
11. With regard to SA Objective 6: Pollution, Shipston-on-Stour West is identified as the best performing Broad Location as it is the only one which does not coincide or fall adjacent to a watercourse. However, the extent to which the other Broad Locations are impacted by watercourses is described as minor, and easily avoided. All BLs therefore perform equal, and this should be recognised in the next iteration of the SA.



12. SA Objective 7 relates to Natural Resources, with Shipston-on-Stour West performing best as it does not coincide with a Minerals Safeguarding Area (MSA), with all other Broad Locations in Shipston-on-Stour wholly or almost entirely being within a MSA. Given the Broad Locations actually perform relatively evenly and the need for future growth, this is considered to be a negligible difference.
13. With regard to SA Objective 10: Health, Shipston-on-Stour North is recognised as the best performing as the majority of Broad Location is within the sustainable target distance to a leisure facility and it is also partly within the target distance for a GP Surgery. The distances from the Southwest are however not materially different, and this is considered to be a negligible difference.
14. SA Objective 11: Accessibility selects Shipston-on-Stour East and North as the best performing Broad Locations. However, they score exactly the same as Southwest and therefore perform equal. This should be recognised in the next iteration of the SA.
15. With regard to SA Objective 12: Education, Shipston-on-Stour North is considered the best performing Broad Location as, whilst all Broad Locations including Shipston-on-Stour Southwest fall within the target distance for primary and secondary education, Shipston North has the largest proportion which does so. The distances from the Southwest are however not materially different, and this is considered to be a negligible difference.
16. Whilst Shipston-on-Stour North is considered to be the best performing Broad Location with relation to SA Objective 13: Economy, the distances from the Southwest are however not materially different. This is considered to be a negligible difference.
17. The SA concludes that West is the least constrained in environmental terms, however this is marginal when compared to the Southwest. However, what is clear from the SA and Heritage Assessment is that areas to the East and Southeast is not suitable as a result of the setting of heritage assets. Further, areas to the North are more sensitive in landscape terms than areas to the West and Southwest. Therefore, whilst areas to the North might be marginally closer to facilities within the settlement, this is outweighed by the greater harm to the landscape.



18. William Davis therefore consider the Southwest as the best performing option overall having regard to the above.

Option S2-C: Intensification

19. Intensification is a way to optimise brownfield land and realise its effectiveness. However, William Davis 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.

20. 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

21. 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. In summary, the housing requirement is substantial and William Davis would agree with the following statement in the UCS: “we consider it impossible to meet development needs without significant greenfield development”².

22. In relation to housing allocations from the adopted Local Plans, William Davis 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 NPPF³. In particular, evidence will be required to demonstrate why the UCS suggests the capacity of some of the allocations will increase beyond what

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

² Paragraph 4.6 Urban Capacity Study (October 2022)

³ Glossary of the National Planning Policy Framework (July 2021)



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.

23. 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.
24. 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.
25. 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 NPPF⁴.

Q-S4.1: Growth of Existing Settlements

26. Yes, growth of existing settlements in South Warwickshire (and on the edge of South Warwickshire) is imperative to deliver the overall growth targets, and achieve the Vision and overarching principles. The need for housing, affordable and specialist

⁴ Paragraph 71 of the National Planning Policy Framework (July 2021)



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

27. The following comments are made in respect of William Davis's site at Furze Hill Road (site reference 331), which is referenced within Area 2 within the Shipston-on-Stour Area.

28. In respect of Connectivity, Area 2 has been assessed as 'C' (barriers may be overcome but not easily) which is equal best. Reference is made to 'one of the red routes is a narrow lane'. This refers to Furze Hill Road. Access can be provided onto this road, and this route is capable of accommodating all modes of transport. There are therefore no significant barriers to connectivity to the settlement from these areas, and this should be rectified in the next iteration of the Analysis to a score of (A).

29. In respect of Landforms, it is noted there are no physical constraints on Area 2. It is also noted that Area 2 has all local facilities within 800m, save for healthcare and education. Although these are beyond 800m, the distances are not so significant that it would deter residents from walking or cycling.

30. When taking account of this evidence, the comments above in relation to connectivity, it is clear that Area 2 performs well.

31. In summary, this area is the most suitable location to accommodate a strategic allocation, as it is not environmentally constrained and less sensitive in landscape and heritage terms to the locations to the north and east.

32. William Davis therefore request land within Area 2 form a strategic allocation for Shipston-on-Stour.

Q-S7.2: Refined Spatial Growth Options

33. Option 2: Sustainable Travel; Option 4: Sustainable Travel and Economy and Option 5: Dispersed all contain elements that could result in an appropriate strategy, which



makes best use of existing resources and address climate change. Therefore realistically, William Davis considers a mixture of options will be required to best deliver the growth needs of South Warwickshire for the reasons as set out below.

34. 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.
35. 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.
36. 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.
37. William Davis also wish to make the following comments.
38. William Davis support the inclusion of Shipston-on-Stour within four of the five options as a Main Rural Centre in the adopted Core Strategy. Whilst the town has met its target set out for the current Plan period, which reflects its nature as a sustainable location, this strategy of growth should continue in the SWLP in order to support the population of Shipston-on-Stour and those nearby. Planned growth for the town is especially important since Shipston-on-Stour does not have an allocated reserve site in the adopted Core Strategy or Neighbourhood Plan.
39. The town benefits from a good range of physical and social infrastructure including education, retail, community and medical facilities. The town is also served by a regular bus service to Stratford-upon-Avon, Moreton-in-Marsh and Chipping Norton, with further development likely to further enhance the sustainable transport offer.
40. The HEDNA recognises the strong local housing market, with agents stating that the market has been and is very busy but supply has been short in comparison to the strong demand. Demand is not limited to existing residents, with around 50% of people looking in the area 50% coming from London and either purchasing or buying



a second home. This is a reflection of the area being particularly attractive for its proximity to the Cotswolds and Oxford, and recent investment in the town which has led to new restaurants and boutique stores opening.

41. William Davis therefore support a strategy which includes further growth at Shipston-on-Stour.

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

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

42. Yes, the HEDNA provides a reasonable basis for identifying future levels of housing need across South Warwickshire and this approach is reasonable for other authorities in Coventry and Warwickshire.
43. 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”⁵. 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.
44. It is important, however, to remember that the local housing need is not the same as the housing requirement within the Plan.
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.

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



47. In line with the NPPF⁶, 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 guidance⁷; 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 soundness⁸, 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, William Davis 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.

⁶ Paragraph 61 of the National Planning Policy Framework (July 2021)

⁷ Paragraph 010 Reference ID 2a-010-20201216 of National Guidance

⁸ 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 Growth to be found by the Plan	43,000 dwellings +

Q-H3: Minimum Space Standards

50. Whilst the provision homes of an appropriate range and size is supported, William Davis are concerned that the blanket application of Nationally Described Space Standards across South Warwickshire could significantly and negatively impact viability in areas with high levels of unaffordability. There are already substantial



existing and emerging policy and building regulations requirements (e.g. biodiversity net gain and future homes standard), combined with fluctuations in the housing market and construction costs that are impacting development viability. The cumulative effects of all proposed plan policies will need to be viability tested, in accordance with national policy. The result may be a choice between policies such as minimum space standards and a lowering of the affordable housing requirement relative to existing expectations.

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

51. 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 NPPF⁹. 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.

52. 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

53. There are clearly significant unmet housing needs arising from the Birmingham and Black Country Housing Market Area which require addressing by this Plan.

54. 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.

⁹ Paragraph 35 a) of the National Planning Policy Framework (July 2021)



55. 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.
56. 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.
57. 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.
58. 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 William Davis 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

59. 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.

60. 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.
61. 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.
62. 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 releases¹⁰, 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.

Chapter 10 - A well-connected South Warwickshire

Q-T1 20 Minute Neighbourhoods

63. The concept of the 20 minute neighbourhood is supported and William Davis would be content with Option T1c, meaning a bespoke policy requiring the principles of a 20 minute neighbourhood is included within appropriate development proposals. As

¹⁰ [How the population changed where you live, Census 2021 - ONS](#)



explained elsewhere within these representations and supporting Vision Document, Shipston is a sustainable settlement, and the Site at Furze Hill is well connected to the town centre and existing amenities, which the SWLP evidence recognises. This also aligns with recent changes to the development management system whereby Active Travel England are now a statutory consultee for development of a certain scale.

Chapter 12 - Plan Content

Q-P1.1 & P1.2 – Broad Content of the Part 1 Plan

64. William Davis are concerned that the broad scope of the Part 1 Plan is potentially too limited and by splitting plan making could leave to a lengthier overall plan production timetable than if a single plan is prepared. This has certainly been the case in Northamptonshire, where Part 2 plans were adopted years after the Part 1 plans. Whereas, South Worcestershire has demonstrated that a single joint plan can be achieved within reasonable timescales.
65. Nevertheless, it is agreed that the allocation of sites necessary for short term development should form part of the Part 1 Plan to ensure a healthy five year housing land supply. The SWLP should be mindful to provide sufficient allocations to mitigate any slippage or unexpected change in circumstances rather than rely on sites that are only deemed developable inadvertently being required to be considered deliverable in reality at Year 6 of plan adoption.
66. Section 1.4 refers to strategic sites as those '*critical*' to the delivery of the Plan. It is considered that sites that are *critical* should be extended to those required in the early part of the plan period to ensure the overall robustness of the Plan and include sites of circa 100 dwellings and over.