



# Nuneaton & Bedworth Borough Plan Review Examination

## **Matter 2: Vision, Strategic Objectives and Development Strategy**

June 2024



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## MATTER 2: VISION, STRATEGIC OBJECTIVES AND DEVELOPMENT STRATEGY

### **Issue 1: Have the vision and strategic objectives been positively prepared, are they justified and consistent with national policy, and can all be realistically achieved?**

Q23. Do the vision and strategic objectives have regard to and provide for the development needs of the area as well as any identified unmet needs in neighbouring areas?

- 1.1.1 No - the Vision and Strategic Objective (4) does not have regard to and provide for identified unmet needs in neighbouring areas.
- 1.1.2 The unaspiring Vision and Strategic Objectives is the predictable consequence of a Plan that is neither positive, aspirational, ambitious, nor seeking to boost the supply of homes.
- 1.1.3 Despite representations from various parties through the plan-making process regarding the critical importance of addressing unmet housing needs from neighbouring authorities, the Council has continued to advance a Plan designed specifically to limit housing growth and the Borough's role in addressing the unmet needs of Coventry.
- 1.1.4 We return in detail to this issue in our response to Q24 below.

Q24. Does the Plan address/meet any identified unmet needs in neighbouring areas? If not, why not?

- 1.1.5 No – the Plan is silent on addressing unmet housing needs of the C&WHMA (Coventry & Warwickshire Housing Market Area).
- 1.1.6 As we have made clear in our previous representations, it is not possible to reach conclusions on the soundness of the Plan in terms of the overall provision for housing without first considering the housing needs of the C&WHMA and whether there will be unmet needs from other authorities, namely Coventry City.

- 1.1.7 This is because the NPPF is unequivocal that local planning authorities should meet their own housing needs and the unmet needs of other authorities where they cannot be met (Paragraph 11b), based on up-to-date evidence (Paragraph 31) and cross-boundary joint working (Paragraph 35).
- 1.1.8 The Plan is silent on unmet housing needs arising in the C&WHMA, despite the clear requirements of national policy to address these needs **now** rather than defer. The Council's approach therefore runs contrary to national policy and is clearly 'unsound'.
- 1.1.9 As set out within our previous Regulation 19 representation and within the Hearing Statements produced by Lichfield's, there is certain to be unmet housing needs arising from Coventry City of significant consequence through to 2041 when having regard to the authorities most up-to-date evidence on housing land supply. The unaccounted-for-shortfall will be in the magnitude of:
- **-39,872** under the PPG compliant Standard Method calculation,
  - **-14,122** under the HEDNAs (EB7.1) alternative household projection calculation
  - **-25,422** under an alternative Housing Needs Assessment prepared by Lichfield's
- 1.1.10 On any assessment the level of unmet need arising from Coventry is acute. Consequently, there is a clear case for the Council to make provision for these unmet needs through this Plan, underpinned by a robust and evidence-led approach to distributing the unmet housing needs of the C&WHMA.
- 1.1.11 To this end, Lichfield's<sup>1</sup> has prepared a report and accompanying model<sup>1</sup> to demonstrate how Coventry's unmet housing need to 2041 could sustainably be distributed amongst neighbouring authorities based upon the functional relationships between those authorities. For Nuneaton and Bedworth, Lichfield's model indicates that to address the unmet housing needs of Coventry, an evidence-led distribution would see the Council take 40% of Coventry's unmet needs up to 2041, above the Borough's own housing needs. On the basis of the likely level of

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<sup>1</sup> Refer to Lichfield's Matter 2 Hearing Statement and Appendices.

unmet housing need arising in Coventry between 2021 and 2041, this would equate to a contribution between **5,649 and 15,913 dwellings** to be accommodated within Nuneaton & Bedworth.

- 1.1.12 The above serves to highlight that the Council has chosen to defer, rather than meaningfully deal with this strategic cross-boundary issue now. Such an approach is clearly not positively prepared, effective, justified or consistent with national policy.
- 1.1.13 Given our responses on the matter of unmet housing need we wish to draw the Inspectors attention to the examination of the Warwick Local Plan (WLP) which commenced in 2015 and effectively dealt with an identical situation in respect to unmet housing needs emanating from Coventry that have since been apportioned across the C&WHMA. Whilst we appreciate that the Guidance Note requests that appendices are not included within Hearing Statements, it is considered necessary to append the WLP Inspectors Initial Findings and WLP Inspectors Report to this statement given the central themes discussed across those documents that are pertinent to this examination.
- 1.1.14 In that instance, Warwick submitted a Local Plan for examination in January 2015 that made no reference or specific commitment to meeting a proportion of unmet needs from Coventry. NBBC have done much the same in submitting a Plan silent on the critical issue of unmet needs despite its own evidence base document, the 2022 Nuneaton HEDNA (EB/6, Paragraph 10.7), explicitly acknowledging that *"there is a reasonable prospect that an unmet need will again arise; and given the strong functional relationship between Nuneaton and Bedworth and Coventry, this may be an important consideration in considering overall housing provision within the Borough Plan Review"*.
- 1.1.15 Following the initial Hearing sessions in May 2015, the Inspector concluded that the submitted WLP was unsound in term of the overall provision of housing. In particular on the issue of unmet needs arising from Coventry, the Inspector rightly identified that based on the latest evidence on both need and supply across the C&WHMA there was likely to be a substantial unmet housing need arising from Coventry City

for the period 2011-2031 and that this would need to be met in the neighbouring authorities<sup>2</sup>. The Inspector further stated that *"whilst there are clearly benefits in having an adopted Local Plan in place as soon as possible, this cannot be at the expense of having a sound plan which effectively deals with key strategic matters"*<sup>3</sup>.

- 1.1.16 Almost 10-years later an identical situation is taking place through this Examination. Firstly, there is now up-to-date evidence on housing land supply for Coventry City Council as evidenced through the Housing and Employment Land Availability Assessment (HELAA 2023) which confirms a housing supply of 25,158 homes over the period 2021-2041.
- 1.1.17 Secondly, and as set out above, there are 3 up-to-date assessments of housing need for Coventry; a PPG compliant Standard Method calculation, the HEDNAs alternative household projection calculation, and an alternative Housing Needs Assessment prepared by Lichfield's.
- 1.1.18 As highlighted in paragraph 1.1.9 above, on any assessment of need vs supply there will be a substantial unaccounted-for shortfall of between c.14,100 and c.39,780 dwellings up to 2041 arising within Coventry that needs to be addressed within the C&WHMA. If one were to take the C&WHMA own evidence base at face value (EB7.1 - Coventry & Warwickshire Housing & Economic Development Needs Assessment) the unmet need would be an acute 14,100 homes. However, as set out within this statement and previous representations, Gladman are of the view that the actual level of unmet needs is likely to be significantly higher when considering an alternative assessment of housing need as presented by Lichfield's.
- 1.1.19 Following the publication of the Inspectors initial findings into the WLP, the C&WHMA authorities subsequently undertook further work to update evidence on both need and the capacity to accommodate housing. They also set out a clear

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<sup>2</sup> EXAM23 - Examination of the Warwick District Local Plan: Inspector's findings regarding initial matters and issues (June 2015). Paragraph 20 and 21.

<sup>3</sup> EXAM23 - Examination of the Warwick District Local Plan: Inspector's findings regarding initial matters and issues (June 2015). Paragraph 28.

intention to work towards a new agreement on the distribution of housing with a view to meeting housing needs in full, including unmet needs from Coventry. Crucially, this resulted in Warwick Council increasing its housing provision to accommodate an agreed amount of unmet need from Coventry.

- 1.1.20 What can be drawn from the Warwick Local Plan Examination is that for this Plan to be found sound on examination, NBBC must address the strategic priorities of its own area, and the unmet housing needs of its neighbours **now** as clearly required by national policy and guidance, and not defer to future plan reviews to deal with. NBBC, however, does not consider the C&WHMA needs to be an issue, tacitly implied by the distinct absence of any reference to unmet housing needs in the Plan. Such an approach is not positively prepared, not justified and not effective, and so is contrary to national policy and guidance. Simply put, it is 'unsound'.
- 1.1.21 Whilst the difficulties of plan preparation are acknowledged and the need to get Local Plans in place is important, this should not override the adoption of an unsound plan. To ensure the Plan is sound and could robustly defend any future potential legal challenge it is essential that the Council increases the housing requirement so that an appropriate contribution can be made towards assisting in addressing unmet housing need **now** (dealt with in Policy DS3), in addition to identifying further additional housing site allocations to meet this uplift as a priority (addressed through amendments to Policy DS4).

**Issue 2: Has the development strategy and the overall distribution of development been positively prepared, is it justified by a robust and credible evidence base, and is it consistent with national policy?**

Q27. Does the development strategy in general, and Strategic Policy DS3 incorporate sufficient flexibility within it? Particularly with regard to the potential for unmet housing and employment need arising from neighbouring areas in the future.

- 1.1.22 Gladman note that there is a claimed housing land supply of 11,522 homes<sup>4</sup> which, when compared against the current proposed housing requirement of 9,810 homes, provides for some security in the event of delivery issues for the Plan. Indeed, the Council recognise at paragraph 6.26 of the Plan that this buffer is necessary *"in the unforeseen event that some of the identified sites do not come forward as predicted"*. Gladman would agree that a flexibility allowance of this nature is necessary to ensure sufficient resilience against under-delivery across the plan-period, particularly as several of the strategic allocations in the Plan that are being carried forward from the adopted Borough Plan have not delivered anywhere close to the number of homes that were expected by this point in time.
- 1.1.23 However, this flexibility allowance cannot specifically be prescribed for meeting unmet housing need. This is because if they are needed to manage delivery issues those homes will be meeting Nuneaton & Bedworth's housing need and therefore not available to meet the unmet needs from elsewhere.
- 1.1.24 In addition, Gladman also consider it that any notion that the additional 136 dpa uplift to the housing requirement to align with economic growth ambitions could also be 'banked' to meet unmet housing needs to be unjustified. The economic uplift is required to meet the ambitions of the Borough. The Council's purported approach on this matter is not clearly set out within the Plan, which in itself is a matter of soundness, and in any event is far below the contribution Gladman contends the

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<sup>4</sup> CD21: Table 3 proposed main modification

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Council will need to make provision for through the Plan to ensure the needs of the C&WHMA are met (i.e. c.2,448 compared to c.5,650 as a minimum).



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## Appendix 1

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Dave Barber  
Planning Policy Manager  
Warwick District Council

Our Ref:

PINS/T3725/429/5

Date:

1 June 2015

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Dear Mr Barber,

**Examination of the Warwick District Local Plan:  
Inspector's findings regarding initial matters and issues**

1. Further to the initial hearing sessions held between the 6<sup>th</sup> and 12<sup>th</sup> of May 2015, I set out below my findings in respect of the duty to co-operate (Matter 1), soundness in terms of overall housing provision (Matter 2) and soundness in terms of the supply and delivery of housing land (Matter 3). I also explain the consequences for the examination.

**Duty to co-operate**

2. There are a number of strategic matters which required co-operation during the preparation of the Local Plan. The overall provision for housing is of particular importance however, given that Warwick District forms part of the wider Coventry and Warwickshire Housing Market Area (the HMA), the links between authorities in terms of migration, commuting and housing markets and the interrelationship between Warwick District and Coventry City.
3. I am satisfied that the Council has engaged actively with the other authorities in the HMA and beyond throughout the plan preparation process in terms of overall housing provision. The key question is whether engagement has been constructive and the extent to which co-operation has maximised the effectiveness of the preparation of the Local Plan.
4. The duty to co-operate does not bring with it a specific requirement to have reached agreement on the level of housing need and how this will be met across the HMA however. It is the actions and approach of the Council which are critical to my consideration of this matter. I have also taken account of the position taken by other authorities, none of which raise concerns over the level of housing provision proposed in the Local Plan or the Council's compliance with the duty to co-operate.
5. The Council acknowledges that co-operation between the HMA authorities received greater impetus following the findings of the Inspector examining

Coventry's Core Strategy in 2013. This led to joint working on a Strategic Housing Market Assessment (the 2013 SHMA) and an Addendum in 2014 (the 2014 SHMA Addendum), along with other collaboration in terms of evidence. The 2013 SHMA set out figures for objectively assessed need (OAN) for housing across the HMA as a whole and for individual authorities. The overall provision for housing in the Local Plan is based on the 2013 SHMA.

6. Joint working and co-operation continued after the publication of the 2014 SHMA Addendum, notably through the Economic Prosperity Board which met in October and November 2014 and subsequent formal endorsement by each authority. In essence there is an agreement that the OAN for the HMA is 4,004 dwellings per annum. There is recognition that Coventry City will not be able to accommodate the higher level of OAN indicated in the 2014 SHMA Addendum (1,811 dwellings per annum) and agreement that the figures for each authority set out in the 2013 SHMA represent a starting point for distribution of housing across the HMA and that this will accommodate some of Coventry City's needs subject to additional work on capacity being undertaken. It was also recognised that additional work on capacity may identify a further shortfall from the Warwickshire Districts. A process and timeline for evidence gathering and plan review was also agreed, culminating in a joint Core Strategy or co-ordinated review of plans during 2017-19.
7. At the time the Local Plan was submitted, there was no agreement between the authorities in terms of the distribution of the full OAN for the HMA (4,004 dwellings per annum). This remains the case. On the basis of individual authority figures agreed as a starting point, there would be a shortfall of 234 dwellings per annum.
8. The issue of meeting OAN across the HMA in full has not been resolved and I deal with this in relation to soundness below. However in terms of the duty to co-operate, considerable effort has been made by the Council, in conjunction with the other HMA authorities to attempt to address the issue in a constructive fashion through agreement and commitments to continued joint working. The Council submitted a Local Plan based on overall housing provision of 714 dwellings per annum (as in the Publication Draft Plan), despite the fact that the 2014 SHMA Addendum indicated that a lower figure of 606 per annum was required in the District. Whilst I have concerns as to the specific basis for 714 dwellings per annum and whether it is necessarily the appropriate level of provision, the Council has clearly accepted the need to make a significant contribution to accommodating unmet needs from elsewhere in the HMA in principle.
9. The Council has demonstrated constructive, active and ongoing engagement with local authorities and relevant organisations on the other strategic matters. The issues have been resolved effectively and there are no concerns from these authorities and organisations regarding compliance with the duty to co-operate.
10. Taking all of the above factors into account I am satisfied that the Council has engaged constructively, actively and on an ongoing basis in terms of overall housing provision and indeed other strategic matters. I conclude therefore that the Council has complied with the duty to co-operate.

## **Soundness – overall housing provision**

11. I am satisfied that the 2014 SHMA Addendum, when read alongside the 2013 SHMA, provides a robust assessment of OAN for the HMA. It is based on the most up to date national projections available at the time and in my view uses reasonable assumptions to arrive at a demographically led figure of 4,004 dwellings per annum between 2011 and 2031.
12. Whilst the 2014 SHMA Addendum does not include a specific uplift for market signals, affordability or economic growth, it recognises the case that higher household formation rates for younger households and higher jobs growth would indicate a higher figure. It makes it very clear that the figure of 4,004 dwellings per annum should be regarded as a minimum.
13. The 2012-based household projections published in February 2015 indicate the need for 4,100 dwellings per annum across the HMA between 2011 and 2031 (taking account of allowances for vacancy rates). These are the most up to date projections currently available and give further weight to the findings of the 2014 SHMA Addendum, although again they would suggest that the figure of 4,004 dwellings per annum should very much be seen as a minimum.
14. Although the 2014 SHMA Addendum sets out figures for each authority, it regards these as indicative given the sensitivity to variable migration levels. It also recommends further work by individual authorities in terms of economic growth prospects.
15. The HMA authorities confirmed at the initial hearing sessions that they regard 4,004 dwellings per annum as the minimum figure for OAN in the HMA. On the basis of the evidence before me, I share that view.
16. Other than Stratford-on-Avon District Council, the authorities in the HMA confirmed that they consider the individual authority figures in the 2014 SHMA Addendum as a reasonable basis for OAN in their areas. Stratford-on-Avon District Council considered it to be higher (at least 565 dwellings per annum compared to 508 per annum in the SHMA Addendum) and were undertaking further work in the light of the interim conclusions of the Inspector carrying out the examination of their Core Strategy. It is unclear at this stage to what extent any increase in the figures for individual authorities should be absorbed within the overall HMA total or added to it.
17. The figures from the 2012-based household projections for individual authorities are broadly comparable with the figures from the 2014 SHMA Addendum although it is notable that the figure for Coventry City is 144 dwellings per annum higher.
18. It may be that some of the authorities in the HMA could be asked to accommodate unmet needs from the Greater Birmingham area in due course. If this was the case it is likely to require a further re-assessment of the distribution and overall level of housing provision in the HMA. Whilst the situation in this respect is not yet clear, it seems to me likely that if anything, there would be further upward pressure on the figures for the HMA and individual authorities.

19. Within the HMA itself, there is a particular issue with Coventry City where the agreed figure of 1,180 dwellings per annum based on the 2013 SHMA falls well short of the figure of 1,811 from the 2014 SHMA Addendum. Coventry City Council is in the process of preparing a new Local Plan and has recently undertaken a Strategic Housing Land Availability Assessment (SHLAA) with a draft produced in September 2014. This indicates capacity within or adjacent to the urban area for some 16,500 dwellings and up to a further 7,100 dwellings within the Green Belt (total 23,600). The City Council is yet to make any decisions in terms of releasing land from the Green Belt however. In any event, the maximum capacity would appear to be some 12,500 dwellings below the need indicated by the 2014 SHMA Addendum and accepted by the City Council as a reasonable basis for OAN.
20. Given the evidence currently available, there is likely to be a substantial unmet need of at least approximately 12,500 dwellings in Coventry City between 2011 and 2031. The Council argues that on the basis of the agreement reached, the net shortfall would only be some 4,680 dwellings (234 per annum) and that in the context of total needs over the whole plan period this would be relatively modest.
21. I do not share this view. The shortfall is likely to arise in Coventry and would need to be met in the other authorities. Relative to the indicative OAN for these other authorities, I consider this to be a significant figure. It must also be seen in the context of the OAN of 4,004 dwellings being regarded as a minimum and potential further upward pressure on this figure. There is no substantive evidence and indeed the HMA authorities do not argue that there are constraints which prevent the OAN for the HMA overall being met in full. Under these circumstances I see no basis in the National Planning Policy Framework (NPPF) for an approach which having identified the OAN for the HMA, does not meet it in full.
22. Whilst I appreciate that the HMA authorities regard the figures as a starting point, I also have significant concerns in relation to the basis for the agreed distribution of housing. The figures for individual authorities are those from the 2013 SHMA which set out a lower overall figure for the HMA and a substantially lower figure for Coventry City. Whilst perhaps understandably the authorities have sought to continue with the figures previously agreed, it is not necessarily the case that they remain appropriate in the light of evidence provided by the 2014 SHMA Addendum. The figures for individual authorities were not originally derived on the basis of accommodating unmet need from Coventry. The 2014 SHMA Addendum affected the figures for individual authorities in different ways. I am not aware of any detailed analysis which has assessed the contribution that each authority should make in the light of this updated evidence. The authorities in Warwickshire have different relationships with Coventry and it is not clear how this has been taken into account in agreeing the figures.
23. In the case of Warwick District specifically, the Council considers the OAN to be 606 dwellings per annum based on the 2014 SHMA Addendum and has agreed a figure of 720 dwellings per annum as its contribution to meeting overall needs in the HMA. On the face of it this would make a contribution of some 114 dwellings per annum towards unmet needs from elsewhere within the HMA.

Other than the fact that this was a previously agreed figure, I see no basis however to suggest that this is necessarily the appropriate contribution to unmet needs, relative to other authorities.

24. Therefore we have a situation where the agreement between the HMA authorities would leave what I consider to be a significant shortfall of unmet need. This is in the context of what is clearly regarded as a minimum figure for OAN. In addition there is insufficient justification for the specific contribution to unmet need proposed from Warwick District.
25. It is not the case that the Local Plan should necessarily accommodate all of the residual unmet need from the rest of the HMA. However, the Council has submitted a plan in the absence of a clear strategy to meet the OAN for the HMA in full.
26. I consider therefore that in relation to overall housing provision, the Local Plan is not positively prepared, justified, effective or consistent with national policy. It is not sound.
27. I have taken account of the arguments put forward by the Council and the other HMA authorities in terms of the merits of having an adopted plan in place as soon as possible and the scope to deal with issues of unmet need through a review of the Local Plan. I note examples from other examinations where Inspectors have taken this view. Of course the circumstances relating to each examination vary and there are other examples, such as Aylesbury Vale, where Inspectors have not accepted that a review mechanism is appropriate. In this case, there is clear and up to date evidence regarding OAN, produced jointly by all of the authorities concerned. There has also been the opportunity to consider the evidence on OAN and put forward a strategy to meet it in full. There is clear evidence that there are likely to be substantial unmet needs from Coventry City and a good indication at least of the scale of these unmet needs.
28. Whilst there are clearly benefits in having an adopted Local Plan in place as soon as possible, this cannot be at the expense of having a sound plan which effectively deals with key strategic matters. Realistically, even if the examination were to progress to further hearing sessions, the earliest the Local Plan could be adopted is likely to be late 2015 or early 2016. I deal with housing supply below but if further work were to be undertaken in this respect, it is likely to add further to the timescale for adoption. Joint working between the HMA authorities is already underway and further work planned to an agreed timetable. With renewed impetus, it seems to me that the evidence base and agreement between authorities could be in place to put forward a plan which effectively deals with the issue of housing provision within the next year or two.

### **Soundness - the supply and delivery of housing land**

29. In considering this matter I have taken account of the information set out in the Council's written statement for the hearing session, discussions on the day, the notes subsequently provided by the Council in relation to the housing trajectory (EXAM 19) and the windfall allowance (EXAM 20) and further clarification dated 22<sup>nd</sup> May 2015 in response to my questions. I am grateful to the Council for the clarification provided and appreciate the willingness to address specific concerns

raised in a pragmatic fashion. I take the Council's position in respect of a windfall allowance and the supply and delivery of housing land generally to be that set out in the post-hearing notes as further updated by the response to my questions.

30. Notwithstanding my concerns regarding the overall provision for housing in the Local Plan, I have considered the approach towards the supply and delivery of housing land in the context of the Council's view that there is a requirement for 720 dwellings per annum between 2011 and 2029 (12,960 dwellings in total). Updated Table 3.8 (in the response to my questions) summarises the Council's position in terms of housing supply. This indicates a total supply of 12,711 dwellings, some 249 short of the requirement. Even on the basis of the Council's own assessment, the Local Plan will not deliver the housing requirement.
31. The merits of individual site allocations and the assumptions about delivery have not been subject to detailed scrutiny at this stage in the examination. Nor has there been detailed scrutiny of individual sites with planning permission. However, for the purposes of reaching conclusions on the initial matters and issues and subject to the caveat that further scrutiny may well have lead to a different conclusion, I am prepared to accept the Council's position with regard to the supply and timing of delivery from these sources. Likewise, I am prepared to accept the Council's view of potential supply and timing of delivery from the consolidation of existing employment areas and canal-side regeneration.
32. My key concern is with the allowance for windfall sites. I note that the Council has now incorporated potential supply from SHLAA sites (300 dwellings in total) into this category. The Council's latest position is that windfalls would contribute 53 dwellings in 2015/16, 123 dwellings in 2016/17 and 175 dwellings each year from 2017/18 onwards (2,276 dwellings in total over the remaining 14 years of the plan period to 2029). This would equate to approximately 19% of the residual dwelling requirement as of 2015/16. I appreciate that windfalls have consistently played a substantial part in housing supply in the District and I accept that they are likely to continue to come forward in reasonably significant numbers. Given the nature of the District, past trends and the scope of the SHLAA, I am satisfied that the specific estimates (set out in EXAM 20) for annual average windfall completions from rural sites, conversions and changes of use and urban sites of less than 5 dwellings are reasonable.
33. The SHLAA includes urban area sites for 5 or more dwellings. It was published relatively recently (May 2014) and the site identification process appears to have been carried out robustly and comprehensively. The Council estimates capacity from such sites (excluding those large enough to allocate) as 316 dwellings of which it considers 300 could be expected to be delivered in the plan period. This leaves a significant allowance (in the order of at least 900 dwellings) for as yet unidentified urban area sites of 5 or more dwellings.
34. The Council has a reasonably up to date SHLAA which sought to identify such sites and has had the opportunity to allocate sites in the emerging Local Plan. Whilst additional urban area sites for 5 or more dwellings are likely to continue to come forward, I see insufficient basis to suggest that this will be on the scale

anticipated with any degree of certainty. Previously (see H005 and the Council's written statement for the hearing session) the Council had not included an allowance for completions from urban area sites for 5 or more dwellings up to 2019, in recognition of the overlap with specific sites identified in the SHLAA. Whilst this category has now been merged in the Council's latest assessment, I see no basis for including an allowance for unidentified urban area sites for 5 or more dwellings in addition to specific SHLAA sites in this period.

35. I note that you accept that the Council's trajectory set out in EXAM 20 included double counting with the anticipated completions in 2015/16 and 2016/17 from sites already with planning permission.
36. In the terms set out in Paragraph 48 of the NPPF, I do not consider that there is compelling evidence that windfall sites will continue to provide a reliable source of supply on the scale envisaged. I find therefore that the overall windfall allowance is not justified or realistic.
37. Solely on the basis of the Council's own estimates there would be a shortfall in provision of some 249 dwellings over the plan period compared to the requirement. Even this relies on a windfall allowance which I consider to be unjustified. It also provides no flexibility should site allocations not come forward as expected. I consider that the supply of housing land for the plan period as a whole would fall short of that necessary to meet requirements and provide even a modest level of flexibility by several hundred dwellings.
38. Actual completions since 2011 have totalled 1,180 dwellings (up to 28/2/15). I accept that an allowance can reasonably be made for the net effect of additional care home bedspaces and that on this basis completions since 2011 can be regarded as 1,265 dwellings. Compared with an annual requirement of 720, there has been a shortfall in delivery of 1,615 dwellings in the first four years of the plan period.
39. I accept that previous constraint policies (applied between 2005 and 2009) and wider economic conditions from 2007 onwards are likely to have had an effect on the level of housing completions in the District. I also acknowledge that completions each year between 2001 and 2006 exceeded regional strategy requirements, although this was clearly in the context of more buoyant economic circumstances.
40. However, completions in each of the first four years of the plan period since 2011 have been very significantly below the annual requirement. As noted above, giving a shortfall of 1,615 dwellings already. There has been under delivery in each of the last six years and in seven out of the last ten years. Since 2005 there has been an overall shortfall of some 1,700 dwellings. Despite higher levels of completions between 2001 and 2006, there has been an overall shortfall of approximately 500 dwellings between 2001 and 2015. Warwick District had a separate housing target from Coventry City during this period and it is this against which performance should be judged. On the basis of the above I consider that there has been persistent under delivery of housing.



41. In terms of a five year supply of housing sites, a buffer of 20% should be applied therefore. This buffer should be applied once the shortfall from the plan period so far has been added to the basic requirement of 720 dwellings per annum.
42. In light of the above I consider the five year requirement as of 1/4/15 to be 6,258 dwellings. The Council's position (as clarified in the response to my questions) is that the five year supply at this point would total 5,968 dwellings. This includes an allowance for 701 dwellings from windfall sites which as set out above I consider to be unjustified. The Local Plan would not provide for a five year supply of housing at the outset and is not likely to until at least 2017/18.
43. I consider therefore that in relation to the supply and delivery of housing land, the Local Plan is not positively prepared, justified, effective or consistent with national policy. It is not sound.
44. I have taken account of the Inspector's report on the North Warwickshire Core Strategy and the Inspector's interim conclusions on the Stratford-on-Avon Core Strategy. There are some significant differences in circumstances compared with the Local Plan however. The Inspector's report for North Warwickshire was clearly produced in advance of the publication of the 2014 SHMA Addendum and the subsequent agreement between the HMA authorities. The specific issue of unmet need from within the HMA and in particular Coventry City was not apparent at that time. It also appears that the Inspector did not have specific concerns regarding the supply of housing land.
45. In the case of Stratford-on-Avon, the District clearly has a different relationship with other authorities compared with Warwick District. Much of the focus of the Inspector's interim conclusions relates to the relationship with Greater Birmingham, where the situation regarding unmet need is still to be clarified, rather than Coventry. In Stratford-on-Avon the Core Strategy is to be followed by a separate site allocations document which provides the scope for reserve sites to provide additional flexibility and respond to evidence of unmet needs elsewhere. Again it appears that the Inspector does not have the same concerns regarding the supply of housing land.

## **Overall findings**

46. I am satisfied that the Council has complied with the duty to co-operate, however I consider that the Local Plan is not sound in terms of overall housing provision and the supply and delivery of housing land.
47. As set out above, whilst I recognise the benefits of having an adopted Local Plan in place as soon as possible, this cannot be at the expense of having a sound plan. Adopting a plan with a commitment to a review mechanism would not resolve the key strategic matter of housing provision and as explained above is in reality unlikely to bring significant benefit in terms of timescales for adoption. In any case, it would not address the serious concerns relating to housing supply.
48. I have considered the potential to address the issues of soundness through a suspension of the examination. There is significant work still to be undertaken

jointly with the other HMA authorities in terms of assessing the capacity to accommodate housing, Green Belt, and agreeing a distribution of the OAN for the HMA in full. The timetable for this would put it well beyond a reasonable period of suspension. It may also result in a significantly different approach to accommodating housing development in Warwick District. In order to address the serious issues with housing supply both for a five year period and the plan period as a whole, additional housing land on a significant scale would need to be identified. This is likely to take considerable time given that options would need to be properly considered and assessed. It is also likely to require a review of the spatial strategy and potentially the approach to the Green Belt. The Council acknowledges this in EXAM 20 in respect of the implications of seeking to identify broad locations for growth or significant additional site allocations.

49. Taking all of these factors into account, I do not consider that a suspension of the examination is appropriate in this case, it would take too long, is likely to result in a plan substantially different from that submitted and in any event is unlikely to facilitate the adoption of a sound local plan in a timetable that is significantly shorter than the other options open to the Council.
50. Under the circumstances my advice to the Council is that there are realistically only two options. Firstly the Council could choose to receive my formal report. Given my findings, I will only be able to recommend non-adoption of the Local Plan. Alternatively the Council may choose to withdraw the Plan under S22 of the Planning and Compulsory Purchase Act 2004 (as amended).
51. I appreciate that you will be disappointed by my findings and will need time to consider them. However, I would be grateful if you could confirm the Council's position via the Programme Officer as soon as possible. A copy of this letter should be placed on the Council's website and made available on request.

Yours sincerely

*Kevin Ward*

INSPECTOR

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## Appendix 2

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# **Report to Warwick District Council**

**by Kevin Ward BA (Hons) MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date 28 July 2017**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Warwick District Local Plan**

The Plan was submitted for examination on 28 January 2015

The examination hearings were held between 6 and 12 May 2015 and between 27 September and 15 December 2016

File Ref: PINS/T3725/429/5

## Abbreviations used in this report

CE	Cambridge Econometrics
CWLEP	Coventry and Warwickshire Local Enterprise Partnership
HMA	Housing Market Area
LDS	Local Development Scheme
MM	Main Modification
MoU	Memorandum of Understanding
NPPF	National Planning Policy Framework
OAN	Objectively assessed need
ONS	Office for National Statistics
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SEP	Strategic Economic Plan
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment

## **Non-Technical Summary**

This report concludes that the Warwick District Local Plan provides an appropriate basis for the planning of the District, provided that a number of main modifications are made to it. Warwick District Council has specifically requested me to recommend any main modifications necessary to enable the Local Plan to be adopted.

The main modifications all concern matters that were discussed at the examination hearings. The Council has provided the detailed wording for the main modifications, many of which are based on suggestions it put forward during the examination. Following the hearings, the Council carried out sustainability appraisal of the main modifications and they were subject to public consultation over a seven-week period. I have recommended their inclusion in the Local Plan after considering all the representations made in response to consultation on them and the sustainability appraisal.

The main modifications can be summarised as follows:

- Increase the housing requirement for the plan period to 16,776 dwellings (an average of 932 per year), clarify that this is to be regarded as a minimum and make clear that this includes a commitment to meet unmet needs from Coventry (an average of 332 dwellings per year);
- Establish an annual average housing requirement of 600 dwellings per year between 2011/12 and 2016/17 and 1,098 dwellings per year from 2017/18 onwards;
- Amend the spatial strategy to also focus growth on the southern edge of Coventry in addition to the urban areas of Warwick, Leamington Spa, Whitnash and Kenilworth;
- Add a number of additional housing site allocations to ensure sufficient housing land is available;
- Add an area of safeguarded land at Westwood Heath on the edge of Coventry;
- Delete the housing site allocation at Red House Farm, Lillington;
- Delete a number of housing site allocations where development is already well progressed and amend the estimated capacity on a number of others to reflect up to date evidence;
- Set out a realistic and justified housing trajectory including a significantly reduced windfall allowance;
- Include clear commitments to review the Local Plan;
- Add site allocations for outdoor sports at Kenilworth;
- Add new policies in relation to self-build housing and electronic communications;
- Delete a number of policies that are not effective, justified or consistent with national policy or are unnecessary;
- Amend the wording of a number of policies to ensure that they are effective by providing necessary clarity and/or flexibility, that they are justified and are consistent with national policy; and
- Include a list of policies in the extant Warwick District Local Plan that will be superseded by policies in this Local Plan.

## Introduction

1. This report contains my assessment of the Warwick District Local Plan (the Local Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Local Plan's preparation has complied with the duty to co-operate. It then considers whether the Local Plan is sound and whether it is compliant with the legal requirements. Paragraph 182 of the National Planning Policy Framework (NPPF) makes it clear that in order to be sound a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the Council has submitted what it considers to be a sound plan. The Council published and consulted upon a number of focussed changes to the Publication Draft Plan prior to submission. These were subject to sustainability appraisal. The basis for the examination is the submitted Local Plan which is the same as the Publication Draft Plan dated April 2014 (LP10) as amended by the schedule of focussed changes (LP13).
3. Initial hearings for the examination were held in May 2015. Following these hearings I informed the Council that whilst I considered that it had complied with the duty to co-operate (see below), the submitted Local Plan was not sound in terms of the overall provision for housing and the supply and delivery of housing land. The Council subsequently undertook further work in co-operation with the other authorities in Coventry and Warwickshire on housing needs, made commitments to meeting housing needs in full and set out a clear and focussed timetable for additional work and consultation. On this basis the examination was suspended in October 2015.
4. Following this additional work and co-operation with the other authorities in Coventry and Warwickshire, the Council published a schedule of suggested modifications to address the issues of soundness identified after the initial hearings. These included increasing the planned provision for housing and additional housing site allocations. These suggested modifications were subject to public consultation and sustainability appraisal. I have taken account of representations made on them and the sustainability appraisal.
5. The examination was resumed and further hearings took place between September and December 2016. In addition to the submitted Local Plan, the Council's suggested modifications were considered during the further hearings. Those who had made representations on them were given the opportunity to speak at the hearings.

## Main Modifications

6. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications necessary to rectify matters that make the submitted Local Plan unsound and /or not legally compliant and thus incapable of being adopted. My report explains why the recommended main modifications are necessary. The main modifications are referenced in bold in the report in the form **MM1**, **MM2**, **MM3** etc., and are set out in full in the Appendix.

7. As noted above, the basis for the examination is the submitted Local Plan. The main modifications which I recommend in this report would be modifications to the submitted Local Plan.
8. The main modifications relate to matters that were discussed at the examination hearings. The Council has provided the detailed wording of the main modifications, many of which are based on suggestions it put forward during the examination and in some cases are those it suggested and consulted upon during the suspension of the examination.
9. All of the main modifications have been subject to public consultation and sustainability appraisal following the examination hearings, including those previously suggested and consulted upon by the Council. I have taken account of consultation responses and the findings of the sustainability appraisal in writing this report. Following the period of consultation, I have made minor amendments to the detailed wording of main modifications **MM4**, **MM8**, **MM41**, **MM58** and **MM59** to address typographical errors and to show more clearly the extent of deleted text etc. I have also made a minor amendment to the wording of **MM54** to provide additional clarity in relation to the location of two areas of search for park and ride facilities north of Warwick/Leamington Spa. None of these minor amendments alter the substance or meaning of the main modifications.

## Policies Map

10. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted Local Plan. In this case, the submission policies map comprises the set of plans set out in the Publication Draft Plan (LP10) and the schedule of focussed changes (LP13).
11. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the main modifications to the Local Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective. These further changes to the policies map were published alongside the main modifications.
12. When the Local Plan is adopted, in order to comply with the legislation and give effect to the Local Plan's policies, the Council will need to update the adopted policies map to include all the necessary changes.

## Assessment of Duty to Co-operate

13. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Local Plan's preparation. The preparation of the Local Plan concerns the period up to the point of submission. As noted above I reached a conclusion on compliance with the duty to co-operate following the initial hearings. For completeness, I reiterate my findings below.



14. There are a number of strategic matters which required co-operation during the preparation of the Local Plan. The overall provision for housing is of particular importance however, given that Warwick District forms part of the wider Coventry and Warwickshire Housing Market Area<sup>1</sup> (the HMA), the links between authorities in terms of migration, commuting and housing markets and the interrelationship between Warwick District and Coventry.
15. I am satisfied that the Council has engaged actively with the other authorities in the HMA and beyond throughout the plan preparation process in terms of overall housing provision. The key question is whether engagement has been constructive and the extent to which co-operation has maximised the effectiveness of the preparation of the Local Plan.
16. The duty to co-operate does not bring with it a specific requirement to have reached agreement on the level of housing need and how this will be met across the HMA however. It is the actions and approach of the Council which are critical to my consideration of this matter. I have also taken account of the position taken by other authorities, none of which raised concerns over the level of housing provision proposed in the Local Plan or the Council's compliance with the duty to co-operate.
17. The Council acknowledges that co-operation between the HMA authorities received greater impetus following the findings of the Inspector examining Coventry's Core Strategy in 2013. This led to joint working on the Coventry and Warwickshire Joint Strategic Housing Market Assessment (the 2013 SHMA) and an Addendum in 2014 (the 2014 SHMA Addendum), along with other collaboration in terms of evidence. The 2013 SHMA set out figures for objectively assessed need (OAN) for housing across the HMA as a whole and for individual authorities. The overall provision for housing in the submitted Local Plan was based on the 2013 SHMA.
18. Joint working and co-operation continued after the publication of the 2014 SHMA Addendum, notably through the Economic Prosperity Board which met in October and November 2014 and subsequent formal endorsement by each authority. There was an agreement regarding the OAN for the HMA, a recognition that Coventry would not be able to accommodate the higher level of OAN indicated in the 2014 SHMA Addendum and agreement that the figures for each authority set out in the 2013 SHMA represented a starting point for distribution of housing across the HMA. It was agreed that this would accommodate some of Coventry's needs subject to additional work on capacity being undertaken. It was also recognised that additional work on capacity may identify a further shortfall from the Warwickshire Districts. A process and timeline for evidence gathering and plan review was also agreed.
19. At the time the Local Plan was submitted, there was no agreement between the authorities in terms of the distribution of the full OAN for the HMA. I deal with this in relation to soundness below. However in terms of the duty to co-operate, considerable effort was made by the Council, in conjunction with the other HMA authorities to attempt to address the issue in a constructive fashion through agreement and commitments to continued joint working. The Council

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<sup>1</sup> HMA consists of Coventry, Rugby, North Warwickshire, Nuneaton and Bedworth, Stratford-on-Avon and Warwick local authority areas (see analysis in 2013 SHMA)

submitted a Local Plan based on overall housing provision of 714 dwellings per annum (as in the Publication Draft Plan), despite the fact that the 2014 SHMA Addendum indicated that a lower figure of 606 per annum was required in the District. Whilst I have concerns as to the soundness of this level of provision, and indeed the evidence on this matter has subsequently evolved, the Council clearly accepted the need to make a significant contribution to accommodating unmet needs from elsewhere in the HMA in principle.

20. The Council has demonstrated constructive, active and ongoing engagement with local authorities and relevant organisations on the other strategic matters. The issues have been resolved effectively and there are no concerns from these authorities and organisations regarding compliance with the duty to co-operate.
21. Taking all of the above factors into account I am satisfied that the Council has engaged constructively, actively and on an ongoing basis in terms of overall housing provision and other strategic matters. I conclude therefore that the Council has complied with the duty to co-operate.

## **Assessment of Soundness**

### **Main Issues**

22. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings I have identified the following main issues upon which the soundness of the Local Plan depends. Under these headings my report deals with the main matters of soundness rather than responding to every point raised by representors.

### **Issue 1 – Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the overall provision for housing**

#### *Background*

23. Given the national policy context provided by the NPPF, it is necessary for me to consider and indeed report upon evidence concerning housing needs and the ability to meet them in the wider HMA. It would not be possible to reach conclusions on the soundness of the Local Plan in terms of the overall provision for housing without first considering the housing needs of the HMA and whether there will be unmet needs from other authorities. It must be emphasised however, that this examination only concerned the Local Plan for Warwick. References to other authorities are made within this context and Local Plans in these other areas, along with the evidence base for them, will need to be examined independently in due course. Nothing in my report should be considered to pre-determine the outcome of current or future examinations elsewhere.
24. The submitted Local Plan sought to make provision for 12,860 new homes between 2011 and 2029 (an average of 714 dwellings per year) and was prepared on the basis of evidence from the 2013 SHMA which identified an OAN for Warwick of 720 dwellings per year between 2011 and 2031. For the HMA as a whole, it identified an OAN of some 3,750 - 3,800 dwellings per

year. The 2013 SHMA utilised data from the 2011-based Interim Household Projections which were the most up to date at the time.

25. The 2014 SHMA Addendum took into account the 2012-based Sub National Population Projections and identified a demographically based figure of 606 dwellings per year between 2011 and 2031 for Warwick and 4,004 dwellings per year for the HMA. It emphasised that the figure for the HMA should be regarded as a minimum and that the figures for individual authorities were indicative and should be subject to further work in terms of economic growth prospects.
26. As set out above in respect of the duty to co-operate, the 2014 SHMA Addendum provided the basis for an agreement between the HMA authorities in October and November 2014. In the case of Warwick, whilst the figure of 606 dwellings per year was recognised as providing the most up to date assessment of need, it was agreed that provision should be made for 720 dwellings per year. The agreed level of provision in each of the Warwickshire authorities was considered as a starting point in addressing likely unmet needs in Coventry.
27. Although the Local Plan was submitted after the 2014 SHMA Addendum was published and following the agreement between the HMA authorities, it made no reference to either and made no specific commitment to meeting a proportion of unmet needs from Coventry.
28. The Council, along with the other HMA authorities accepted that Coventry would not be able to accommodate its own housing needs and that the scale of likely unmet needs would be substantial. At the time the evidence pointed to a shortfall of at least 12,500 dwellings between 2011 and 2031 and potentially significantly more.
29. The agreed distribution of housing simply reflected the figures for individual authorities from the 2013 SHMA. There was no analysis of the particular relationships of individual Warwickshire authorities to Coventry in terms of commuting, migration and housing markets etc. and no assessment of the implications of updated evidence from the 2014 SHMA Addendum in this respect. Specifically for Warwick, I considered that there was no basis to suggest that a figure of 720 dwellings per year was necessarily appropriate.
30. The agreement would still have left a significant shortfall in unmet need (4,680 dwellings). This was in the context of the figure for OAN in the HMA being seen very much as a minimum and some uncertainty that Coventry would in fact be able to accommodate the level of growth indicated. There was no evidence, and indeed the HMA authorities did not argue, that there were constraints preventing the OAN for the HMA being met in full.
31. For these reasons, following initial hearings held in May 2015, I concluded that the submitted Local Plan was not sound in terms of the overall provision for housing. I also concluded that the submitted Local Plan was not sound in relation to the supply and delivery of housing land.
32. The HMA authorities subsequently undertook further work to update evidence on OAN and assess the capacity to accommodate housing. They also set out a clear intention to work towards a new agreement on the distribution of

housing with a view to meeting the housing needs of the HMA in full, including unmet needs from Coventry. The Council indicated a willingness to consider an increase in housing provision to accommodate an agreed amount of unmet need from Coventry and to address my concerns regarding the supply and delivery of housing land.

33. An Updated Assessment of Housing Need for the HMA was published in September 2015 (the 2015 SHMA) and took account of updated information, including the 2012-based Household Projections. This informed a Memorandum of Understanding (MoU) which was endorsed by all of the HMA authorities apart from Nuneaton and Bedworth Borough Council. This MoU contained a strategy for the distribution of housing to meet the identified needs of the HMA in full, including unmet needs from Coventry. The Council set out a programme to identify, assess and consult upon potential additional housing site allocations.
34. Taking all of this into account I agreed to suspend the examination in October 2015 to allow further work and consultation to take place.

*OAN for Warwick and the HMA*

35. The Council's evidence on OAN has evolved over time, including during the examination, largely as a result of updated national population and household projections. The Council's position, and that of the other HMA authorities, is that the 2015 SHMA provides the basis for the assessment of OAN for the HMA and individual authorities.
36. Following the publication of the 2015 SHMA and prior to the resumption of the examination hearings, 2014-based Sub National Population Projections and Household Projections were made available. The HMA authorities commissioned work to consider the implications of these projections and to take account of 2015 Mid-Year Population Estimates. The report (EXAM 50) was made available just prior to the resumed examination hearings. It is not intended to replace the 2015 SHMA and does not revise key assumptions such as those relating to economic growth potential.
37. The analysis undertaken in EXAM 50 indicates that the OAN for the individual Warwickshire authorities (other than North Warwickshire) would be lower than that set out in the 2015 SHMA and for Coventry it would be higher. However at the HMA level this would effectively balance out with the estimated OAN being less than 1% below the figure set out in the 2015 SHMA. In light of this, the HMA authorities consider that the 2015 SHMA is not rendered out of date and that it currently continues to provide the most appropriate basis to assess OAN. Given the evidence, I consider this to be a reasonable and pragmatic approach. EXAM 50 does however provide useful evidence and analysis which has helped to inform my conclusions on this issue.
38. The national Planning Practice Guidance (PPG) states that the household projections published by the Department for Communities and Local Government should be the starting point in establishing future needs for housing. It emphasises that they are statistically robust and based on nationally consistent assumptions. Whilst it recognises that alternative assumptions regarding underlying demographic projections and household formation rates can be considered, it makes clear that any changes should be

justified on the basis of established sources of robust evidence. Account should also be taken of the most recent demographic evidence including population estimates by the Office for National Statistics (ONS).

39. Taking the 2012-based Sub National Population Projections and using 2014 Mid-Year Population Estimates to rebase the projections from 2014, the 2015 SHMA indicates population growth of some 149,200 in the HMA between 2011 and 2031 (17.3% increase), with particularly strong growth projected in Coventry (28.1% increase). For Warwick, a growth in population of some 17,300 (12.6% increase) is projected. To put this in context, the projected population growth for the West Midlands as a whole is 10.7% and for England 13.8%.
40. The 2015 SHMA included a sensitivity analysis using four alternative approaches to the 2012-based Sub National Population Projections. These a) took into account more recent data from the 2013 and 2014 Mid-Year Population Estimates in terms of migration, b) considered the implications of assuming that all of the unattributable population change was associated with the recording of migration and c) and d) took into account 10 year migration trends (constant and variable). The effects of this sensitivity analysis varied from authority to authority and depending on the particular alternative approach used.
41. For the HMA as a whole, applying 10 year migration trends would increase the projected population growth whereas the other alternatives would reduce projected growth. For Warwick, the 10 year migration trend (variable) would result in increased projected population growth whilst the other alternatives would see a reduction in projected growth.
42. I accept that using longer term migration trends (10 years compared with the 5/6 year trends used in the Sub National Population Projections) may be appropriate in some circumstances and taking a longer term trend overcomes some concern regarding the peaks and troughs of the economic cycle. The policy of housing restraint applied in Warwick from 2005 to 2009 clearly had an effect on housing supply and is likely to have had some effect on migration trends during this period and that immediately after. It is important to note however, that the same period saw an increase in housing delivery in Coventry, the desired effect of the policy of restraint. It is not clear to what extent the policy of restraint affected the overall amount of housing delivered in the HMA or its distribution, particularly given wider recessionary influences for much of the time it had an effect. There is no evidence as to the specific effect that the policy had on migration trends or that it was necessarily significant.
43. Unattributable population change was a significant element in the annual change in the population of the HMA recorded by the ONS between 2001 and 2011 (in the order of -1,300 per year). The 2015 SHMA rightly treats unattributable population change with some caution given the uncertainties surrounding it. However, it could be that the migration component of population change between 2001 and 2011 may have been over-estimated. If unattributable population change was due to international migration, it is likely that the greatest impacts would have been in the early part of the decade (2001-2011) due to improvements to migration estimates in later years.

44. Whilst it considered 10 year migration trends as part of the sensitivity analysis, the 2015 SHMA raises doubts as to their robustness. In the case of the constant projection, it does not take account of the impact of changing population structure as the Sub National Population Projections do. The variable projection raised some concerns in terms of outputs for individual authorities, particularly Warwick where projected levels of migration were significantly above trends for either 5 or 10 years. A consistent approach in terms of methodology and assumptions across the HMA and for authorities within it is important.
45. All of this leads to some uncertainty as to the merits of using 10 year migration trends and I consider that there is insufficient basis to depart from the Sub National Population Projections in this respect. As noted above the 2012-based Sub National Population Projections (rebased using 2014 Mid-Year Population Estimates) indicate strong population growth across the HMA, significantly above the regional and national averages.
46. In terms of households, the 2015 SHMA also rebases the 2012-based household projections to take account of the 2014 Mid-Year Population Estimates and projects annual average household growth between 2011 and 2031 of 4,074 in the HMA and 582 in Warwick. The projected rate of growth in households in the HMA and Warwick is above that for the West Midlands and England. Again particularly strong growth (31.7%) is projected for Coventry.
47. The 2015 SHMA identifies some concern in relation to household formation rates in the 25-34 year age group which fell between 2001 and 2011, indicating a degree of suppressed household formation. Whilst some recovery in household formation rates is projected after 2012, it would remain below historical rates i.e. those up to 2001. The 2015 SHMA identifies a logical and reasonable link between affordability/the supply of affordable housing and household formation rates for this age group. In simple terms an improvement in affordability and the supply of affordable housing is likely to result in some recovery in household formation rates. Sensitivity analysis was undertaken to quantify the additional amount of housing that would be needed to return household formation rates for 25-34 year olds back to 2001 levels by 2025 and then to track the 2012-based projections thereafter.
48. The results of this analysis influence the conclusions of the 2015 SHMA on full OAN, essentially giving an uplift of 75 dwellings per year for the HMA. This is dealt with further below but I consider it is a justifiable approach.
49. Given the relationship between male and female household formation rates, the methodology employed in arriving at household projections and evidence of a levelling off in the decline of couple households, it would be inappropriate to upwardly adjust male and female household formation rates in younger age groups independently.
50. Notwithstanding the specific issue concerning 25-34 year olds, there is no compelling evidence to suggest that other adjustments to household formation rates would be appropriate or to justify planning on the basis of household formation rates returning to those set out in the 2008-based projections. Analysis of the 2014-based Household Projections (EXAM 50) shows that there

is very little difference in projected household formation rates when compared with the 2012-based projections.

51. Applying a 3% allowance for vacant and second homes, the 2015 SHMA takes the projected increase in households and identifies a demographic based need for 4,197 dwellings per year in the HMA and 600 per year in Warwick between 2011 and 2031. I consider that this is a robust assessment, justified by the evidence.
52. The 2015 SHMA then goes on to consider potential employment growth using 2013 forecasts from Experian and Cambridge Econometrics (CE). It identifies issues with the accuracy of forecasts for 2011-2013 when compared with statistics from ONS on workforce jobs estimates. Given the availability of this ONS data for 2011-2013 and demographic information up to 2014, the 2015 SHMA looks at employment growth forecasts from 2014 to 2031. I consider this to be a reasonable and justified approach.
53. An updated forecast from CE was obtained in 2015. The 2015 SHMA considers this to provide a realistic assessment of future employment growth in the HMA. This indicates growth of some 45,400 jobs in the HMA between 2014 and 2031 (annual average growth of 0.7%). For Warwick it indicates a growth of some 9,900 jobs over this period (annual average growth of 0.8%).
54. The Strategic Economic Plan 2014 (SEP) for the Coventry and Warwickshire Local Enterprise Partnership (CWLEP) refers to the delivery of some 94,500 additional jobs by 2031. This is based however on CE forecasts from 2013 which have since been updated. The SEP also envisages population growth of some 203,000 in the HMA up to 2031 which I understand is derived from 2010 based projections. This is clearly well in excess of the population growth indicated in the more recent 2012 and 2014-based projections. It must also be borne in mind that understandably, the SEP takes an ambitious and aspirational view of future growth prospects.
55. The Employment Land Use Study by CBRE in 2015 (the CBRE Study) considered a range of factors to assess potential needs for employment land. In terms of demographic projections it suggests a need for between 60,000 and 126,000 jobs to be created up to 2031. However, this range is influenced by estimates of potential labour market capacity which rely on significant reductions in unemployment and changes to activity rates. In overall terms the CBRE Study concludes that between 500Ha and 660Ha of employment land is required and that sites should be identified for the upper end of this range to provide flexibility and choice. The upper end of this range is based on strong recent take up rates.
56. An updated forecast from Experian in 2015 indicates growth of some 94,500 jobs in the HMA between 2011 and 2031. This would involve high levels of growth in the very early years of this period followed by a levelling of growth rates to an annual average of between 0.6% and 0.7%. The growth rates for 2011 to 2013 would appear to be out of line with data from ONS, referred to above. The level of population growth to provide for this growth in jobs would need to be significantly in excess of that shown in the 2012 and 2014-based projections.

57. Forecasting employment growth is notoriously difficult. This point is illustrated well by the range of growth estimates and the changes in estimates from the same forecasting houses over time. I consider the approach taken in the 2015 SHMA to be realistic and justified, taking into account a range of factors including past rates of growth and the potential implications for population growth. It is based on continued strong employment growth in Warwick and the wider HMA.
58. The 2015 SHMA then makes what I consider to be reasonable and soundly based assumptions on commuting ratios and double jobbing (where people have more than one job) to indicate that there would need to be a growth in the resident workforce of some 41,500 in the HMA and 8,600 in Warwick. Applying what are again reasonable and justified assumptions on changes in employment rates, it indicates that 3,584 dwellings per year would be required in the HMA and 602 in Warwick to sustain the employment growth forecast (using CE 2015 forecasts).
59. Taking account of particular circumstances and additional evidence for individual authorities in terms of economic growth potential, upward adjustments are then made to the figures for Coventry and Nuneaton and Bedworth and the figure for North Warwickshire is reduced. The net effect is to increase the economic led figure for housing need in the HMA to 3,730 dwellings per year. It is estimated that this would see employment growth of some 48,200 in the HMA between 2014 and 2031 (approximately 63,800 between 2011 and 2031).
60. For the HMA overall, the economic led figure for housing need is below the demographic based need. The situation varies for individual authorities however. For Coventry and Rugby the demographic based need is higher whereas for North Warwickshire, Nuneaton and Bedworth and Stratford on Avon it is lower. For Warwick, demographic and economic led need is effectively the same (600 and 602 dwellings per year respectively).
61. There are variations in evidence relating to market signals between authorities in the HMA. Average house prices in Warwick and Stratford on Avon have been consistently above those in the rest of the HMA, the West Midlands and England and Wales. Following a decline in prices from 2007 there has been some growth since 2012. In the 10 years to 2014, prices in Warwick grew by some 3% per year, in line with national trends. Sales levels across the HMA have broadly followed regional and national trends, dipping significantly after 2007, levelling off and then seeing some recent improvement.
62. Average rental costs in Warwick and Stratford on Avon are again higher than the rest of the HMA, the West Midlands and England. There has been particularly strong recent growth in rental costs in Warwick (22% between 2011 and 2015).
63. The affordability ratio in 2013 (the relationship between lower quartile house prices and lower quartile earnings) for the HMA (6.54) was broadly in line with the England average (6.45). The figures for Warwick (7.82) and Stratford on Avon (8.89) were above the HMA average. The affordability ratio in Stratford on Avon was consistent with that seen in 2007. In the other authorities,



including Warwick, there had been some improvement in affordability i.e. the affordability ratio had fallen from 2007 levels.

64. Despite variations across authorities and particular issues such as the recent increase in rental levels in Warwick, taken as a whole relative to national trends, the evidence on market signals does not justify an upward adjustment to OAN.
65. The 2015 SHMA identifies a need for an average of 280 affordable homes per year in Warwick and 1,462 in the HMA between 2011 and 2031. The 2012-based household projections already assumed some recovery in household formation rates. Taking this into account along with adjustments proposed to support economic growth in some authorities, the 2015 SHMA identifies the need for a further uplift of 75 dwellings per year in the HMA. This is likely to assist an improvement in affordability and further recovery in household formation rates. It is estimated that the scale of overall adjustments to housing need would address fully the issue of homeless and concealed households with other aspects of affordable housing needs being considered through the demographic analysis (newly forming households) or through the release of existing property to another household (e.g. overcrowded households).
66. For Warwick, the 2012-based household projections assumed sufficient recovery in household formation rates and no additional uplift is identified. For the other authorities relatively modest additional uplifts are identified as necessary.
67. Bringing all of this analysis together, the 2015 SHMA concludes that at the HMA level the demographic need is 4,197 dwellings per year and that an upward adjustment of 75 dwellings per year should be made to improve affordability and reflect further recovery in household formation rates giving a total OAN of 4,272 dwellings per year. It concludes that at the HMA level there is no basis to increase OAN to support economic growth.
68. For individual authorities it concludes that an uplift to support economic growth is required in North Warwickshire, Nuneaton and Bedworth and Stratford on Avon. For Warwick no uplift is identified as being required above the demographic based need of 600 dwellings per year.
69. Taking all of the available evidence into account I am satisfied that the 2015 SHMA provides an up to date and robust assessment of housing needs and I consider that on this basis the OAN for the HMA is 4,272 dwellings per year and for Warwick it is 600 dwellings per year over the period 2011 to 2031.

#### *The housing requirement for Warwick*

70. All of the HMA authorities accept the findings of the 2015 SHMA and the figures it provides for OAN for the HMA and individual authorities. They also accept, on the basis of an up to date Strategic Housing Land Availability Assessment (SHLAA), that Coventry will be unable to meet all of its own identified housing needs and that the shortfall would be up to 17,800 dwellings between 2011 and 2031 (890 per year).

71. In relation to the redistribution of unmet needs from Coventry, the MoU was based on a logical and justifiable analysis of the functional relationships between authorities in terms of commuting flows and migration patterns, having taken account of the effects of the increase in OAN for North Warwickshire, Nuneaton and Bedworth and Stratford on Avon to support economic growth.
72. This analysis concludes that an additional 332 dwellings per year (some 37% of the unmet need in Coventry) should be provided for in Warwick. Added to its own OAN, this results in 932 dwellings per year in Warwick.
73. I consider that the MoU provides a clear, robust and justified basis for the distribution of housing in the HMA and in particular the amount of housing required in Warwick. It sets out a positive and effective strategy to meet housing needs in the HMA in full including unmet needs from Coventry. I conclude therefore that the housing requirement for Warwick is an average of 932 dwellings per year (16,776 dwellings over the plan period 2011 to 2029).
74. The Council accepted that this is the case and made a commitment to delivering this amount of housing when publishing the schedule of suggested modifications during the suspension of the examination. It reconfirmed its position at the resumed examination hearings.
75. Nuneaton and Bedworth Borough Council did not agree the MoU due to uncertainties over the ability to identify sufficient housing land. They subsequently completed an updated SHLAA and published a Local Plan for consultation (The Nuneaton and Bedworth Borough Plan January 2017). This has now been submitted for examination. The 2015 SHMA concludes that the OAN for Nuneaton and Bedworth is 502 dwellings per year including an uplift of 73 to support economic growth (a total of 10,040 between 2011 and 2031). The MoU sets out a total figure of 14,060 dwellings on the basis that Nuneaton and Bedworth would contribute 4,020 dwellings to Coventry's unmet needs, in addition to that arising from the increase to support economic growth.
76. However, the Borough Plan sets out to provide for 13,374 dwellings. The intention is that this would meet the OAN for the Borough (10,040 dwellings), provide flexibility and allow for some non-implementation of sites and contribute 2,118 dwellings to Coventry's unmet needs. On this basis there would be a shortfall of 1,902 dwellings to meet Coventry's needs compared with the figures in the MoU.
77. The other HMA authorities made representations on the published Borough Plan raising concerns on this issue although discussions between the authorities have continued with a view to resolving these concerns and a statement of common ground has now been agreed between Nuneaton and Bedworth Borough Council and Coventry City Council. Nevertheless, at this point in time, the issue of a potential shortfall has not been resolved and the outcome of the examination into the Borough Plan is uncertain.
78. However, the shortfall would equate to an average of only 95 dwellings per year. Furthermore, there is a clear commitment to review the MoU if evidence demonstrates that the figures within it cannot be delivered. Importantly, in terms of this examination, Nuneaton and Bedworth sits to the north and east of Coventry whereas Warwick is to the south and west. Given this and the

different functional relationships between authorities, I share the Council's view that it would be unlikely that Warwick could reasonably be expected to accommodate a significant proportion of the shortfall identified above. Despite the lack of agreement from Nuneaton and Bedworth Council and its position in terms of the Borough Plan, on the basis of information currently before me I see no grounds to further increase the housing requirement for Warwick, above the figure of 932 dwellings per year set out above.

79. There is some overlap between the Coventry and Warwickshire HMA and the Greater Birmingham HMA. This affects Stratford on Avon and North Warwickshire. Discussions have taken place and are ongoing regarding addressing unmet housing needs from Birmingham. The figures for OAN in Stratford on Avon and North Warwickshire include an economic uplift which potentially could accommodate an element of need from Birmingham. Close working between these authorities and Birmingham City Council continues to take place. Whilst the issue of unmet needs from Birmingham is yet to be fully resolved, evidence does not indicate that Warwick should accommodate such needs.

#### *Conclusion on overall provision for housing*

80. The overall provision for housing in the submitted Local Plan (12,860 dwellings between 2011 and 2029) would not provide for the housing requirement set out above (16,776 dwellings). In this regard, the submitted Local Plan is not supported by evidence, nor does it reflect the position now taken by the Council and the agreement between the HMA authorities (other than Nuneaton and Bedworth Borough Council). It would not ensure that the OAN for Warwick is met in full whilst making an appropriate and justified contribution to unmet needs from Coventry. In addition, it does not make a clear commitment to meeting these unmet needs. In these respects the submitted Local Plan is therefore not positively prepared, justified, effective or consistent with national policy. Main modifications **MM1**, **MM3** and **MM33** are necessary to address these concerns.

### **Issue 2 – Whether the spatial strategy is justified, effective and consistent with national policy**

81. The submitted Local Plan aims to focus growth and development on the urban areas of Leamington Spa, Warwick, Whitnash and Kenilworth. It also seeks to direct a proportionate scale of development to ten Growth Villages across the District. In addition, a number of smaller villages are identified where only limited infill development is envisaged. Whilst it highlights the need to direct allocations to previously developed land within urban areas, the submitted Local Plan acknowledges that greenfield sites will be required and considers that there are exceptional circumstances to alter the boundaries of the Green Belt to allow for development in some cases.
82. The Green Belt covers approximately 80% of the District. Only the areas to the south of Leamington Spa, Warwick and Whitnash, including the Growth Villages of Barford, Bishop's Tachbrook and Radford Semele, are outside of the Green Belt. The urban area of Kenilworth is tightly surrounded by Green Belt in all directions. In the north of the District, the Green Belt also runs right up to the urban edge of Coventry and the administrative boundary.

83. Given the nature of the District and its settlements, there are limited areas of previously developed land with potential for development, for example there are no large areas of former industrial land.
84. The urban areas provide the main focus for jobs, services and public transport and have potential, with improved infrastructure where necessary, to accommodate significant levels of growth in a sustainable fashion. The Council has undertaken an objective, transparent and robust assessment of the potential capacity of villages to accommodate further development, taking account of their existing size, services and facilities and accessibility.
85. Given the above, on the basis of the level of housing growth envisaged at the time, the overall approach to the distribution of development set out in the submitted Local Plan was appropriate. It would steer most growth to the urban areas, either on previously developed land or on greenfield sites well related to the built up area, whilst allowing for development on a reasonable scale in Growth Villages to sustain and enhance their roles and local services. It would provide for a good range and choice of potential development sites in different locations to assist in deliverability and meeting local needs for affordable housing.
86. However, the amount of additional housing required is significantly above that set out in the submitted Local Plan. The Council accepts this and also took account of my concerns in relation to the supply of housing land, particularly in respect of the allowance to be made for windfalls and the need to ensure a five year supply of deliverable housing sites. With this in mind it identified additional sites to accommodate further housing growth and included them in its suggested modifications published for consultation during the suspension of the examination.
87. A number of factors need to be taken into account when considering the options for identifying additional housing sites. A significant proportion of the increased housing requirement is as a result of the commitment to contribute towards unmet needs from Coventry. Proximity and accessibility to Coventry and the jobs and services it offers is an important consideration therefore.
88. To assist in the delivery of the significant amount of new housing required it is also important to ensure that there is a good range and choice of sites available in terms of size and location.
89. The submitted Local Plan already proposed substantial housing site allocations to the south of Leamington Spa, Warwick and Whitnash on land outside of the Green Belt. Planning permissions for significant additional amounts of housing were then granted through appeals concerning land at The Asps and Gallows Hill in January 2016.
90. The combined scale of housing growth committed and proposed in this area will result in the need for considerable infrastructure improvements, particularly in terms of the transport network. There are legitimate concerns, based on the Strategic Transport Assessments about significant further housing growth beyond this level in this area and the capacity to accommodate it. Whilst there is clearly strong demand from developers and the schemes under construction appear to be progressing well, any further significant increase in the concentration of housing in this relatively small

geographical area would also raise concerns over deliverability, given potential competition between sites. There are also environmental constraints, not least the potential effect on the significance of heritage assets. In addition there is a need to avoid coalescence with the villages of Bishop's Tachbrook and Radford Semele.

91. In other directions the built up area of Warwick and Leamington Spa is bounded by the Green Belt. To the west and north-west of Warwick is the strong physical barrier of the A46. There is also a need to maintain the separate identity of surrounding villages such as Leek Wootton and Cubbington and avoid significant reductions in the gap to Kenilworth.
92. I return to the issue of specific site allocations and exceptional circumstances for altering the Green Belt in more detail later in my report. However, given the significant scale of committed and proposed housing sites within the urban areas of Leamington Spa, Warwick and Whitnash and to the south of the urban areas outside of the Green Belt, along with the constraints identified above, I do not consider that it is appropriate or indeed necessary to allocate housing sites on land which is currently in the Green Belt around these urban areas. Exceptional circumstances for altering the Green Belt in this part of the District do not exist.
93. Compared with other parts of the District, Kenilworth has seen limited new development in recent years and in principle it provides the opportunity to accommodate further growth given that it is well related to Coventry in terms of accessibility and functional links. However, in addition to being surrounded by the Green Belt, the capacity to accommodate growth is also affected by the need to retain a distinct identity for the town with a clear gap to the edge of the urban area of Coventry to the north. There is also a need to maintain the separate identity of Leek Wootton to the south and to avoid significant reductions in the gap to Warwick and Leamington Spa. The potential for the expansion of the urban area is also affected by the strong physical barrier provided by the A46, the proposed route of HS2 and environmental constraints to the west of the town including the potential effect on the significance of Kenilworth Castle.
94. Whilst the Growth Villages offer scope for some additional development, above that proposed in the submitted Local Plan, the amount of growth needs to take account of existing commitments, reflect the level of services available and consider the potential impact on the scale and character of the villages concerned. Seven of the Growth Villages are within that part of the District covered by Green Belt. The three that are not, Barford, Bishop's Tachbrook and Radford Semele are in the south of the District and the functional relationship with Coventry is clearly affected by this.
95. The Council put forward the concept of a direction for growth in an area of Green Belt land immediately to the south of the urban area of Coventry but within Warwick District as part of its suggested modifications during the suspension of the examination. This included two substantial housing site allocations and an area of safeguarded land. These were alongside other additional suggested site allocations at Leamington Spa, Warwick and Whitnash, Kenilworth and a number of the Growth Villages. The Council's approach is supported by Coventry City Council and there have been

considerable efforts to co-ordinate work on the respective Local Plans and continue co-operation to address the strategic issue of housing needs and related infrastructure provision.

96. I discuss the merits of individual site allocations and alterations to the Green Belt in detail below. However, taking account of the above analysis, the scale of additional housing sites required and the agreement to contribute towards meeting housing needs from Coventry, I consider that the Council's suggested strategic approach in relation to the edge of Coventry is appropriate and justified.
97. However, the submitted Local Plan was not prepared on the basis of significant growth on the edge of Coventry and as noted above it did not contain an explicit commitment to addressing some of Coventry's unmet housing needs. Whilst I consider that the proposed direction for growth is justified and necessary to ensure that the Local Plan is effective and consistent with national policy in terms of meeting housing needs, it would involve a change to the spatial strategy.
98. Main modification **MM2** is necessary to ensure that Policy DS4 sets out an effective and justified revised spatial strategy and to make clear the approach of focussing significant growth on the urban areas and the southern edge of Coventry whilst promoting some development in Growth Villages. It is also necessary to clarify the approach to the development of greenfield sites and to ensure that the detailed wording in relation to heritage assets and to the Green Belt is fully consistent with national policy.
99. In relation to Policy DS19, main modification **MM15** is required to ensure clarity on the application of national policy to development within the Green Belt and to reflect other modifications in terms of site allocations. Main modification **MM17** would introduce a new policy (DSNEW1) which is necessary to provide clarity on the scope, purpose and policy approach to the direction for growth south of Coventry. Main modification **MM34** is required to ensure that Policy H1 effectively reflects the spatial strategy and provides sufficient clarity, flexibility and consistency with national policy with regard to the approach towards housing development within and adjacent to settlements and in the open countryside.
100. Subject to these main modifications the spatial strategy is justified, effective and consistent with national policy.

### **Issue 3 – Whether the proposed housing site allocations are justified, effective and consistent with national policy**

101. Before dealing with individual settlements and housing site allocations, it is appropriate for me to address the overall scale of allocations needed across the District and the approach to annual average housing requirements including the calculation of a five year housing requirement. Along with the context provided by the modified spatial strategy discussed above, these are key factors which influence my consideration of housing site allocations across the District and in addressing them first I aim to avoid undue repetition.

*The scale of housing site allocations required*

102. Policy DS7 of the submitted Local Plan set out a potential total supply of 12,964 dwellings between 2011 and 2029. As a result of the initial hearings, the Council confirmed that it estimated overall potential supply to be 12,711 dwellings. Even this relied on what I considered to be an unrealistic and unjustified allowance for windfalls (2,276 dwellings).
103. Given the housing requirement of 16,776 dwellings and taking a more realistic and robust assessment of windfalls, there is a need to substantially increase the potential supply of housing land. The Council fully accepts this point. Whilst there have been further completions and a significant increase in planning permissions since the Local Plan was submitted, the overall scale of housing site allocations proposed in the submitted Local Plan would still fall well short of that needed to meet requirements. In this respect the submitted Local Plan is not justified, effective or consistent with national policy.
104. I deal with the supply and delivery of housing land in more detail later in my report. However, given other sources of supply, there is a need to identify housing site allocations with a total potential capacity of at least some 10,500 dwellings. Although in reality a number of these sites now benefit from planning permission (either across the whole site or part of it) I consider it necessary, in the interests of certainty and clarity, to allocate them unless construction is well progressed.

*Annual housing requirements and a five year requirement*

105. The requirement as far as a five year supply of housing land is concerned is also a key element in the context for site allocations. The scale of additional housing site allocations required above those in the submitted Local Plan is significant and it has been necessary for the Council to identify further potential sites relatively quickly, compared with the time normally associated with plan preparation. Given the specific requirement to address unmet needs from Coventry, the modified spatial strategy and the limited availability of alternatives, the scale of additional housing sites required on the edge of the urban area of Coventry is significant. A realistic view of the lead in time and development rates for sites of this strategic scale is required, given the need for site preparation and infrastructure works.
106. It is also important to stress that development timescales for these sites, and a significant number of other site allocations, are affected by the need to alter the Green Belt boundaries through this Local Plan and that this process will not be complete until the Local Plan is adopted.
107. As set out above the housing requirement for Warwick stems from its own OAN of 600 dwellings per year and an element of unmet need from Coventry of 332 dwellings per year. Taking all of this into account it is appropriate to stagger the annual average housing requirement so that it initially reflects Warwick's own OAN of 600 dwellings per year from 2011/12 up to and including 2016/17 (broadly coinciding with the anticipated adoption of the Local Plan) and then increases to 1,098 dwellings per year from 2017/18 to ensure that overall the average requirement is 932 dwellings per year for the plan period. Main modification **MM3** would provide the necessary clarity and ensure that the Local Plan is effective in this respect.

108. Housing completions in the first three years of the plan period fell well below the figure of 600 dwellings. Taking a ten year timeframe, completions in two out of the four years between 2007/08 and 2010/11 fell below the housing requirement of 395 dwellings in place at the time. However, completions in 2014/15 and 2015/16 exceeded 600 dwellings per year and based on the most up to date monitoring (EXAM 176), evidence points to the figure being exceeded again in 2016/17. Therefore, whilst completions have been below the requirement in five of the last ten years and total completions over this time have fallen below the total requirement, there has been a sustained improvement in the situation in recent years. On this basis I consider that there has not been persistent under delivery of housing and a buffer of 5% should be applied to the five year housing requirement.
109. Taking the Council's estimate of completions for 2016/17 of 1,159 dwellings, there will have been a total shortfall of 390 completions in the plan period up to that point. Adding this to the basic annual requirement of 1,098 dwellings per year and then applying a 5% buffer gives a five year requirement as of 2017/18 of 6,174 dwellings.
110. The Council's estimate of supply during this five year period from existing commitments, windfalls and unallocated SHLAA and regeneration sites totals 5,048 dwellings.

*The approach to housing site allocations – an overview*

111. Given the above, there is a need for housing allocations on a significant scale to ensure housing requirements for the plan period are met and to provide for a five year supply of housing land. In line with the modified spatial strategy, these should be focussed on the urban areas of Leamington Spa, Warwick, Whitnash and Kenilworth and the southern edge of Coventry with appropriate scale development planned for Growth Villages.
112. Evidence supports the Council's case that there is a relatively limited potential supply of previously developed land and that the submitted Local Plan seeks to maximise its use for housing. In order to provide for the level of housing required, greenfield sites will need to be allocated on the edge of settlements. In a number of cases the development of some best and most versatile agricultural land will be necessary. In considering proposed site allocations I have taken into account the economic and other benefits of such land but have weighed this against the need for housing development and the lack of realistic and suitable alternatives which would be consistent with the modified spatial strategy.
113. For Kenilworth, the edge of Coventry and seven of the Growth Villages, site allocations will involve land currently in the Green Belt, given that there are insufficient alternatives in these locations and there are limitations to the scale of housing that can be realistically and appropriately accommodated outside of the Green Belt, elsewhere in the District.

***Housing site allocations – Leamington Spa, Warwick and Whitnash***

114. Leamington Spa, Warwick and Whitnash are closely related physically and functionally and the built up areas have effectively merged over time. There are a wide range of employment opportunities, retail and other main town



centre uses and social and community facilities. The combined urban area is well connected to the wider road network and has good public transport links including by rail. It provides an appropriate and sustainable location for significant housing growth within the District.

*Previously developed sites within the urban area*

115. The submitted Local Plan proposed a number of housing site allocations on previously developed land within the existing built up area of Leamington Spa, Warwick and Whitnash.
116. The site at Court Street, Leamington (H16) consists of a former BT Depot, a Council owned car park and a collection of other buildings. The former BT Depot is currently being redeveloped for student accommodation and there are two other planning permissions for small scale residential development within the overall site. Adequate car parking serving this part of the town would remain following the development of the site. The site is adjacent to the retail area within the Town Centre and the proposed allocation provides the opportunity to deliver regeneration and physical enhancements. It would make a valuable contribution to housing supply and to the range of housing types available.
117. The Garage Site, Theatre Street, Warwick (H17) benefits from planning permission for 39 affordable and low cost dwellings. It is well located adjacent to the retail area within the Town Centre. Allocation of the site, which is currently occupied by a vacant and unattractive building, provides the opportunity to improve its appearance and to enhance the character and appearance of the Warwick Conservation Area. Again it would make a valuable contribution to housing supply and to the range of housing types available.
118. The land at Montague Road, Warwick (H11) consists of a former school and playing pitch, fire station and Council Depot. The Council's Playing Pitch Strategy does not identify the playing pitch as necessary for retention. The proposed allocation provides the opportunity to make effective use of previously developed land within the urban area and to make a significant contribution (estimated 140 dwellings) to housing supply. Whilst the site does not benefit from planning permission and still requires clearance, it is being actively marketed by the County Council as landowners and sits adjacent to a well-established residential area.
119. The Riverside House site in Leamington (H14) is currently in use as Council offices and car parking. However the Council is proposing to relocate to another site within the Town Centre. Whilst the development of the Riverside House site would need to take into account issues such as the setting of heritage assets, protected trees and the fact that a proportion of the site is in higher flood risk zones, these are matters that could be readily addressed through appropriate site layout and design. The proposed allocation would make a valuable contribution to housing supply in an attractive location close to the Town Centre.
120. None of the above sites are subject to any fundamental constraints which would affect their development for housing. They are all realistically deliverable within the time frames envisaged by the Council. They provide the

opportunity to make effective use of previously developed land in appropriate locations within the urban area. Subject to a modification to reflect the number of dwellings with planning permission at the Garage Site, Theatre Street, Warwick (H17), the proposed site allocations above are justified, effective and consistent with national policy.

121. Following the submission of the Local Plan, it was decided to retain the Leamington Fire Station site (H15) in operational use rather than release it for housing development. Accordingly it is no longer genuinely deliverable and in order to ensure that the Local Plan is effective in this respect, the proposed site allocation should be deleted.
122. The sites at Station Approach, Leamington (H10), Soans site, Sydenham Drive (H13) and Opus 40, Birmingham Road, Warwick (H39) all benefit from planning permission and development is well underway. To ensure that the Local Plan is effective in reflecting these circumstances, the proposed site allocations should be deleted.
123. The Council has carried out a comprehensive and robust assessment of potential housing site allocations within the urban areas of Leamington Spa, Warwick and Whitnash. Development is likely to come forward on smaller sites identified through the SHLAA (between 5 and 50 dwellings), from windfalls and from canalside and employment regeneration areas. However, I am satisfied on the basis of the evidence available that there are no other areas of previously developed land within the urban areas which could be allocated and the Council has maximised the potential supply of housing from this source.

*Greenfield sites on the edge of the urban area*

124. The submitted Local Plan proposed four housing site allocations on greenfield land on the edge of the urban area of Leamington Spa, Warwick and Whitnash. This included one site currently within the Green Belt at Red House Farm, Lillington.
125. In January 2016, during the suspension of the examination, outline planning permissions were granted on appeal at Gallows Hill (up to 450 dwellings) and The Asps (up to 900 dwellings). Neither site had been included as an allocation in the submitted Local Plan. Taking these changed circumstances into account, the Council proposed that both of these sites, along with additional land at Gallows Hill, should be allocated for housing. It also proposed an additional smaller allocation at Hazelmere and Little Acre, Whitnash on land adjacent to a committed housing site currently under construction and a site allocation and area of safeguarded land north of Milverton on land currently within the Green Belt. It included these proposals in its suggested modifications put forward during the suspension of the examination.
126. Along with the sites proposed in the submitted Local Plan, I consider these additional proposals from the Council in the context of the need for further site allocations to ensure an adequate supply of housing land.

*Sites not in the Green Belt*

*Land West of Europa Way (H01)*

127. The housing site allocation proposed in the submitted Local Plan included land currently occupied by Myton Secondary School. At the time it was envisaged that the school would be extended to provide additional capacity for the area. Given the significantly increased scale of housing commitments to the south of Warwick as a result of the appeals at Gallows Hill and The Asps, it is now necessary to provide a new school in addition to retaining and expanding the existing facility. The Council's suggested modifications put forward during the suspension of the examination addressed this issue and sought to amend the boundary of the housing site allocation accordingly.
128. Two outline planning permissions for housing and associated community facilities have been granted on the site. These would provide for up to 735 dwellings on the northern part of the site and up to 425 dwellings on the southern part respectively. A small residual area of land has an estimated capacity of 50 dwellings. The total capacity of the site is estimated at 1,210 dwellings therefore.
129. The proposed site allocation would make a significant contribution to housing supply including a substantial amount of affordable housing (33% on the northern part and 40% on the southern part). The housing would be developed along with a wide range of social and community facilities including a neighbourhood centre. These facilities are secured through planning obligations associated with the planning permissions.
130. The development of the site would result in the loss of a significant amount of greenfield land and would inevitably have an impact on the character and appearance of the immediate locality. However, the site is between the Warwick Technology Park and the Heathcote Park and Tachbrook Park industrial/business areas. Development would be seen within this context and also that of the Leamington Shopping Park and existing residential areas at Myton. Over time it will also be seen in the context of substantial housing developments to the south at Gallows Hill, The Asps and South of Harbury Lane. The scale of the site will allow for substantial areas of public open space and structural landscaping which will help to mitigate the visual impact of development.
131. In relation to the setting of Warwick Castle (Grade I Listed Building and part Scheduled Monument), Warwick Castle Park (Grade I Registered Park) and the Warwick Conservation Area the site lies behind the Warwick Technology Park and development would also be seen in the context of substantial existing and committed development and the wider urban area. Given this and the distance involved, there would be no harm to the significance of these designated heritage assets.
132. The development of the site, along with others proposed and committed in this area south of Warwick will significantly increase traffic volumes and impact on the transport network in the immediate locality and further afield. The Council, along with the County Council is taking a holistic and comprehensive approach and has set out a package of requirements for a wide range of mitigation measures and improvements, which include the dualling of Europa

Way and key junction enhancements. Clear plans are in place to fund and bring forward such improvements and mitigation.

133. Other detailed concerns including those relating to the potential impact of development on biodiversity and the setting of the listed Heathcote Hill Farmhouse could satisfactorily be dealt with through specific proposals.
134. There is clear and strong interest in bringing the site forward for development and as noted above, outline planning permissions have already been granted. There are no fundamental constraints to development and clear proposals and mechanisms to deliver necessary infrastructure are in place. There is a strong market for new housing in this locality and I am satisfied that the development would be viable and realistically deliverable.
135. I deal with the issue of the timescale and rate of delivery for this site together with others south of Warwick below, given concerns in relation to the particular concentration of sites in this area.

*Land South of Harbury Lane (H02)*

136. The majority of the proposed housing site allocation is greenfield although it includes an area of previously developed land (the former sewage treatment works). Whilst Policy DS11 of the submitted Local Plan identifies these elements separately, they are included within a single site boundary.
137. With the exception of the former sewage treatment works and an area to the west of it, the site has planning permission for residential development along with community and social facilities. The site is currently being brought forward as two development areas. The Lower Heathcote Farm area is subject to full planning permission for a total of 785 dwellings and construction is underway. The Grove Farm area has full planning permission for 90 dwellings and an additional 630 dwellings have outline planning permission. Again construction is underway. In total there are planning permissions for 1,505 dwellings. The estimated capacity of the former sewage treatment works is 215 dwellings and an estimated 100 dwellings could be accommodated on the residual land. Overall the capacity of the proposed site allocation is now estimated at 1,820 dwellings, an increase of 100 from that set out in the submitted Local Plan.
138. The proposed site allocation would make a substantial contribution to the supply of housing and provide for a significant amount of affordable housing (40% of the total). The housing would be developed along with a wide range of social and community facilities including a neighbourhood centre. These facilities are secured through planning obligations associated with the planning permissions. The development would also help to facilitate the provision of a substantial area of land adjoining the Tach Brook as a country park (Policy DS13) and it would bring about remediation of the former sewage treatment works.
139. The development of the site would involve a large extension of the built up area into what is currently open countryside and would significantly affect the character and appearance of the immediate locality. However, the proposed country park would run along the southern edge of the site and reinforce a clear edge to the urban area. It would also help to maintain a clear separation

between the urban area and Bishop's Tachbrook. In time, the development will also be seen in the context of substantial housing developments to the west at Gallows Hill and The Asps.

140. The former sewage treatment works and residual land adjacent to it form an important element linking the two main areas of development already committed. They provide the opportunity to develop the overall site comprehensively, including facilitating a spine road and in themselves would make an important contribution to housing land supply.
141. In terms of the setting of Warwick Castle, Warwick Castle Park and the Warwick Conservation Area, development on the site would be seen in the context of the wider urban area, it would also in time be set behind development at Gallows Hill and The Asps. Given this and the distance involved, there would be no harm to the significance of these designated heritage assets.
142. As set out above, the cumulative impacts on traffic flows and the transport network are being addressed comprehensively through a range of mitigation and improvement measures.
143. Significant steps have been taken to bring forward the site for development in terms of gaining planning permissions and construction is already underway and progressing well. There are no fundamental constraints to development and clear proposals and mechanisms to deliver necessary infrastructure are in place. I am satisfied that the development would be viable and realistically deliverable.

*East of Whitnash/South of Sydenham (H03)*

144. The site is currently open agricultural land and is not subject to any planning permissions for residential development. The submitted Local Plan identified an estimated capacity of 300 dwellings for the site. This was affected by concerns relating to highway capacity and the need to take account of site constraints, including the Whitnash Brook Local Nature Reserve which runs along the eastern boundary. The promoters of the site submitted a masterplan and the Council and County Council have subsequently accepted that with appropriate highway mitigation and improvement works, the site could accommodate approximately 500 dwellings.
145. Development of the site would further extend the built up area to the east, beyond the railway line. It would significantly affect the character and appearance of the immediate locality. However, it would broadly follow the line of the built up area of Sydenham to the north, which itself extends up to the Whitnash Brook. New housing is currently being built on the site immediately to the north.
146. Appropriate detailed layout and landscaping proposals would help to mitigate the visual impact of development and provide a generous buffer to the Whitnash Brook and the railway line. They would also be able to address specific issues relating to flood risk on parts of the site and the public right of way that crosses it.

147. The proposed site allocation would make an important and sizeable contribution to the supply of housing land and would add to the range and choice of locations available on the edge of the urban area. It would also provide for a significant amount of affordable housing.
148. Whilst there are some specific issues to address, particularly in terms of access and highway mitigation, there are no fundamental constraints to development. Developments currently underway immediately to the north and south west are well progressed and at the time of my visits appeared to be nearing completion. I am satisfied that development on the proposed site would be viable and realistically deliverable.
149. The Council envisage 100 dwelling completions on the site in 2019/20 followed by 120 in each of the next three years and the remaining 40 being completed in 2023/24. The site could readily accommodate two or three sales outlets and progress on adjacent sites points to a strong market in the locality. The proposed site is intended to follow on from these adjacent sites. Given the location of the site to the east of the urban area and the proposed access arrangements, the potential for direct competition with the sites to the south of Warwick would be limited. Taking these factors into account, the timescale and rate of delivery envisaged by the Council are realistic.

*Hazelmere and Little Acre (H45)*

150. This site was not included as a proposed allocation in the submitted Local Plan but was put forward by the Council during the suspension of the examination. At the time it considered that the site had potential capacity for 75 dwellings. Subsequently, based on advice from the County Council in relation to highway capacity, the Council estimates that 59 dwellings could be safely accommodated.
151. The site would in effect be an extension to the development currently underway and nearing completion immediately to the north. It would make a relatively modest but important contribution to housing land supply and deliver 40% affordable housing. It would add to the variety of locations available for housing development on the edge of the urban area.
152. Whilst development would represent a further extension of the built up area, the site consists of two existing dwellings in large grounds. It is well contained visually by topography and existing vegetation and sits between the Golf Course and the railway line.
153. There are no fundamental constraints to development and detailed issues could be addressed through specific proposals. Following discussions at the hearing sessions, the Council acknowledged that completions on site were not likely to take place until 2020/21. Again, the location of the site to the east of the urban area and the proposed access arrangements would mean that the potential for direct competition with the sites to the south of Warwick would be very limited. On the basis of the above, I consider that development on the site would be viable and realistically deliverable within the timescale envisaged by the Council.

*Gallows Hill (H46a)*

154. Again, this site was put forward by the Council during the suspension of the examination. This followed the granting of outline planning permission on appeal in January 2016 for up to 450 dwellings and associated infrastructure works on the eastern part of the site. The appeal was recovered for determination by the Secretary of State. The western part of the site, which the Council estimates has capacity for approximately 180 dwellings, does not benefit from planning permission for residential development. The total capacity of the site is estimated at 630 dwellings.
155. A key issue in the appeal at Gallows Hill was the potential impact on the significance of designated heritage assets. The Secretary of State agreed with the Inspector that there would be a negligible impact on the significance of Warwick Castle and that there would be limited, less than substantial harm to the significance of the Castle Park and Warwick Conservation Area which share a common boundary in this locality.
156. The Council and the promoters of the western part of the site agreed a statement of common ground (SOCG7) which includes an illustrative masterplan.
157. Development on the Gallows Hill site (both the eastern and western parts) would sit some way from Warwick Castle. Inter-visibility would be limited by existing and proposed landscaping and the housing development would be seen against the backdrop of the Warwick Technology Park, the wider urban area and committed development sites. I consider that there would be no harm to the setting and therefore the significance of the Castle.
158. The Grade II listed Tollhouse sits just beyond the site at the junction of Banbury Road and Gallows Hill. However, it is surrounded on all sides by roads and is on what is in effect a traffic island. The illustrative masterplan shows the potential to set built development well back from the Tollhouse and to retain and enhance existing landscaping. I consider that there would be no harm to the significance of the Tollhouse.
159. Due to the close proximity, housing on the scale proposed would have an impact on views from the Castle Park and this part of the Warwick Conservation Area. The impact would be greater from the western part of the site given that it extends up to Banbury Road and its junction with Gallows Hill. However, these views would be screened to a significant degree by existing trees along the boundary of the Castle Park/Conservation Area which runs along Banbury Road and by existing and proposed landscaping on the opposite side of Banbury Road and within the site itself. The illustrative masterplan shows the potential to set built development well back from the road and to incorporate substantial areas of green space and landscaping.
160. I find that whilst there would be some harm to the setting and therefore the significance of the Castle Park and Conservation Area, this would be less than substantial. Having regard to the statutory duties relating to the preservation of such assets, I have given this harm considerable importance and weight.
161. The proposed site allocation would make a sizeable contribution to the supply of housing including a substantial amount of affordable housing (40% of the

total). It would also have some benefit in terms of providing publically accessible open space and improved pedestrian and cycling links towards Warwick Town Centre. I consider that these public benefits are very significant and outweigh the less than substantial harm to designated heritage assets identified above.

162. The proposed site allocation would extend built development beyond Gallows Hill onto what is currently agricultural land. The development of the whole site would have a significant impact on the character and appearance of the area. The illustrative masterplan shows the potential for substantial areas of open space and landscaping around the boundaries of the site and within it. This would help to soften and reduce the visual impact of built development. Over time the development would also be seen in the context of other committed development in this area south of Warwick.
163. As with the other major sites to the south of Warwick, the cumulative impacts on traffic flows and the transport network are being addressed comprehensively through a range of mitigation and improvement measures.
164. Other detailed issues including those relating to the potential impact of development on biodiversity and flood risk along the southern boundary could satisfactorily be dealt with through specific proposals.
165. Given the size of the western part of the site and the need to take account of its sensitive location next to the Castle Park and Conservation Area through layout, design and landscaping, the Council's estimate of 180 dwellings is reasonable. It may be that a suitable detailed scheme could come forward with more dwellings. Policy DS11 (as modified) would allow for such flexibility.
166. There is clear and strong interest in bringing the site forward for development and as noted above, outline planning permission has already been granted on a large part of the site. There are no significant physical or other constraints to development and mechanisms to deliver necessary infrastructure are in place. I consider that the development would be viable and realistically deliverable.

#### *The Asps (H46b)*

167. The site at The Asps was also put forward by the Council during the suspension of the examination following the granting of planning permission on appeal. Again, the appeal was recovered for determination by the Secretary of State. Outline planning permission was granted for up to 900 dwellings, a school, local centre, park and ride facility and other associated development. The planning permission relates to the whole of the proposed site allocation.
168. As with the Gallows Hill appeal, a key issue was the potential impact on heritage assets. Although the Secretary of State took a different view from the Inspector in terms of the overall planning balance, he agreed with the Inspector's conclusions regarding the impact on heritage assets. These were that there would be no direct harm to Warwick Castle or any other listed building but that there would be less than substantial harm to the setting of The Aspens and the non-designated Asps Cottage. He also agreed that there



would be an adverse impact on the setting of the Castle Park and the Warwick Conservation Area which again share a common boundary in this locality but that this harm would be less than substantial.

169. The Secretary of State considered the combined impacts of the appeal schemes at Gallows Hill and The Asps and concluded that the cumulative harm would remain less than substantial.
170. Development on The Asps site would be set well away from Warwick Castle. Inter-visibility would be limited by existing and proposed landscaping and the housing development would be seen in the context of other committed development sites. I consider that there would be no harm to the setting and therefore the significance of the Castle. Given the proximity to the site and the change to the open farmland context, there would be a limited impact on the setting of the listed The Aspens and the non-designated Asps Cottage, although the harm to their significance would be less than substantial.
171. Built development on the scale proposed would have a substantial urbanising effect, extending the built up area of Warwick significantly to the south over a large area of currently open agricultural land which forms an important part of the setting of the Castle Park and Conservation Area. Although views would be screened by existing trees along the boundary of the Castle Park and Conservation Area and by existing and proposed landscaping within the site itself, there would be an adverse impact on the setting of these designated heritage assets. I share the Inspector's and Secretary of State's view however that the harm to the significance of these heritage assets would be less than substantial.
172. Having regard to the statutory duties relating to the preservation of such assets, I have given this harm considerable importance and weight.
173. The proposed site allocation would make a very sizeable and important contribution to the supply of housing including 40% affordable housing. It would also provide for a park and ride scheme. I consider that these public benefits are very significant and outweigh the less than substantial harm to designated heritage assets identified above.
174. The scale of the extension of the built up area and the urbanising effect of development would have a significant effect on the character and appearance of the landscape and the area generally. Detailed proposals for layout and landscaping could help to soften and reduce the visual impact of built development and over time the development would also be seen in the context of other committed development in this area south of Warwick.
175. Again, the cumulative impacts on traffic flows and the transport network are being addressed comprehensively through a range of mitigation and improvement measures.
176. Other detailed issues including those relating to the potential impact of development on biodiversity could satisfactorily be dealt with through specific proposals.
177. There is clear interest in bringing the site forward for development and outline planning permission has already been granted. There are no significant

physical or other constraints to development and mechanisms to deliver necessary infrastructure are in place. I am satisfied that the development would be viable and realistically deliverable.

*Timescales and rates of delivery for sites south of Warwick*

178. The Council is proposing four significant greenfield housing site allocations in close proximity to each other to the south of Warwick. The sites on land West of Europa Way, South of Harbury Lane, Gallows Hill and The Asps would have a total estimated capacity of some 4,560 dwellings. This is undoubtedly a substantial amount of housing proposed in a relatively concentrated area. However, other than the proposed site allocations to the east of the urban area (H03 and H45), the previously developed sites within the urban area discussed above and a small number of other committed sites, there are limited opportunities for housebuilding elsewhere in or on the edge of the urban area, certainly on a significant scale, given the range of constraints in place, not least the Green Belt.
179. The Council estimates (EXAM147) that there will be completions in 2016/17 for those parts of the land South of Harbury Lane with full planning permission. For those sites or parts of sites with outline planning permission, completions are estimated to occur from 2018/19 onwards or in the case of The Asps site 2019/20. Parts of the sites without planning permission are anticipated to see completions from 2019/20 onwards at Gallows Hill (West), 2020/21 onwards on land West of Europa Way and from 2021/22 South of Harbury Lane. I consider these to be reasonable and realistic estimates which reflect the planning status of the sites and allow for some staggering of construction timescales.
180. Cumulatively, the Council's estimates show significant numbers of annual completions from these four sites, particularly between 2018/19 and 2022/23 when they would all be fully on stream. Completions from these sites and other committed sites south of Warwick are estimated to peak at 723 dwellings in 2021/22.
181. Together Leamington Spa, Warwick and Whitnash form a large urban area with a wide range of employment opportunities and social and community infrastructure. As discussed above under Issue 1, strong population and household growth is projected for the District. Evidence in terms of sites coming forward for development and progress with committed schemes indicates strong demand for new housing in, and on the edge of the urban area. The majority of the land covered by the four sites referred to above benefits from planning permission.
182. The Council's estimate of the annual number of dwelling completions on each site is reasonable and realistic given the strength of the market, the potential for sites to be developed through a number of sales outlets and the mix of market and affordable housing proposed and permitted. I accept that the cumulative estimates of annual completions for sites in close proximity are optimistic and would depend on a strong housing market over a sustained period and continued good progress in terms of bringing sites forward for development. However, taking account of the above points and given that

there are likely to be limited alternative sites for housebuilding in and around the urban area, I consider that they are realistic.

*Conclusions on greenfield sites on the edge of the urban area – not in the Green Belt*

183. The three site allocations included in the submitted Local Plan and the three further sites put forward by the Council during the suspension of the examination would all involve extensions of the built up area. Other than the site at Hazelmere and Little Acre, development of the sites would result in the loss of substantial areas of open, largely agricultural land and have a significant effect on the character and appearance of the areas concerned, notwithstanding the potential to mitigate the visual impact of development through site layout and landscaping. Development on the sites at Gallows Hill and The Asps would also have an impact on the significance of designated heritage assets, although the harm would be less than substantial.
184. However, there is a need for substantial additional housing land to be identified to meet housing requirements and to provide for a five year supply of housing land. The urban area of Leamington Spa, Warwick and Whitnash provides an appropriate and sustainable location for significant housing growth in line with the spatial strategy. Given the Green Belt and other constraints around the urban area, there are very limited options for growth. The potential to accommodate development within the urban area on previously developed sites has been maximised.
185. There would be very significant benefits in allocating the sites, primarily in terms of the contribution to housing land supply and the provision of substantial amounts of affordable housing. The sites in question, along with existing commitments and sites within the urban area, would help to ensure that an adequate supply of housing land is available. These benefits would outweigh the adverse impacts.
186. In considering the proposed site allocations I have given significant weight to the fact that much of the land in question already benefits from planning permission for housing and is likely to come forward for development in any case.
187. For these reasons, subject to a modification to reflect up to date estimates of dwelling capacity the proposed site allocations on land West of Europa Way (H01), South of Harbury Lane (H02) and East of Whitnash/South of Sydenham (H03) are justified, effective and consistent with national policy.
188. Again for these reasons and to ensure that adequate provision is made for housing land, the further site allocations put forward by the Council at Hazelmere and Little Acre (H45), Gallows Hill (H46a) and The Asps (H46b) are also required to ensure that the Local Plan is justified, effective and consistent with national policy.

*Red House Farm (H04)*

189. The submitted Local Plan proposed removing the site at Red House Farm from the Green Belt and allocating it for housing development. The Council estimates that the site has a capacity for some 250 dwellings. The NPPF

makes it clear that Green Belt boundaries should only be altered in exceptional circumstances.

190. The site is currently open land in agricultural/equestrian use and occupies an elevated position on the edge of Lillington, which forms part of the urban area of Leamington Spa.
191. Despite the potential for additional landscaping, residential development on the scale envisaged on the site would represent a clear and noticeable encroachment of the built up area into the surrounding countryside. It would have a significant effect on openness.
192. Over time, additional landscape planting could soften the edge of the built up area compared with the current situation but overall, development on the site would have a significant effect on the character and appearance of the area.
193. In terms of exceptional circumstances to alter the Green Belt, the Council put forward two key points. Firstly that development on the site would help to facilitate regeneration in the adjoining part of Lillington and secondly that it was necessary to ensure housing requirements were met.
194. In relation to regeneration benefits, I have carefully considered the case and evidence put forward by the Council and the promoters of the site, both in writing and during the hearing sessions. This includes the Lillington Regeneration Master Planning and Feasibility Study. I accept that evidence points to some issues of deprivation in the locality and my own observations confirmed that some of the existing housing stock on the adjacent estate would benefit from remodelling or redevelopment. I also acknowledge that new housing on the Red House Farm site would provide investment to the local area and help to support local services. It would also broaden the mix of housing types available and provide the potential opportunity to replace some existing housing stock.
195. However, the proposed site allocation is self-contained and does not cover any of the existing housing areas. There is little if any evidence to link the development of this greenfield site directly with physical regeneration on the adjoining estate. Nor is there any evidence to link the two areas functionally, financially or through land ownership. Overall it has not been demonstrated that the allocation of the site for housing is necessary to achieve regeneration in this part of Lillington or that it would have a significant role in facilitating it.
196. In terms of housing requirements, there would be a considerable amount of housing land allocated on other sites within and on the edge of the urban area of Leamington Spa, Warwick and Whitnash (including those proposed by the Council during the suspension of the examination). None of these allocations would require the boundaries of the Green Belt to be altered. Whilst the larger allocations would be to the south of the built up area, a range of sites within the urban area will also be available.
197. Excluding the site at Red House Farm, the overall scale of housing land in Leamington Spa, Warwick and Whitnash would still be sufficient to ensure that the urban area makes a substantial and adequate contribution to meeting housing requirements in the District and fulfils its role as one of the key focal points for growth. I deal with housing land supply in the District in more

depth later in my report. However, taking account of my conclusions on proposed site allocations elsewhere and other issues, the site at Red House Farm does not need to be allocated in order to ensure that the District's housing requirements are met or that a five year supply of housing land is provided for.

198. In short, there is no strategic need for the site to be allocated for housing nor is there a specific need for a site to be allocated in this particular part of the urban area.
199. Exceptional circumstances to justify altering the boundary of the Green Belt in this specific location or indeed generally around the urban area of Leamington Spa, Warwick and Whitnash do not exist. The proposed housing site allocation is therefore not justified, effective or consistent with national policy and should be deleted.

#### *Land North of Milverton*

200. During the suspension of the examination, the Council proposed removing land from the Green Belt North of Milverton, on the edge of the urban area of Leamington Spa for a housing site allocation and safeguarded land. The estimated capacity of the housing site was 250 dwellings and the safeguarded land some 1,000 dwellings.
201. Development of the land in question would involve a substantial expansion of the built up area into currently open countryside to the north of Leamington Spa. It would have a significant adverse impact on the openness of the Green Belt and the character and appearance of the area.
202. As with the Red House Farm site and for the same reasons, the site North of Milverton does not need to be allocated in order to ensure that the District's housing requirements are met or that a five year supply of housing land is provided for. Sufficient housing land would be available elsewhere in and on the edge of the urban area of Leamington Spa, Warwick and Whitnash outside of the Green Belt. Exceptional circumstances to justify altering the boundary of the Green Belt and allocating the site for housing do not exist.
203. Given that the boundary of the Green Belt around Leamington Spa, Warwick and Whitnash would remain otherwise unaltered, it would be unnecessary and inappropriate to identify safeguarded land at this point in time. A longer term strategy for locations of growth around the urban area and the District generally could be considered as part of a review of this Local Plan. There is no need to modify the submitted Local Plan as suggested by the Council therefore.

#### *Other housing sites put forward*

204. Other potential housing sites were put forward in representations and discussed at the hearing sessions. Given my findings above in relation to the site allocations proposed by the Council and the supply of housing land, there is no need to allocate any additional sites for housing in and around Leamington Spa, Warwick and Whitnash.

205. The three sites put forward at Blackdown, at Loes Farm and on additional land at Red House Farm are all in the Green Belt. For the reasons set out above exceptional circumstances to justify altering the boundary of the Green Belt in these locations do not exist. The site at Goggbridge Lane, although not in the Green Belt, forms part of the supply of identified employment land. It is a narrow site adjacent to the A46 which is elevated on this stretch and housing on the site would be affected by noise from the road. There may be some potential for development on land at Asps Cottage (adjacent to the larger Asps site) although this is affected by the presence of the listed building. In any case the potential capacity of the site is below that suitable for an allocation in the Local Plan.

### ***Housing site allocations – Kenilworth***

206. Although Kenilworth is smaller than the combined urban area of Leamington Spa, Warwick and Whitnash it provides employment opportunities and a range of retail and other main town centre uses and social and community facilities. It is well connected to the wider road network, has good public transport links and is well related to Coventry in terms of accessibility and functional links.
207. Kenilworth therefore provides an appropriate and sustainable location for significant housing growth within the District including meeting some of Coventry's unmet housing needs.
208. There are very limited opportunities for housing development on any scale within the built up area. Other than one area of land at Crackley (see below), there is no potential to allocate housing sites on the edge of the urban area without altering the boundary of the Green Belt.
209. These factors, along with the scale of housing requirements and limited opportunities outside of the Green Belt elsewhere in the District, amount to exceptional circumstances which justify altering the boundaries of the Green Belt around Kenilworth.
210. As discussed in relation to the spatial strategy, there are physical and environmental constraints which affect the options for growth on the edge of the town.
211. The submitted Local Plan proposed four housing site allocations at Kenilworth. These included land currently in the Green Belt at Thickthorn (H06) and land partly in the Green Belt at Kenilworth Sixth Form College (H12). During the suspension of the examination the Council proposed two additional housing site allocations on land east of Kenilworth (H40) and East of Warwick Road (H41). In both cases the land is currently in the Green Belt. It included these proposals in its suggested modifications.
212. Along with the sites proposed in the submitted Local Plan, I consider these additional proposals from the Council in the context of the need for further site allocations to ensure an adequate supply of housing land.
213. The development of the proposed housing site allocations in Kenilworth would significantly increase traffic volumes and impact on the transport network in the immediate locality and further afield. The Council, along with the County Council is again taking a holistic and comprehensive approach and has set out

a package of requirements for a wide range of mitigation measures and improvements to junctions and key routes including Thickthorn roundabout and the A452 Corridor. Clear plans are in place to fund and bring forward such improvements and mitigation.

*Crackley Triangle (H07)*

214. Although greenfield land on the edge of the built up area, this site is not in the Green Belt. Development would be reasonably well contained visually between existing residential areas on two sides and it would not bring the built up area of Kenilworth any closer to Coventry.
215. Outline planning permission has been granted for 93 dwellings on the site. There are no fundamental constraints to development and detailed issues including access arrangements could be satisfactorily addressed through specific proposals. Following discussions at the hearing sessions, the Council acknowledged that completions on site were not likely to take place until 2018/19. On the basis of the above, I consider that development on the site would be viable and realistically deliverable within the timescale envisaged by the Council.
216. The proposed site allocation would make an important contribution to the supply of housing land and affordable housing provision and would add to the range and choice of sites available.

*Kenilworth School (H09) and Kenilworth Sixth Form College (H12)*

217. Currently the main secondary school buildings and sixth form for Kenilworth School occupy different sites, some distance from each other. This causes duplication of activities and operational difficulties. A number of existing buildings are now dated and in need of refurbishment/replacement. The School is already operating at capacity and existing facilities would not be able to accommodate the increase in pupil numbers as a result of the scale of housing growth planned. Having considered options, including expanding or redeveloping on the existing sites, the Kenilworth School Trust, supported by the County and District Councils is proposing to relocate to a single site.
218. The submitted Local Plan proposed a site allocation for a new school including sixth form on land currently in the Green Belt at Southcrest Farm. I return to that specific proposal in more detail later in my report, however I consider that the strategy of relocating the school and sixth form onto a single site and therefore releasing the existing sites for development is appropriate and justified.
219. The Kenilworth School site (H09) sits entirely within the built up area and is surrounded by existing housing. The Council estimates that the site has capacity for some 250 dwellings. In addition to school buildings and playing fields, the site currently includes an indoor sports centre with community use.
220. The buildings on the Sixth Form College site (H12) are within the existing built up area of the town. The site also includes playing fields which are in the Green Belt. The Council estimates that the site could provide for 130 dwellings.

- 221. Existing housing surrounds the site on three sides and it is well contained visually from the surrounding area. Development would not extend the built up area any further south. The loss of the playing fields to development would clearly represent some reduction in openness but given the immediate context of existing development this would not be significant. It would not have a significant effect on the purposes of including land in the Green Belt in this case.
- 222. For both sites it is proposed that the existing sports facilities would be replaced with at least equivalent provision on the site for the new school at Southcrest Farm.
- 223. The redevelopment of the sites for housing would be compatible with the established residential character of the localities concerned and issues such as access arrangements could be addressed through detailed proposals.
- 224. Clearly the redevelopment of the sites would need to follow on from the provision of a new school and would require demolition and site clearance. With this in mind the Council has taken what I consider to be a realistic view and estimated that dwelling completions will occur from 2023/24 onwards. I am satisfied that redevelopment of the sites would be viable and deliverable within this timeframe.
- 225. The proposed site allocations would make an important contribution to the supply of housing land and affordable housing provision and would add to the range and choice of sites available. As set out above there are exceptional circumstances which justify altering the boundaries of the Green Belt around Kenilworth. These apply to that part of the Sixth Form site within the Green Belt.

*East of Kenilworth (Thickthorn) (H06)*

- 226. The proposed housing site allocation at Thickthorn is within the Green Belt. It is predominantly open land which sits between the existing built up area and the A46. It is currently in use for agriculture and outdoor sports pitches and there are some buildings associated with the sports uses. The Council estimates that the site has capacity for some 760 dwellings and it is expected that the development would incorporate a local centre and new primary school.
- 227. Development of the site would represent a clear and substantial extension of the built up area into adjoining countryside and remove the largely open character of the land in question. It would significantly affect the character and appearance of the area.
- 228. However, the site is contained to the south-east by the A46. This is a strong and dominant physical and visual feature which has created a clear distinction between Kenilworth and its immediate setting on one side of the road with more open and expansive countryside on the other. The presence of the A46 in this location would enable a well-defined and defensible edge to the extended built up area to be provided.
- 229. It is intended that the layout and design of the development would incorporate buffer zones and areas of substantial new landscape planting and open space.



To some extent this would soften the visual impact of development. With this in mind and along with the potential for specific noise attenuation measures I am also satisfied that detailed proposals would be able to provide adequate mitigation in relation to noise and other impacts from the A46 and that harm to biodiversity interests on the site could be avoided. Likewise, detailed layout and design would be able to avoid harm to the significance of heritage assets within and near to the site including the Glasshouse Roman Settlement Scheduled Monument, Stoneleigh Abbey Registered Park and Garden and the listed building at Thickthorn Manor.

- 230. During the suspension of the examination the Council proposed site allocations for outdoor sports use at Castle Farm and Warwick Road with the intention that both sites would remain in the Green Belt. Whilst I deal with these proposals specifically later in my report, they would provide the opportunity to replace the existing sports pitches and facilities at Thickthorn with those of at least equivalent quantity and quality in a suitable location.
- 231. The proposed site allocation would make a substantial contribution to the supply of housing land and affordable housing provision. It is necessary to ensure that housing requirements are met and that Kenilworth fulfils its role as a focus for growth within the spatial strategy. These are significant benefits which outweigh the adverse impacts that would occur.
- 232. As set out above there are exceptional circumstances which justify altering the boundaries of the Green Belt around Kenilworth. These apply to the proposed site allocation at Thickthorn.
- 233. The Council acknowledged at the hearing sessions that completions on the site were not likely to take place until 2019/20, in part due to the need to relocate the existing sports facilities. Given the scale of the site, limited alternative housebuilding opportunities elsewhere in Kenilworth and the potential for a number of sales outlets, the estimate of 100 dwelling completions per year is reasonable. I consider that development on the site would be viable and realistically deliverable within the timescale envisaged by the Council.

#### *East of Kenilworth (H40)*

- 234. The Council put forward this housing site allocation during the suspension of the examination. The site incorporates agricultural land and buildings on land at Crewe Gardens and Southcrest Farm and conference facility buildings and grounds at Woodside Training Centre. The site is entirely within the Green Belt.
- 235. The Council anticipate that the whole of the site proposed for a new school at Southcrest Farm will not be required for educational purposes and that there would be potential to also accommodate some housing development. For this reason it overlaps entirely with the proposed housing site. Whilst I assess the proposed school allocation in more detail later in my report, I consider that this is an appropriate and justified approach. It provides the necessary certainty to assist in the delivery of such an important element of community infrastructure whilst providing some flexibility as to the mix and layout of development on the site and the opportunity to add to housing land supply.

236. It is intended that the buildings at Woodside Training Centre would be retained. The Council estimates that in total the proposed site allocation could deliver in the order of 640 dwellings. This estimate includes approximately 70 dwellings on residual land as part of the school site.
237. Development of the site would result in a large extension of the built up area into adjoining countryside. It would remove the essentially open character of the land and would reduce the gap to the southern edge of Coventry, particularly when combined with the proposed site allocation at Kings Hill (considered later in my report). It would significantly affect the character and appearance of the area.
238. However, again the site is contained to the south-east by the A46 which would enable a well-defined and defensible edge to the extended built up area to be provided. Crewe Lane which runs along the northern part of the site and is bounded along much of its length by trees would provide for a well-defined edge to built development in this direction.
239. There would still be a substantial and meaningful gap to the edge of Coventry, reinforced by undulating topography and the route of HS2 which is proposed to cross the area.
240. The layout and design of the development is intended to incorporate buffer zones and areas of substantial new landscape planting and open space which would help to reduce the visual impact. Given this, along with the potential for specific noise attenuation measures, I am also satisfied that detailed proposals would be able to provide adequate mitigation in relation to noise and other impacts from the A46 and that harm to biodiversity interests on the site could be avoided. Likewise, detailed layout and design would be able to avoid harm to the significance of heritage assets within and near to the site including the Glasshouse Roman Settlement Scheduled Monument and Stoneleigh Abbey Registered Park and Garden.
241. Again, the proposed site allocation would make a substantial contribution to the supply of housing land and affordable housing provision. It is necessary to ensure that housing requirements are met and that Kenilworth fulfils its role as a focus for growth within the spatial strategy. These significant benefits outweigh the adverse impacts that would occur.
242. As set out above there are exceptional circumstances which justify altering the boundaries of the Green Belt around Kenilworth. These apply to the proposed site allocation East of Kenilworth.
243. The Council estimate dwelling completions on the site from 2018/19 onwards with the annual rate building up from 25 to 75 and then 100 by 2020/21. Given the scale of the site, limited alternative housebuilding opportunities elsewhere in Kenilworth and the potential for a number of sales outlets, this is reasonable, even when taken cumulatively with potential completions on the Thickthorn site. I am satisfied that development on the site would be viable and realistically deliverable within the timescale envisaged by the Council.

*East of Warwick Road (H41)*

244. This site allocation was also put forward by the Council during the suspension of the examination. The land is currently in agricultural use and within the Green Belt. The Council estimates that the site could accommodate approximately 100 dwellings.
245. Development of the site would represent an extension of the built up area into adjoining countryside, removing the open character of the land and affecting the character and appearance of the area.
246. Although the development of the site would bring the main built up area of Kenilworth closer to the village of Leek Wootton, the gap would remain substantial and there would be no perceptible loss in the sense of separation between the settlements. Development would extend no further than existing buildings on the other side of Warwick Road at Wootton Grange.
247. The visual impact of development would be to some extent reduced by screening from existing trees along Warwick Road and the southern field boundary, the fact that the eastern boundary is formed by the railway line and given that part of the site is set back from the road behind the cricket ground and pavilion. Appropriate layout, design and additional landscaping would further reduce the visual impact.
248. There are no fundamental constraints to development and detailed issues including the need to provide a buffer along the boundary with the railway line and to take account of the presence of the cricket ground could be satisfactorily addressed through specific proposals.
249. With this in mind the Council's estimate of 100 dwellings on the site is reasonable. It may be that a suitable detailed scheme could come forward with more dwellings. Policy DS11 (as modified) would allow for such flexibility. There is a clear intention to bring the site forward for development and I consider that development on the site would be viable and realistically deliverable within the timescale envisaged by the Council.
250. The proposed site allocation would make an important contribution to the supply of housing land and affordable housing provision and would add to the range and choice of sites available. It is necessary to ensure that housing requirements are met and that Kenilworth fulfils its role as a focus for growth within the spatial strategy. These are significant benefits which outweigh the adverse impacts that would occur. The exceptional circumstances which justify altering the boundaries of the Green Belt around Kenilworth apply to the proposed site allocation East of Warwick Road.

*Conclusions on the proposed housing sites at Kenilworth*

251. Given the scale of housing requirements and its role as a focal point for growth in delivering the spatial strategy, there is a need to identify sites for a significant amount of housing at Kenilworth. There are very limited opportunities to do so within the built up area or on sites not currently within the Green Belt. There are exceptional circumstances to justify altering the boundary of the Green Belt to accommodate housing development.

252. Taking account of the physical and environmental constraints, the approach to locations for growth around the town put forward by the Council following the suspension of the examination is appropriate and justified, as is the overall scale of housing development now proposed. This would ensure that sufficient housing land is identified.
253. The proposed housing sites, including those put forward by the Council during the suspension of the examination, are necessary to ensure that an adequate supply of housing land is available. The benefits in relation to housing land supply would outweigh the adverse impacts.
254. For the above reasons, subject to a modification to reflect the number of dwellings granted planning permission on the Crackley Triangle site, the proposed site allocations at Crackley Triangle (H07), Kenilworth School (H09), Kenilworth Sixth Form College (H12) and East of Kenilworth (Thickthorn) (H06) are justified, effective and consistent with national policy.
255. Again for these reasons and to ensure that adequate provision is made for housing land, the further site allocations put forward by the Council on land East of Kenilworth (H40) and East of Warwick Road (H41) are also required to ensure that the Local Plan is justified, effective and consistent with national policy.

*Other housing sites put forward*

256. Other potential housing sites were put forward in representations and discussed at the hearing sessions. They are all in the Green Belt. Given my findings above in relation to the site allocations proposed by the Council and the supply of housing land, there is no need to allocate any additional sites for housing in and around Kenilworth and exceptional circumstances for further alterations to the Green Belt do not exist.
257. Development on land at Rouncil Lane, to the south of the proposed site at Kenilworth Sixth Form College, would result in an extension of the built up area into open countryside, well beyond the existing form of development. A site allocation at Kenilworth Golf Club would result in a very substantial further extension of the built up area, significantly reducing the gap to the edge of Coventry. Development on land north of Crewe Lane would breach the clear physical boundary provided by the road and in any case the potential capacity of the site put forward is below that suitable for an allocation in the Local Plan.

***Housing site allocations – Edge of Coventry***

258. I have already considered the spatial strategy and the need for modifications to ensure that it is capable of delivering sufficient housing land to meet requirements, including those unmet needs from Coventry. I have concluded that the Council's suggested strategic approach (following the suspension of the examination) in relation to the edge of Coventry is appropriate and justified. This involves identifying a direction for growth immediately to the south of the urban area of Coventry but within Warwick District.
259. There is no potential to allocate housing sites on the edge of the urban area of Coventry without altering the boundary of the Green Belt.

260. These factors, along with the scale of housing requirements and limited opportunities outside of the Green Belt elsewhere in the District, amount to exceptional circumstances which justify altering the boundaries of the Green Belt to the south of the urban area of Coventry.
261. In addition to the southern administrative boundary of Coventry and its urban area, there are a number of factors which affect the broad extent of the direction for growth and potential development sites within it. The western extent of the direction for growth is readily defined by the administrative boundary of Warwick District and the linear village of Burton Green. To the south it is limited by the need to maintain a clear and separate identity for Kenilworth and by the proposed route of HS2. To the east, the A46 forms a very strong physical boundary and provides a well-defined edge to the built up area of Coventry.
262. There are issues with the capacity of the existing highway network in the Westwood Heath area, particularly in relation to Crackley Lane and Gibbet Hill Road. This affects the scale of housing development that can currently be accommodated in this locality.
263. I discuss the Council's additional proposals for housing site allocations and safeguarded land below, having first considered the site at Oaklea Farm, Finham which was included in the submitted Local Plan.

*Oaklea Farm, Finham (H08)*

264. Although just within the administrative area of Warwick District, this site forms part of a small pocket of land on the other side of the A46 which is visually and physically associated with the residential area of Finham, part of the urban area of Coventry. It is currently within the Green Belt.
265. The site is a relatively narrow triangular shaped area of land between the A46 and Howes Lane. There are residential areas to the north east and on the opposite side of Howes Lane. There are existing buildings on part of the site. The A46 provides a very strong and clear boundary to the built up area for this part of Coventry.
266. Given its relationship to existing residential areas and position relative to the A46, the site has minimal benefit in terms of providing openness and does not serve the purposes of including land in the Green Belt.
267. Taking account of constraints affecting the site including the proximity of the A46 and existing trees, the Council estimates that approximately 20 dwellings could be developed. Whilst this would be a small contribution to overall housing supply it would add to the variety and choice of sites available. Subject to detailed matters being addressed through layout and design, there are no fundamental constraints to development and I am satisfied that the site is realistically viable and deliverable within the timescale set out by the Council which envisages the site being developed fully during 2018/19.
268. For the above reasons there are exceptional circumstances which justify altering the Green Belt in this case. The proposed site allocation at Oaklea Farm is justified, effective and consistent with national policy.

*Westwood Heath (H42) and Safeguarded Land (S1)*

269. The updated Strategic Transport Assessment (TA14PM) and further analysis from December 2016 (EXAM133) provide robust and convincing evidence that the current local highway network cannot satisfactorily accommodate more than 425 dwellings in the Westwood Heath area. This analysis took account of the other proposed development sites both in Warwick District and Coventry.
270. The Council, County Council and other organisations including Coventry City Council and the University of Warwick are supportive of a project to significantly increase highway capacity and improve accessibility to the wider area. Referred to as the A46 Link Road, it is envisaged that the scheme would be brought forward in three phases. The first phase would involve major improvements at the Stoneleigh junction on the A46. This is currently at the design stage and it is anticipated that works could be completed by mid-2019. The intention is to seek a reallocation of already committed Growth Deal monies to fund the scheme.
271. Phase 2 would involve a new road linking the A46 at Stoneleigh with Westwood Heath. Amongst other things this would help to facilitate development at the University of Warwick and overcome highway capacity issues for new development in the Westwood Heath area. Funding to develop a business case for this element of the scheme was announced in November 2016. However, this phase of the scheme is still at an early stage of development and the County Council confirmed that the "aspiration" was to see delivery by around 2022/23, but that this was dependent on funding, land acquisition and other statutory processes (see EXAM96).
272. The third and final phase would involve land in Solihull Borough and would link Phase 2 to the A45 or A452. This is at an early exploratory stage and delivery is not anticipated until the last few years of the plan period at the earliest.
273. There is clearly significant support and commitment for the A46 Link Road project from a wide range of organisations. However, despite some progress in terms of planning, design and funding to develop a business case, the implementation of the scheme and the potential timescales involved remain uncertain, particularly for those elements beyond Phase 1. Whilst the potential for Phase 2 of the Link Road and the consequences for potential housing development in the Westwood Heath area is a factor which I have taken into account, this is in the context of this uncertainty.
274. The Council proposed a housing site allocation at Westwood Heath (H42) during the suspension of the examination. The site is open land in agricultural use and entirely within the Green Belt. On the basis of evidence in relation to highway capacity, I consider that the Council's approach to limit the number of dwellings on the proposed site allocation to 425 is justified.
275. Westwood Heath Road provides a clear, well-defined edge to the existing urban area of Coventry with built development including recent housing to the north and open countryside to the south. The development of the proposed housing site would result in a substantial extension of the built up area beyond Westwood Heath Road into the surrounding countryside. The openness of the site would be lost and development would have a significant effect on the character and appearance of the site and the wider area.

276. However, an area of Green Belt between the site and Burton Green would remain. The gap would be sufficient to ensure the continued separate identity of the village relative to the urban area of Coventry. Detailed issues relating to the development of the site could be addressed through specific layout and design proposals.
277. The site would make a significant contribution towards meeting housing requirements and affordable housing needs. As a site on the southern edge of Coventry it would add to the range and choice of housing land available. It is in single ownership and there is a housebuilder actively pursuing development on the site with a view to submitting a hybrid planning application during 2017. There are no significant constraints to the development of up to 425 dwellings and no substantial infrastructure requirements. I am satisfied that the site is viable and deliverable and that it could realistically deliver new dwellings from 2018/19 onwards at the rate envisaged by the Council, making a significant contribution to the supply of housing land in the short term. These are substantial benefits which outweigh the adverse impacts.
278. The Council also proposed removing land from the Green Belt to provide an area of safeguarded land at Westwood Heath (Policy DSNEW2 – S1) during the suspension of the examination. Paragraph 85 of the NPPF makes it clear that when defining Green Belt boundaries, local planning authorities should, where necessary, identify areas of safeguarded land between the urban area and the Green Belt in order to meet longer term development needs beyond the plan period. In line with national policy, proposed Policy DSNEW2 explains that the safeguarded land is not allocated for development at the present time and that the status of the land would only change through a review of the Local Plan following an assessment of development needs and the most appropriate locations for development.
279. As I have discussed above, the identification of a direction for growth to the south of Coventry is appropriate and justified. Given the factors which affect the broad extent of this direction for growth, the land intended to be safeguarded to the south of Westwood Heath (S1) is one of a limited number of realistic options for growth and could play a key role in bringing forward housing development and delivering the spatial strategy. However, as noted above, the potential scale of housing in this particular area is currently limited by highway capacity.
280. Taking all of this into account, I consider that whilst allocating land for more than 425 dwellings in the Westwood Heath area is not currently justified, this may well change in the future. Given that the boundary of the Green Belt would need to be altered to accommodate the site allocation (H42), it is appropriate and justified to also identify safeguarded land in this particular case to enable additional land to be considered for allocation through a future review of this Local Plan without further alterations to the Green Belt. This would not pre-empt such a decision but would allow for circumstances at the time, including the situation relating to a link road, to be taken into account.
281. Whilst the land in question is not being proposed for development in this Local Plan, I have considered the implications of its removal from the Green Belt and potential future development at some point. Development of the land covered by S1 would again result in a substantial extension of the built up area beyond

Westwood Heath Road into the surrounding countryside. The openness of the land would be lost and development would have a significant effect on the character and appearance of the site and the wider area. However, it would sit between existing and planned development at the University of Warwick and the housing development proposed on site H42. There would also be a strong southern boundary provided by the brook and substantial tree cover. The significant benefits of providing safeguarded land outweigh the adverse impacts.

282. The Council estimates that the safeguarded land (S1) could accommodate in the order of 770 dwellings, although the site promoter indicates that there is potential for some 900 dwellings.
283. Due to the current level of uncertainty regarding the implementation of the A46 Link Road, particularly Phase 2 and beyond, the allocation of site S1 (as opposed to it being safeguarded) would not be appropriate or justified at this point in time as there is insufficient basis to conclude that highway capacity issues would be resolved. Given the number of dwellings involved being well above the highway capacity limit of 425, this conclusion applies both to the site being considered in addition or as an alternative to the proposed allocation (H42).
284. In assessing the relative merits of allocating site S1 for development as an alternative to site H42, I have also taken account of the evidence before me that it is in multiple ownerships and development is not being actively pursued by a housebuilder. There is less confidence that it would be able to contribute to housing delivery in the short term. I have also considered the suggestion of phasing with later stages of development subject to highway capacity improvements through Phase 2 of the Link Road. This approach would be inappropriate due to the degree of uncertainty regarding the delivery of the Link Road in the plan period.
285. Main modifications referred to elsewhere would commit the Council to consider a review of the Local Plan before the end of March 2021 and in any event to carry out a partial review specifically for the direction for growth within five years of the Local Plan's adoption. This will enable any progress with the Link Road scheme to be taken into account and if appropriate and justified, the status of the safeguarded land to be reconsidered through a review of the Local Plan.
286. In light of the above and my wider conclusions in relation to land to the south of Coventry there are exceptional circumstances which justify altering the boundaries of the Green Belt at Westwood Heath. The proposed further site allocation (H42) and safeguarded land (S1) put forward by the Council would represent part of a comprehensive review of the Green Belt in the Westwood Heath area which also includes land at the University of Warwick. They are required to ensure that the Local Plan is justified, effective and consistent with national policy.

#### *Kings Hill (H43)*

287. The Council also proposed a housing site allocation at Kings Hill during the suspension of the examination. The site is largely open land, predominantly in agricultural use and entirely within the Green Belt. This is the largest



individual site put forward by the Council and has an estimated total capacity for some 4,000 dwellings. Whilst the Council does not intend to place any restriction on the amount of housing on the site, it estimates that realistically it could deliver in the order of 1,800 dwellings in the plan period, with development of the rest of the site continuing beyond 2029.

288. Development of the site is not affected by the highway capacity issues that currently limit housing growth at Westwood Heath although it would require a range of enhancement and mitigation measures including the improvements to the Stoneleigh junction referred to above. It is intended that the development would help to fund these improvements.
289. The development of the site would represent a major extension of the urban area of Coventry into the surrounding countryside. The openness of the site would be lost and development would have a significant effect on the character and appearance of the site and the wider area.
290. It would substantially reduce the gap between the southern edge of Coventry and Kenilworth. However, it would not extend any further south than existing development at Gibbet Hill, and Stoneleigh Road would provide for a strong and clear boundary. There would still be a substantial and meaningful gap to Kenilworth, even with the proposed development on site H40. This gap would be reinforced by undulating topography and the route of HS2.
291. To the south-east, development would be contained by the A46 which would enable a well-defined and defensible edge to the extended built up area to be provided, with land beyond continuing to be in the Green Belt.
292. The size of the site provides the opportunity for significant areas of land within it to remain undeveloped and for the layout and design of development to incorporate large buffer zones and other mitigation measures to avoid harm to areas of nature conservation value such as Wainbody Wood and the significance of heritage assets including the Scheduled Monument at Hill Farm. Detailed proposals for layout and design would also be able to address other specific issues such as flood risk on part of the site and noise from the A46.
293. The scale of development would also enable significant social and community infrastructure to be provided on the site in a comprehensive and integrated manner, including new schools, health facilities and retailing. The planned upgrade to Finham Sewage Treatment Works will enable the scale of additional housing proposed to be satisfactorily accommodated.
294. The site would make a very substantial contribution to housing requirements and affordable housing needs during the plan period and in the years following. As a site on the southern edge of Coventry it would add to the range and choice of sites available and make a contribution to unmet housing needs arising from the City. There would of course be substantial infrastructure requirements to bring a site of this size forward for development. However, there are clear and realistic mechanisms to deliver this infrastructure in a timely and co-ordinated fashion. There are no fundamental constraints to the development. These are very significant benefits which outweigh the adverse impacts.

295. The Council accepted at the hearings that it is likely that there would be a build-up in the rate of completions on the site and adjusted its estimated trajectory accordingly. This envisages 50 completions in 2020/21 followed by 150 in 2021/22 and then 230 in following years. Whilst I acknowledge that such annual rates of completions are ambitious, they are also realistic given the potential for multiple sales outlets and the strength of the market. I am satisfied that the site is viable and deliverable on the timescale envisaged by the Council.
296. In light of the above and my wider conclusions in relation to land to the south of Coventry there are exceptional circumstances which justify altering the boundaries of the Green Belt at Kings Hill. The proposed further site allocation (H43) put forward by the Council is required to ensure that the Local Plan is justified, effective and consistent with national policy.

*Other housing sites put forward*

297. Other potential housing sites were put forward in representations and discussed at the hearing sessions. They are all in the Green Belt. The housing site allocations proposed by the Council and discussed above would ensure that sufficient housing land is identified. There is no need to allocate any additional sites for housing on the edge of Coventry and exceptional circumstances for further alterations to the Green Belt do not exist.
298. A site allocation on land at Cryfield Grange would not be appropriate given the current restrictions on highway capacity referred to above. Compared to site H42, it would not be part of a comprehensive approach to Green Belt review and would have more of an impact on the gap between Coventry and Kenilworth.
299. The small site at The Moat is in different ownership to the adjacent site H42 and is not required to assist in delivering the larger development or to ensure sufficient housing land is provided.
300. On the basis of specific evidence put forward on likely traffic movements, the Council and County Council accept that highway capacity exists for the site east of Cromwell Lane to be developed for up to 130 dwellings and that a suitable access could be achieved. However, the site occupies what would be the gap between development proposed on site H42 and existing dwellings and their gardens along Cromwell Lane. Development of housing on the site would remove the gap and the separation between Burton Green and the urban area of Coventry. The separate identity of Burton Green as a village would be severely undermined.
301. The site put forward on land to the south of Baginton would not be on the edge of Coventry. Baginton is a village in its own right which is clearly separated from the built up area of Coventry by the A46. This would still be the case with the development of the proposed sub-regional employment site in the vicinity of Coventry Airport. The scale of development envisaged (up to 1,000 dwellings) would be incompatible with the character of the village and the level of services and facilities available. It would be inconsistent with the spatial strategy.

### ***Housing site allocations – Growth Villages***

302. The ten Growth Villages were identified by the Council following an objective and robust analysis of rural settlements in terms of their size, services and accessibility. Beyond the urban areas and the edge of Coventry, they provide the most suitable locations to focus development. Appropriate levels of new housing will help to sustain and enhance their roles and local services. It will also provide for a good range and choice of potential development sites in different locations to assist in deliverability and meeting local needs for affordable housing.
303. Taking into account the increased housing requirements and the need to provide for some of Coventry's unmet needs identified during the suspension of the examination, the Council updated its assessment of the potential to accommodate development in each of the Growth Villages (V18PM). This assessment includes an indicative capacity for additional dwellings in the villages concerned.
304. The Council arrived at these indicative capacities by applying a 20% increase in the number of existing dwellings and then adding to this depending on the strength of the relationship to Coventry. Whilst this approach was simplistic, it results in a consistent and rational starting point to consider appropriate levels of growth. It allows for other specific factors to be taken into account and is not intended to set a strict limit on the level of additional housing or indeed to identify the minimum amount of housing required.
305. During the suspension of the examination the Council proposed additional housing site allocations in Growth Villages and included these proposals in its suggested modifications. Along with the sites proposed in the submitted Local Plan, I consider these additional proposals from the Council in the context of the need for further site allocations to ensure an adequate supply of housing land and the modified spatial strategy. Prior to the further hearing sessions, the Council provided information on the total supply of housing land in each village taking account of completions since 2011, commitments and proposed site allocations (EXAM51A).
306. My conclusions below in relation to each Growth Village and the proposed sites would result in site allocations with a total capacity of some 968 dwellings<sup>2</sup>. When combined with existing commitments (559) and completions since 2011 (126) there would be an estimated total supply of some 1,653 dwellings within the plan period, excluding any windfalls that came forward. The Local Plan does not set a figure for the amount of additional housing considered appropriate for Growth Villages, but the scale of growth that would be provided for is a significant element in overall supply in the District (approximately 9.5%). Whilst it would be marginally below the combined indicative capacities of the Growth Villages, it would ensure that they made a sizeable and adequate contribution to meeting housing requirements for the District which was consistent with the spatial strategy.

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<sup>2</sup> The figure of 968 dwellings consists of 890 dwellings shown in the modified housing trajectory as village allocations plus 58 dwellings with planning permission on sites H20 and H49. It also includes 20 dwellings on site H18 (Former Aylesbury House) which is in the wider rural area.

307. I deal first with those Growth Villages not set within the Green Belt; Barford, Bishop's Tachbrook and Radford Semele.

*Barford*

308. Barford had a population of approximately 1,300 in 2011. The indicative capacity identified by the Council is 181 dwellings. Supply from completions since 2011 and commitments is 120 dwellings. The A429 bypass forms a strong physical and visual feature which contains existing and potential further development to the west of the village.
309. The proposed site allocation south of Barford House (H20) is a small area of land which is well contained within the existing built form of the village. It has full planning permission for 8 dwellings.
310. The site at the former Sherbourne Nursery (H21) has full planning permission for 60 dwellings and development of the site was substantially complete at the time of the hearings.
311. Land off Bremridge Close (H22) has an estimated capacity of 12 dwellings. Development on the site would not extend the village beyond the existing built form including the recently developed houses on Bremridge Close. A suitable access could also be provided through this estate. Detailed issues including drainage and the effect on existing vegetation are matters that could be addressed through specific proposals.
312. The Council put forward an additional site allocation on land south of Westham Lane (H48) during the suspension of the examination. It is estimated that it has capacity for 45 dwellings. Development of the site would represent an extension of the built up area of the village onto open land to the south of Westham Lane. However, it would sit within the area contained by the bypass and would be seen in the context of the recent development on the former Sherbourne Nursery site on the north side of Westham Lane which has extended the built form of the village close to the bypass. Suitable access could again be achieved through Bremridge Close and specific proposals would address detailed matters relating to site layout and design.
313. There are no fundamental constraints to the development of sites H20, H22 and H48 and I am satisfied that they are viable and deliverable within the timescales envisaged by the Council. They would make a valuable contribution to housing requirements and would help to sustain and enhance the role of the village. The Council resolved to grant planning permission subject to a S106 agreement for 63 dwellings on a site encompassing H22 and H48 in June 2017.
314. A site allocation on land south of Wasperton Lane (H47) was also put forward by the Council during the suspension of the examination. The Council estimated that the site could deliver 30 dwellings. Development of the site would result in a clear and significant extension of the built up area into open countryside which forms an important element in the setting and character of the village. The site is not contained within any significant physical features or strong field boundaries. Despite the potential for landscaping and planting, development would have a significant adverse effect on the character and appearance of the area.

315. Taking account of completions, existing commitments and the other proposed site allocations referred to above, the supply of housing land in Barford would total some 177 dwellings. This would be only just below the indicative capacity of 181 dwellings and represents an increase of nearly 30% in the number of dwellings in the village (606 in 2011).
316. Barford is not affected by the Green Belt and is rightly identified as a Growth Village. Furthermore, as noted above, the indicative capacity should not be seen as a strict limit on the number of dwellings. However, these factors do not mean that there is necessarily potential to accommodate additional housing in Barford and they must be balanced against the need to ensure that development remains in keeping with the scale and character of the village and the impacts of specific sites. The consideration of additional sites also needs to take account of the ability to meet the District's housing requirements at other locations in the District in line with the spatial strategy.
317. It is not necessary to allocate the site south of Wasperton Lane (H47) in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District. The adverse impacts of development would outweigh the benefits.
318. For the above reasons the proposed site allocations south of Barford House (H20) and on land off Bremridge Close (H22) are justified, effective and consistent with national policy. Also for these reasons the proposed further site allocation on land south of Westham Lane (H48) put forward by the Council is required to ensure that the Local Plan is justified, effective and consistent with national policy.
319. To ensure that the Local Plan is effective in reflecting the progress with planning permission and development, the proposed site allocation at the former Sherbourne Nursery (H21) should be deleted.

*Other housing sites put forward in Barford*

320. Other potential housing sites were put forward in representations and discussed at the hearing sessions. There is no need to allocate sites in addition to the three referred to above in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District.
321. Land east of Wellesbourne Road and south of Barford House was subject to appeals in 2013 and 2014 which were both dismissed due to the impacts on the significance of the listed building at Barford House, its setting and the Conservation Area. Notwithstanding the lack of need for additional sites, the allocation of this land would be inappropriate for this reason.
322. Whilst development on additional land south of Westham Lane (to the west of site H48) would sit within the area contained by the bypass and would be seen in the context of the recent development on the former Sherbourne Nursery site, there is insufficient evidence to suggest that it could be accessed satisfactorily. The promoter of the site also accepts that there are still land ownership issues to resolve and the site is not currently available.

323. Development of a larger site including site H47 and additional land would result in a clear and very substantial extension of the built up area into open countryside. Despite the potential for landscaping and planting, development would have a significant adverse effect on the character and appearance of the area.

*Bishop's Tachbrook*

324. Bishop's Tachbrook had 737 dwellings and a population of approximately 2,500 in 2011. The indicative capacity identified by the Council is 184 dwellings.
325. The site on land south of the School (H23) has full planning permission for 150 dwellings and development of the site was significantly progressed at the time of the hearings.
326. The Council put forward an additional site allocation at Seven Acre Close (H49) during the suspension of the examination. At the time the Council estimated the capacity of the site to be 30 dwellings. The site subsequently received outline planning permission for up to 50 dwellings. Development of the site would represent a significant extension of the built up area of the village into surrounding countryside. However, it would be seen to some extent in the context of existing buildings fronting onto Mallory Road on either side and detailed layout and design could assist in softening the visual impact of development. There are no significant constraints to development and I am satisfied that it is viable and deliverable within the timescale envisaged by the Council. It would make a valuable contribution to housing requirements and would help to sustain and enhance the role of the village.
327. These two sites which both benefit from planning permission and in one case is substantially complete would provide for 200 dwellings in total. Combined with completions since 2011, the supply would be 202 dwellings. This would be above the indicative capacity of 184 dwellings and would see an increase in the number of dwellings of some 27% since 2011. The two sites would ensure that sufficient housing land is provided for in Bishop's Tachbrook.
328. For these reasons the proposed further site allocation at Seven Acre Close (H49) put forward by the Council is required to ensure that the Local Plan is justified, effective and consistent with national policy although the estimated capacity should be 50 dwellings to reflect the planning permission.
329. To ensure that the Local Plan is effective in reflecting the progress with planning permission and development, the proposed site allocation on land south of the School (H23) should be deleted.

*Other housing sites put forward in Bishop's Tachbrook*

330. For the same reasons that apply to Barford, although Bishop's Tachbrook is a Growth Village not affected by Green Belt this does not mean that it is appropriate or necessary to accommodate additional housing beyond the sites already discussed. Other potential housing sites were put forward in representations and discussed at the hearing sessions however there is no need to allocate further sites in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District.

331. Development of the sites south of Mallory Road and to the south of site H23 would result in large extensions of the built up area into open countryside, significantly altering the form of the village and adversely affecting the character and appearance of the area. This would also be the case with the site on land east of Oakley Wood Road. The road forms a strong and well-defined boundary between the village (including site H23) and the countryside beyond and development here would be physically and visually disconnected from the main body of the village.

*Radford Semele*

332. The population of Radford Semele was approximately 1,890 in 2011 and there were 803 dwellings. The indicative capacity identified by the Council is for 201 dwellings.
333. The site north of Southam Road (H38) was proposed as a site allocation in the submitted Local Plan with an estimated capacity of 50 dwellings. It received planning permission for 60 dwellings and development of the site was substantially progressed at the time of the hearings.
334. To ensure that the Local Plan is effective in reflecting the progress with planning permission and development, the proposed site allocation on land north of Southam Road (H38) should be deleted.
335. Including this site, other commitments and completions since 2011, the supply of housing land in the village would be 317 dwellings. This would be significantly above the indicative capacity of 201 dwellings and would see an increase in the number of dwellings of some 39% since 2011.
336. The level of housing growth which is already committed will result in a very substantial expansion of the built form of the village and subsequent increase in its population in a relatively short space of time. Significant sites on the edge of the village have recently been granted planning permission for housing to the north of site H38 (150 dwellings) and at Spring Lane (65 dwellings). There is very limited, if any, capacity at the school and no realistic prospect of it being expanded on site or a new school being provided in the village under current circumstances. There is no need to allocate further sites in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District.
337. Again, for the reasons that apply to Barford and Bishop's Tachbrook, although Radford Semele is one of the Growth Villages not affected by the Green Belt and the indicative capacity should not be seen as a strict limit on the number of dwellings, this does not mean that it is necessary or appropriate to accommodate further housing allocations in addition to existing commitments.
338. A site allocation on land at Spring Lane (H52) was put forward by the Council during the suspension of the examination. The Council estimated that the site could deliver 60 dwellings. The site is immediately to the south of a site granted planning permission on appeal for up to 65 dwellings. Development of the site (H52) would result in a further clear and substantial extension of the built up area into open countryside. Whilst there would be a limited effect on the gap to Sydenham and despite the potential for landscaping, development

would have a significant impact on the scale and form of the village and on the character and appearance of the area.

339. It is not necessary to allocate the site on land at Spring Lane (H52) in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District. The adverse impacts of development would outweigh the benefits.

*Other housing sites put forward in Radford Semele*

340. Again, whilst other potential housing sites were put forward in representations and discussed at the hearing sessions there is no need to allocate any of them in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District.
341. Development on the sites east of Church Lane, south of Southam Road and at The Valley would represent substantial extensions of the built up area into surrounding open countryside. It would significantly alter the scale and form of the village and adversely affect the character and appearance of the area. The site east of Church Lane also raises significant concerns in relation to the impact on the setting of the listed Church.

*Growth Villages set within the Green Belt*

342. Of the seven Growth Villages concerned, only Cubbington is currently excluded from but surrounded by the Green Belt. Hampton Magna and Kingswood are washed over by the Green Belt but have a village envelope defined. Baginton, Burton Green, Hatton Park and Leek Wootton are washed over by the Green Belt and do not have a village envelope defined.
343. The submitted Local Plan proposed that all of these Growth Villages should be removed from the Green Belt and have defined village envelopes. Given their role within the spatial strategy as focal points for some growth and the scale of overall housing requirements, along with their form and character, this approach is justified and consistent with national policy. The proposed village envelopes (as amended to take account of the main modifications and to address drafting errors) reflect the existing form of the villages and potential for suitable levels of growth. They are appropriate and justified. For these reasons, there are exceptional circumstances which justify altering the boundaries of the Green Belt to exclude the Growth Villages.

*Baginton*

344. Baginton had a population of approximately 800 in 2011 and there were 356 dwellings. It is close to, but separated from the urban area of Coventry by the A46. Because of this proximity, the Council considers that it has a strong relationship to Coventry and identified the indicative capacity as 124 dwellings.
345. The submitted Local Plan proposed a site allocation on land north of Rosswood Farm (H19) with an estimated capacity of 35 dwellings. During the suspension of the examination, the Council proposed extending the site southwards and increasing the potential capacity to an estimated 80 dwellings. I consider it on this basis. The site is currently within the Green Belt.



346. Development of the site would extend the built form of Baginton into the surrounding countryside resulting in a loss of openness of the land concerned. However, it would be contained visually to the south by buildings at Rosswood Farm and the garden centre and plant nursery further along Stoneleigh Road. It would also be seen in the context of the large public house and areas of hardstanding on the opposite side of Coventry Road and against the wider backdrop of Coventry Airport and its associated buildings. Whilst development on the site would affect the character and appearance of the area, this could be mitigated to some extent by existing and additional landscape planting.
347. The site can be safely accessed and development on the scale proposed accommodated on the highway network. Detailed layout and design proposals would be capable of avoiding harm to the significance of the adjacent Conservation Area and other nearby heritage assets. The site is not directly in the flight path from Coventry Airport and measures could be incorporated to mitigate the effects of noise.
348. There are no significant constraints that would affect the development of the site and I am satisfied that it would be viable and deliverable in the timeframe envisaged by the Council. The proposed site allocation is necessary to ensure that housing requirements are met and it would help to sustain and enhance the role of the village. These benefits would outweigh the adverse impacts of development.
349. There are a number of constraints which affect the potential for housing development in other locations around the village including flood risk, potential contamination, landscape impacts, proximity to the A46 and the impact on the Baginton Castle site scheduled monument and other designated heritage assets.
350. For the above reasons there are exceptional circumstances which justify altering the Green Belt in this case. The proposed extended site allocation at Rosswood Farm (H19) put forward by the Council is required to ensure that the Local Plan is justified, effective and consistent with national policy.

*Other housing sites put forward in Baginton*

351. Including the extended site at Rosswood Farm, the supply of housing is estimated to total 81 dwellings. This is below the indicative capacity of 124. However, as discussed earlier, this is not a minimum figure to plan for and taking all of the Growth Villages together, they would make a significant and adequate contribution to meeting housing requirements for the District which would be consistent with the spatial strategy. The scale of growth proposed for Baginton would still be significant (a 23% increase in the number of dwellings since 2011) and in the light of constraints that apply to potential sites is reasonable and justified. There is no need to allocate any further sites in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District and exceptional circumstances for further alterations to the Green Belt do not exist.
352. A site at Friends Close was put forward in representations and discussed at the hearing sessions. It is entirely within the Green Belt. Development of this site would represent an extension into surrounding countryside and would be out of keeping with the linear form of the village in this locality. The site is close

to the Baginton Castle site scheduled monument and development potential would be affected by the former use of land as a quarry and landfill site and the presence of protected trees.

### *Burton Green*

353. Burton Green had a population of approximately 640 in 2011 and there were 263 dwellings. It is connected to the urban area of Coventry through ribbon development along Cromwell Lane but has retained its separate identity as a village. It has its own school and village hall. Because of this proximity, the Council considers that it has a strong relationship to Coventry and identified the indicative capacity as 92 dwellings.
354. The submitted Local Plan proposed a site allocation on land at Burrow Hill Nursery (H24) with an estimated capacity of 60 dwellings. During the suspension of the examination, the Council proposed increasing the potential capacity to an estimated 90 dwellings to take into account that the original intention to relocate the village hall onto the site was no longer being pursued. The site boundary would remain the same. I consider the proposed site allocation on this basis. The site is currently within the Green Belt.
355. The site is a disused former plant nursery which contains some buildings and structures and areas of hardstanding along with areas formerly used for plant cultivation. It sits at the junction of Cromwell Lane, Red Lane and Hob Lane to the south of the main body of the village. Beyond the site along Hob Lane are the village school, farm buildings and a number of residential properties fronting the road. A ribbon of residential development also extends beyond the site further along Red Lane. Existing hedgerows and trees provide some screening of the site from the surrounding area.
356. This context, along with the potential for additional landscaping and planting would help to reduce the effect of development on the openness of the Green Belt in this locality and the appearance of encroachment into the countryside. Subject to sensitive design and layout there would not be a significant impact on the character and appearance of the area.
357. Although the proposed route of HS2 runs to the north of the site, dissecting Burton Green via a tunnel, the site itself would not be directly affected by construction and evidence supports the view that dwellings on the site would not be unduly affected by noise.
358. The site can be safely accessed and development on the scale proposed accommodated on the highway network. Other detailed matters could be dealt with through specific proposals.
359. There are no significant constraints that would affect the development of the site and I am satisfied that it would be viable and deliverable in the timeframe envisaged by the Council. The development of 90 dwellings would make an important contribution to meeting housing needs including those for affordable housing. The proposed site allocation is necessary to ensure that housing requirements are met and it would help to sustain and enhance the role of the village. These benefits would outweigh the adverse impacts of development.

360. Combined with completions and commitments the supply of housing land in Burton Green would total 126 dwellings, above the indicative capacity of 92. However, a significant proportion of the completions were for "park homes" on land opposite site H24 on Red Lane. In any event the indicative capacity is not intended to be a strict limit. In this case the opportunity to accommodate additional dwellings on the proposed site allocation without any significant additional impacts has justifiably been taken.
361. For the above reasons there are exceptional circumstances which justify altering the Green Belt in this case. The proposed site allocation (with an estimated capacity of 90 dwellings) at Burrow Hill Nursery (H24) is justified, effective and consistent with national policy.

*Other housing sites put forward in Burton Green*

362. Other potential housing sites were put forward in representations and discussed at the hearing sessions. They are all in the Green Belt. There is no need to allocate any of them in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District and exceptional circumstances for further alterations to the Green Belt do not exist.
363. Development on land to the rear of the public house/restaurant on Cromwell Lane would represent an uncharacteristic and sizeable encroachment of the built form of Burton Green into the surrounding undeveloped countryside. It would significantly affect the openness of the Green Belt. This part of the village follows a linear pattern along Cromwell Lane. Whilst the large site proposed as a housing allocation in the Coventry Local Plan is to the north, this would be an extension to the main urban area, rather than to a ribbon of development.
364. The land at Hodgetts Lane/Cromwell Lane could be accessed satisfactorily, dwellings would not be unduly affected by noise from HS2 and development would be screened to a large extent by existing houses and vegetation. However, it would again represent an uncharacteristic and sizeable encroachment of the built form of Burton Green into the surrounding undeveloped countryside, significantly affecting the openness of the Green Belt. Existing development follows a linear pattern along Cromwell Lane and Hodgetts Lane.
365. An extended site H24 with additional land to the south would see a further and unnecessary encroachment of development into surrounding countryside. Land on the opposite side of Red Lane would not be realistically deliverable due to the construction requirements and route of HS2.

*Cubbington*

366. Cubbington had a population of some 2,200 and 980 dwellings in 2011. The indicative capacity identified by the Council was for 294 dwellings. The submitted Local Plan included two proposed housing site allocations, both in the Green Belt. No potential housing sites have been identified within the existing built up area of the village.

367. Development on the site on Allotment Land, Rugby Road (H25) would, as the name suggests, involve the loss of allotments. The intention is that these would be replaced to at least an equivalent size and standard on a site nearby. The Council estimates that the site has capacity for 35 dwellings. Development would involve the loss of the openness of the site and see an extension of the built up area into the surrounding countryside, changing the character and appearance of the site. However, it would be seen in the context of existing residential and commercial development which already extends north along Coventry Road from the junction with Rugby Road. There is scope within the site to significantly strengthen boundary planting to create a well-defined edge to built development.
368. The proposed site allocation on land opposite Willow Sheet Meadow (H26) is immediately to the north of site H25. The Council estimates that it has a capacity for 65 dwellings. The two sites are being promoted by the same developer and could potentially be brought forward as one scheme. Development on site H26 would again involve the loss of the openness of the site and see an extension of the built up area into the surrounding countryside, changing the character and appearance of the site. However, the extent of development northwards along Coventry Road would be broadly in line with existing residential on the opposite side of the road and it would be seen in this context. The Council's estimate of capacity is based on 50% of the site area being developed which would allow for substantial landscaping to create a strong edge to built development.
369. Having reconsidered the matter at the hearing session, the Council estimated that completions on site H26 could occur from 2019/20 onwards (45 and 20 annual completions) and on site H25 from 2020/21 onwards (25 and 10 annual completions). There are no significant constraints to development and I am satisfied that it would be viable and deliverable within this timescale.
370. The development of 100 dwellings on the two sites would make an important contribution to meeting housing needs including those for affordable housing. The proposed site allocations are necessary to ensure that housing requirements are met and would help to sustain and enhance the role of the village. These benefits would outweigh the adverse impacts of development.
371. For the above reasons there are exceptional circumstances which justify altering the Green Belt in this case. The proposed site allocations at the Allotment Land, Rugby Road (H25) and on land opposite Willow Sheet Meadow (H26) are justified, effective and consistent with national policy.
372. Cubbington is a sizeable settlement that has a reasonable range of local services and good accessibility to the urban area of Leamington Spa. The Council's assessment identifies it as the second most sustainable village. However there are a number of factors which affect the potential to accommodate additional housing sites on the edge of the village. Although physically connected to the urban area by development along Rugby Road, Cubbington is a village in its own right with its own identity. There is a need to maintain this identity and a key factor is the areas of open land to the west of the village which provide a gap to the urban area. There are also landscape constraints and the need to respect the form and character of the village and its relationship with surrounding countryside.

373. A site allocation on land east of Cubbington (H50) was also put forward by the Council during the suspension of the examination. The Council estimated that the site could deliver 95 dwellings. Whilst the site was shown as covering land both to the north and south of Rugby Road, the Council clarified at the hearing session that only land to the south of Rugby Road was intended to be developed and that the proposed site allocation should reflect this. This was on the basis of significant concerns regarding the landscape impact of development to the north of the road. The estimated capacity remained at 95 dwellings however. I have considered the site on this basis.
374. There is currently a distinct and well-defined edge to the built up area formed by housing on either side of Rugby Road. Beyond this housing there is open countryside on both sides of the road. Development of the site (south of Rugby Road) would result in a prominent and substantial encroachment of housing into this open countryside along one side of the road. It would have a substantial impact on the openness on the Green Belt in this locality. Housing on the site would be poorly related to the existing pattern of development and would significantly alter the scale and form of the village. Despite the potential for landscaping and the proximity of the route of HS2 to the east, development would have a substantial adverse effect on the character and appearance of the village and the surrounding area. Whilst it would make a significant contribution to the supply of housing, the adverse impacts of development would outweigh the benefits.
375. Including the two sites proposed in the submitted Local Plan (H25 and H26) along with completions and commitments, the supply of housing in Cubbington is estimated to total 119 dwellings. This is significantly below the indicative capacity of 294.
376. As I have set out above however, this is not a minimum figure to plan for and considering all of the Growth Villages together, they would make a significant and adequate contribution to meeting housing requirements for the District which would be consistent with their role in delivering the spatial strategy. In the light of constraints that apply to potential sites, the estimated supply of 119 dwellings in Cubbington is reasonable and justified. It is not necessary to allocate the site on land east of Cubbington (H50) in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District. The adverse impacts of development would outweigh the benefits and exceptional circumstances for altering the Green Belt do not exist in this case.

*Other housing sites put forward in Cubbington*

377. Two other sites were put forward in representations and discussed at the hearing session; they are both in the Green Belt.
378. The allotments and equestrian centre/riding school site is in part previously developed land. It was clarified at the hearing session that the intention was to retain the allotments on the site. Given this, housing development would be well set back from Coventry Road. Existing trees along the boundaries and within the site would provide some screening. Subject to the removal of vegetation to improve sight lines and other mitigation measures, the site could be suitably accessed.

379. However, whilst the site contains a number of buildings, much of it is open land used for equestrian purposes. The existing housing to the south of the site and the access track to the equestrian centre form a distinct edge to the village. Development of the site for housing would result in the loss of openness of the Green Belt in this locality and an encroachment of the built up area of the village into the surrounding countryside. Housing on the site would project significantly further to the north than existing or proposed development on site H26. It would be poorly related to the existing pattern of residential development and would significantly alter the form of the village. It would adversely affect the character and appearance of the area.
380. Development of housing on land adjacent to Bungalow Farm would encroach into the open land which forms part of the gap between Cubbington and Leamington Spa and an area of sensitive landscape. It would adversely affect the character and appearance of the area and would also raise concerns in relation to a safe access.
381. It is not necessary to allocate either of these additional sites to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District. The adverse impacts of development would outweigh the benefits and exceptional circumstances for altering the Green Belt do not exist.

#### *Hampton Magna*

382. Hampton Magna has a good range of local facilities including shops, a doctor's surgery and a school and has good accessibility to the urban area of Warwick. It was assessed as the most sustainable of the Growth Villages by the Council. The village had a population of approximately 1,400 and 602 dwellings in 2011. The indicative capacity identified by the Council was for 180 dwellings.
383. No potential housing sites have been identified within the existing built up area of the village. There are a number of factors which affect the potential to accommodate additional housing sites on the edge of the village. Although close to Warwick, Hampton Magna is a distinct village with its own identity. A key element in this is the physical and visual separation from the urban area due to the areas of open, undeveloped land to the east and north east of the village. There are also landscape constraints and the need to respect the form and character of the village and its relationship with surrounding countryside. The village is contained by Old Budbrooke Road to the west and north. This provides a strong and well-defined edge to the village and marks a clear distinction between the built up area and the surrounding countryside.
384. The submitted Local Plan proposed a site allocation on land currently in the Green Belt south of Arras Boulevard (H27). The Council originally estimated the capacity of the site as 100 dwellings. This estimate increased to 130 dwellings in the light of further information relating to the potential for off-site sustainable drainage works. I have considered the site on this basis.
385. Housing on the site would result in an extension of built development into surrounding countryside, removing the current openness of the land and significantly altering its character and appearance. However, built development would not extend any further south or east than existing residential areas adjoining the site and it would be seen in this context. It

would be well located in relation to services and facilities in the centre of the village.

386. A site allocation on land south of Lloyd Close (H51) was also put forward by the Council during the suspension of the examination. The Council estimated that the site could deliver 115 dwellings. Development of this site would also involve an extension of the built up area into surrounding countryside, removing the current openness of the land and significantly altering its character and appearance. Again however, the development would not extend further south or east than adjoining residential areas and would be seen in this context.
387. Whilst both of the proposed site allocations would extend the village, they would not substantially undermine its overall form and character. Development of the sites would not encroach onto the open land which forms a gap to the urban area of Warwick.
388. Both sites could be suitably accessed and the surrounding highway network has capacity to accommodate the level of development proposed. Given land ownership arrangements, potential exists for construction traffic to use a temporary access across land to the south and avoid existing residential areas. Other detailed matters could be dealt with through specific proposals.
389. Having reconsidered the matter at the hearing session, the Council estimated that completions on site H27 could occur from 2019/20 onwards and on site H51 from 2021/22 onwards. There are no significant constraints to development on the sites and I am satisfied that it would be viable and deliverable within this timescale, taking account of the estimated combined rate of development as construction overlapped.
390. In each case the development of the sites would make a significant contribution to meeting housing needs including those for affordable housing. The proposed site allocations are necessary to ensure that housing requirements are met and would help to sustain and enhance the role of the village. These benefits would outweigh the adverse impacts of development.
391. Whilst the combined supply of housing on the two sites (245 dwellings) would exceed the indicative capacity of 180 dwellings, this is not a strict limit. In this case, the benefits of additional housing supply in a sustainable Growth Village and the contribution to the District's housing requirements outweigh the adverse impacts.
392. For the above reasons there are exceptional circumstances which justify altering the Green Belt. Subject to a modification to reflect up to date estimates of dwelling capacity, the proposed site allocation south of Arras Boulevard (H27) is justified, effective and consistent with national policy. The proposed further site allocation on land south of Lloyd Close (H51) put forward by the Council is required to ensure that the Local Plan is justified, effective and consistent with national policy.

*Other housing sites put forward in Hampton Magna*

393. Two other sites were put forward in representations and discussed at the hearing session, they are both in the Green Belt.

394. Although some of the land at Maple Lodge is previously developed, it is predominantly open, undeveloped land. Development of the site for housing would represent a substantial encroachment of the built up area of the village into this open countryside on the other side of Old Budbrooke Road. It would adversely affect the character and appearance of the area and would have a significant and harmful effect on the form and character of the village.
395. The site on land at Old Budbrooke Road is to the north-east of the existing built up area of the village. Development of the site for housing would represent a significant encroachment into open countryside, altering the form of the village. Although the railway line and the A46 would remain as clear physical boundaries, development would substantially reduce the gap to the urban area of Warwick and undermine the separate identity of the village.
396. There is no need to allocate either of these sites in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District and exceptional circumstances for further alterations to the Green Belt do not exist.

#### *Hatton Park*

397. Hatton Park consists largely of housing built in the 1990s on the site of a former hospital in the Green Belt. It has relatively few services and facilities in the village itself and is ranked as the least sustainable of the Growth Villages by the Council. It had a population of just over 2,000 and 798 dwellings in 2011. The Council identified an indicative capacity of 240 dwellings.
398. No potential housing sites have been identified within the existing built up area of the village. There are a number of factors which affect the potential to accommodate additional housing sites on the edge of the village. There are landscape constraints and there is a need to respect the form of the village and its relationship with surrounding countryside. Whilst there are pockets of development including some groups of houses south of the road, the A4177 Birmingham Road provides a strong and well-defined edge to the built up area and the village is essentially contained to the north of it. The A4177 provides an appropriate boundary between the village and the Green Belt. Brownley Green Lane and Ugly Bridge Road provide readily recognisable and permanent boundaries to the village to the west and east respectively.
399. The site allocation on land north of Birmingham Road (H28) was proposed in the submitted Local Plan and the Council estimated that it had a capacity of 80 dwellings. During the suspension of the examination the Council proposed extending the boundary of the site northwards and increasing the estimated capacity to 120 dwellings. Following discussions at the hearing session the Council accepted that the site boundaries would more logically follow the existing strong physical features of the woodland at Smith's Covert to the north and Ugly Bridge Road to the east and that a further extended site area would allow for suitable buffers and landscaping. I share this view and have considered the site on this basis. The Council estimates that the capacity of this extended site would be 150 dwellings.
400. Development of housing on the site would extend the built up area onto adjoining farmland, it would remove the current openness of the land and significantly affect its character and appearance. However, the site is well



contained by physical features on all sides. It adjoins existing residential development to the west and is bounded to the south by the A4177 and vegetation along the roadside. Smith's Covert is a substantial area of woodland enclosing the site to the north and Ugly Bridge Road and the significant line of trees and other vegetation associated with it runs down the eastern boundary. The site could be suitably accessed and the layout and design of development would be able to accommodate significant additional landscaping and provide adequate buffers to Smith's Covert and Ugly Bridge Road and address other detailed matters.

401. There are no fundamental constraints to development on the site and I consider that it would be viable and deliverable within the timescale and at the rate estimated by the Council which would see completions occurring from 2018/19 onwards. Development of the site would make a significant contribution to meeting housing needs including those for affordable housing. The proposed site allocation is necessary to ensure that housing requirements are met and would help to sustain and enhance the role of the village. These benefits would outweigh the adverse impacts of development.
402. For the above reasons there are exceptional circumstances which justify altering the Green Belt. Subject to a modification to reflect an increased site area and estimated dwelling capacity, the proposed site allocation on land north of Birmingham Road (H28) is justified, effective and consistent with national policy.
403. The Council also put forward a proposed site allocation on land currently in the Green Belt at Brownley Green Lane (H53) during the suspension of the examination. The Council estimated that the site could deliver 55 dwellings. Development of housing on the site would represent an encroachment of the built up area onto adjoining farmland, it would remove the current openness of the land and significantly affect its character and appearance. There are substantial issues with the proposed access to the site given the change in levels, the presence of the car park to the Village Hall and the stance of the landowner.
404. The Council accepted that under current circumstances, the site was not deliverable due to the difficulties of achieving access. It suggested putting back the estimated timescale for completions to 2024/25 onwards. Given the evidence I consider that the site is not deliverable and there is not a reasonable prospect that it could be viably developed, even towards the end of the plan period. There are not exceptional circumstances to justify altering the Green Belt in this case and the site allocation put forward by the Council would not be justified, effective or consistent with national policy.

*Other housing sites put forward in Hatton Park*

405. Taking account of the extended site H28 and completions since 2011, the estimated supply of housing land in Hatton Park would total 163 dwellings. This is significantly below the indicative capacity of 240.
406. Again this is not a minimum figure to plan for however and taken together the Growth Villages would make a significant and adequate contribution to meeting housing requirements for the District. In the light of constraints that apply to potential sites, the estimated supply of 163 dwellings in Hatton Park

is reasonable and justified. It is not necessary to allocate any other sites in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District.

407. The sites at Hatton Hill and Oaklands Farm are both south of the A4177. Development of housing on these sites would not respect the existing form of the village and be physically and visually disconnected from it. The adverse impacts of development would outweigh the benefits and exceptional circumstances for further alterations to the Green Belt do not exist.

### *Kingswood*

408. Kingswood had a population of some 2,100 and 381 dwellings in 2011. The Council identified an indicative capacity of 95 dwellings.
409. The site west of Mill Lane (H33) was proposed as a site allocation in the submitted Local Plan with an estimated capacity of 5 dwellings. It received planning permission for 8 dwellings and development of the site was substantially complete at the time of the hearings.
410. To ensure that the Local Plan is effective in reflecting the progress with planning permission and development, the proposed site allocation west of Mill Lane (H33) should be deleted.
411. The sites at Meadow House (H29) and Kingswood Farm (H30) were proposed as separate housing allocations in the submitted Local Plan, each with a capacity estimated at 10 dwellings. The Council considered the opportunity to combine the sites, allowing for an improved layout and increased total capacity of 30 dwellings and put forward this proposal during the suspension of the examination. I have considered a single site (H29/H30) on this basis.
412. There are some existing buildings on the site and it is well contained physically and visually by the canals and railway line on three sides along with trees and other vegetation around the boundaries and existing residential development. Development of housing on the site would not result in a significant encroachment into the countryside, nor would it have a significant effect on the openness of the Green Belt. Detailed issues could be addressed through layout and design.
413. The sites south of the Stables (H31) with an estimated capacity of 6 dwellings and to the rear of Brome Hall Lane (H32) with an estimated capacity of 12 dwellings were also proposed in the submitted Local Plan. Development of housing on these small sites would sit well within the context of the existing built form of the village and be well related to existing residential areas. It would not result in a significant encroachment into the countryside, nor would it have a significant effect on the openness of the Green Belt. Again detailed issues could be addressed through layout and design.
414. There are no significant constraints to development on these three sites and I consider that it would be viable and deliverable within the timescales estimated by the Council. Development of the sites would make an important contribution to meeting housing needs including those for affordable housing. The proposed site allocations are necessary to ensure that housing

requirements are met and would help to sustain and enhance the role of the village. These benefits would outweigh the adverse impacts of development.

415. For the above reasons there are exceptional circumstances which justify altering the Green Belt. Subject to a modification to reflect the combined site and increased estimated dwelling capacity for site H29/H30, the proposed site allocations at Meadow House and Kingswood Farm (H29/H30), south of the Stables (H31) and to the rear of Brome Hall Lane (H32) are justified, effective and consistent with national policy.

*Other sites put forward in Kingswood*

416. Taking account of the above site allocations, commitments and completions since 2011, the estimated supply of housing land in Kingswood would total 83 dwellings. This is just below the indicative capacity of 95 dwellings. However, this is not a minimum figure to plan for and it is not necessary to allocate any other sites put forward in representations in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District.
417. Development of housing on the sites opposite Gowan Bank, south of Old Warwick Road and east of Station Lane would not sit well within the context of the existing built form of the village, impacting on the openness of the Green Belt. It would adversely affect the character and appearance of the area.
418. Housing on the site at Priory Farm/North of Rising Lane would represent a substantial encroachment of built development into surrounding countryside, out of keeping with the current form of the village and the character and appearance of the area.
419. The adverse impacts of development on these sites would outweigh the benefits and exceptional circumstances for further alterations to the Green Belt do not exist.

*Leek Wootton*

420. Leek Wootton had a population of some 915 and 381 dwellings in 2011. The Council identified an indicative capacity of 114 dwellings.
421. The submitted Local Plan included three proposed housing site allocations at The Paddock (H34), east of Broome Close (H35) and the Former Tennis Courts (H36). During the suspension of the examination the Council proposed that these sites should be included within a larger site covering the former Police Headquarters and associated land. It also proposed that a separate policy be introduced (DSNEW3) to set out specific requirements and guidance for development. The Council estimated that the larger site would have a capacity for 115 dwellings. I have considered the site on this basis.
422. The site (DSNEW3) includes the Grade II Listed Woodcote House, other buildings and structures and areas of hardstanding and car parking. It also incorporates areas of open land and woodland. The site includes a locally listed park and garden and a very small part of the Leek Wootton Conservation Area covers the eastern part of the site. There was limited use of the buildings and the site generally at the time of the hearings as a decision had

been taken to relocate the activities associated with the Police Headquarters and significantly scale down operations.

- 423. Policy DSNEW3 sets out the need to develop the site in line with an agreed masterplan and provides a comprehensive and robust policy basis in relation to the layout and design of development including to ensure that the impacts on the significance of heritage assets and landscape character are fully taken into account. The intention is that although the site would be considered comprehensively, built development would be limited to distinct parts of it and much would be left undeveloped. The Council suggested an amendment to the wording of the policy to clarify the requirement for a comprehensive approach to the conversion of Woodcote House and restoration of its setting in association with development on greenfield parts of the site.
- 424. There would inevitably be some loss of openness of the Green Belt and an extension of built development into currently undeveloped areas. The character and appearance of the site would be affected. However, built development would be reasonably well contained by topography and existing landscaping which could be supplemented by additional planting. It is intended that development is focussed on the area of existing buildings to the west of the site and the area closest to the main part of Leek Wootton to the east.
- 425. The redevelopment of the site provides the opportunity to sustain a viable use for the listed building and improve its overall appearance and setting through the removal of extensions and nearby buildings and structures. In addition to making a significant contribution to meeting housing needs, it would also provide the opportunity to allow public access to significant areas of open space.
- 426. There would be some impact on the significance of the listed building and park and garden but the harm would be less than substantial. The public benefits outlined above would outweigh this harm.
- 427. There are no fundamental constraints to development on the site and I consider that it would be viable and deliverable within the timescale estimated by the Council. Development of the site would make a significant contribution to meeting housing needs including those for affordable housing. The proposed site allocation is necessary to ensure that housing requirements are met and would help to sustain and enhance the role of the village. These benefits would outweigh the adverse impacts of development.
- 428. For the above reasons there are exceptional circumstances which justify altering the Green Belt. The proposed extended site allocation at the former Police Headquarters (DSNEW3) and Policy DSNEW3 put forward by the Council are required to ensure that the Local Plan is justified, effective and consistent with national policy.
- 429. The submitted Local Plan also proposed an allocation on land occupied by a car park east of The Hayes (H37). This small site has an estimated capacity of 5 dwellings. Development would be reasonably well contained visually by existing buildings, trees and the road to the Golf Course. It would have a limited impact on the openness of the Green Belt and not result in a significant extension of built development into the countryside. I am satisfied that it

would be viable and deliverable on the timescale estimated by the Council. It would make a small but important contribution to housing needs and add to the variety and choice of sites available. The proposed site allocation is necessary to ensure that housing requirements are met and would help to sustain and enhance the role of the village. These benefits would outweigh the adverse impacts of development.

430. For the above reasons there are exceptional circumstances which justify altering the Green Belt. The proposed site allocation at the car park east of The Hayes (H37) is justified, effective and consistent with national policy.

*Other sites put forward in Leek Wootton*

431. The supply of housing from these two site allocations would be an estimated 120 dwellings, just over the indicative capacity of 114 dwellings identified by the Council. It is not necessary to allocate any other sites put forward in representations in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District.
432. Housing on the sites at the Golf Club and Home Farm would be significant and prominent incursions into the open countryside and be poorly related to the existing form and character of the village. It would significantly undermine the openness of the Green Belt and the character and appearance of the area.
433. Development of housing on the site east of Leek Wootton at Hill Wootton Road would extend the built up area of the village into surrounding countryside, taking it very close to the A46. It would significantly affect the openness of the Green Belt. The open land and trees along the road frontage form an important part of the approach to and setting of the village and contribute to its overall character.
434. The adverse impacts of development on these sites would outweigh the benefits and exceptional circumstances for further alterations to the Green Belt do not exist.

**Other rural sites**

435. The submitted Local Plan also proposed a housing site allocation at the former Aylesbury House (H18) with an estimated capacity of 20 dwellings. It is a previously developed site and it is not intended to remove the land from the Green Belt. Although not in a settlement the site is close to Hockley Heath in Solihull Borough. The site allocation is intended to promote redevelopment on the site in accordance with national policy on the Green Belt and to facilitate the viable re-use of a listed building. The proposed allocation would make a small but important contribution to housing supply and for the above reasons is justified, effective and consistent with national policy.
436. A number of other sites adjacent to limited infill villages and in other locations beyond the urban areas and the Growth Villages were put forward in representations. There is no need to allocate housing sites in addition to those discussed above in order to meet the housing requirements for the District. Furthermore, the allocation of sites in these other locations would be inconsistent with the spatial strategy.

## **Main modifications relating to housing site allocations**

437. I have set out above my conclusions in respect of the housing site allocations proposed in the submitted Local Plan and the additional sites put forward by the Council during the suspension of the examination. In the light of these conclusions main modifications **MM8** and **MM12** are necessary to ensure that Policies DS11 and DS15 are justified, effective and consistent with national policy. Also in light of the above conclusions main modifications **MM18**, which would introduce a new Policy DSNEW2 dealing with safeguarded land and **MM19**, which would introduce a new Policy DSNEW3 relating to the former Police Headquarters at Leek Wootton are necessary to ensure that the Local Plan is justified, effective and consistent with national policy. Main modification **MM7** is required so that Policy DS10 is effective in reflecting the modified spatial strategy and the distribution of housing site allocations.

## **Issue 4 – Whether the approach towards the supply and delivery of housing land is justified, effective and consistent with national policy**

438. The housing requirement for the District (including the contribution to unmet needs in Coventry) is 16,776 dwellings between 2011 and 2029. The submitted Local Plan set out a potential total supply of 12,964 dwellings for this period. It follows therefore that the approach towards the supply and delivery of housing land set out in the submitted Local Plan is not justified, effective or consistent with national policy.
439. The Council accepted that the supply of housing land would need to increase substantially and as set out above it put forward significant additional housing site allocations to address this situation.
440. Taking into account the main modifications relating to housing site allocations and adjustments as a result of discussions at the hearing sessions, the Council estimates that the net supply of housing land between 2011 and 2029 would be 17,139 dwellings. This is made up of a number of components.
441. Completions between 2011/12 and 2015/16 total 2,051 dwellings. This includes what I consider to be reasonable and justified assumptions for dwellings released back into the supply as a result of additional bed spaces in new care homes and purpose built student accommodation (see Appendix 2 to HO05).
442. The estimated completions from commitments (sites with planning permission) from 2016/17 onwards would total 7,158 dwellings. This includes 225 dwellings granted planning permission in April and May 2016. It also includes a number of proposed site allocations where planning permission has been granted as set out above. Again reasonable and justified assumptions are made in relation to the net effect on supply from care homes and purpose built student accommodation.
443. The proposed site allocations (as a result of the main modifications) are estimated to contribute 6,454 dwellings in the remainder of the plan period. This figure excludes those sites with planning permission to avoid double counting. The estimated dwelling capacity on each site has taken account of particular circumstances and specific information where appropriate. However as a general approach the Council has assumed a density of 35 dwellings per

hectare for greenfield sites and 50 per hectare for urban brownfield sites. The net developable area for edge of village sites and most brownfield sites is generally assumed as 66% of the gross site area and for strategic greenfield sites this falls to 50% to reflect the additional infrastructure and strategic landscaping which is likely to be needed. I have considered each proposed site allocation in more detail above. Whilst I consider that the Council has taken a cautious approach to estimating capacity on the sites, it is realistic and justified.

444. It is important to bear in mind however that the estimates are not upper limits on the number of dwellings that could come forward, notwithstanding the particular issue of current highway capacity in the Westwood Heath area. It may be that suitable schemes for higher density development or a higher net developable area come forward. The Council acknowledges that the number of dwellings on particular sites could potentially exceed the estimated capacity. There are examples referred to above where the promoters of the site have identified potential schemes for a higher number of dwellings.
445. For commitments and site allocations it is generally assumed that completions would start to take place within about two years of outline planning permission being granted and about one year for full permission/reserved matters. On larger sites it is estimated that in the order of 45/50 dwellings per outlet would be delivered per year and that in some cases a number of outlets would operate from the same overall site. For a number of sites however the lead in times and annual rate of completions estimated also take account of particular circumstances and information available. For example the lead in time for completions on the proposed site allocation at Kings Hill on the edge of Coventry reflects the scale and complexity of the site and the need for significant infrastructure. The Council has taken into account potential competition and overlap between sites in close proximity and adjusted its estimates accordingly.
446. The Council is devoting resources to assisting site delivery and working proactively with site promoters, developers and other organisations to resolve issues such as the provision of infrastructure and to address matters prior to applications being submitted. There is a strong housing market in the District and evidence of significant progress on sites already under construction. The mix of affordable and market housing on committed and proposed sites will assist in boosting overall completion rates.
447. The Council provided yearly estimates of completions for all individual commitments on sites of ten or more dwellings and all proposed site allocations. For commitments on sites for less than ten dwellings it combined the figures and assumed completions would occur equally in each of the three years from 2016/17 onwards. This is a justified and proportionate approach.
448. Taking account of the above factors I consider that the estimated lead in times and annual completion rates for commitments and proposed site allocations are realistic and where necessary take account of specific circumstances.
449. Evidence shows that very few planning permissions for housing in the District lapse (just over 4% since 2011). Even then, applications will in some cases be resubmitted. There is evidence of good viability for development.

Excluding those commitments on sites which are also site allocations or where some completions have already taken place, the Council estimated in its hearing statement that a 5% discount would only result in a reduction of some 31 dwellings from the potential supply. In light of the above, there is insufficient basis to apply a standard percentage discount to commitments.

450. I consider therefore that the estimates of supply from commitments and proposed site allocations are realistic and justified.
451. The Council has identified four areas of traditional employment uses within the urban areas which have high vacancy rates or are in need of significant investment. In some cases they have already been partly redeveloped for housing. Whilst not specifically proposed as site allocations in this Local Plan, the Council considers them suitable in principle for some housing development and intends to allocate sites in the Canalside Development Plan Document programmed for submission in 2019. It estimates that the combined capacity would total 200 dwellings with completions occurring predominantly towards the end of the plan period. The loss of the employment land has been factored in to the assessment of future needs and these sites provide an opportunity to utilise previously developed land in the urban areas and make an important contribution to the supply and choice of housing sites available. For these reasons the estimated supply from such sites is realistic and justified.
452. The Council has identified a number of sites within the urban area, largely through the SHLAA process, which have estimated capacity for between 5 and 50 dwellings. Such sites are too small to allocate in the Local Plan but too large to include in the allowance for windfall sites under the Council's revised definition. In some cases the sites now have planning permission but they have not been double counted as commitments. The total estimated capacity of these sites is 295 dwellings although the Council considers it appropriate to apply a 10% discount to reflect the fact that not all of the sites may come forward as expected. The Council's approach is reasonable and justified and the estimated supply from such sites (266 dwellings) and the timescales for delivery are realistic.
453. One of my key concerns following the initial hearings in 2015 was the significant allowance that had been made for windfall sites. I considered that the allowance included substantial overlap with urban sites identified in the SHLAA and with sites with planning permission in terms of timing. During the suspension of the examination the Council reconsidered its approach to estimating a windfall allowance, taking on board my concerns.
454. The Council's revised approach (set out in HO29PM) considers past trends and makes reasonable adjustments to take account of policy changes and potential uncertainty. It avoids an overlap and therefore double counting with urban sites identified in the SHLAA and sites with planning permission. Following the minor correction of some calculations (EXAM 136), it is estimated that 101 dwellings would be delivered each year from 2019/20 onwards. A total of 1,010 dwellings from windfall sites in the plan period. This is a realistic allowance which is justified by evidence.



455. The updated housing trajectory would see total annual completions rising significantly above past rates, peaking at over 1,800 per year between 2019 and 2021. This would require a step change in housing delivery. However, it must be borne in mind that there is a strong housing market and evidence of significant future growth in population and households. A key element in the supply of housing land will be sites currently in the Green Belt in locations where up until now very limited opportunities for new housing have existed. Evidence shows that completions in 2016/17 will be significantly greater than in previous years, an estimated 1,159 dwellings. Taking this into account I consider that whilst such high annual rates of delivery are optimistic, they are also realistic.
456. Given the above and taking account of the main modifications, the Council's estimate that the overall supply of housing land in the plan period would be 17,139 dwellings is realistic and justified. This would be sufficient to meet the housing requirement of 16,776 dwellings.
457. I have explained in relation to Issue 3 that the five year housing requirement as of 2017/18 is 6,174 dwellings. Based on the Council's estimates and taking account of the main modifications the supply for this five year period would be 8,006 dwellings.
458. Again I consider that the Council has used reasonable and justifiable assumptions in terms of whether sites are deliverable within the five year period. A significant proportion of the five year supply would be made up of commitments (4,531 dwellings). I consider that subject to the main modifications relating to site allocations the Local Plan would provide for a five year supply of housing land while addressing the shortfall to date within the first five years and providing a 5% buffer. I am satisfied that a five year supply of housing land can be maintained.
459. I appreciate that based on these figures the degree of flexibility in the supply for the plan period compared to requirements would be limited (363 dwellings or just over 2%).
460. I also acknowledge that the main modifications I recommend include the deletion of the proposed housing site at Red House Farm (H04) which would have contributed an estimated 250 dwellings and that I have not recommended the inclusion of five additional sites put forward by the Council during the suspension of the examination which would have boosted the supply by an estimated 490 dwellings. I have explained the reasons for my conclusions that these sites should not be included in the Local Plan as allocations. In reaching those conclusions I have taken into account the effect on overall housing land supply and the level of flexibility that would be provided.
461. The context for the potential to identify additional housing land is that the majority of the District is within the Green Belt and there are a number of other key constraints.
462. As I have said, the Council has taken what I consider to be a cautious approach in terms of the estimated capacity of proposed site allocations. Whilst this is reasonable and justified, it may be that in some cases suitable detailed proposals come forward for a greater number of dwellings.

463. The proposed site allocation at Kings Hill (H43) has a total capacity estimated at 4,000 dwellings and the Local Plan would not restrict the number of dwellings in the plan period to the 1,800 included in the calculation of supply. The site allocation would provide flexibility for additional dwellings to come forward and contribute to overall supply therefore.
464. There is also potential for some as yet unidentified sites for 5 or more dwellings in the urban areas to come forward for development. These would be in addition to the specifically identified urban SHLAA sites and the windfall allowance.
465. The policies of the Local Plan (as modified) would set out a positive framework to assess additional housing proposals both in urban areas and Growth Villages and for affordable housing on rural exception sites.
466. There would be a considerable amount of flexibility in the initial five year period following adoption. The estimated supply of 8,006 dwellings as of 2017/18 substantially exceeds the five year housing requirement of 6,174 dwellings.
467. Policies DS20 (as modified) and new policy DSNEW1 would make a clear commitment to take account of housing delivery and consider reviewing the Local Plan by March 2021 and in any event review the situation in relation to the direction for growth south of Coventry within five years of adoption. On this basis, there would be clear mechanisms in place to address any shortfall in delivery well before the end of the plan period.
468. Taking all of these factors into account the Local Plan as modified would provide sufficient flexibility in terms of the supply of housing land.
469. Main modification **MM4** would ensure that Policy DS7 sets out the components of housing supply that would be sufficient to meet housing requirements and that the Local Plan includes a housing trajectory which reflects this. Along with other main modifications relating to site allocations it is necessary to ensure that the approach towards the supply and delivery of housing land is justified, effective and consistent with national policy.

**Issue 5 – Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the economy and employment land**

470. I deal specifically with issues relating to wider employment land requirements and the proposed site allocation for a sub-regional employment site under Issue 6.
471. Policy DS8 of the submitted Local Plan sets out a commitment to provide for a minimum of 66ha of employment land to meet local needs during the plan period, based on the Employment Land Review Update of 2013. This figure includes 36ha of additional employment land, 13.5ha to replace existing employment areas likely to be redeveloped for housing and 16.5ha to provide flexibility and choice in the potential supply. It is estimated that 36ha of additional land would provide for some 7,500 jobs in Class B uses (between 2011 and 2030). Given employment in other sectors, this broadly corresponds with estimates of jobs growth based on Warwick's own OAN for housing.

472. I consider that the figure of 66ha is based on robust evidence and is necessary to ensure sufficient employment land to meet local needs taking account of the likely loss of some existing sites to housing and the need to provide for flexibility and choice. It compares well with recent take up rates. Subject to main modification **MM5**, which would clarify that it is not necessarily the Council itself who would be making provision for employment land, Policy DS8 is positively prepared, justified, effective and consistent with national policy.
473. In the order of 47ha of employment land has been developed since 2011 or is already committed. Policy DS9 of the submitted Local Plan proposes employment land site allocations totalling 19.7ha at Thickthorn, Kenilworth (8ha) and Stratford Road, Warwick (11.7ha). In addition it is estimated that the sub-regional employment site under Policy DS16 would contribute some 6.5ha to local needs. The potential supply of employment land for local needs would total approximately 73ha. Existing commitments include land at the Former Honiley Airfield which is being developed for specialist automotive industry use. With this in mind and given that the figure of 66ha is a minimum, the scale of additional site allocations proposed is justified and necessary to ensure an adequate supply of land with sufficient flexibility and choice.
474. The proposed employment land site allocation at Thickthorn, Kenilworth (E2) is currently in the Green Belt. It is adjacent to the proposed housing site allocation (H06) and sits next to the Thickthorn roundabout at the junction of the A46 and A452.
475. As one of the urban areas, Kenilworth is a key location for future employment growth. As discussed above the town is tightly surrounded by Green Belt. The Common Lane Industrial Estate has been identified as suitable for redevelopment for housing. No alternative employment sites within the built up area have been identified.
476. Development of the site would result in a prominent and substantial extension of the built up area into adjoining countryside which is in agricultural use. It would result in the loss of openness and affect the character and appearance of the area.
477. However, as with the proposed housing site allocation, it is contained to the south-east by the A46. This is a strong physical and visual feature which would enable a well-defined and defensible edge to the extended built up area to be provided.
478. The site can be suitably accessed and the Council along with the County Council are taking a comprehensive approach to transport mitigation and improvements in the wider area as a result of development proposals. Detailed issues relating to layout and design could be addressed through specific proposals.
479. I have concluded above that the proposed housing site allocation at Thickthorn (H06) is justified. The proposed employment land site allocation would be seen in this context and offers the potential for a comprehensive and co-ordinated approach to the development of this area. The employment site has good accessibility to the town centre and is well located in relation to the wider transport network. I am satisfied that it would be viable and deliverable.

480. The proposed employment land site allocation is necessary to ensure that sufficient employment land of a suitable quality is available in the District and that Kenilworth fulfils its role as a focus for growth within the spatial strategy. These are significant benefits which outweigh the adverse impacts that would occur.
481. For the above reasons there are exceptional circumstances which justify altering the boundaries of the Green Belt in this case.
482. Warwick, as one of the urban areas, is also a focal point for future employment growth. There are very limited opportunities for additional employment land and as with housing, the potential for development on the edge of the urban area is affected by the Green Belt and other significant constraints.
483. The proposed site allocation at Stratford Road (E4) lies to the south of the built up area of Warwick near Junction 15 of the M40. It is not in the Green Belt. A significant element of the site is previously developed and it contains a number of buildings. The large committed employment site at Tournament Fields is on the opposite side of Stratford Road and there is a concentration of development including hotels between the proposed site and the motorway junction. Within this context and subject to detailed proposals, the development of the site for employment uses would not have a significant effect on the character and appearance of the area.
484. The proposed site is very well located in relation to the wider transport network and I am satisfied that detailed issues including access arrangements, flood risk and proximity to the sewage treatment works could be addressed through specific proposals and that development would be viable and deliverable.
485. The proposed employment land site allocation is necessary to ensure that sufficient employment land of a suitable quality is available in the District and that Warwick fulfils its role as a focus for growth within the spatial strategy.
486. For the above reasons Policy DS9 and the proposed employment land site allocations at Thickthorn, Kenilworth (E2) and Stratford Road, Warwick (E4) are justified, effective and consistent with national policy. Main modification **MM6** is required to ensure that the explanatory text is effective in reflecting the policy.
487. Combined with completions to date and existing commitments, these two site allocations would ensure a sufficient supply of available employment land to meet local needs within the District including a reasonable amount of flexibility. There is no need to allocate additional sites or to identify reserve sites.
488. Policy EC1 sets out a range of criteria to consider proposals for new employment development. Given the evidence in relation to the limited availability of deliverable sites in the town centres, the policy is justified in also allowing for office development in established, committed and proposed employment areas.

489. In applying a sequential approach to other forms of employment development outside of such areas or the town centres, the policy is not justified and lacks sufficient flexibility however. Main modification **MM21** would address this concern and would also provide necessary clarity to the detailed wording of the policy. Subject to this main modification Policy EC1 is justified, effective and consistent with national policy.
490. Policy EC2 sets out an approach to the diversification of rural businesses which is justified, effective and consistent with national policy.
491. Policy EC3 provides a strong and justified level of protection for existing and committed employment sites whilst giving sufficient flexibility to allow for redevelopment to other uses in particular circumstances. Given that the exceptional circumstances for altering the Green Belt at the sub-regional employment site and Thickthorn relate to employment land needs, it would be inappropriate to allow for the loss of such land for other uses. Main modification **MM22** is necessary to clarify the approach in this respect. Subject to this main modification Policy EC3 is justified, effective and consistent with national policy.

**Issue 6 – Whether the sub-regional employment site proposed in Policy DS16 is justified, effective and consistent with national policy**

492. Policy DS16 of the submitted Local Plan proposes to allocate land in the vicinity of Coventry Airport as a major employment site for B1, B2 and B8 uses. The land is currently in the Green Belt. In total the proposed site allocation covers 235ha although it is intended that 111ha of this would remain as undeveloped land in the Green Belt to provide open space and strategic landscaping. It is proposed to remove 124ha from the Green Belt therefore. The land identified for built development would be split into two distinct areas, one to the north of the Airport land and one to the south.
493. The land in question was the subject of planning applications submitted in 2012 for employment development, associated uses, infrastructure and landscaping. The proposals included highway works in Coventry City Council's administrative area. The applications were called in for determination by the Secretary of State in July 2013 and an Inspector held an inquiry in April and May 2014. In February 2015, the Secretary of State agreed with the Inspector's recommendation that planning permission should be refused.
494. The Secretary of State considered that the proposals would give rise to substantial Green Belt harm and that whilst a strong case had been made for development, evidence did not establish that the need for the proposal was such that a decision on the future of the Green Belt should be taken ahead of the Local Plan process. He went on to conclude that the harm to the Green Belt was not clearly outweighed and that very special circumstances to justify allowing inappropriate development did not exist.
495. A planning application was submitted in February 2016 by Jaguar Land Rover and Coventry City Council for employment (offices, research and development and light industrial) and associated uses, infrastructure and landscaping on the site referred to as "Whitley South". This largely corresponds with the northern area of the proposed site allocation but also includes land for highway works within Coventry. Both Councils resolved to approve the application in April

2016 subject to a S106 agreement and the Secretary of State confirmed that the application was not being called in. I understand that the S106 agreement has now been signed and planning permission has been granted.

496. Development of the type and scale envisaged on the proposed site allocation would result in a significant reduction in the openness of the Green Belt in this locality. It would represent a substantial extension of the built up area and an encroachment into the countryside. It would reduce the gap between the edge of Coventry and Baginton and between existing built development at Middlemarch Business Park and Bubbenhall although it would not result in the merging of settlements.
497. The land is not covered by any national or local landscape designations and forms part of the urban fringe. The immediate area contains a range of large buildings and infrastructure uses and the site itself includes a former sewage treatment works and areas of landfill. Notwithstanding this, and the potential for significant screening and landscaping, the development of the site would affect the character and appearance of the area through the introduction of large scale employment related development and associated infrastructure. There would be a loss of some best and most versatile agricultural land.
498. There would be some impact on the setting of the scheduled monument at Lunt Fort but given the separation and potential for screening and landscaping, the harm to the significance of this heritage asset would be very limited and less than substantial.
499. Due to the distances involved, the visual inter-relationships and potential screening and landscaping, there would be no harm to the significance of the Conservation Areas at Baginton, Bubbenhall and Stoneleigh or Stoneleigh Abbey or other designated or non-designated heritage assets.
500. The site is well located in relation to the strategic transport network and evidence shows that it can be suitably and safely accessed with mitigation and enhancement measures although there would be a significant increase in traffic and some harm would occur as a result of the change in character of Bubbenhall Road.
501. Detailed proposals would be able to satisfactorily address issues in terms of flood risk and contamination and with suitable mitigation there would not be significant impacts on biodiversity, air quality, noise or public safety.
502. The Council put forward the proposed allocation on the basis of a need for a sub-regional employment site. It acknowledges that the land would make some contribution to local employment land requirements in the District (6.5ha) but predominantly the Council's case rests on sub-regional employment land needs and the specific requirement for a large strategic site in such a location.
503. The circumstances and evidence in relation to employment land requirements and the land in question have changed significantly since the Secretary of State's decision in early 2015. As referred to above, the northern part of the proposed allocation is now subject to a planning permission.

504. The CBRE study of 2015 concludes that between 500Ha and 660Ha of employment land is required in Coventry and Warwickshire and that sites should be identified for the upper end of this range to provide flexibility and choice. The upper end of this range is based on strong recent take up rates.
505. The Employment Land Study for Coventry City Council published in December 2015 identifies a need for 215ha of employment land between 2011 and 2031 in Coventry. In addition, the City Council has identified some 64ha of existing employment land as potentially suitable for housing development. A further 90ha of employment land has been redeveloped or has planning permission for other uses due to factors which constrain its continued use for employment purposes. The existing stock of employment land is likely to be depleted by some 154ha therefore. On this basis, the total requirement for Coventry is in the order of 369ha. The City Council's assessment of potential supply within its area concludes that there would be a shortfall of some 241ha.
506. The Coventry and Warwickshire authorities have accepted this position and agreed a distribution of employment land which includes accommodating all of the unmet need from Coventry. This is set out in the Employment Land MoU of July 2016 which has now been endorsed by all of the authorities. The employment land requirements within the MoU are based on specific assessments undertaken for each authority. For Warwick this is the 66ha referred to above. In total the requirement for the authorities is identified as 714ha.
507. The MoU considered commuting flows between Coventry and the other authorities and the agreed distribution of housing set out in the Housing MoU. It then took account of evidence relating to market signals, unemployment patterns and urban regeneration issues. This stage in the process indicated a figure of 105ha for Warwick.
508. Adjustments were then made to take account of land take up since 2011, existing commitments and potential allocations. An important factor in this is that there are two significant sites in Rugby Borough but close to Coventry which are already being developed and have committed capacity for further growth. This also affects the redistribution to Nuneaton and Bedworth given the location of the sites in question.
509. Taking all of these factors into account the MoU sets out a redistribution of employment land from Coventry to Nuneaton and Bedworth (26ha), Rugby (98ha) and Warwick (117ha). The total figure for employment land provision in Warwick is therefore 183ha (66ha plus 117ha).
510. The MoU takes a reasonable and pragmatic approach to the redistribution of unmet employment land needs from Coventry. It takes the existing functional relationships between authorities as a starting point but rightly factors in the agreed future distribution of housing, economic evidence and market signals. The redistribution then takes account of existing commitments and the realistic potential to deliver additional growth. Its conclusion that 183ha of employment land should be provided for in Warwick to meet its own needs and to ensure that the needs of the sub-region are met is justified. The proposed site allocation is necessary to ensure that adequate provision for employment land is made in Warwick.

511. The proposed site allocation is strongly supported by the CWLEP. It has identified the site, known as the Coventry and Warwickshire Gateway, as the priority employment site for delivery in its SEP. Evidence from the CBRE Study and the West Midlands Strategic Employment Sites Study provides support for the allocation in terms of the need and demand for a site of this scale to accommodate the intended uses and locational factors. It has been put forward in the light of the consideration of potential alternative strategic employment sites.
512. The site is well located in relation to the strategic transport network and established employment locations, particularly Jaguar Land Rover at Whitley. The planning application at Whitley South demonstrates the potential for the proposed allocation to support substantial investment and expansion of existing businesses which play a key role in the local and national economy.
513. The potential for job creation on the site is very significant. The Inspector who considered the called in applications concluded that it was likely that several thousand jobs, possibly up to 7,800, could be created.
514. The level of housing in the District (932 dwellings per year) and the associated population increase is estimated to support a growth in the workforce of some 22,500 between 2011 and 2031. Taken together with employment land for local needs and given employment in other sectors, the proposed site allocation would enable a reasonable balance between workforce and jobs growth. It will help to ensure a good level of synergy between housing and employment land provision.
515. The site is close to the urban area of Coventry and would make a significant contribution to addressing the need for additional employment. The development of the site would bring substantial investment to the local economy both through construction and in the longer term. It would also have some benefits in terms of the remediation of land and the provision of publically accessible open space. I am satisfied that the development of the site would be viable and deliverable.
516. Given the locational criteria and constraints to development elsewhere in the District, no realistic and deliverable alternatives have been identified to accommodate development on this scale within built up areas, on land outside of the Green Belt or elsewhere within the Green Belt.
517. Taking all of the above into account there is a very strong case in favour of the proposed site allocation and I consider that the substantial benefits set out above would outweigh the adverse impacts. Exceptional circumstances exist to justify altering the Green Belt and allocating the site for employment development in the Local Plan.
518. To ensure that Policy DS16 is fully effective in clearly stating that the site is allocated in the Local Plan main modification **MM13** is necessary. Subject to this the sub-regional employment site proposed in Policy DS16 is justified, effective and consistent with national policy.



**Issue 7 – Whether the proposed site allocations for education, a country park, a community stadium and associated uses and outdoor sport are justified, effective and consistent with national policy**

*Land for education*

519. Policy DS12 of the submitted Local Plan proposes site allocations for educational use at Myton (ED1) and Southcrest Farm, Kenilworth (ED2).
520. As explained above in relation to the proposed housing site west of Europa Way it was initially envisaged that the existing school at Myton would be extended to provide additional capacity for the area. However, this is no longer considered appropriate given the significantly increased scale of housing commitments to the south of Warwick and a new school is now required in addition to retaining and expanding the existing facility.
521. The provision of additional education capacity in this locality is necessary and appropriate given the significant additional housing proposed. The site is well related to the new housing that will come forward and sits within what will be the expanded urban area.
522. I discussed the proposed allocation at Southcrest Farm in relation to housing sites in Kenilworth. Current secondary and sixth form provision in Kenilworth is insufficient to accommodate the growth in housing planned. The existing school sites are not realistically capable of expansion or redevelopment on the scale required and the buildings are in any case in need of significant investment and the split site arrangement causes operational difficulties. Evidence supports the approach of relocating to a single site and building a new school and sixth form facility.
523. No suitable alternative sites have been identified in the built up area and the Green Belt surrounds Kenilworth in all directions. Taking into account locational requirements and constraints that exist elsewhere, the proposed site at Southcrest Farm is an appropriate location for the new school. The development of the school would result in the current openness of this part of the Green Belt being lost and would represent an extension of the built up area into surrounding countryside. It would also affect the character and appearance of the area. However, the significant benefits in terms of improved and increased educational facilities and the need to make suitable provision to match housing growth outweigh these adverse effects. There are exceptional circumstances which justify altering the Green Belt in this case.
524. As I have set out in relation to the proposed housing site east of Kenilworth (H40) it is appropriate and justified that the proposed allocations overlap.
525. Main modification **MM9** is necessary to ensure that Policy DS12 is effective in providing flexibility towards the inclusion of primary school provision on the sites concerned, the potential for some housing on land at Southcrest Farm and to clarify the need for the site at Myton to include a new school. Subject to this Policy DS12 and the proposed site allocations for education are justified, effective and consistent with national policy.

*Land for a country park*

526. Policy DS13 of the submitted Local Plan proposes the allocation of land for a country park to the south of the proposed housing site allocation at Harbury Lane (H02). The Green Infrastructure Study identifies the need for a significant area of accessible natural green space in this broad locality. There will be a substantial amount of additional housing to the south of the urban area and a country park will help to ensure that adequate and accessible green space is provided. The country park will also run along the southern edge of the housing site and reinforce a clear edge to the urban area and help to maintain a clear separation between the urban area and Bishop's Tachbrook. Planning obligations relating to the housing site will make significant contributions to the provision of land and funding for the country park.
527. The Council confirmed its intention to modify the Policies Map to ensure that the boundaries of the country park correlate with the areas included within planning permissions and that the boundary of the urban area runs to the north of the country park.
528. To ensure that Policy DS13 is fully effective in clearly stating that the site is allocated in the Local Plan main modification **MM10** is necessary. Subject to this Policy DS13 and the proposed site allocation for a country park is justified, effective and consistent with national policy.

*Land for a community stadium and associated uses*

529. Policy DS14 (as set out in the Focussed Changes) proposes the allocation of land for a community stadium and associated uses within the larger site allocation on land west of Europa Way (H01). The community stadium is included within the outline planning permission for the larger site. It is intended that the site will provide for the relocation of Leamington FC from its current facility on Harbury Lane. The site provides an appropriate location for such a facility which is well related to areas of proposed new housing and the site for the new school at Myton.
530. Main modification **MM11** is necessary to ensure that the Local Plan is effective in clarifying the intended uses on the site and the relationship with the wider housing site allocation. Subject to this Policy DS14 and the proposed site allocation for a community stadium and associated uses is justified, effective and consistent with national policy.

*Land for outdoor sport*

531. During the suspension of the examination the Council proposed an additional policy (DSNEW4) and site allocations for outdoor sport uses in Kenilworth at Castle Farm (SP1) and Warwick Road (SP2). It is proposed to retain both sites in the Green Belt and for development to be consistent with paragraph 89 of the NPPF.
532. The Council's playing pitch assessment identifies quantitative and qualitative deficiencies in the provision of facilities for football, cricket and rugby in Kenilworth. The additional housing development proposed will exacerbate this situation. Existing sports facilities at Thickthorn would be affected by the proposed housing site allocation (H06). The proposed site allocations for

outdoor sports uses would address existing and future issues in provision and provide the opportunity to replace the existing sports pitches and facilities at Thickthorn with those of at least equivalent quantity and quality in a suitable location.

533. Policy DSNEW4 and the proposed site allocations for outdoor sport uses are required to ensure that the Local Plan is justified, effective and consistent with national policy. Main modification **MM20** is necessary therefore.

**Issue 8 – Whether the approach towards retail and town centres is justified, effective and consistent with national policy**

534. The Council's Retail and Leisure Study update of 2014 identifies only minimal capacity (170sqm) for additional convenience retail floorspace in the District by 2029. For comparison goods a capacity for 16,674sqm is identified in Leamington Spa (including an element for current "overtrading") with no capacity identified in Warwick and Kenilworth. Updated analysis provided for the Council in October 2016 (Appendix to Council's hearing statement) indicates that the comparison goods capacity estimate for Leamington Spa may need to be reduced. This is due to planning permissions that have been granted since 2014 and concerns that the estimate of overtrading may no longer be justified.
535. The Council recognises the difficulties in estimating retail capacity over the longer term and is committed to reviewing the situation. However, evidence currently available does not point to significant needs for additional retail floorspace.
536. The Retail and Leisure Study identifies some modest needs for additional health and fitness, food and drink and cinema uses, again focussed on Leamington Spa.
537. The retail and town centre policies in the submitted Local Plan provide a comprehensive approach to this issue. However, there is a lack of clarity given the Council's broader definition of town centres which in the case of Leamington Spa and Warwick include areas of residential and other uses around the retail areas. Although it is appropriate to identify particular areas on the edge of the retail areas of Leamington Spa and Warwick as providing potential for development following a sequential assessment, it is not justified or consistent with national policy to apply a sequential preference to these areas over other edge of retail area sites in Policy TC2.
538. Whilst the approach to protecting retail frontages in Policies TC6 and TC7 is justified, the policies lack sufficient flexibility to take account of long term vacancies and evidence of marketing.
539. The approach to the Warwick Café Quarter and the Leamington Spa Restaurant and Café Quarter set out in Policies TC8 and TC9 is appropriate and justified although there is a lack of sufficient clarity in terms of the relationship with Policy TC7.
540. Whilst Policy TC11 sets out an appropriate and justified approach to the mixed use area of Warwick Town Centre, it is insufficiently clear that the sequential approach set out in Policy TC2 would apply.

541. Policy TC12 is justified in seeking to protect specific areas of employment uses within the wider areas identified as town centres given the need to retain such uses to contribute towards employment opportunities in the District and to recognise the important role that they play in the wider town centre.
542. Taking account of the need for clarification of policy wording referred to above, the boundaries for the primary retail frontages, retail areas and town centres are appropriate and justified.
543. The Retail and Leisure Study provides a justifiable basis for the requirement in Policy TC2 for impact assessments for proposals above 500sqm outside of the retail areas. This also relates to specific requirements for infrastructure on strategic housing sites set out in Policy DS15 (as modified).
544. Policy TC4 proposes the allocation of a site at Chandos Street in Leamington Spa for retail and other appropriate main town centre uses. It is currently in use as a surface car park. The Council's proposal to relocate its offices to the site at Covent Garden is also intended to incorporate replacement parking to compensate for spaces lost at Chandos Street. The site at Chandos Street has a long history and there were clearly issues with detailed proposals previously put forward. However, it is well located on the edge of the Retail Area and very close to the Primary Retail Frontages. Subject to other policy considerations, it provides a suitable location to accommodate additional retail floorspace and other main town uses and the proposed allocation is justified.
545. Main modification **MM23** would provide necessary clarity in terms of the definition of retail areas and the wider town centres and the application of the sequential approach. It would ensure that Policy TC2 is justified and consistent with national policy in these respects. Main modification **MM24** is necessary to ensure a sufficiently flexible approach to the change of use of retail frontages and main modification **MM25** is required to provide clarity on the relationship of Policies TC8 and TC9 to Policy TC7. Main modification **MM26** would provide necessary clarity on the application of the sequential approach to the mixed use area of Warwick Town Centre.
546. Subject to these main modifications the approach towards retail and town centres set out in Policies TC1 to TC18 is justified, effective and consistent with national policy.

#### **Issue 9 – Whether the approach towards culture, leisure and tourism is justified, effective and consistent with national policy**

547. The submitted Local Plan sets out a comprehensive approach to culture, leisure and tourism development. This is within the context of the broader approach to town centres and main town centre uses referred to above.
548. Policy CT1 is appropriate in seeking to focus new culture, leisure and tourism development in town centres. The Retail and Leisure Study provides a justifiable basis for the requirement in Policy CT1 for impact assessments for proposals above 500sqm outside of town centres. Main modification **MM27** is required however to ensure that the scope of the policy and the application of a sequential approach is clearly set out and effective.

549. Whilst Policy CT3 is justified in seeking to protect existing visitor accommodation within town centres from redevelopment or changes of use, main modification **MM28** is necessary to provide adequate flexibility for proposals above ground floor level and consistency with town centre and retail policies.
550. There is a lack of evidence in relation to quantifiable deficiencies in cultural facilities or public art and no specific basis for determining the scale of appropriate contributions from developments. Policy CT5 is not justified or effective therefore and main modification **MM29** would delete the policy.
551. Policy CT7 sets out a comprehensive approach to potential development at Warwick Castle and St Mary's Lands (including Warwick Racecourse) and along with other policies would ensure suitable protection for heritage assets. Main modification **MM30** is required however to provide necessary clarity to the policy wording and sufficient flexibility to deal with proposals not included in approved masterplans.
552. Subject to these main modifications the approach towards culture, leisure and tourism set out in Policies CT1 to CT7 is justified, effective and consistent with national policy.

**Issue 10 – Whether the approach towards the University of Warwick and major sites in the Green Belt is justified, effective and consistent with national policy**

*University of Warwick – Policy MS1*

553. The campus of the University of Warwick straddles the boundary between Coventry City and Warwick District. The part of the campus within Warwick District is currently within the Green Belt and identified as a Major Developed Site in the extant Local Plan; it contains student residences and other University buildings. It is subject to an agreed masterplan and there have been a series of planning permissions for built development. At the time of the hearings there were some buildings under construction and some further development permitted but not yet started. It adjoins other parts of the campus and the main urban area of Coventry.
554. As a consequence the land within Warwick District is now predominantly developed and there are limited areas of openness. It no longer makes any meaningful contribution to the purposes of including land within the Green Belt. The University is a major asset which makes a very significant contribution to the economy of the local area and the wider sub-region. Removing the land from the Green Belt would facilitate further growth within the existing boundaries of the campus. For these reasons there are exceptional circumstances which justify altering the boundaries of the Green Belt and removing land at the University of Warwick, as proposed in the submitted Local Plan.
555. Main modification **MM31** would provide necessary clarity in relation to the requirements for a new masterplan and sufficient flexibility to deal with proposals not included in the approved masterplan. Subject to this main modification the approach towards the University of Warwick set out in Policy MS1 is justified, effective and consistent with national policy.

*Major sites in the Green Belt – Policy MS2*

556. Policy MS2 of the submitted Local Plan identifies the former Honiley Airfield, Stoneleigh Park and Stoneleigh Deer Park (Abbey Business Park) as major sites in the Green Belt.
557. The three sites are set within the open countryside, well away from any settlement. Although containing buildings and other development, they have retained significant areas of open land. Their continued inclusion in the Green Belt is justified and there are not exceptional circumstances to alter the boundaries of the Green Belt.
558. The Council acknowledged that it would be unlikely that further development beyond that already permitted would be acceptable at Stoneleigh Deer Park and that on reflection this site should be excluded from Policy MS2.
559. Policy MS2 is justified in recognising the important and specific contribution that the sites at the former Honiley Airfield and Stoneleigh Park make to the economy and that there may be potential to accommodate further development in addition to that already permitted, within the context of Green Belt policy. The Council accepted that the boundary of the site at the former Honiley Airfield should be amended to include the test track area.
560. Main modification **MM32** would remove reference to Stoneleigh Deer Park, provide necessary clarity as to the policy approach and future uses and ensure sufficient flexibility to deal with proposals not included in the approved masterplan at Stoneleigh Park as a result of the impact of HS2. Subject to this main modification the approach towards major sites in the Green Belt set out in Policy MS2 is justified, effective and consistent with national policy.

**Issue 11 – Whether the housing policies are justified, effective and consistent with national policy**

561. I have considered Policy H0 and the need for main modification **MM33** under Issue 1 and Policy H1 and the need for main modification **MM34** under Issue 2.
562. The 2015 SHMA identifies a need for 280 affordable houses per year in Warwick and a need for 600 affordable houses a year in Coventry (some 28% of its OAN). The Council has worked with Coventry City Council to agree a commitment to accommodate 94 affordable houses per year from the need identified in Coventry and the authorities have produced a statement of common ground. This figure represents approximately 28% of the 332 dwellings per year from Coventry which the Council has agreed to accommodate through the MoU. Although the relationship between affordable housing needs and provision across boundaries is complex, the agreed approach is pragmatic and justified. The Council is committed to providing for a total of 374 affordable houses per year therefore. This represents some 40% of the total housing requirement identified.
563. Policy H2 sets out the approach to delivering affordable housing as part of market housing schemes. Given the scale of affordable housing needs identified and evidence on viability, the policy is justified in seeking 40% affordable housing on such schemes. It would allow for the impact on the

viability of the development to be taken into account when negotiating the provision of affordable housing.

564. However, it is not consistent with national policy in relation to the site size threshold for seeking affordable housing or the definition of affordable housing and mechanisms for delivery. It lacks sufficient clarity and flexibility in terms of the approach to the proportion of affordable housing that will be sought. Main modification **MM35** would address these concerns and also provide necessary clarity regarding the scale of affordable housing needs and the commitment to meeting some needs from Coventry.
565. I am satisfied that given the approach set out in Policy H2 (as modified), it is not necessary to increase the overall housing requirement in the District in order to deliver the required amount of affordable homes.
566. Policy H3 concerns affordable housing on rural exception sites. Whilst the approach set out in the policy is broadly appropriate, it is not justified in seeking to discourage outline planning applications and reducing the time limit for commencement on detailed schemes to two years. It is also not justified in setting a specific limit of 40% for the proportion of market homes that would be acceptable to cross-subsidise affordable housing. Main modification **MM36** is necessary to address these concerns and provide sufficient clarity in relation to the occupation of such dwellings.
567. Along with Policy H0, Policy H4 sets out an appropriate approach to the provision of a mix of housing types and sizes to meet the needs of all groups within the community. However, it lacks clarity and justification in terms of requirements for a specific proportion of age friendly and/or adaptable homes on strategic sites. Main modification **MM37** would address this concern. Whilst Policy H5 sets out a justified approach to the provision of specialist housing for older people, main modification **MM38** is required to provide clarity that such developments would not normally be appropriate in the open countryside or in limited infill villages.
568. There is robust and up to date evidence relating to the need for additional accommodation for Gypsies and Travellers set out in the Gypsy and Traveller Accommodation Assessment of 2012 and the update of 2016. There is an identified need for 31 permanent pitches over the plan period (25 of which in the first five years) and a transit site for 6-8 pitches. There are no existing sites in the District. There is an existing yard for travelling showpeople which is sufficient to meet identified needs over the plan period. Subject to main modification **MM39** which would ensure that it fully reflects the up to date evidence, Policy H7 sets out a clear, positive and proactive commitment to meeting all of the identified needs through the production of a Gypsy and Traveller Site Allocations Plan and determining planning applications in line with criteria in Policy H8. It will enable a 5 year supply of deliverable sites to be achieved. The Council envisage that the Site Allocations Plan will be published for consultation in November 2017.
569. Policy H8 sets out appropriate and justified criteria to assess proposals for Gypsy and Traveller sites. Main modification **MM40** is required however to provide clarity that access to emergency services is an important factor and

that the co-location of permanent and transitory pitches will be avoided. It will also provide necessary additional flexibility as to the size of sites.

- 570. The requirements in Policy H10 for a collaborative approach to the design, layout and scale of housing on allocated sites in Growth Villages and for the phasing of such sites involving 50 or more dwellings are not justified and would lack sufficient flexibility. Main modification **MM41** would address these concerns.
- 571. Policy H11 sets out effective and justified criteria relating to housing in limited infill villages in the Green Belt. Main modification **MM42** is required however to clarify that such villages are shown on the Policies Map.
- 572. The criteria set out in Policy H12 provide an effective approach to housing for rural workers which is consistent with paragraph 55 of the NPPF. Main modification **MM43** is required to remove the unjustified reference to a specific maximum permitted size for rural workers dwellings in paragraph 4.83 however.
- 573. The requirements of criteria a) and b) of Policy H13 in relation to replacement dwellings in the open countryside are not justified and are inconsistent with national policy. Main modification **MM44** would address these concerns.
- 574. Main modification **MM45** would introduce a new policy HNEW1 which is necessary to ensure that the Local Plan sets out an effective and positive approach to custom and self-build housing which is consistent with national policy.
- 575. Subject to these main modifications the housing policies are justified, effective and consistent with national policy.

## **Issue 12 – Whether the other policies are justified, effective and consistent with national policy**

- 576. I set out below my consideration of other policies in the Local Plan which are not addressed specifically elsewhere in my report.
- 577. Policy DS18 is not effective as it lacks clarity regarding the approach towards development within or in close proximity to the Lillington Local Shopping Centre. It is not justified and is also inconsistent with national policy and other policies in the Local Plan relating to main town centre uses. Main modification **MM14** is necessary to delete the policy.
- 578. Policy BE1 sets out a comprehensive set of criteria relating to the layout and design of development. However main modification **MM46** is necessary to ensure that it is fully consistent with national policy, consistent with other policies in the Local Plan in relation to building design, water management and flood risk and sufficiently flexible in terms of design guidance.
- 579. Policy BE2 sets out a comprehensive and justified approach towards the development of significant housing sites. Main modification **MM47** would introduce necessary flexibility in terms of the approach to design guidance and development briefs and clarity regarding the effect on the historic environment.



580. Whilst it is appropriate to encourage developments to include broadband infrastructure, the approach set out in Policy BE5 which would require such provision above certain thresholds is not justified. This would be addressed by main modification **MM48** which would introduce necessary flexibility.
581. Main modification **MM49** would introduce a new policy BE6 and is necessary to ensure that the Local Plan provides a clear policy framework for electronic communications which is consistent with national policy.
582. To ensure that Policies HS6 and HS8 are sufficiently clear and effective, main modifications **MM55** and **MM56** are required.
583. Main modification **MM57** is necessary to ensure that Policy CC2 takes an effective approach to the impact on heritage assets and is consistent with national policy in relation to wind energy.
584. In relation to Policy CC3, main modification **MM58** is required to ensure that it is consistent with national policy on housing standards and avoids overlap with building regulations. It is also necessary to ensure that the requirements of the policy are justified and sufficiently flexible.
585. Policies FW1 to FW4 set out the approach to flooding and water. Following close co-operation with the Environment Agency and joint working with the other Warwickshire authorities, the Council put forward a modified section of the Local Plan relating to flooding and water. This took into account the findings of the updated Water Cycle Study 2016 (EXAM141). Main modification **MM59** would replace the section of the Local Plan relating to flooding and water and is necessary to ensure that it is justified in light of updated evidence, effective in setting out a clear policy framework and consistent with national policy. Evidence in relation to water stress and the effect on viability provides a clear local need for the approach set out in modified Policy FW3 of requiring a water efficiency standard of 110 litres per person per day for new dwellings.
586. In relation to the historic environment, Policies HE1 to HE6 lack sufficient clarity and are not fully consistent with the NPPF in terms of the approach towards heritage assets. Main modifications **MM60** to **MM65** are necessary to ensure that the approach towards the historic environment is effective and consistent with national policy.
587. Policies NE1 to NE5 and NE7 provide a justified approach to the natural environment which is consistent with national policy. However, main modifications **MM66**, **MM67** and **MM68** are necessary to ensure that Policies NE2, NE3 and NE5 are sufficiently clear and therefore effective. Main modification **MM69** is required to ensure that Policy NE6 sets out an effective policy approach to development resulting from HS2 which reflects the reality of the planning regime.
588. In relation to neighbourhood planning, the Council accepted that the inclusion of Policies NP1 and NP2 was not necessary or justified as they simply restated the role of development plans in decision making and the Council's support for community led planning. Main modifications **MM70** and **MM71** are required to delete these policies.

589. The Council also accepted that it was inappropriate and unjustified to include Policies W1 and W2 as it is not the waste authority and such matters are dealt with by the Waste Core Strategy produced by the County Council. Main modifications **MM72** and **MM73** are necessary to delete these policies.
590. Subject to these main modifications the other policies not addressed specifically elsewhere in my report are justified, effective and consistent with national policy.

### **Issue 13 – Whether the approach to transport is justified, effective and consistent with national policy**

591. The projected increase in population and households and the associated growth in new housing will clearly have significant implications for traffic levels and transport infrastructure. The Council, in association with the County Council has undertaken a series of Strategic Transport Assessments (STA) throughout the preparation of the Local Plan and during the suspension of the examination. These provide thorough and robust evidence in terms of the impacts of the scale and distribution of the growth planned and the specific effects of proposed site allocations including the main modifications (see TA14PM).
592. The spatial strategy as modified will focus most growth and new development on the urban areas and the edge of Coventry, where accessibility to services and facilities and public transport networks are greatest. This will help to reduce the need to travel and provide sustainable transport choices.
593. Whilst significant mitigation and improvements to existing transport infrastructure will be required, the Council and County Council have taken a comprehensive and co-ordinated approach and set out clear proposals for such mitigation and infrastructure provision. There has been close co-operation with other organisations including Highways England and Coventry City Council. The Infrastructure Delivery Plan (IN07PM) identifies a series of transport improvement projects and packages with clear assessments of costs and likely funding sources.
594. Taking account of the potential for a 15% modal shift for housing site allocations i.e. a shift to non-car use, and with appropriate mitigation and enhancements to transport infrastructure, the STA concludes that the scale and distribution of growth proposed can be satisfactorily accommodated.
595. The updated Air Quality Assessment of 2016 (A04PM) considered the scale and distribution of proposed growth including that resulting from the main modifications. It concludes that taking account of improvements in vehicle emission controls, there will be a negligible impact on air quality.
596. The proposed site allocations for housing and employment development have been put forward by the Council in the light of the implications for traffic and transport infrastructure. Subject to appropriate mitigation, the policies of the Local Plan (as modified) will ensure they can all be accessed safely and can be satisfactorily accommodated within the transport network.
597. Policy TR1 sets out a justified set of principles relating to access and choice. However main modification **MM50** is required to ensure that it is effective in

clarifying the need for access by emergency services and to ensure that it is sufficiently flexible and consistent with national policy in terms of facilities for charging plug-in and other ultra-low emission vehicles.

598. Policy TR2 provides a justified approach to the consideration of the impacts of traffic generation from developments. Main modification **MM51** would ensure that the policy is effective in providing clarity that it relates to both residential and non-residential development and flexibility in terms of requirements for transport statements and travel plans.
599. The principle of seeking contributions from developments which would lead to the need for transport mitigation measures is well established and adequately dealt with elsewhere in the Local Plan. Seeking contributions from all development simply because it would lead to traffic increases is not justified. Given this the inclusion of Policy TR3 is not justified and main modification **MM52** is necessary to delete it.
600. Criterion a) of Policy TR4 requires development to avoid making parking provision which encourages unnecessary car use. It is not clear how this would be defined or implemented and in this respect the policy is not effective. Main modification **MM53** would address this concern.
601. Policy TR5 is justified in safeguarding land for key transport infrastructure projects although given the progress with Kenilworth Station which is expected to be operational by late 2017, it is no longer necessary to include this within the policy. Main modification **MM54** would address this issue and also provide necessary clarity in terms of the areas of search for park and ride at Warwick/Leamington Spa and reflect the up to date situation relating to the inclusion of a scheme as part of the approved development at the Asps.
602. The two areas of search to the north of Warwick/Leamington Spa are those included in the submitted Local Plan. The further changes to the Policies Map published by the Council alongside the main modifications in March 2017 unfortunately included an additional area of search north of Milverton. The Council subsequently clarified that this was an error, added a note to its website and sought to contact those who made representations on the matter. I have amended the detailed wording of main modification **MM54** to provide additional clarity as to the location of the areas of search. For the avoidance of doubt, the two areas of search for park and ride facilities north of Warwick/Leamington Spa are those that were included in the submitted Local Plan. The land in question remains in the Green Belt and the Council envisage that proposals would come forward in line with paragraph 90 of the NPPF.
603. Subject to these main modifications the approach to transport is justified, effective and consistent with national policy.

**Issue 14 – Whether the approach to infrastructure (other than transport), delivery and monitoring is justified, effective and consistent with national policy**

604. As with transport, the scale and distribution of development proposed will have significant implications for other social, community and physical infrastructure. Again, the modified spatial strategy will focus most development on those locations with good accessibility to existing services and

facilities. However, there will be a need for substantial investment in new and improved infrastructure, particularly as a result of the amount of new housing proposed.

- 605. The Council has taken a comprehensive and co-ordinated approach to the assessment of infrastructure needs arising from new development, including those site allocations subject to main modifications. It has set out clear proposals for infrastructure provision. There has been close co-operation with a wide range of other organisations and infrastructure providers. The Infrastructure Delivery Plan (IN07PM) identifies a range of projects with clear assessments of costs and likely funding sources. The policies of the Local Plan (as modified) will ensure that suitable and adequate infrastructure is provided to support the level of growth planned.
- 606. Policies DM1 and DM2 set out a justified and effective approach to seeking the provision of or contributions towards infrastructure from development which is consistent with national policy.
- 607. There are clear mechanisms to effectively monitor the implementation of the Local Plan and delivery of policies and specific proposals within it and the Council is committed to reviewing the situation. Main modification **MM16** is necessary to ensure that the approach to reviewing the Local Plan is clear and justified. Main modification **MM74** is required to ensure that the Delivery and Monitoring section of the Local Plan reflects the specific commitments for a review and to clarify the status of Neighbourhood Plans and their relationship with this Local Plan. Subject to these main modifications the approach to infrastructure (other than transport), delivery and monitoring is justified, effective and consistent with national policy.

## Assessment of Legal Compliance

608. My examination of the compliance of the Local Plan with the legal requirements is summarised in the table below. I conclude that the Local Plan meets them all other than in terms of setting out which policies from the extant Warwick District Local Plan will be superseded by policies in this Local Plan. Main modification **MM75** would rectify this.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Local Plan has been prepared in accordance with the Council's LDS (February 2016). Although there will be some slippage in the timetable for adoption, the content of the Local Plan is compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in January 2016 and consultation on the Local Plan and the main modifications has complied with its requirements.
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Habitats Regulations Assessment	The Habitats Regulations Screening Report (March 2016) sets out why Appropriate Assessment is not necessary. Natural England supports this.
National Policy	The Local Plan complies with national policy except where indicated and main modifications are recommended.
2004 Act (as amended) and 2012 Regulations.	The Local Plan complies with the Act and the Regulations other than in terms of setting out which policies from the extant Warwick District Local Plan will be superseded by policies in this Local Plan. Main modification <b>MM75</b> would rectify this.

## Overall Conclusion and Recommendation

609. The Local Plan has a number of deficiencies in respect of soundness and legal compliance for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.
610. The Council has requested that I recommend main modifications to make the Local Plan sound and legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Warwick District Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the NPPF.

*Kevin Ward*

INSPECTOR

This report is accompanied by an Appendix containing the Main Modifications.