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**CHAPTER 10: SITE SPECIFIC POLICIES**

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**10.1 Overview**

**10.1.1** Chapter 10 of the report examines objections that relate to specific sites identified on the Proposals Map. Amongst other matters, I find that:

- No further large employment sites are required to meet strategic targets;
- Land at Queensway, Leamington Spa should not be allocated for mixed use development;
- Land south of Gallows Hill, Warwick should not be allocated for employment purposes;
- The former Alvis site, Baginton should not be allocated for employment use under Policy SSP1;
- The boundaries of the proposed MDS should be amended at the former Honiley Airfield; the Police Headquarters, Leek Wootton; Woodside Training Centre, Kenilworth; North Leamington School; and Warwick University;
- The Abattoir, Rouncil Lane, Kenilworth should not be designated as a MDS;
- The Area of Search for a park and ride facility at Greys Mallory should be amended to exclude Sites A and B, and include Site E.
- Policy SSP7 and its supporting text should be revised;
- The following sites should not be allocated for housing: land at Howes Lane, Finham; Kingswood Nurseries, Lapworth; Council Depot, Norton Lindsey; Woodside Farm, Whitnash; (additional) land at South West Warwick; land at Fieldgate Lane/Golf Lane, Whitnash; land at Milverton; land at Leek Wootton; and land at Champion Hills, Leamington Spa.
- Land between Rowley Road and A45, Baginton should not be allocated for employment use.
- The following sites should not be allocated for mixed use development: Montague Road, Warwick; Dalehouse Lane/Common Lane, Kenilworth; Queensway, Leamington Spa; land south-west of Radford Semele; and land at Stratford Road, Warwick.
- Land at Lower Heathcote Farm, Leamington Spa should not be identified for housing-led mixed use development post-2011.

Finally, I consider general matters raised by the Leamington Society in their submissions that have not been addressed elsewhere.

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**10.2 Paragraph 10.1 Introduction**

Objections to First Deposit Version

No objections

Objections to Revised Deposit Version

No objections

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### 10.3 Paragraphs 10.2 - 10.14 Policy SSP1 Employment Allocations

#### Objections to First Deposit Version

6/AD	Chiltern Railways
66/AY	The Warwick Society
109/AG	Warwickshire County Council (Planning, Transport & Economic Strategy)
111/AA	The Chamber of Commerce
148/AT <sup>1</sup>	Campaign to Protect Rural England (Warwickshire Branch)
150/AH	Warwickshire County Council (Museum Field Services - Ecology)
159/AE	Rail Property Ltd and Network Rail Infrastructure Ltd
195/AL	The Leamington Society
205/AB	Ford Motor Company Ltd
219/AD	Deeley Properties Ltd
221/BG	Kenilworth Society
223/BD	Kenilworth Town Council
245/AA	Hallam Land Management and William Davis Ltd
257/AG	Highways Agency
291/AA	George Wimpey UK Ltd

#### Objections to Revised Deposit Version

168/RAA	Advantage West Midlands
245/RAA	Hallam Land Management and William Davis Ltd
321/RAX	West Midlands International Airport Ltd

#### Key Issues

- 10.3.1** (1) Whether the Policy should also relate to other employment generating uses, and not be confined to Use Classes B1, B2 and B8.
- (2) Whether (a) Site C (Land at Queensway, Leamington Spa) should be allocated for a mix of land uses including retail, offices, affordable/key worker housing, community facilities and hotel, and not solely for employment purposes, and (b) Policy SC2 accords with Government guidance.
- (3) Whether, in respect of Site E (Saltisford Depot, Saltisford, Warwick):
- (a) land east of Ansell Way should be excluded to take account of housing proposals;

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<sup>1</sup> This objection is addressed jointly with objections to Policy TCP7 (SiteA) at Section 7.9 of the Report (Issues 1 and 2)

- (b) Paragraph 10.10 should make reference to the known flooding problems in the area from Saltisford Brook; and
  - (c) the supporting text should indicate that a traffic assessment will be required.
- (4) Whether, in respect of Site G (Land off Wedgnoek Lane/Cape Road, Warwick), the supporting text should indicate that a traffic assessment will be required.
- (5) Whether, in respect of Site H (Land at Piper's Lane, Kenilworth):
- (a) the allocation should be deleted in view of planning permission granted on appeal for housing development; and
  - (b) the ecological issues associated with the site should be noted.
- (6) Whether Policy SSP1 should identify further large employment sites, which may necessitate taking greenfield land, and be supportive of businesses wishing to expand their present site.
- (7) Whether there should be a stronger commitment to safeguarding employment land and resisting alternative development proposals.
- (8) Whether additional land east of Princes Drive, Leamington Spa should be allocated for employment use.
- (9) Whether, in respect of Site A (Station Goods Yard, Station Approach, Leamington Spa):
- (a) the list of potentially acceptable uses should include additional parking for the railway station;
  - (b) the allocation should include the Rail Property site to the east of the Goods Yard and Quicks Garage (to the rear of 1-11 Avenue Road) which is proposed as public car parking to serve the railway station;
  - (c) the allocation should be extended to include all of the land intended to be developed for B1 uses;
  - (d) the reference in Paragraph 10.5 to a minimum of 4,100 sq m of development should be deleted.
  - (e) the Policy should allow flexibility to bring forward small-scale ancillary retail and service uses as part of a sustainable mixed use scheme.
- (10) Whether the Plan makes adequate provision for transport interchange facilities on the northern side of the railway line at Leamington Station.
- (11) Whether land on the south side of Gallows Hill, Warwick should be allocated for employment purposes.
- (12) Whether part of the former Alvis site should be removed from the Green Belt and allocated under Policy SSP1 for employment purposes.

### **Inspector's Appraisal and Conclusions**

**10.3.2 Issue 1:** The specific purpose of Policy SSP1 is to meet the Structure Plan requirement to provide land for industrial development within Use Classes B1, B2 and

B8. Other Plan policies address the location of non Class B uses that generate employment, most notably retail (Use Class A1) and leisure (Use Class D2). In these circumstances I see no reason to extend the scope of Policy SSP1.

**10.3.3 Issue 2:** (*Queensway, Leamington Spa*) The objection site lies beyond, and to the south of, Leamington Spa town centre at a point where a number of routes converge. They include the A452 Europa Way, leading from the direction of the M40 and A46, Tachbrook Park Drive and Queensway. The site is roughly triangular in shape with an area of approximately 3.2ha. It has a major frontage to Queensway. Formerly in industrial use, the land has been substantially cleared of buildings. It is flanked by a substantial area of employment land to the south, a retail park to the west, and medium and low/medium density housing to the east.

**10.3.4** The site is identified in the Revised Deposit Plan as an employment allocation for uses within Classes B1, B2 and B8. Deeley Properties Ltd are seeking: (i) deletion of that allocation from Policy SSP1 and the Proposals Map Part 2; (ii) an alternative allocation for a mixed use development to include Class A1 retail, Class B1(a) offices, Class C3 residential (limited to affordable housing and key worker housing), Class D1 community facilities, and Class C1 hotel; and (iii) amendments to the wording of Policy SC2. The objector contends that none of the uses set out in (ii) above have been adequately provided for in the Plan. In their view, the town centre should not be seen as an 'urban tardis' capable of accommodating all such uses.

**10.3.5** The key objective in PPS6 is to promote vitality and viability of town centres by planning for their growth and development. Second tier objectives include enhancement of consumer choice; support for efficient, competitive and innovative retail, leisure and other sectors; and improving accessibility to ensure that existing and new development is well served by a choice of means of transport. The objector contends that the Revised Deposit Plan is deficient in a number of these areas. Firstly, it does not provide an assessment of the quantitative and qualitative need for all town centre uses. It only makes passing reference to the retail studies undertaken by the District Council's own consultants (DTZ) which indicated a maximum need for comparison goods retail floorspace in Leamington Spa town centre of 37,700 sq m gross by 2016. Secondly, it does not identify deficiencies in existing provision. Thirdly, it does not allocate any sites where development for town centre uses is to be focused. The Plan merely designates 4 'opportunity sites' in Old Town. It only briefly refers to a feasibility study in respect of the potential redevelopment of the Chandos Street car park. Fourthly, it does not review existing land use allocations for town centre uses. And lastly, it does not take a proactive approach to investment or growth in the existing centres.

**10.3.6** RPG11 (RSS) was published in June 2004. It identifies Leamington Spa as one of 25 strategic centres. It is at the bottom of the third level of the retail hierarchy and at the top of the third level of the office hierarchy. The Regional Centres Study carried out to assist the Regional Planning Board in the Phase Two revision of the RSS identifies a range in the mid-point requirement for comparison goods floorspace in Leamington Spa of between 11,000 and 19,000 sq m net sales area in the period up to 2021, and a net gain in the town's occupied office stock in the range 40,000-50,000 sq m. The Study confirms Leamington Spa as one of the 5 most constrained towns in the region with much of it lying within a conservation area and containing many listed buildings. On the one hand, it faces severe physical and environmental constraints in channelling investment into the town centre, yet on the other hand it risks relegation to the fourth tier of retail centres if

retail needs cannot be satisfied within or on the edge of the town centre or elsewhere in the urban area in locations well served by public transport.

- 10.3.7** Characteristics of the Warwick District labour market are low levels of unemployment, high average wage rates, and businesses facing recruitment difficulties. The objector argues that there is no need from a socio-economic viewpoint to allocate Queensway or indeed any of the other sites identified in Policy SSP1 solely for employment use. The Regional Centres Study reveals a baseline forecast for an increase in office jobs in Warwick District in the period 2001-2021 of over 8,000. While it is important for the District to have well located office sites to accommodate growth in the fastest growing services sector of the local economy, it is argued that a mixed use allocation featuring both office and retail uses would be far better suited to the needs of the local economy than jobs associated with an allocation solely for B1, B2 and B8 uses.
- 10.3.8** The objector and the District Council agree that there is a substantial quantitative need for further comparison goods retail provision in Leamington Spa over the lifetime of the emerging Local Plan and beyond. As regards the convenience goods sector, a quantum of need exists for further provision (Regional Centres Study – 3,700 sq m gross to 2011; DTZ – 1,000-2,000 sq m gross to 2011). The Plan makes no provision for sites to meet those needs. The DTZ retail studies and the more recent Regional Centres Study also confirm that there is an urgent qualitative need for further comparison retail development in Leamington Spa. But apart from the passive identification of ‘opportunity sites’ under Policy TCP7, the Plan makes no attempt to promote any sites for retail, office or other town centre uses. The District Council refers in its Core Topic Paper No 8 to the potential of the Chandos Street car park site. A consultant’s feasibility study concludes that the site could deliver up to 20,000 sq m gross retail floorspace. But the District Council is only now beginning to put forward this site too late in the day for it to be allocated for retail use. In any event, there is uncertainty as to whether that site will prove to be viable for retail development or deliverable.
- 10.3.9** Sixteen potential town centre retail sites have been identified in Leamington Spa in the District Council’s Sequential Assessment of May 2006, undertaken by GVA Grimley. The objector considers that only 4 of these meet the PPS6 tests of suitability for town centre uses, availability within the Plan period, and viability. These are Regents Court, which is already developed with only a few small units remaining to be let; Woodwards, the redevelopment of which is causing a reduction in retail sales floorspace; Bedford Street Car Park, which is suitable only for a small-scale mix of retail, residential and office uses; and Regent Grove, which is suitable for a mix of town centre uses, but for which the retail component will be small and not suited to the needs of multiple retailers. Court Street Car Park is suitable and viable for a housing-led mixed use scheme, but is unlikely to be available within the Plan period. Only the site centred on Chandos Street has any potential to make a useful contribution to the retail need identified by DTZ. But again this site will not be available within the timeframe of the emerging Plan, as conceded by the District Council at an earlier hearing session. In any event, the 2 theoretical development scenarios prepared by Urban Initiatives for the objector demonstrate a net gain in gross retail floorspace of between 12,500 and 13,300 sq m rather than the much higher figure suggested by the District Council’s consultants. The remaining 10 sites examined will make no contribution to the retail needs identified by DTZ, or to the office needs identified in the Regional Centres Study.
- 10.3.10** Given the heavily constrained nature of the town centre, Deeley Properties Ltd say there is justification for appraising the potential of sites in out-of-centre locations elsewhere in

the urban area which are well served by public transport. In their view, the Queensway site represents the most sustainable out-of-centre location for meeting the unmet needs for town centre uses. A series of development appraisals have been undertaken for the types of redevelopment which would fall within Class B employment use. Even assuming a nil land value, industrial/warehousing development would make a loss, comparing unfavourably with a normal requirement to achieve a profit on cost of a minimum of 15% and a return on land value that is sensible and reasonable. The July 2005 Savills Report commissioned by the District Council also concluded that industrial redevelopment is non-viable. With office development, and again a nil land value, the anticipated profit only reaches 12.19%. This is considered to be insufficient.

**10.3.11** The Structure Plan target of 132ha of employment land over the period 1996-2011 equates to 8.8ha per annum. However, only 6ha of employment land has been taken up per annum on a consistent basis for a number of years. This suggests that there is no shortage of employment land in the District. If further sites at Stoneleigh Business Park, Stoneleigh Park and the former Honiley Airfield are added to those identified in the Plan (updated in accordance with the latest Annual Monitoring Report) the conclusion is reached that there is a plentiful supply of employment land in the District. It is material that the objection site has been marketed for employment use for a substantial period of time in a buoyant economic climate without success. In the circumstances, loss of the Queensway site to alternative uses would not be significant. It provides a major opportunity for brownfield development. The area exhibits classic symptoms of single use zoning. Although situated at the interface between different land use blocks, those land uses relate poorly to each other, rely almost entirely on motorised transport, and fail to create interest or activity along the streets - with the objection site and neighbouring roads acting as barriers between the retail park and its residential hinterland.

**10.3.12** In the objector's view, an extensive employment allocation here represents a lost opportunity to create a well-designed piece of townscape. A new approach is required which should have regard to character, continuity and enclosure, quality of the public realm, ease of movement, legibility, adaptability, and diversity. The recommended approach is to allocate the site for mixed use development subject to a policy requirement that development should be taken forward in accordance with SPD or a site masterplan. Uses envisaged would include retail provision, health centre/creche, serviced or managed office floorspace, hotel and residential (including affordable and key worker housing). It is considered that there would be no detraction from the vitality and viability of Leamington town centre nor would investment decisions in the town centre be adversely affected.

**10.3.13** A development concept for the site has been drawn up. Although not retail-led, the retail component is seen as playing an important role in creating critical flows through the site to bring vitality and viability. The proposed mix of uses would be particularly relevant to the achievement of Plan objectives 3A and 3B. It is argued that such development would provide a far better sense of place commensurate with the character of Leamington Spa; stronger connections with the employment and residential activities in the surrounding area, and with the town centre and station; an improved and broader range of residential, retail, service, employment, visitor and community facilities; and a benchmark for future development on other sites leading over time to the creation of a more attractive, characterful and vibrant quarter of the town.

**10.3.14** Examining retail considerations first, I am content that the District Council has planned pro-actively for its town centres. Working in conjunction with stakeholders and the

community, it has carried out the various tasks identified in Para 2.16 of PPS6. In 2001 the authority commissioned consultants DTZ to prepare a Retail Study to assess the need and capacity for comparison goods retailing in the District to 2008. The final study (May 2002) concluded that the 3 main centres all faced uncertain futures and required proactive planning, management and investment to meet the challenges of increased competition from other towns and shopping destinations across the region. In 2004 the Council commissioned DTZ to update the 2002 comparison goods capacity assessment and extend it to convenience goods. The convenience goods assessment was in turn revised and updated in 2005. I note that DTZ has consistently advised the planning authority that the floorspace capacity assessments are not prescriptive.

**10.3.15** Both DTZ's 2002 and 2004 retail studies identified significant capacity and market demand for additional new comparison goods retailing in Leamington Spa – 21,900 sq m gross between 2000 and 2011, rising to 37,700 sq m by 2016. DTZ advised that these capacities could be over-estimates. Although a different methodology has been used, this appears to be borne out by the recent findings of the Regional Centres Study undertaken for the Regional Assembly which forecasts a significantly lower floorspace capacity for Leamington Spa town centre of between 6,000 and 22,000 sq m net up to 2021. As regards the convenience goods sector, the DTZ figures indicate a total floorspace capacity of between 1,000-2,000 sq m gross in 2011 (allowing for a new 1,966 sq m net foodstore granted planning permission in Kenilworth town centre), rising to between 2,400-4,400 sq m gross by 2016.

**10.3.16** The District Council has accepted that it needs to identify and bring forward new retail and mixed use development opportunities in its town centres as a matter of priority, particularly in Leamington Spa. While PPS6 indicates that local planning authorities should allocate sufficient sites to meet the identified need for at least the first 5 years from adoption of their DPDs, it recognises that for larger town centre schemes a longer period may be appropriate to allow for site assembly. The District Council has made no formal retail allocations in this Local Plan, but the Plan clearly sets out in Policy TCP3 the intent to explore expansion of the primary retail area of Leamington Spa through an 'area of search'. Work has taken place to identify a major new retail site in the town centre at the Chandos Street car park that could come forward just beyond the Plan period. Property consultants CBRE were commissioned in 2004 to undertake a commercial appraisal of that site. They concluded that it could be commercially viable. A more recent review improves on that viability. I am satisfied that, notwithstanding theoretical exercises done on behalf of the objectors (Scenarios 1 and 2, Urban Initiatives), such an opportunity site could potentially accommodate up to 20,000 sq m of new retail floorspace. The attraction of a major department store would, I feel, be a significant boost for the town centre in the longer term. Based on the findings of the Regional Centres Study that scale of retail development would, by itself, almost meet the requirement for Leamington Spa town centre to 2021. I note that the District Council has recently approved a competitive tender approach to selecting a developer to take the project forward. Although Compulsory Purchase Order powers might need to be used, the District Council points out that these have been successfully employed in the past at the Royal Priors, Leamington Spa and Talisman Square, Kenilworth, amongst other schemes.

**10.3.17** It is important that the key objective of PPS6 of promoting the vitality and viability of town centres first is not compromised by premature consideration of out-of-centre development alternatives. I believe that allocations for out-of-centre retailing and mixed use development at this critical stage could put at risk market confidence and

development of emerging town centre opportunities, especially in Leamington Spa. The decision not to allocate the Chandos Street site is understandable. Firstly, the District Council had already committed itself at Revised Deposit stage to the identification of an 'area of search' through Policy TCP3. Secondly, delivery of this scheme is dependent on a linked strategy involving agreement to expand the current Covent Garden car park in Russell Street. And thirdly, there is the likelihood that any proposal will need to take in a wider area in order to assemble the necessary critical mass of floorspace and establish strong links with the existing prime shopping area and retail circuit.

**10.3.18** Following on from one of the 5 key recommendations of the 2002 DTZ study the District Council commissioned GVA Grimley in early 2006 to carry out a sequential assessment of potentially suitable, viable and available opportunity sites. The final study produced in May 2006 is being used by the planning authority as part of its consideration of proposed extensions to existing out-of-centre food stores. The main potential opportunity sites include the Chandos Street car park; Bedford Street/Augusta Place/St Peter's Rd; Court Street car park; Kenilworth Street; Regent Square House, the Parade; the Head Post Office; and Regent Grove. While a number of these sites are relatively small, in my view they are evidence that alternative suitable and viable retail development sites do exist.

**10.3.19** The objector's urban design evidence refers to limited opportunities for substantial additional development in Leamington Spa town centre. However, in spite of issues of land assembly and the sensitivities associated with the conservation area and listed buildings, the Royal Priors and Regent Court retail developments demonstrate that such challenges are not insurmountable. I believe there is sufficient scope for development within the town centres, Leamington Spa in particular, to meet a substantive amount of the quantum of floorspace indicated by its retail need studies.

**10.3.20** In my opinion, the retail needs of the south-western residential and employment sectors of the town are already adequately provided for by the Shires Retail Park, Shires Gate and the Myton Road locality where there is both convenience and comparison goods shopping. Although an 'Indicative Schedule of Proposed Uses' has been prepared for the inquiry, Urban Initiatives do not specify exactly how much retail floorspace is proposed at Queensway. In those circumstances, it is impossible to demonstrate that there would be no potential impact on the vitality and viability of Leamington town centre and the deliverability of the Chandos Street scheme.

**10.3.21** In summary, I agree with the District Council that it would be premature to accept the Queensway site as a retail destination. In my view, new retail development should not be promoted out-of-centre until all other opportunities in town centre and edge-of-centre locations have been fully explored and either delivered or discounted. I believe that stage has not yet been reached.

**10.3.22** Turning to employment matters, the Employment Core Topic Paper shows progress towards meeting the Structure Plan employment target. It updates the position in Appendix 1 of the Revised Deposit Plan. There is presently 121.61ha available for employment use. However, the District Council recognises that there is a measure of uncertainty over some of the sites it has allocated in Policy SSP1 (Sites B, F and G). If those sites do not come forward this would reduce the total available through new allocations to 8.3ha. On the other hand, additional windfall sites have emerged in 2005/06 and the Oldhams, Barford site (where the Secretary of State is minded to approve) would add a further 2ha. This would bring the total to 131.9ha. There is also

evidence of further windfall employment sites continuing to be identified. I accept that this could lead to a small oversupply of employment land over the period to 2011. But it is entirely reasonable, in my view, to build in a degree of flexibility in recognition of the inherent uncertainties that exist when seeking to bring forward predominantly recycled brownfield sites for development.

**10.3.23** Deeley Properties Ltd argue that the District Council ought to have taken account of several additional sites in its employment land supply calculations. I believe there are special circumstances appertaining to each. Development at Stoneleigh Business Park consists largely of replacement of existing buildings to provide new accommodation for many of the small businesses that currently occupy the site. A net increase in floorspace of 5,110 sq m (equating to 1.6ha of employment land) has, I note, been factored into the figures. At Stoneleigh Park, the 'Rural Business Innovation Park' does allow Class B1 development but this will be closely tied to the aims and purposes of the Royal Charter under which the RASE operates. It addresses a national need rather than locally generated employment. Lastly, development at the former Honiley Airfield, Wroxall, focuses on the site's unique advantages in providing a testing, development and demonstration facility and a centre of excellence for the motor sport industry. Again, it services a national need and is not the kind of activity that the County Council would have had in mind when identifying a figure of 132ha of employment land for Warwick District.

**10.3.24** The objector refers to development appraisals which indicate that the Queensway site is not suitable for redevelopment for industrial/distribution or office use. That work was done in April 2005 to support a planning application (subsequently withdrawn) for a mixed use development including retail and office uses. At that time the District Council asked property consultants Savills to undertake a critical review of the report. Savills recognised that the value of the Queensway site was unlikely to encourage redevelopment for industrial purposes, but concluded that office uses were viable. That overall conclusion is not affected by the subsequent admission that purchasers' costs had been omitted. Given that such appraisals are sensitive to small changes in the variables used and to market conditions prevailing at the time, I do not consider that the evidence on viability is conclusive one way or the other.

**10.3.25** In my assessment of these objections I have taken account of the urban design evidence presented by the objector. I recognise that mixed use development could provide an attractive focal point for this part of the town together with linkages to, and between, adjacent land uses. Nevertheless, the benefits of better townscape and improved connectivity/permeability would, I feel, be outweighed by the harm caused to town centre retailing prospects and to the employment land supply position. Overall, I conclude that land at Queensway should not be allocated for mixed use development but should remain as a Class B employment allocation under Policy SSP1. This does not mean that alternative uses would never be acceptable under any circumstances. Other policies in the Plan would allow different uses to come forward and be tested.

**10.3.26** Finally, I address briefly the point made in respect of Policy SC2 (Protecting Employment Land and Buildings). The objector argues that despite the introduction of a degree of flexibility in the Revised Deposit Plan with the addition of criteria c) and d), the Policy still does not fully reflect Government guidance. Reference is made to Paragraphs 42 and 42a of PPG3 which urge local planning authorities to "review all their non-housing allocations when reviewing their development plan and consider whether some of this land might better be used for housing or mixed use developments." I do not

accept this criticism. Clearly, there is no case for releasing otherwise suitable employment land and buildings for housing, other than affordable housing which is subject of a specific exemption in criterion c). Policy SC2 gives flexibility where the location and nature of the present use is inappropriate, where a future employment use is not viable, and where the loss of employment use to another use would not limit the overall quantity and quality of employment land in the District. In my view those provisions are appropriate. I do not favour the alternative policy wording suggested by the objector. As the District Council points out, this does not set criteria for testing whether the employment land is a 'wasted resource' before it is released to other uses.

**10.3.27 Issue 3:** (*Saltisford Depot, Saltisford, Warwick*) I note firstly that the extent of Site E was adjusted in the Revised Deposit Plan in light of a planning permission that had been granted for residential development of land to the east of Ansell Way after publication of the First Deposit Plan. The area of the Saltisford Depot site was reduced from 1.8ha to 1.2ha. Secondly, a reference to the known flooding problems at the site was added to Paragraph 10.10 at Revised Deposit stage. Finally, the supporting text was further augmented in the Revised Deposit Plan to indicate that in view of the likely impact of the development upon traffic flows, particularly at the A46/A4177 junction, a traffic assessment might be required as part of any planning application. I endorse all of these amendments which satisfy the 3 objections. I am told that the Saltisford Depot site is now under construction for an office development.

**10.3.28 Issue 4:** (*Land off Wedgnock Lane/Cape Road, Warwick*) Although Paragraph 10.12 was amended at Revised Deposit stage to accommodate this objection, the planning authority subsequently conceded during the inquiry (when discussing land at Gallows Hill) that this site is unlikely to come forward for development during the lifetime of the Plan. The District Council accepted that Site G should be deleted as an allocation and that in consequence a reduction of 1.9ha should be made to the overall employment land supply. I reflect that agreement in my recommendations.

**10.3.29 Issue 5:** (*Land at Pipers Lane, Kenilworth*) I note that Site H was deleted from the Plan at Revised Deposit stage to take account of the appeal decision allowing residential development. I endorse that change. It follows that the ecological issues do not need to be addressed in my report.

**10.3.30 Issue 6:** In responding to other objections I have concluded that there is no shortfall in relation to the Structure Plan employment land requirement. This is the case even though objectors have expressed reservations as to whether Sites B (Land at High Street/Lower Avenue, Leamington Spa. 0.2ha) and F (Land at Nelson Lane, Warwick. 0.5ha) will come forward in the short term, and concerning the balance between small and large allocated sites. Consequently I believe that no further employment land allocations need be identified. However, even if they were required, first consideration should be given to brownfield land within the urban area in accordance with the Structure Plan strategy rather than greenfield sites.

**10.3.31** As regards businesses wishing to expand, I consider that the Plan is broadly supportive of such development provided it does not adversely affect the amenity of adjoining land uses. As the District Council indicates, Policies set out in Chapters 4 and 5 of the Plan provide the basis for assessment.

**10.3.32 Issue 7:** I accept that there is a need to safeguard employment land in the District and resist inappropriate alternative development. Policy SC2 seeks to achieve this while

taking account, amongst other things, of amenity and economic viability considerations. However, I see no reason to introduce additional text into Policy SSP1 or the reasoned justification to emphasise a presumption against other uses unless specified within the commentary. I consider the existing text to be adequate in this regard.

**10.3.33 Issue 8:** *Land east of Prince's Drive, Leamington Spa.* This triangular-shaped parcel of land on the eastern side of Princes Drive, Leamington Spa was purchased by the objector about 7 years ago. It was the company's stated intention to use the site for staff car parking, thereby freeing for development land occupied by the existing car park to the west of Princes Drive (Site D, Policy SSP1). Although a planning application for that development was duly made and the Highway Authority had no objection in principle, I am told that a legal agreement requiring cessation of the use of the land to the west of Princes Drive for car parking was never concluded and the application was eventually withdrawn. Nevertheless, the District Council understands that the objector still intends to develop this site for car parking at some point in the future. The company has not taken the opportunity to clarify its position any further.

**10.3.34** Given that Site D is only being made available for redevelopment because the objection site has been purchased to provide a replacement car park, and the company has not indicated its intention to relocate, I agree with the planning authority that it would not be appropriate to allocate both sites for employment development. This would amount, in effect, to double counting.

**10.3.35 Issue 9:** *(Station Goods Yard, Station Approach, Leamington Spa)* Site A extends to 2.1ha. It comprises vacant land close to Leamington Spa Railway Station that was formerly a Goods Yard. Policy SSP1 indicates that this allocation would be suitable for all Class B uses. While Paragraph 10.5 supports the provision of dedicated parking for the business uses, it makes no mention of additional car parking to serve the railway station. The District Council's view is that the optimum location for such facilities would be within the adjacent Opportunity Site A identified in Policy TCP7. That Policy makes reference to 'improvements to rail related car parking'. I note that planning permission was refused for an additional 145 spaces in June 2006 because of its adverse impact on the character and appearance of the area, the setting of the Conservation Area and the amenities of neighbouring residents. That refusal was in respect of the detailed layout of the scheme rather than the general principle. The District Council is of the opinion that a more modest and sensitive development might prove acceptable. In these circumstances I see no need to include additional rail-related parking on employment Site A.

**10.3.36** Site A is one of the larger employment allocations in the Plan. It has the potential to make a significant contribution to meeting the District's employment land needs to 2011. It is previously developed land in a sustainable location adjacent to a public transport interchange and the town centre. The site owners intend to bring the site forward for development at the earliest opportunity. I note that a planning application has been submitted for 8,048 sq m of B1 office floorspace, with no provision for public station parking. The developers consider that the configuration of the site lends itself to a number of small buildings, thereby assisting the District Council in meeting the requirement for small industrial sites as set out in Structure Plan Policy I.2. I conclude that the uses identified in Policy SSP1 are appropriate for this site without any need for modification.

**10.3.37** Land to the rear of 1-11 Avenue Road is that which was subject of the recently refused application for additional station car parking. It forms part of Opportunity Site A (Policy

TCP7). However, it does not conjoin with allocation SSP1(A), but is located to the east of the Quicks Garage site. I see no reason to extend allocation SSP1(A) to embrace this land. It is a separate site that is not proposed for employment use.

**10.3.38** I note that in response to representations to the First Deposit Plan the area of site SSP1(A) was enlarged from 1.8ha to 2.1ha to include all of the land in the ownership of the objector that is intended to be developed for B1 use. The objection has therefore been satisfied.

**10.3.39** The reference in Paragraph 10.5 of the First Deposit Plan to a minimum of 4,100 sq m of new workshop/business space was deleted in the Revised Deposit version. Again, the objection has been addressed.

**10.3.40** I see no argument for including in Policy SSP1 small-scale ancillary retail and service uses in support of mixed use schemes. These are employment sites. Proposals for ancillary uses would be assessed on their merits in the light of this designation and other relevant Plan policies. The District Council cites the example of Policy UAP3. This would provide the basis for deciding the acceptability of ancillary retail activities. I note that the current planning application for Site A does not propose any ancillary uses.

**10.3.41 Issue 10:** This matter is addressed elsewhere in my report in response to related objections (see Chapter 7, Policy TCP7, Issue 2). I conclude there that adequate provision has been made by the District Council for transport interchange facilities on the north side of Leamington Station.

**10.3.42 Issue 11:** (*Gallows Hill, Warwick*) Hallam Land Management and William Davis Ltd contend that Policy SSP1 and Tables 1 and 2 of Appendix 1 do not provide sufficient employment land to meet the 132ha requirement for Warwick District set by Structure Plan Policy I.2. In their view, several of the sites allocated in the Plan should be deleted because they are unlikely to come forward during the Plan period or are otherwise unsuitable. The shortfall is estimated to be in the order of 3.9ha. Furthermore, while there appears to be sufficient land to meet the requirements for larger sites, there is said to be a deficit in the order of 12.56ha in relation to smaller investment sites of less than 1ha. Against that background they argue it would be appropriate to allocate a site of 14.57ha for employment use to the south of Gallows Hill, opposite Warwick Technology Park. The site is served by a regular bus service along Heathcote Lane with access to Warwick and Leamington Spa town centres, the Shires Retail Park, and Warwick Parkway and Leamington railway stations. It has good road links to the national highways network via the M40 and A46.

**10.3.43** The objectors say that allocation of this site is supported by national planning guidance in PPG4 and PPG12, and by strategic policies in the RSS and Structure Plan. Under the transitional arrangements the Local Plan will be saved for 3 years from its anticipated adoption date of 2007, but a number of its policies could be saved for a longer period. This would satisfy the requirement in PPS12 that local development plans should ensure that their policies and proposals extend for at least a period of 10 years from the plan's forecast date of adoption and would better reflect the strategic guidance of the Regional Economic Strategy for the West Midlands and the RSS. Rather than causing an over-provision of employment land, they maintain it would assist in ensuring a forward supply of land in the District to 2017.

**10.3.44** The RSS identifies Warwick/Leamington Spa as a node within the Coventry, Solihull and Warwickshire High Technology Corridor (HTC) where the aim is to promote development of high tech clusters of activity. RSS Policy PA6 refers to the provision of a readily available portfolio of employment sites including sub-regional sites in the order of 10-20ha. The site at Gallows Hill would meet those requirements. It is capable of supporting a cluster of technology based businesses. Some 36,000 sq m of employment floorspace could be provided in a campus-style environment to complement the 58,000 sq m of Class B1 floorspace at the adjacent Warwick Technology Park which already accommodates a number of communications and knowledge-based firms, as well as an innovation centre run by Warwick University that provides start-up space for companies in the high tech sector. Expansion of the Technology Park in other directions is constrained by the AoR designation.

**10.3.45** In terms of the Structure Plan search sequence, this land adjacent to the urban edge of Warwick is a second stage site. The District Council's Urban Capacity Study suggests that there are no comparable urban sites available, necessitating greenfield sites like this. Its allocation would provide continuity beyond 2011 and an element of flexibility. Although defined as a large site, a number of plots could be made available of less than 1ha to meet the needs of smaller businesses. In conditions of over-supply of housing it would serve to redress the imbalance with employment, encouraging sustainable growth and discouraging out-commuting.

**10.3.46** On the marketing front, recent trends show a continued long-term movement towards the service sector, recovery in the market for business and office floor space, and emergence of a new market for small business and office investors in well located out-of-centre employment areas. The Rover Task Force reports of 2000 and 2001 identified the limited availability of a diverse portfolio of locations, sites and premises as a potential weakness of the HTC. There is little available development land serving Warwick and Leamington Spa in the short term. At the current rate of growth, all of Tachbrook Park will be completed in the next two years. While land is available at Warwick Gates and Tournament Fields in the medium term, the former is not being marketed aggressively. With the exception of the Saltisford Depot, no progress has been made in delivering the other sites allocated under Policy SSP1. Because of their siting and quality there is little confidence that these sites will come forward for development in the Plan period. In the objectors' view, the allocations made are a low tech response to a high tech requirement. To meet the needs of both small and large scale investors, the current portfolio of employment land needs to be extended both quantitatively and qualitatively.

**10.3.47** Structure Plan Policy I.2 requires Warwick District to provide a total of 132ha of industrial land to 2011 - 110ha of this on large industrial sites and 22ha on small industrial sites. Progress towards meeting that target is shown in the District Council's Core Topic Paper which updates the position set out in Appendix 1 of the Revised Deposit Plan. I am confident that the Council has allocated sufficient land to satisfy that target. 121.6ha is already committed to 2005. Table 1, as amended, shows that 8.3ha can still be delivered if Site G (land off Wedgnock Lane/Cape Road, Warwick) is deleted because of doubts about whether it will come forward, and Sites B and F (land at High Street/Lower Avenue, Leamington Spa; and land at Nelson Lane, Warwick), although retained, are discounted from the calculation because of lack of recent landowner/developer interest. I do not share the objector's pessimism regarding allocated Sites A (Station Goods Yard, Leamington Spa) and D (Land rear of Homebase, Prince's Drive, Leamington Spa). To these figures should be added a further 1.55ha of windfall employment sites achieved in 2005/06. And if an allowance of 0.45ha is made

for the proposed offices at the Oldhams site at Barford, the total available employment land stands at 131.9ha. This is almost exactly the target figure. The need for flexibility is addressed by the likelihood of further windfall sites coming forward during the remainder of the Plan period. I note that over the last 3 years these have averaged 3ha per year.

**10.3.48** As regards the relationship between the delivery of small and large employment sites, I am content that there is a reasonable split. While not specifically identified as suitable for partition, experience has shown that some larger sites have been subdivided into smaller plots of less than 1ha. The contribution that this can make to supply is recognised in Paragraph 5.2.5 of the Structure Plan and the same point has been used by the objectors in support of allocation of the land at Gallows Hill. In any event, many of the windfalls fall into the category of small industrial sites. In terms of synergy with the adjacent Warwick Technology Park and the HTC, I am satisfied that sufficient committed sites are available nearby of such a quality as to accommodate those needs without expansion into the adjacent rural area. There are also other sites in the District that, although not located in the key node of Warwick/Leamington Spa and not counting towards the Council's employment land supply, contribute to high technology clusters. Amongst these is the ProDrive major developed site at the former Honiley Airfield.

**10.3.49** The objectors maintain that the Gallows Hill site would provide continuity in the forward supply of employment land beyond 2011. However, I believe it would be inappropriate to identify such sites now when the future employment requirements of the District are uncertain pending completion of the sub-regional employment land review and the partial review of the RSS. Until then, the RSS requires that greenfield sites, like this land at Gallows Hill, should only be released when there is no alternative previously developed land available. The WMRA, commenting on the Omission Sites Consultation, remarked that new sites being promoted involving the development of greenfield land "appear to be inconsistent with the principles of the RSS" and requested that the Inspector rigorously scrutinise such proposals. I agree with the District Council that as and when further greenfield land releases are necessary this should be done through a DPD where a full comparative assessment of all potential sites can be made in the context of a sustainability appraisal and following a process of public consultation. In this regard, I note that the objection site is classified as very good (Grade 2) agricultural land and that a full Transport Assessment would be required in respect of development on this scale. I believe that the ad hoc release of a large greenfield site like this located on the urban fringe and currently in agricultural use would not be in the best interests of the District. The Council's Local Development Scheme commits it to begin preparation of a Core Strategy DPD immediately following adoption of this Local Plan. That will tie in with completion of the partial review of the RSS, enabling up-to-date employment requirements for the District to 2021 to be accommodated.

**10.3.50** I conclude that land at Gallows Hill should not be allocated under Policy SSP1 for employment (Class B1) purposes, nor should the site be excluded from the rural area defined on the Proposals Map. To do so would result in an over-provision of employment land relative to the Structure Plan requirement, at the expense of the surrounding countryside.

**10.3.51 Issue 12:** (*Former Alvis site*) This issue is addressed elsewhere in my report in response to other related objections (see Chapter 9, Policy DAP1, Issue 17). I conclude that the site should not be allocated for employment purposes.

## Recommendations

- 10.3.52 (a) That the Revised Deposit Plan be modified as follows:**
- (i) amend Policy SSP1 by deleting Site G (Land off Wedgnock Lane/Cape Road, Warwick 1.9ha).**
  - (ii) amend Policy SSP1 by substituting a total figure for all the sites listed of 9.0ha.**
- (b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.**

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## **10.4 Paragraphs 10.15 - 10.21C Policy SSP2 Major Developed Sites in the Green Belt**

### Objections to First Deposit Version

37/AG	Sport England
109/AD	Warwickshire County Council (Planning, Transport & Economic Strategy)
113/AA	IM Properties plc
124/AA	Farmers Fresh
147/AB	Sundial Conference and Training Group
148/BQ	Campaign to Protect Rural England (Warwickshire Branch)
150/AJ	Warwickshire County Council (Museum Field Services - Ecology)
195/AM	The Leamington Society
220/AO	Cala Homes (Midlands) Ltd
228/BP	West Midlands RSL Planning Consortium
288/AC	Warwickshire Police Authority
297/AB	ProDrive Ltd
302/BN	English Heritage (West Midlands Region)

### Objections to Revised Deposit Version

104/RAB	Warwickshire County Council (Property Services Dept)
107/RAA	University of Warwick
107/RAB	University of Warwick
107/RAC	University of Warwick
107/RAF	University of Warwick
147/RAB	Sundial Conference and Training Group
147/RAC	Sundial Conference and Training Group
157/RAB	West Midlands Planning and Transportation Sub Committee
191/RBA	Robin A Richmond
195/RBH	The Leamington Society
288/RAC	Warwickshire Police Authority
304/RAB	Stoneleigh and Ashow Joint Parish Council
304/RAC	Stoneleigh and Ashow Joint Parish Council
349/RBA	Mr. D. G. Goodyear

## Key Issues

- 10.4.1** (1) Whether the Policy should be titled ‘ Major Developed Sites in the Green Belt’ .
- (2) Whether, in respect of all of the identified Major Developed Sites (MDS), a reference should be made to nature conservation issues.
- (3) Whether there should a reference to providing affordable housing.
- (4) Whether housing would be acceptable as part of any redevelopment at Stoneleigh Business Park.
- (5) Whether the boundary of the MDS at the Police Headquarters, Leek Wootton should be extended to include tennis courts; land to the west, north-west and east of the main buildings; and land adjoining the northern driveway.
- (6) Whether, in respect of the Police Headquarters, Leek Wootton the supporting text should (a) include a reference to protecting the parkland which is recognised elsewhere in the Plan as being of local historic interest, and (b) be amended by substituting the word ‘shall’ for ‘should’ in the last sentence of Paragraph 10.20.
- (7) Whether the former Honiley Airfield, Oldwich Lane East, Wroxall should be designated as a MDS.
- (8) Whether the boundaries of the former Honiley Airfield MDS are appropriate.
- (9) Whether the University of Warwick should be subject of a site specific policy in acknowledgement of its unique character and contribution to the District rather than being treated as a MDS.
- (10) Whether the boundaries of the University of Warwick MDS are appropriately drawn.
- (11) Whether the Policy is too restrictive given the role of the University as a world class provider of higher education.
- (12) Whether the status of the University’s Development Plan, and the work being undertaken to update this, is properly recognised.
- (13) Whether mention should be made of the University’s importance within the Coventry, Solihull, Warwickshire High Technology Corridor.
- (14) Whether, in respect of the University, (a) the supporting text takes account of all relevant environmental and social considerations, and (b) student accommodation should be resisted off-campus.
- (15) Whether the Haseley Business Centre should be identified as a MDS.
- (16) Whether, in respect of the Woodside Training Centre, Kenilworth (a) the reference to uses should reflect the Centre’s educational role, and (b) the boundaries of the MDS should be enlarged.

- (17) Whether the Abattoir, Rouncil Lane, Kenilworth should be identified as a MDS.
- (18) Whether the boundaries of the MDS at North Leamington School should be enlarged, and Policy SSP2 and its supporting text amended to facilitate residential redevelopment of the Upper and Lower School sites.

### **Inspector's Appraisal and Conclusions**

- 10.4.2 Issue 1:** In response to this objection the title of Policy SSP2 was changed from 'Major Developed Sites' in the First Deposit Plan to 'Major Developed Sites in the Green Belt' in the Revised Deposit Plan. I endorse that alteration which better defines the scope of the Policy.
- 10.4.3 Issue 2:** I acknowledge that many if not all of the MDS contain features of ecological interest. But there are also other considerations common to most MDS that could be raised through a cross-reference to other Plan policies. In the interests of producing a concise, well-focused Plan I agree with the District Council that a reference to nature conservation issues is not necessary. In any event, the User Guide makes it clear how Plan policies interrelate. I note that this objection by Warwickshire County Council (Museum Field Services – Ecology) has been conditionally withdrawn.
- 10.4.4 Issue 3:** While Policy SSP2 supports existing uses, none of the MDS are allocated for housing purposes. I consider it would be inappropriate, therefore, to refer to affordable housing. Any such schemes coming forward in the future would be assessed in relation to Policy SSP2 and other relevant Plan policies.
- 10.4.5 Issue 4:** (*Stoneleigh Business Park*) Planning permission has now been granted at Stoneleigh Business Park for redevelopment for business purposes. The District Council has also put forward proposed changes to the Policy set out in the Revised Deposit Plan. Together, these actions serve to clarify and confirm that only employment or other uses specifically identified in the supporting text will be permitted. The Leamington Society has accepted that its objection has been met.
- 10.4.6 Issue 5:** (*Police Headquarters, Leek Wootton*) In the First Deposit Plan the boundary of the MDS at the Police Headquarters, Leek Wootton was drawn tightly around 'Woodcote' (the listed Victorian house) and other buildings occupied by the Warwickshire Police Authority. In response to representations the District Council extended the boundary in the Revised Deposit Plan to embrace other operational land - namely, the north and south driveways and the lodge houses located at their eastern end which provide security and other services. The objector now wishes to see other land included. The planning authority has agreed to make minor proposed changes to incorporate 2 additional parcels of land at the western edge of the site but does not support further alterations.
- 10.4.7** Taking these proposals in turn, the first comprises tennis courts beyond the south drive. These are isolated from the main buildings and serve only as overflow car parking. In my view, they do not meet the criteria for inclusion in an MDS. I note that in general the District Council has sought to restrict boundaries to include only the main buildings within the MDS and areas of hardstanding immediately adjacent to them. The second consists of an area of land to the east of the main group of buildings. It is an area of lawn containing a number of mature trees and shrubs that is physically separate from the

buildings but important to their setting. I see no grounds for including such land within the MDS. The third relates to a narrow strip of land adjacent to the northerly driveway. Again, I see no argument for taking in this land. The fourth comprises a small square of land immediately to the west of the main buildings and a triangular parcel to the north-west. Neither of these areas would significantly extend the MDS boundary but would relate well to other features. I therefore support their inclusion and recommend accordingly.

**10.4.8 Issue 6:** At Revised Deposit stage the District Council accepted that a reference to the parkland at the Police Headquarters, Leek Wootton would be helpful. Such parkland is recognised in Policy DAP13 as being of local interest. An endorsement was therefore added to Paragraph 10.20. I support that alteration.

**10.4.9** As regards the amended wording proposed by Sport England for the last sentence of Paragraph 10.20, I consider this to be unnecessary. The sports pitches within the grounds of the Police Headquarters are protected by Policies DAP13 and SC5 and by Green Belt Policy DAP1. Given that the boundaries of the MDS have been drawn to exclude those playing facilities, significant protection is afforded by these other Plan Policies.

**10.4.10. Issue 7:** (*Former Honiley Airfield, Oldwich Lane East, Wroxall*) Warwickshire County Council objected at First Deposit stage to designation of the former Honiley Airfield as a MDS. Concern focused on the possible scale of development that might occur on the site. However, Paragraph 10.16 of the Plan explains that all of the sites identified by Policy SSP2 remain within the Green Belt and subject to Policy DAP1. Within them, it is only limited infilling or redevelopment following the guidance set out in Annex C of PPG2 that is not inappropriate development. This serves to limit the scale of any potential new development. I note that this objection has been conditionally withdrawn.

**10.4.11 Issue 8:** A number of objections have been made in respect of the boundaries of the former Honiley Airfield MDS. Firstly, there are the concerns of the site owner. I note that in response to representations made at First Deposit stage, the confines of the MDS were re-defined. The boundaries shown in the Revised Deposit Plan now broadly reflect those proposed by ProDrive Ltd. Secondly, Warwickshire County Council (Museum Field Services – Ecology) requested that the smaller southern portion of the MDS be re-drawn to exclude Nunley Wood. This was done in the Revised Deposit Plan in recognition of the ecological and landscape value of the surrounding woodland. As a consequence, the objection has been conditionally withdrawn. Thirdly, CPRE (Warwickshire Branch) believes the Revised Deposit boundaries still to be inappropriate. The matter was considered in some detail at an informal hearing session, followed by an accompanied site inspection.

**10.4.12** It is the view of CPRE, supported by a number of local residents and the Fulcrum Prodrive Action Group (formed to oppose a planning application for major new development at the site), that the current size and scale of the built development and its use for automotive research and development does not justify designation as a MDS. The main (northern) site is effectively a single building with some accretions. It is not visible in the wider landscape. The 2 versions of the Local Plan show different boundaries for the MDS. Both include the buildings that still exist, together with a pine plantation that has grown up on the site of former buildings, areas of grassland and some hardstanding divided by tree belts. It is the view of CPRE that if an MDS is to be established here, the boundary should immediately surround the buildings and exclude the open areas. As

regards the southern site, the objector considers that this should not be included as part of any MDS because the buildings there are small and unused, and the site is within Nunley Wood.

**10.4.13** CPRE says that its concerns are made real by the submission by ProDrive in March 2006 of a planning application for a 'national centre for excellence for advanced engineering' for the motor sport industry involving 27,500 sq m of additional floorspace within Use Classes B1a/b/c. Such development would utilise both the north and south sites and increase the building footprint by about 250%. The illustrative Master Plan confirms that the MDS boundary in the Revised Deposit Plan has been sought by the applicants to enclose the layout of the extensive development proposed. CPRE requests that the door be closed to any such development in the Green Belt by refusing to designate this site as a MDS or by drawing the boundaries of any MDS very tightly.

**10.4.14** The two areas that make up the former Honiley Airfield MDS sit within a large site of about 79ha that comprises the former airfield, now a 4km long test track, and associated buildings. The airfield was established in 1941 as an operational bomber training unit. It was subsequently converted into a fighter station and remained in that use until 1957. In 1961 I am told that Dunlop starting using the runway and perimeter track for the testing of tyres, wheels and brakes. In 1963 Lucas acquired the majority for use as a vehicle proving ground. The site was acquired by ProDrive in 1999/2000 for use as an automotive related engineering research and design complex. Today, there are also a number of tenants on the site. Along with ProDrive they are accommodated in approximately 6,500 sq m of refurbished workshops and offices. Some 200-300 people are employed on the site.

**10.4.15** I am satisfied that overall this site meets the PPG2 requirements for a MDS. It is a substantial site, formerly an airfield and currently used for research and development - both of which are activities referred to in PPG2. It has a long history of usage that pre-dates Green Belt designation. Measured in terms of existing floorspace and the number of people working there, it is a major site in the Green Belt. The question arises as to where its boundaries should be drawn.

**10.4.16** Looking first at the northerly site, my accompanied site visit confirms that the proposed MDS boundary has been drawn in a generous manner in the Revised Deposit Plan to cover an area of about 8.5ha. I acknowledge that the extent of built development was greater in the past than it is today. This is evident from the plans supplied by the District Council showing the wartime Honiley Airfield, and buildings within the proposed MDS boundary circa 1950. Indeed, some parts still show physical evidence of that past activity. The majority of the area proposed for designation as MDS comprises the existing buildings occupied by ProDrive and tenant companies and extensive hardstandings. I consider those sections to be appropriate for inclusion. But the MDS boundary also covers an extensive pine woodland (not subject of a tree preservation order), nearly 50 years old, which was planted over the foundations of former wartime structures, and a fairly large open grassed area. I saw that the remains of buildings and other infrastructure in the plantation have blended into the landscape with the process of time to the extent that they can reasonably be regarded as part of the natural surroundings. As regards the latter, there is no consistency. While some grassed sections have been included by the Council, others have not. In my view, the woodland and the grassed areas contribute to the openness of the Green Belt. I consider that the MDS boundary should therefore be amended to exclude both. The current planning application by ProDrive shows large industrial and research buildings located on the woodland. But

this is not crucial to determination of MDS boundaries. The District Council has confirmed in its evidence that the scale of those proposals is too large to be considered within the framework of Policy SSP2 and that if the planning authority is minded to approve the application it will have to be referred to the Secretary of State to determine whether it should be called in.

**10.4.17** Turning to the southern site, this smaller group of redundant buildings formerly used for research and development purposes, including the testing of jet aircraft engines, occupies a secluded position within Nunley Wood. In the Revised Deposit Plan the woodland has been excluded from the MDS. In my opinion that is quite proper. The boundary now proposed covers just 0.98ha and is confined to the buildings themselves and the immediate areas of hardstanding. I agree with the District Council that the limited size and scale of buildings on this site means that it would not merit MDS designation on its own were it not associated with the larger facilities to the north. I accept that the site has strong and direct links with the former airfield site, benefiting from access to the test track and the security afforded by the site as a whole. Although it forms part of the wider MDS it would not, in my opinion, be appropriate to extend the boundary of the northern MDS so that this southern site becomes an elongated extension of it.

**10.4.18** To sum up, I consider that while the boundaries of the southerly section of the MDS shown in the Revised Deposit Plan are appropriate, the northerly section should be reduced in size to exclude the pine plantation and the open grassed area. I recommend accordingly.

**10.4.19 Issue 9:** (*University of Warwick*) The adopted Local Plan was prepared prior to the 1995 version of PPG2 which introduced the concept of 'Major Developed Sites' in the Green Belt. It contained a site specific policy for the University (Policy (DW) EMP8). That set the framework for a planning brief which became in due course the 1994 University of Warwick Development Plan. That Plan has been employed to guide development of the University over the last 10 years. It has been largely, but not entirely, implemented.

**10.4.20** The First Deposit version of the Review Local Plan did not include a site specific policy for the University and this gave rise to an objection. I am told that before the Revised Deposit Plan was prepared discussions were held between the District Council, the University and GOWM. Three options were considered. Firstly, removing the site from the Green Belt. This was considered neither appropriate nor desirable. The land has been in the Green Belt since it was first designated in the 1970s. Taking out some 42ha from the Green Belt would be a strategic change of such magnitude that it should properly be made by the Warwickshire Structure Plan or, now, the RSS. The second option was a bespoke policy for the University. It was difficult to see what form that should take given the need for new development in the Green Belt to comply with national planning policy guidance. The third option was to designate the site as a MDS in accordance with Annex C of PPG2, and that is what the District Council decided to do.

**10.4.21** I consider that MDS status is the appropriate way forward given the Green Belt context and support for higher education institutions expressed in Policy PA4 of the RSS. I note that the District Council wishes to encourage the University and be supportive of its future needs. I consider that Policy SSP2, matched by a well-considered MDS boundary, is the best way to do this. I note that the University now supports MDS designation "as an interim policy measure that may afford some comfort to the University in promoting infill development in the short term."

**10.4.22 Issue 10:** Stoneleigh and Ashow Parish Council considers that too much Green Belt land is being taken by the University. The University, for its part, considers that the boundaries of the MDS should be drawn to reflect the developable area as identified by the 1994 University Development Plan. Clearly, the boundaries of this MDS have been defined in a rather different manner from those of the other 7 MDSs. This is because it is an area where there has been no previous development. I consider that the 1994 University Development Plan is a material consideration. It was subject to public consultation at the time of its preparation. In my view, it is reasonable to accommodate the commitments made in that Plan. I conclude that the proposed MDS boundaries are not too generous. The District Council has accepted that there is a small discrepancy in the MDS boundary shown in the Revised Deposit Plan which does not accurately reflect the agreed area of the 1994 Plan. I support the correction put forward by the Council to address that matter.

**10.4.23 Issue 11:** I do not consider Policy SSP2 to be overly restrictive in relation to future development at the University. In my opinion, it achieves an appropriate balance between Green Belt policy and fulfilling the aspirations of the University set out in its Development Plan. The District Council has put forward proposed changes to Paragraphs 10.17A-C of the Revised Deposit Plan to accommodate various suggestions made by the University. Amongst other matters, these recognise it as a 'world class higher education institution' and acknowledge the University's view that future growth relies on use of the Warwickshire land which is critical to sustaining its vision for the long term. I support that revised/additional text.

**10.4.24 Issue 12:** The University has requested a further change to Paragraph 10.17C, confirming adoption of the University Development Plan 1994-2004. I do not consider this to be necessary given the alterations proposed to Paragraph 10.17B that refer to its adoption as SPG in 1995. As regards work being carried out to update the 1994 Development Plan, this is clarified in the revised supporting text which also explains that the boundary of the MDS relates to the outer limits of development as defined by that Plan.

**10.4.25 Issue 13:** The reasoned justification at Paragraph 10.17C, as proposed to be changed, points out that the RSS supports development at Higher Educational Establishments and recognises the University's location within the Coventry, Solihull, Warwickshire Hi-Technology Corridor. I endorse that reference.

**10.4.26 Issue 14:** I note that environmental considerations are already addressed in Paragraph 10.17C. In terms of social considerations, the University provides an opportunity for some students to live on site. This takes pressure off other locations, reduces the need to travel, and ensures a vibrant campus. However, I agree with the District Council that it would not be appropriate to seek to accommodate all students on the site and resist student accommodation elsewhere in the District. This would unfairly discriminate between students from different institutions, put undue pressure on Green Belt land, and could prove harmful to the vitality of town centres in particular. Clearly, a balanced approach is necessary which is what I believe the University and the District Council are together seeking to achieve. The Leamington Society's concern is primarily directed at the concentration of student accommodation in certain urban areas and the fear that tenure and parking issues may affect their character. I consider, though, that Policy DP2 (Amenity) provides an adequate basis for control of houses in multiple occupation addressing, amongst other matters, noise and visual intrusion. As regards

parking, the District Council is committed to preparation of a SPD on this topic which will consider matters relating to houses in multiple occupation and self-contained flats.

**10.4.27 Issue 15:** (*Haseley Business Centre*) Objection was made at First Deposit stage that the Haseley Business Centre should be recognised as a MDS in the Green Belt. The objection has been satisfied in the Revised Deposit Plan. The District Council considers that the site fulfils the criteria for identification in terms of its size, the number of people employed there and its capacity for infilling and redevelopment. I support that designation.

**10.4.28 Issue 16:** (*Woodside Management Training Centre, Glasshouse Lane, Kenilworth*) The Woodside Training Centre, Kenilworth was added to the list of MDS at Revised Deposit stage, thereby meeting the Sundial Group's objection to the First Deposit Plan. However, 2 further objections were then lodged - in respect of the wording of Policy SSP2 and the boundaries of the MDS. To address the former, the District Council has suggested proposed changes. The amended Policy indicates that appropriate limited infilling and redevelopment for employment purposes 'or other uses identified in the supporting text as being appropriate for each site' will be permitted. This amendment substantially addresses the objection. As regards the Woodside Estate specifically, given its current use as a management training and conference centre, I see no reason why the supporting text at Paragraph 10.21B should indicate that acceptable alternative uses would, in principle, include a hotel or a venue for wedding and other guest receptions. Alternative uses are not specified for the other MDS. Any such proposals would need to be considered through a planning application in the light of Green Belt policy.

**10.4.29** Turning to the second point, the District Council says that it has endeavoured to apply MDS boundaries in a consistent manner. Boundaries have been drawn to reflect the extent of the main buildings and areas of hardstanding directly related to them. I consider those key principles to be appropriate. The Sundial Group considers that the MDS boundary at the Woodside Training Centre has been drawn too tightly around the existing buildings and would like to see 2 further areas included (Options A or B) - that is, land lying immediately to the east of the main residential block, and an area to the west of the buildings incorporating tennis courts and a grassed section. Through the proposed changes the District Council has agreed that further land to the east and north of the buildings should be included. I saw on site that this provides the immediate setting for the residential block and includes an area of driveway alongside the main buildings. I endorse those alterations. However, like the District Council I believe that inclusion of the tennis courts and adjoining grassed area to the west of the complex would not be appropriate. The tennis courts are detached from the main group of buildings while the grassed area has no development upon it, contributing only to the broader setting of the site.

**10.4.30** It follows that I do not support the objector's further proposals that the boundary of the MDS should relate to the entire Woodside Estate with a 'Built Envelope' within it where limited infilling would be considered appropriate development in the Green Belt. This is shown at Appendix 2 of the objector's further written representations. I note that 3 objections to these proposals were received in response to the Omission Sites Consultation - from CPRE (Warwickshire Branch), Kenilworth Town Council, and the Kenilworth Society.

**10.4.31 Issue 17:** (*Abattoir, Rouncil Lane, Kenilworth*) Farmers Fresh Abattoir is located on Rouncil Lane about 3.2km south-west of Kenilworth town centre. The site of 1.5ha

includes a slaughter hall, chiller rooms, dispatch bay, administrative offices, staff rooms, engineering workshop, and various smaller buildings, together with 2 areas of hardstanding for vehicle parking and lairage. Originally a farm, the abattoir was established on this site in 1980 when the business transferred from the centre of Kenilworth. It has been serving local and national markets ever since. In 1993 permission was granted for extensions on the grounds that they would enable removal of the remaining cutting and boning operations from the town centre, thereby centralising all non-retail operations at Bannerhill. In 1999 the original company, F Snelson and Son, went into receivership. The site was re-opened by Farmers Fresh in 2000. The nature of the business has changed. The number of animals slaughtered has increased, consisting predominantly of sheep for the export market. The business currently employs 70 people with 2,600 sheep processed daily.

**10.4.32** The objector is concerned that because of the Green Belt location, ‘very special circumstances’ have to be demonstrated each time a need for additional accommodation arises, most commonly due to changes in European legislation. While the company has so far been successful in obtaining planning permission this has been an uncertain, expensive and time consuming operation. Given the potential for replacement of existing buildings and infilling, it is argued that the site should be identified as a MDS to allow its full potential to be realised - in common with other similar sites identified in this Local Plan and the Stratford-on-Avon Local Plan, and MDS criteria set out in the East Hertfordshire Local Plan and others.

**10.4.33** I note that the District Council has been guided by Annex C of PPG2. Examples given of MDS include factories, power stations, civil airfields, hospitals, research and education establishments. PPG2 is silent as to what is considered ‘major’ except to say that sites should be substantial. The District Council says that while there is no minimum size for a MDS, it has adopted a commonsense approach. It has looked at securing jobs and opportunities for environmental improvements. This site meets some of the criteria. The business employs a fair number of people and is within the size range of other MDS. But it does not match the scale of development on other MDS designated in this Plan. For example, the Haseley Business Centre MDS although just 0.7ha in extent has been in industrial/office use since the 1940s. It provides managed office space where 155-200 people are employed full time and has mainly 3 storey buildings.

**10.4.34** Set against factors such as size and volume of employment are the limited opportunities for further infilling beyond the footprint of existing permissions and the unsuitability of the site in terms of the inadequacy of the road network to accommodate heavy vehicular traffic and the lack of mains drainage. Furthermore, I see little opportunity for environmental improvement in this location given the character of the existing site that resembles a large range of farm buildings and the dense tree belt that screens the premises from public vantage points along Rouncil Lane. I note that the District Council has allowed some increase in the footprint of buildings on this site but only where it could be demonstrated that this was essential for operation of the business without significantly increasing throughput.

**10.4.35** It seems to me that these premises are not of a scale appropriate for designation as a Major Developed Site in the Green Belt. I consider that any further proposals here, whether infilling, redevelopment or otherwise, should continue to be rigorously examined in the context of Green Belt policy. I note that in response to the Omission Sites Consultation this site attracted objections from the CPRE (Warwickshire Branch),

Kenilworth Town Council, Leek Wootton Parish Council, Kenilworth Society and 31 members of the public.

**10.4.36 Issue 18:** (*North Leamington School, Leamington Spa*) North Leamington Community School and Arts College is situated on the fringe of the urban area in an elevated position with open views to the north-west. The local education authority proposes to redevelop and consolidate the School at nearby Manor Hall which currently accommodates the Educational Development Service. The existing Upper and Lower Schools would be sold off for redevelopment to part fund construction works and fill a deficit of £13m. The new unified school would cater for 1,500 11-18 year olds. The existing 1950s school buildings on the main site off Cloister Way/Park Road are in poor condition, uneconomical to repair, and inefficient. Designed as 2 separate schools, they have no sports or performance halls and inadequate science facilities. There are 19 temporary classrooms, more than at any other secondary school in Warwickshire. The Sixth Form Centre is located one mile away at Binswood Avenue. DfES 'Specialist School' status as an Arts College, sponsored by EMI and Music Sound Foundation, was achieved in 1999. But further development of the School's specialist role, incorporating a bid for Engineering as a second specialism in 2007 is considerably disadvantaged by the state of the existing school buildings.

**10.4.37** In both the adopted Local Plan and the First Deposit version of the emerging Local Plan, North Leamington School and Manor Hall are included in the Green Belt. In response to objections from Cala Homes (Midlands) Ltd the Revised Deposit Plan shows them as a single MDS (2 sites). The areas defined as MDS were later enlarged through proposed changes as a result of representations made by the County Council. The amended boundaries include hard-surfaced areas immediately adjacent to the schools. Other areas of hardstanding more distant from the buildings have been excluded.

**10.4.38** Looking first at the appropriateness of MDS designation, I am content that North Leamington School and Manor Hall satisfy the guidance set out in Annex C of PPG2. They are educational establishments that have employment significance. They are substantial in terms of their existing floorspace and the numbers of staff employed there (208 at North Leamington School and 120 at Manor Hall [plus conference attendance of 150-200 per session]).

**10.4.39** As regards the boundaries of the MDS, Warwickshire County Council proposes a more expansive cordon at Manor Hall to include substantial areas surrounding the existing buildings. I do not believe that would be appropriate. It would not define the boundary of the present extent of development and in that respect would not accord with the advice in Annex C of PPG2. The objector has supplied an indicative layout of the proposed replacement school (Landscape Masterplan Drawing No 2224LO/001B). I acknowledge the constraint imposed by a maximum 3-storey building height (compared with 5 storeys for the existing Manor Hall buildings). Nevertheless, it seems to me that a significant proportion, if not all, of the built development in that scheme could be accommodated within the MDS boundary as defined by the District Council. While playing fields and all-weather sports pitches would be located outside the MDS, those facilities are likely to be acceptable since they are open uses which PPG2 regards as appropriate development. Inclusion of additional land in the MDS at Manor Hall would, I believe, significantly detract from the open character of the Green Belt.

**10.4.40** Turning to the North Leamington School site, I am satisfied that the MDS boundary drawn by the District Council through its proposed changes is the most appropriate. The

2 additional areas of hardstanding suggested by the County Council for inclusion are remote from the existing buildings, more open and at a different ground level. Development in that location would, in my view, be likely to form an unacceptable visual intrusion that would conflict with the Green Belt purpose of safeguarding the countryside from encroachment.

**10.4.41** The second element of the objection concerns the wording of Policy SSP2. Warwickshire County Council would like to see the Policy made more flexible so that it does not limit redevelopment to ‘employment purposes’ only. The suggested new wording would read: “Within the following major developed sites, as defined on the Proposals Map, appropriate limited infilling and appropriate redevelopment will be permitted, in principle.” It was originally proposed that a residential allocation be made at the North Leamington School site to enable the site value to be released and give the opportunity to develop a modern community facility for local residents. The primarily residential character of the area suggested to the objector that housing rather than commercial development would be the most appropriate re-use of the site. However, on reflection, the County Council considers that it would be more appropriate to deal with the matter by amending the wording of Policy SSP2 in the manner suggested. That would allow any proposals for redevelopment to be weighed with other Plan policies and with the community benefits of funding a new school.

**10.4.42** The District Council has put forward amended wording for Policy SSP2 through proposed changes to the Revised Deposit Plan. But instead of that suggested by the County Council it has added the words “or other uses identified in the supporting text as being appropriate for each site.” I consider that text to be satisfactory. It offers guidance where it is required and maintains an emphasis on securing jobs and prosperity without being unduly prescriptive. I am content that the Policy accords with the guidance at Annex C of PPG2.

### **Recommendations**

**10.4.43(a) That the Revised Deposit Plan be modified as follows:**

**(i) amend Policy SSP2 to read:**

**“Within the following major developed sites within the Green Belt, as defined on the Proposals Map, appropriate limited infilling and redevelopment for employment or other uses identified in the supporting text as being appropriate for each site will be permitted:-  
.....”**

**(ii) amend the second sentence of Paragraph 10.15 to read:**

**“Government policy recognises the presence of these and provides a framework for some development to take place within them where this would help secure jobs and prosperity and improve the environment of the Green Belt.**

**(iii) amend Paragraph 10.17A to read:**

**“University of Warwick. The University is a world class higher education institution which, from its inception in 1964, has occupied**

land gifted by the Councils of Coventry and Warwickshire, the latter having been in the West Midlands Green Belt. Whilst the majority of growth to date has been on the Coventry side of the boundary, the University has always recognised from its earliest development plans that future growth would rely on the use of the Warwickshire land. The University now considers that this land is critical to sustaining its vision for the long term.”

- (iv) amend Paragraph 10.17B to read:

“The previous local plan, adopted in 1995, contained a policy supporting development at the University and set the framework for a planning brief to be prepared. This brief, the University Development Plan 1994-2004, was adopted as supplementary planning guidance in 1995. It has not to date been fully implemented and remains an appropriate framework against which proposals at the University are considered. Any revisions or updates to this plan, which have been through the relevant adoption process, will be accorded significant weight in determining future applications for development.”

- (v) amend Paragraph 10.17C to read:

“The Council supports the University as a higher education institution of national importance, and is keen to ensure its continued success. The Regional Spatial Strategy both supports development at Higher Education Establishments and recognises the University’s location within the Coventry, Solihull and Warwickshire Hi-Technology corridor. It is important, however, that this is done having regard to all relevant environmental safeguards and in particular its designation as Green Belt. Identifying the site as a major developed site within which the various university uses can expand is the most appropriate means of doing this. An area of 42 hectares has been identified for this purpose, which reflects the outer limit to development as defined by the University Development Plan 1994-2004.

- (vi) University of Warwick. Amend the boundary of the MDS (Chapter 13 Information Plans) in accordance with the map attached as Appendix 3 to the Council’s Proof of Evidence Ref: WDC/FWS/Policy SSP2/1.
- (vii) Police Headquarters, Leek Wootton. Amend the boundary of the MDS (Chapter 13 Information Plans) in accordance with the map included in ‘Analysis of Objections to Revised Deposit Version and Proposed Changes to the Local Plan’.<sup>2</sup>
- (viii) The Woodside Training Centre, Kenilworth. Amend the boundary of the MDS (Chapter 13 Information Plans) in accordance with the

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<sup>2</sup> CD28

map included in ‘Analysis of Objections to Revised Deposit Version and Proposed Changes to the Local Plan’.<sup>3</sup>

- (ix) North Leamington School, Leamington. Amend the boundary of the MDS (Chapter 13 Information Plans) in accordance with the map included in ‘Analysis of Objections to Revised Deposit Version and Proposed Changes to the Local Plan’.<sup>4</sup>
- (x) Former Honiley Airfield, Oldwich Lane East, Wroxall. Amend the boundary of the northerly section of the MDS (Chapter 13 Information Plans) to exclude (a) the pine plantation at the western end of the site, and (b) the open grassed area at the north-eastern extremity of the site.
- (xi) amend Paragraph 10.19 to read:

“Former Honiley Airfield. “This .... ha<sup>5</sup> site (shown as two sites within the former airfield) was formerly property of the Ministry of Defence. Since the 1950s it has been used for a variety of purposes associated with the aeronautical and automotive industries. The former runways are currently utilised for vehicle testing whilst the buildings are used for research and development and related activities. The runways have not been included within the designation in view of their extent and their open character. Development within this much wider area would conflict with the need to maintain the openness of the Green Belt.”

- (b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.

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## 10.5 Paragraphs 10.22 - 10.26 Policy SSP3 Stoneleigh Park

### Objections to First Deposit Version

10/AB	Bubbenhall Parish Council
6/AE	Chiltern Railways
66/AZ	The Warwick Society
148/BR	Campaign to Protect Rural England (Warwickshire Branch)
154/AR	National Farmers’ Union
157/AC	West Midlands Planning and Transportation Sub Committee
193/BT	Coten End and Emscote Residents’ Association
199/BT	James Mackay
242/AD	Coventry City Council (Planning & Transportation)
242/AK	Coventry City Council (Planning & Transportation)
244/AA	Warwickshire Fire & Rescue Service

<sup>3</sup> CD28

<sup>4</sup> CD28

<sup>5</sup> Insert revised site area, based on (x) above

257/AH	Highways Agency
302/BO	English Heritage (West Midlands Region)
304/AA	Stoneleigh and Ashow Joint Parish Council

#### Objections to Revised Deposit Version

148/RAV	Campaign to Protect Rural England (Warwickshire Branch)
168/RAC	Advantage West Midlands
211/RAA	Royal Agricultural Society of England
304/RAA	Stoneleigh and Ashow Joint Parish Council

#### Key Issues

- 10.5.1** (1) (a) The relationship between Policy SSP3 and the planning application for major development of Stoneleigh Park, and (b) whether Policy SSP3 should follow the wording of adopted Local Plan Policy (DW) EMP9.
- (2) Whether the Policy would inappropriately encourage substantial new development in the countryside.
- (3) Whether the Policy should clarify the scale of development permissible.
- (4) Whether there was a contradiction between Policy SSP3 and Paragraph 10.26 in the First Deposit version.
- (5) Whether there should be a reference to the historic parkland in which the MDS is set.
- (6) Whether transportation issues should be addressed.
- (7) Whether the phrase ‘the well being of the countryside and its inhabitants’ requires clarification.
- (8) Whether there should be a specific reference to the site being within the Green Belt and Special Landscape Area.
- (9) Whether Paragraph 10.25 should make reference to ‘other rural activities’.
- (10) Whether the Policy should indicate that the Highways Agency will be consulted on any proposals for the site.
- (11) Whether the Policy should address detailed issues raised in respect of the current planning application.
- (12) Whether the Policy would benefit from (a) substituting ‘rural activities’ for ‘agriculture’, (b) re-ordering of the text, and (c) including in the reasoned justification a description of the current major planning application to make it clear what is proposed on the site.
- (13) Whether the last sentence of Paragraph 10.23 should state “...subject to it **not** being called in by the Secretary of State.”

- (14) Whether only uses promoting agriculture should be supported.

### **Inspector's Appraisal and Conclusions**

- 10.5.2 Issue 1:** CPRE is concerned about large scale proposals to further develop Stoneleigh Park, located in the countryside and in the Green Belt. In its view, permissible uses should be restricted to those associated with agriculture. The expression 'rural matters' is capable of very wide interpretation. The Policy would allow inappropriate development by extending uses beyond the promotion of agriculture to include equestrianism and well-being of the countryside. CPRE is opposed to a large hotel on the site. Facilities for exhibitions, shows and conferences, and office business units should be used for events that relate to agriculture only. The provision of a shopping area is inappropriate if it is for purposes other than people visiting shows at the site. Likewise, the objector is concerned about the proposed National Equine Centre given that equine use is not an agricultural use. The objector considers that Policy (DW) EMP9 of the adopted Local Plan should be retained. There is also concern that Policy SSP3 as drafted appears to accept approval of the recent planning application even though it remains to be determined.
- 10.5.3** Before considering these matters it is useful to briefly recount the history of this site. The Royal Agricultural Society of England (RASE) established its permanent home (the National Agricultural Centre), and the annual Royal Show, at Stoneleigh in 1963. In 1980 RASE sought planning permission to regularise activities on the site. That permission with S52 Agreement forms the basis of operations today. In preparing the first district-wide Local Plan in the context of the 1988 version of PPG2 the District Council drew up Policy (DW) EMP9. That Policy provided a framework for considering positively activities related to the promotion of agriculture. The District Council, with RASE, began work on a planning brief in 2000. But in 2001 RASE began to develop a new vision for the site (the 'Open Countryside Initiative') following a reorganisation of RASE and major questions over the future of farming and the rural economy.
- 10.5.4** In the emerging Local Plan, prepared in the context of the 1995 version of PPG2, Stoneleigh Park has been recognised as a MDS. Because of its size and the unique circumstances of the Royal Charter under which it operates, a bespoke Policy SSP3 was also included. The First Deposit Plan acknowledged that the scale of development envisaged by the 'Open Countryside Initiative' was greater than PPG2 would allow on a major developed site in the Green Belt. GOWM objected to this wording. Instead of pursuing the planning brief, RASE decided to submit a new outline planning application for the entire site to give clarification to what can and cannot be done in terms of events and uses. The application (Ref W04/1068) was for: "The development and refurbishment of Stoneleigh Park to provide exhibition, hotel and conference facilities, showground facilities, a business innovation park, visitor centre, leisure and ancillary retail and catering facilities, a National Equine Centre and livestock facilities, together with a new access road and bridge, landscaping, parking, circulation works, an equine bridge and highway improvements." The application was considered by the District Council in February 2005 when it was minded to grant conditional planning permission subject to a legal agreement and departure proceedings. In September 2005 the GOWM decided that the Secretary of State's intervention would not be justified. I am told that discussions are continuing with RASE on the terms of the legal agreement. When permission is granted, the earlier 1980 permission will be revoked. Draft condition 28 reads as follows: "All public events held pursuant of this permission shall be related to agriculture and other uses associated with livestock, food production, equine activities or

other rural pursuits, unless otherwise agreed in advance (in writing) by the District Planning Authority.”

- 10.5.5** This then is the background. In its further written statement, CPRE has listed 23 grounds for objection. The majority of these points relate to matters pertinent to the latest planning application rather than to Policy SSP3. The District Council has taken a decision to support the application. In its view there are ‘very special circumstances’ to justify the development, notwithstanding the presumption against inappropriate development in the Green Belt. I agree with the planning authority that the acceptability of that application is not directly relevant to the broader issue for this Local Plan of whether designation of Stoneleigh Park as a MDS in accordance with Annex C of PPG2 is appropriate.
- 10.5.6** CPRE has raised 2 matters that directly impact on Policy SSP3. Firstly, it is argued that the Policy appears to accept approval of the recent application. As the District Council points out, the Policy itself makes no reference to those proposals. While the supporting text has been amended on 2 occasions, these are simply statements of fact recording the current position on the application. As regards the appropriate level of control, I note that Stoneleigh Park is the only MDS with its own separate policy. This puts additional restrictions in place. Secondly, CPRE is concerned that the Policy endorses a shift from activities related to agriculture to ‘rural matters’. However, the term rural matters is not employed in Policy SSP3. The Policy refers specifically to ‘the promotion of agriculture and associated activities, equestrianism and the well-being of the countryside and its inhabitants.’ I accept the District Council’s view that this is a reasonable reflection of the Royal Charter and that it serves to limit the range of activities that can take place at Stoneleigh Park.
- 10.5.7** Turning to other matters, I note that Policy (DW) EMP9 of the adopted Local Plan includes criteria designed to minimise impact on the character and appearance of the Special Landscape Area (SLA) and on the local highway network. I have concluded elsewhere in my report that the SLA, a local landscape designation, is not necessary in light of Policy DP3 and other Plan policies that afford protection of landscape character; and that impact on the local highway network is addressed adequately through Policies DP6 (Access), DP7 (Traffic Generation), DP8 (Parking) and RAP10 (Safeguarding Rural Roads). In my opinion, there is no need for these provisions to be duplicated through Policy SSP3. It is a fundamental principle of this Local Plan that relevant policies should be read together rather than applied in isolation.
- 10.5.8** Finally, I am content that an appropriate boundary for the site has been identified. It differs from that in the adopted Local Plan in that it includes additional land to the north and north-west of the main buildings in the ownership of RASE. That land is, I note, the ‘countryside zone’ in the planning application which is an open area dedicated to wildlife habitat and woodland planting.
- 10.5.9 Issue 2:** The purpose of Policy SSP3 is to supplement Policy SSP2 by providing additional guidance on acceptable uses in light of the scale, history and unique situation of Stoneleigh Park. I do not believe that it encourages substantial new development. It simply sets down a planning framework against which to assess future development proposals, bringing adopted Local Plan Policy (DW) EMP9 up-to-date in terms of the latest version of PPG2 and the concept of MDS. The current major planning application was, I note, treated entirely separately as a departure from the development plan.

GOWM ultimately concluded that the Secretary of State's intervention would not be justified and allowed the District Council to determine that application.

**10.5.10 Issue 3:** The scale of development permissible at Stoneleigh Park is set by Policy SSP2. It is made clear through the wording of the Policy itself and in Paragraph 10.16 that only infilling or redevelopment in accordance with Annex C of PPG2 will be regarded as appropriate development. I am satisfied that the Policy offers no support for development in excess of those provisions.

**10.5.11 Issue 4:** The contradiction referred to by the West Midlands Planning and Transportation Sub-Committee is the same as that identified by GOWM - namely, that a planning brief is to be prepared which is likely to propose a scale of development beyond that permitted in Policies SSP2 and SSP3. These objections have been addressed in the Revised Deposit Plan by deleting the original Paragraph 10.26. I support that amendment.

**10.5.12 Issue 5:** In response to this objection, the District Council has inserted a reference in Paragraph 10.24 of the Revised Deposit Plan to the two adjacent nationally listed historic parks and a cross-reference to Policy DAP13. I endorse those alterations and note that on this basis the objection from English Heritage has been conditionally withdrawn.

**10.5.13 Issue 6:** It is explained in the User Guide that a fundamental principle of this Plan is that all relevant policies should be read together. In the interests of producing a succinct document, I see no reason to cross-reference Policy SSP3 to numerous other policies, including those concerned with transportation issues. The supporting text does refer to highway improvements but this is appropriate, in my view, given that the current planning application makes specific reference to such arrangements.

**10.5.14 Issue 7:** The expression 'the well-being of the countryside and its inhabitants' is an attempt by the District Council to summarise aspects of the RASE's Royal Charter. I agree that in the interests of brevity clarification is best made through a cross-reference to that Charter. I support the amendment made to Paragraph 10.25 of the Revised Deposit Plan.

**10.5.15 Issue 8:** Paragraph 10.25 and the Proposals Map make it clear that the entire site lies within the Green Belt. As regards the Special Landscape Areas, I recommend elsewhere in my report that they should not be reinstated. Notwithstanding this, I note that Stoneleigh Park has never been included in an SLA, either in the adopted Local Plan or in the First Deposit version of the emerging Local Plan.

**10.5.16 Issue 9:** I see no need to include 'other rural activities' in Paragraph 10.25. The supporting text faithfully reflects the acceptable uses set out in Policy SSP3.

**10.5.17 Issue 10:** There is no reason, in my view, to refer specifically to the need for consultation with the Highways Agency. A range of consultations, statutory and otherwise, would be undertaken by the District Council in respect of any development proposals, depending upon their scale and nature. I note that the Highways Agency was consulted on the current major planning application.

**10.5.18 Issue 11:** Stoneleigh and Ashow Parish Council has raised a number of detailed matters in relation to the current planning application. They concern visitor traffic,

monitoring of goods sold from retail outlets on the site, and conformity with Policy DP7 (Traffic Generation). I agree with the District Council that such development control issues fall outside the scope of this Local Plan inquiry.

**10.5.19 Issue 12:** Given that the reference to ‘agriculture’ in Policy SSP3 is taken directly from RASE’s Royal Charter, I see no reason to substitute the words ‘rural activities’ as suggested by Advantage West Midlands. Nor do I support the suggested re-ordering of the Policy. I acknowledge the Agency’s Rural Renaissance Framework and Rural Renaissance Action Plan. Nevertheless, I consider that promotion of agriculture should remain at the forefront of the Policy rather than primary emphasis being placed on economic well-being of the countryside and its inhabitants, with agriculture and equestrianism as sub-sets.

**10.5.20** Including a description of the development proposed in the current major planning application would, I feel, improve the Plan. That application has reached an advanced stage, awaiting only the completion of a S106 planning obligation. I therefore support the proposed change to Paragraph 10.23 put forward by the District Council.

**10.5.21 Issue 13:** As the District Council points out, this objection has been overtaken by events. The matter has been resolved and the reference to call-in should be removed from Paragraph 10.23. I endorse the proposed change promoted by the Council.

**10.5.22 Issue 14:** Policy SSP3 sets out clearly those uses that will be acceptable at Stoneleigh Park. Reflecting the unique circumstances of the site, including the Royal Charter, such uses include equestrianism and the well-being of the countryside and its inhabitants. It would therefore be inappropriate to restrict development just to the promotion of agriculture and associated activities as sought by this objector.

### **Recommendations**

**10.5.23 (a) That the Revised Deposit Plan be modified as follows:**

**amend Paragraph 10.23 to read:**

**“In response to structural changes in the rural economy, the RASE is currently seeking to clarify its role and the role of Stoneleigh Park. It has set out a new vision for how it will use Stoneleigh Park to fulfil its Royal Charter obligations, and has submitted a major planning application outlining how the site will be redeveloped over the next few years. The proposal is for the development and refurbishment of Stoneleigh Park to provide exhibition, hotel and conference facilities, showground facilities, a business innovation park, visitor centre, leisure and ancillary retail and catering facilities, a National Equine Centre and livestock facilities, together with a new access road and bridge, landscaping, parking, circulation works, an equine bridge and highway improvements. The application includes realigning the main access into the site from the north and improving links with the A46, relieving traffic pressure on Stoneleigh village. This planning application has now been approved by the District Council, subject to the completion of a legal agreement.”**

**(b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.**

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## **10.6 Paragraphs 10.27 - 10.30 Policy SSP4 Safeguarding Land for Kenilworth Railway Station**

### Objections to First Deposit Version

148/BS Campaign to Protect Rural England (Warwickshire Branch)  
223/BE Kenilworth Town Council

### Objections to Revised Deposit Version

148/RBB Campaign to Protect Rural England (Warwickshire Branch)  
221/RAG Kenilworth Society

### **Key Issues**

- 10.6.1** (1) Whether the station allocation should be enlarged to take in industrial land on Farmer Ward Road on the east side of the railway line for additional car parking.
- (2) Whether a further sentence should be added to the Plan confirming this site as the most sustainable location relative to the town centre.
- (3) Whether the implications of providing a transport interchange at the new station should be addressed.

### **Inspector's Appraisal and Conclusions**

**10.6.2 Issue 1:** CPRE (Warwickshire Branch) supports the allocation for the new station but suggests that its area should be increased by including land in industrial use along Farmer Ward Road. Car parking provision on the opposite side of the track would, it is claimed, maximise accessibility of the station from the town centre and from residential areas on the eastern side of Kenilworth. Car parking on the western (Priory Road) side of the station could then be restricted in favour of pedestrian, cycle and bus access.

**10.6.3** The County Council maintains that the safeguarded site has a car parking capacity that reflects likely demand. It can accommodate 84 vehicles while the estimated demand is for around 60 spaces maximum (allowing for some 'up-side'). The County Council has outlined its methodology for estimating demand. Firstly, it has employed forecasts made for the Kenilworth Station Outline Business Case. Using the Passenger Demand Forecasting Handbook, based on residential catchment, the estimate is 390 one-way trips. Secondly, applying the Disaggregated Mode Choice Model, which calculates the number of rail trips as a percentage of all employment trips using 2001 travel to work data from the census, this estimates 195 outbound trips solely for employment purposes. These trips translate, in rough figures, to a demand for just over 40 parking spaces. If demand was greater than anticipated, the County Council says that it would consider either (a) providing more parking by way of construction or negotiating an arrangement in respect of the District Council car parks, or (b) constraining demand through parking charges.

Bearing in mind these matters, I am satisfied that there is no quantitative requirement for additional land for car parking.

**10.6.4** This site was subject to the Omission Sites Consultation. I note that Kenilworth Town Council agrees with the District and County Councils that there is no need at this stage to specifically safeguard land for additional parking - although it remains concerned that a successful station might in due course require parking on the eastern side of the track. The Highways Agency also objected to this omission site. There is the fear that a substantial amount of parking could exacerbate road congestion if it were to act, in effect, as a park and ride facility.

**10.6.5** I do not support the CPRE's objection for a number of other reasons. Firstly, employment land is in short supply in Kenilworth. It would be wrong, in my view, to blight employment land along Farmer Road for car parking that is not required in the foreseeable future. Secondly, a substantial part of the population of Kenilworth on the eastern side of the town centre is within walking distance of the proposed station. Indeed, the station has been located to encourage access by walking, cycling and public transport. There is already a pedestrian bridge in place. In my opinion, it would not be appropriate to provide extensive parking to promote access by car. Thirdly, the County Council considers it unlikely that an east side car park could be funded without compromising the station's business case. The scheme proposed is viable. It has a positive financial Net Present Value (NPV) of £1.4m over a 60 year period. I am told that to purchase a site on Farmer Ward Road would cost an additional £200,000-£500,000. Such additional costs would erode the NPV and make the scheme look weaker. Finally, separate car parks on each side of the track could result in people driving from one to the other looking for spaces and generating extra traffic.

**10.6.6** There is the possibility that travellers arriving from an easterly direction might, in the absence of a separate car park, be tempted to park along residential streets and cause nuisance to residents. However, that concern could be addressed, if necessary, by the imposition of on-street parking restrictions. I am satisfied, on balance, that there is no compelling argument for safeguarding land east of the railway line for additional station car parking.

**10.6.7 Issue 2:** I believe that this objection is already adequately addressed by the supporting text at Paragraph 10.29. This confirms that: "This site has been identified as it represents the most attractive location for rail users, travelling both to and from the town. It is centrally located, close to the town centre and has good accessibility for both pedestrians and cyclists." I see no need for further elaboration nor specific use of the term 'sustainability'.

**10.6.8 Issue 3:** The District Council supports the principle of a public transport interchange at the new station. I note that the County Council is confident that the allocated site is of sufficient size to accommodate parking, a 'kiss and ride' drop-off point, taxi provision, bus/rail interchange facilities, and pedestrian and cycle access. Having examined the general arrangement drawing at Appendix A of the Outline Business Case<sup>6</sup> I have no reason to question this. Whether or not the existing public transport interchange in the town centre should be relocated or an additional interchange created at the station is an issue that will be dealt with when the scheme has been developed in greater detail. I see no need to address the matter now in this Plan. I note

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<sup>6</sup> CD913

that Kenilworth Town Council has withdrawn its objection in light of the District Council's response but a similar objection from the Kenilworth Society remains outstanding.

### **Recommendations**

#### **10.6.9 That no modifications be made to the Revised Deposit Plan in respect of these objections.**

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#### **10.7 Paragraphs 10.31 - 10.34 Policy SSP5 Safeguarding Land for Leamington Spa and Warwick Park and Ride**

##### Objections to First Deposit Version

11/AA	R.J. Vickers
34/AB	Peter Hitchin
45/AC*	Graham Leeke
66/BA	The Warwick Society
68/AA	D Eggby
104/AD	Warwickshire County Council (Property Services Dept)
109/AV	Warwickshire County Council (Planning, Transport & Economic Strategy)
114/BK	Whitnash Town Council
135/AD*	Bishops Tachbrook Parish Council
148/AO*	Campaign to Protect Rural England (Warwickshire Branch)
149/AF	Warwickshire County Council ( Museum Field Services - Archaeology)
193/BU*	Coten End and Emscote Residents' Association
199/BU*	James Mackay
212/AA	IBM United Kingdom Ltd.
229/AG*	Gallagher Estates Ltd
250/AA	Andrew & Julie Day
266/AH	Warwick Town Council
285/AA	Warwick Gates Residents' Association

##### Objections to Revised Deposit Version

135/RAJ*	Bishops Tachbrook Parish Council
148/RAW*	Campaign to Protect Rural England (Warwickshire Branch)
199/RAL*	James Mackay
226/RAM	Environment Agency
266/RAC	Warwick Town Council
317/RAA*	Mrs J Drake

(\* denotes consideration at RTS)

### **Key Issues discussed at the Round Table Session**

#### **10.7.1 (1) Whether there is need and justification for a park and ride facility to serve Warwick and Leamington Spa.**

- (2) Whether a park and ride scheme would be viable.
- (3) The relative transportation merits of the various sites suggested.
- (4) The broad environmental impacts of development of those sites.
- (5) Appraisal of the 'area of search'.

### **Other Key Issues**

- (6) Whether the 'convincing evidence' required for the development of park and ride (in the Green Belt), referred to in Paragraph 5.16 of the Plan, has been presented.
- (7) Whether park and ride should be justified in terms of providing a viable alternative to more parking in Warwick or other measures to relieve traffic congestion.
- (8) Whether park and ride at Heathcote roundabout would unacceptably increase traffic levels in the local area and adversely affect access/egress to/from Warwick Gates.
- (9) If a case is made for park and ride, whether a less sensitive location should be found than within the AoR adjacent to the Heathcote roundabout.
- (10) Whether the policy framework for dealing with archaeological remains in the Heathcote area is adequate.
- (11) Whether the Heathcote park and ride site should be allocated instead for a training centre to replace Manor Hall which will be displaced by redevelopment at North Leamington School.
- (12) Whether the area of search should be extended to include the strip of land between the M40 and A452 spur.
- (13) Whether the area of search should be amended to exclude the closed landfill site at New House Farm.
- (14) Whether Site G (Longbridge island) should be selected in order to meet the needs of those accessing Warwick from the north.
- (15) Whether identification of an area of search for park and ride would conflict with other Plan policies, in particular RAP10 (Safeguarding Rural Roads) and DAP4 (Protecting Nature Conservation, Geology and Geomorphology).

### **Inspector's Appraisal and Conclusions**

**10.7.2 Issue 1:** PPG13 supports the principle of park and ride provided such schemes are well conceived and well designed. They should be planned as an integral part of the planning and transportation strategy for the area, and included in the Local Transport Plan and development plan. The potential in Warwick District was first identified by Warwickshire County Council in the 1998 Transport Policies and Programme

Submission. A joint County and District feasibility study was undertaken in 2000<sup>7</sup>. The idea was carried forward into the first Warwickshire Local Transport Plan 2000, and into the Warwickshire Structure Plan 1996-2011 following the EiP Panel Report which recommended incorporation of a site or area of search rather than reliance being placed on locational criteria. Structure Plan Policy T.7 proposes a bus-based park and ride south of Leamington Spa to serve both Warwick and Leamington Spa town centres. Two later studies<sup>8</sup> considered the issues raised in greater detail. They support the Greys Mallory area of search as identified in the emerging Local Plan and inclusion of park and ride as part of a package of measures (the SPARK Major Scheme bid) in the Warwickshire Local Transport Plan 2006. The park and ride proposal is consistent with the Regional Transport Strategy. The SPARK bid is identified as a regional and sub-regional priority for investment by the West Midlands Regional Assembly. Policy support is given to the scheme in anticipation that it would encourage a shift to public transport that would ease parking pressures in the town centres, help tackle congestion, improve journey time reliability, and improve town centre environments.

**10.7.3** Mr Mackay and the Coten End and Emscote Residents' Association maintain that no environmental, transportation, business or economic case has been made for park and ride in this location. Its capital cost and likely continuing need for subsidy would use funds which could achieve greater benefits in support of other sustainable transport policies. A park and ride facility would frustrate measures to reduce the demand for transport and move to sustainable modes. It would weaken demand for rural bus services and threaten their provision while encouraging residential location in rural areas creating car trips and mileage. In itself it would represent a severe intrusion of sprawling urbanisation in the rural landscape. The reasoning and justification is perverse. The sequence appears to have been to decide that park and ride is an attractive idea and then find the least bad way to provide it. It appears to have gained a life of its own and as a worthy solution looking for a problem.

**10.7.4** CPRE (Warwickshire Branch) also opposes the scheme. The Plan contains no details of the intended service or what other transport policies for the two towns would be implemented along with it. The Plan does not provide an opportunity to examine whether park and ride is suitable as the main element of the transport strategy for the area. It is considered that inadequate public consultation and examination has taken place in terms of Structure Plan Policy T.7, the Local Transport Plan and the feasibility studies of 2000 and 2002, neither of which were made public at the time. The best basis for local transport planning is to first assess an area for its problems and needs, and then consult the public for ideas and solutions. That logical process has not been followed here. In the absence of such work the case for park and ride in the form envisaged in the SPARK bid and provided for in Policy SSP5 is weak. The stated cost of SPARK is £13.5m. CPRE considers those funds would produce wider benefits giving better value to residents and visitors and attracting greater public support if they were spent on cycle routes and facilities across Warwick and Leamington Spa, safer pedestrian facilities, improvements to the surroundings of Leamington and Warwick railway stations to give more direct access on foot to and from the town centres, new railway stations at Milverton (on the Coventry line) and Kenilworth, and a bus quality contract for the District.

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<sup>7</sup> CD450 (Oscar Faber, July 2000)

<sup>8</sup> CD451 (Faber Maunsell, March 2002) and CD452 (Stage 2 Feasibility Study, Faber Maunsell, January 2004)

- 10.7.5** Looking first at the policy context, clear support is given for a park and ride scheme in both the Structure Plan and the Local Transport Plan. I note that Structure Plan Policy T.7 was introduced at modifications stage after receipt of the Panel's Report. While it was not discussed at the EiP itself, full consultation was carried out on the modifications and no objections to this Policy were received. PPS12 urges consistency between Local Transport Plans and Local Plans in shire districts.
- 10.7.6** Turning to the need for, and benefits of, park and ride, the County and District Councils' latest parking strategy for Warwick and Leamington Spa places more emphasis than previously on short stay parking in town centres and moving long stay parking to the edge of towns. A greater number and centralisation of short stay spaces would support shoppers, retailers, tourists and other visitors and reduce the number of vehicles circulating looking for parking spaces. Park and ride would, I feel, help achieve that strategy. Moreover, park and ride would support employment particularly where parking is limited, for example at Warwick Technology Park and the Tachbrook/Heathcote employment areas. Notwithstanding the view of some objectors that travel to work does not form a significant part of the market for successful park and ride schemes, I believe that it could be made an attractive long stay parking option for commuters as part of an overall package of transport-related measures. While it does not form part of the business case, I note that the County Council has received numerous representations from firms located on the southern approaches to the towns concerning parking difficulties. I am assured that the parking restrictions imposed throughout the District's business parks have been introduced for highway safety reasons rather than to force people towards park and ride.
- 10.7.7** Park and ride is proposed as part of a coordinated parking strategy which aims to maximise short stay parking, reduce long stay facilities and clamp down on illegal parking in the town centres. There is a clear synergy with parking decriminalisation enforcement. I do not agree with the Chamber of Commerce that promoting short term parking and decriminalising parking would fail to bring economic benefits. A faster turnover of parking is likely to be reflected in increased trading. Nor do I accept that maximising short term parking would lead to increased pollution, congestion and encouragement of car use - although PPG13 does caution that park and ride should not be designed to significantly increase levels of public parking provision in towns. In my judgement, less circulation of traffic trying to find parking space will improve town centre environments. I am confident that park and ride aimed at the long term visitor would prove attractive to shoppers, particularly those unfamiliar with the towns, commuters who currently use existing town centre long stay parking or park illegally in short stay spaces, and visitors. I note that in a survey of traffic flows, 35-40% of all traffic approaching the Greys Mallory roundabout from junction 13 of the M40 originated from outside Warwickshire. As regards the proposed 10 minute bus interval, this has been costed and incorporated into the scheme specifications.
- 10.7.8** Over a typical working day, it is estimated that park and ride would take 1070 vehicles off the roads including 360 in the morning peak hour. This would cause a reduction in queuing times on approaches to the Greys Mallory and Heathcote roundabouts and result in improved journey reliability. I know from experience that traffic frequently tails back to junction 14 of the M40. According to the County Council, Leamington Spa and Warwick are subject to some of the worst traffic congestion experienced in Warwickshire. Objectors point out that difficulties with the motorway are exacerbated by a substandard junction 13. In their opinion, park and ride might initially create additional road capacity but this would be quickly absorbed by other drivers taking

advantage of the reduction in traffic, with congestion minimally improved at best. I do not subscribe to that view. If taken to its logical conclusion, it suggests that it is futile to introduce measures to address traffic and parking problems. Park and ride should not be viewed in isolation but as one of many actions, albeit an important one, to tackle some of the most serious traffic difficulties experienced in the District. I conclude on this first issue that there is a need for a park and ride facility in this general location and that it has been properly justified. It follows that I do not support either of the alternative versions of Policy SSP5 put forward by CPRE (Warwickshire Branch), or its deletion from the Plan.

**10.7.9 Issue 2:** The County Council says that park and ride for Warwick and Leamington Spa is expected to be financially viable but would need subsidy to meet capital costs and first years of operation as demand builds up. An implementation date of about 2009 is currently envisaged. Assessments completed in 2002 and 2004 demonstrate an operating net surplus once the facility is fully established. The ratio of operating net surplus to capital costs (a simplified benefit/cost ratio) would be 1.9:1 over a 30 year period. In order to keep costs to a minimum the County Council is keen to pursue a single site to serve both towns and is unlikely to consider further sites until the first has proved viable.

**10.7.10** Objectors point to the 2002 Faber Maunsell study which reviewed park and ride operations elsewhere and made an analysis of key factors for their financial, transport and economic success. Those factors were very strong retailing demand, heavy visitor demand, high priority for buses from interchange to town centre, and service at all 4 points of the compass. In the objectors view Warwick and Leamington Spa lack the necessary critical mass and physical/travel characteristics for a viable operation in the medium and longer terms. They point out that Leamington Spa is not the highest level retail centre and has only moderate visitor demand. Moreover, the SPARK scheme of which park and ride contributes about 50% contains few bus priority and car constraining measures. Only 22% or so of traffic entering Leamington Spa and Warwick passes Greys Mallory. The other 78% would have a longer journey if it detoured to reach Greys Mallory. If there is a desire in principle for a park and ride service, it should be tested first by trial operation in Warwick, in conjunction with existing bus services, based at St Mary's Lands Hampton Road car park which is only 1km from the town centre and has 300 parking spaces that are virtually empty except on race days. As regards the park and ride benefit/cost ratio of 1.9:1, the figure is considerably higher at 2.83:1 for the whole of the SPARK proposals which include other transport components. This suggests that the purely public transport elements of SPARK should be given priority over park and ride.

**10.7.11** While any scheme like this will require support in the early stages, the positive economic business case is reassuring and is a reflection of need. I am sure that the County Council would not be pursuing this proposal had other similar schemes in Warwickshire not already proved successful. This is a longer term investment which should not be seen as a revenue generator. I acknowledge that the assessments contain little data on the potential market for park and ride and as a result there must remain a degree of uncertainty over the scale of inward journeys. Moreover, Warwick and Leamington Spa are very different towns in terms of their retailing and tourism functions, and park and ride in this location to the south of the towns would not serve all areas. Nevertheless, I am satisfied that the economic analyses show that there is every prospect that such a scheme can be made viable in the medium term and beyond. The uncertainty is not so great, in my view, as to preclude designation of an area of search. As regards the benefit/cost ratio, I do not feel it would be appropriate to cherry pick individual elements of the SPARK bid which are presented as a package of measures that support each other

rather than being treated as mutually exclusive. Finally on this issue, designation of an area of search in this Plan for park and ride would not inhibit a trial operation at Warwick using existing remote parking facilities and existing bus services if it was considered beneficial to test the market.

**10.7.12 Issue 3:** I agree with the planning authorities that, in transportation terms, the best site or area of search for park and ride will be one that captures the greatest number of motorists accessing Warwick and Leamington Spa from the strategic road network at acceptable cost. I note that the easterly approaches were rejected because the roads are more local than strategic. The northerly approaches have good access via the A46/A452 to Leamington Spa (Site K, Thickthorn) but not into Warwick, and good access via the A46/A429 to Warwick (Site J, Leek Wootton) but not into Leamington Spa. The westerly approaches have good strategic access, with opportunities at Stanks Island and Warwick Parkway (Sites I and H respectively), but these are not practical for Leamington Spa. Moreover, Warwick Parkway is already full and only expandable into the Green Belt with no flexibility to improve bus routes. This leaves the southerly approaches which again have good strategic access. Here, there are two broad locations on the A452 (Sites A-D and F Greys Mallory, and Heathcote roundabout) that are suitable to serve both Leamington Spa and Warwick.

**10.7.13** Being presented with 2 potential areas of search for a park and ride facility, the District Council was asked by the County Council to allocate a site. At First Deposit stage it selected one within an Area of Restraint on the north side of Heathcote roundabout to the west of Europa Way known as Strawberry Fields. However, the County Council subsequently expressed a preference on transportation grounds for the Greys Mallory area further to the south. At Revised Deposit stage the District Council identified an area of search, rather than a specific site, centred on Greys Mallory. I agree with the planning authorities that Greys Mallory has distinct advantages in transport terms over possible sites at Heathcote roundabout. The Greys Mallory sites abstract more trips from the highway network. While all of them remove traffic from the congested Heathcote roundabout, some of them can also remove trips from the Greys Mallory roundabout. Generally, the Greys Mallory sites can reduce congestion over a longer distance of road network. Moreover, sites at Greys Mallory have potential to serve a schools market with a 'drop and ride' scheme and provide greater benefits for Warwick. I do not accept the argument made by Gallagher Estates Ltd that the best location would be at Lower Heathcote Farm - even though that land is readily available, might have lower capital and operational costs, and the area has already been subject to major investment on junction improvements, bus enhancements and new cycle and pedestrian facilities.

**10.7.14 Issue 4:** Broadening the assessment to take account of environmental considerations, possible sites to the north and west of Warwick and Leamington Spa are mainly located in the Green Belt. PPG2 and PPG13 Annex E indicate that non-Green Belt alternatives should be investigated first and Green Belt locations only taken forward where they are the most sustainable options. All of the sites at Greys Mallory are located outside the Green Belt. As regards possible road widening to accommodate a dedicated bus lane, the northern approaches to Leamington Spa would necessitate road widening outside the existing highway corridors whereas the southern approaches via the A452 and A425 can, in the main, be widened within the existing corridors. Again, this works in favour of the southern sites.

**10.7.15** Gallagher Estates Ltd contend that unlike the sites at Greys Mallory the area within which Site F (Lower Heathcote Farm) lies is relatively unconstrained. Development

there would be well related to the urban edge of Leamington Spa, would retain separation from Bishops Tachbrook, and would be contained in the wider landscape by the Tach Brook Valley and higher ground along the Banbury Road. Park and ride in that location would be capable of being integrated with, and supported by, a future mixed use development. In contrast, each of the Greys Mallory sites would be prominently located in open countryside where development would breach the visual containment that currently keeps the southern approaches so rural thereby urbanising the wider setting of Leamington Spa and Warwick. It seems to me, though, that development of Site F south of Harbury Lane would breach a strongly defended boundary to the urban area. It would create pressure for further new development that cumulatively would erode the separation of Leamington Spa and Bishops Tachbrook. The harm that this would cause would be greater than would arise from a park and ride location on slightly higher ground further out from the urban area.

**10.7.16 Issue 5:** Taking all of the above factors into account, I believe that the southern approaches to Warwick and Leamington Spa offer the greatest scope for a park and ride scheme and that the most appropriate location in which to concentrate a search for the optimum site is in the vicinity of Greys Mallory. In this section of my report I look at each of the Greys Mallory site options (Sites A-D), together with alternative Sites E and G promoted by various objectors.

**10.7.17** Site G is situated in the Green Belt immediately adjacent to the Longbridge island at junction 15 of the M40 with the A46(T). The junction is subject of major highway improvement proposals. Parcels of land left 'roadlocked' or fragmented by the new flyover works could potentially offer scope for park and ride. Objectors argue that travellers from the Coventry direction who currently access Leamington Spa via Kenilworth Road might be attracted to use a park and ride there. Furthermore, buses would be able to employ the more direct route into Warwick via the old Stratford Road leading to the proposed new bus interchange at Market Street. However, I believe this site is situated too far to the west to serve Leamington Spa efficiently. On location grounds I must therefore rule it out.

**10.7.18** Site E is the option that was favoured by several objectors at the RTS, including Bishops Tachbrook Parish Council. The site is bounded by two major roads - the M40 and the A452 spur converging at junction 14 - and is well screened by existing trees and hedgerows, and by the topography. The land is low lying, affected by noise from the adjoining highways, and in agricultural terms its context is already degraded. Those characteristics, together with a location west of the cluster of sites at Greys Mallory at a greater distance from dwellings and the village of Bishops Tachbrook, offer the potential for reduced landscape/visual/amenity/land use impacts. The County Council says that this site is less favourable than those at Greys Mallory from a transportation perspective because over half of the traffic would have to travel further; decongestion benefits at the Greys Mallory roundabout would be less than a site at A or B; buses would have to travel 2km further on every return journey adding 5 minutes to a round trip; and, at the 10 minute frequency envisaged, 2 additional buses would be required. Notwithstanding these concerns, I consider that the site has distinct advantages, particularly in terms of minimising the visual effects of development and protecting residential amenity. In any event, it appears that some of the transportation issues might be addressed at additional cost by constructing an access and service road parallel to the A452 approach to Greys Mallory from M40 junction 14. This site should not, in my opinion, be discounted at this stage from more detailed consideration as part of an area of search.

**10.7.19** Turning to Sites A-D, the County Council's March 2006 Review<sup>9</sup> examined sites at each of the quadrants of the Greys Mallory roundabout. The work involved a desktop study and initial site visit to investigate ecological, environmental and archaeological issues to supplement the environmental appraisal of the SPARK Major Scheme bid carried out by ARUP; testing of the highways effect and relative decongestion benefits using a traffic model for the AM peak traffic period; and a review of the relative operational advantages of each site. The Review concluded that, subject to any impact on potential archaeological remains and the findings of ecological monitoring, each of the 4 sites appeared viable. Nearly all of the agricultural land is Grade 3, irrespective of site. In addition, a Landscape and Visual Impact Assessment<sup>10</sup> was undertaken in January 2006. That work, confirmed by my own observations, reveals that Site A is very exposed to views from public vantage points and from a number of dwellings on higher ground in close proximity. New House Farm, The Old Grange and Tithe Barn are within 200m of the land and would have clear views of the development. Other concerns raised by local residents include noise/light/air pollution, highway safety/access difficulties, ground contamination and ecological issues. A well-used public footpath adjoins the site. A park and ride facility here, of a design similar to the scheme I visited at Bishopton, Stratford upon Avon, would have 750-1000 spaces, vehicle circulation routes, single storey office accommodation for attendants with waiting and comfort facilities, CCTV, signage and lighting throughout the site. It would in my judgement have a major visual impact on the rural character and openness of this area - even with structural landscaping. Indeed, the County Council concedes that Site A is likely to be the most visible of the sites at Greys Mallory and, given the lack of tree cover in neighbouring fields permitting long distance views, landscape mitigation measures would require a considerable period of time before an effective screen could be established. I consider that this very exposed site is so unsuitable on landscape and visual impact grounds that it should be excluded from the area of search.

**10.7.20** Site B, on the south side of the Greys Mallory roundabout, would affect fewer immediately located residential properties. But again it is prominent in the landscape with long range views obtaining to and from the land. Its open nature makes it less suitable, in my opinion, than some other sites at Greys Mallory for park and ride. Mitigation measures would, I believe, unacceptably close off views to the wider countryside beyond. I note that its development would be likely to result in the loss of a hedgerow which may be of historic value.

**10.7.21** Views into Site D are limited and fewer residential properties would be affected by this option. The land can only be seen from the section of Banbury Road north of the roundabout. The County Council points out that park and ride here would provide an opportunity to restore a primary hedgeline alongside public footpath W105 (the same public footpath that adjoins Site A) which would also act as a visual and physical separation from the car park. My accompanied site visit confirms that this might well be the best of the 4 sites on offer at Greys Mallory.

**10.7.22** Site C is, I feel, intermediate in terms of its suitability. It lies immediately adjacent to Park Farm which property includes buildings of historic importance. Mitigation would need to include substantial woodland planting to reduce, in particular, the impact of the proposed lighting. This would take time to establish. Nevertheless, this site is not as prominent as Sites A or B and would not, I feel, have a substantial adverse impact on the

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<sup>9</sup> CD911

<sup>10</sup> CD912

landscape or the rural character of the area as to rule it out of contention as a possible park and ride site.

**10.7.23** To sum up, I consider that identification of a broad area of search in the Greys Mallory area south of Warwick and Leamington Spa is an appropriate way to progress a site for a park and ride facility. Prior to the submission of a planning application, further investigations of each site option should be undertaken on a consistent basis covering all relevant factors. A specific site should be selected by weighing cost and performance against local environmental impacts. On the information before me, I consider that the area of search shown on the Proposals Map should be revised so as to exclude Sites A and B but include site E. I see no need to modify the reasoned justification of Policy SSP5 in the detailed manner suggested by Bishops Tachbrook Parish Council.

**10.7.24 Issue 6:** None of the sites within the area of search identified in the Revised Deposit Plan lies within the Green Belt. In any event, I am content that considerable feasibility work has been undertaken by the County Council sufficient to enable me to reach a conclusion that a case has been made for park and ride to serve Warwick and Leamington Spa.

**10.7.25 Issue 7:** Park and ride is promoted as one way of helping to reduce congestion in the town centres. I agree with the District Council that simply providing more town centre parking could potentially increase congestion by encouraging greater use of the private car.

**10.7.26 Issue 8:** At First Deposit stage the District Council was advised by the County Council that all 5 potential park and ride sites clustered around the Heathcote and Greys Mallory roundabouts were equally acceptable in transportation terms. However, Warwickshire County Council subsequently obtained further evidence and expressed a clear preference for Greys Mallory in order to reduce congestion and ensure the most viable park and ride scheme. That led to the identification of an area of search in the Revised Deposit Plan. The objectors' concerns have therefore been addressed.

**10.7.27 Issue 9:** The allocation made in the First Deposit Plan has been deleted in favour of a broader area of search at Greys Mallory. Consequently, these objections have been met.

**10.7.28 Issue 10:** The specific concerns regarding the Heathcote site have been dealt with in that this land is no longer allocated for park and ride. Archaeological interests in general are protected through District-wide Policy DP4. That Policy has been amended in the Revised Deposit Plan to meet the concerns of the County Archaeologist expressed elsewhere and to more closely accord with PPG16. The objection has been conditionally withdrawn.

**10.7.29 Issue 11:** This objection has been addressed on 2 fronts. Firstly, the Heathcote park and ride site has been replaced in the Revised Deposit Plan by an area of search at Greys Mallory. And secondly, I note that the County Council no longer wishes to provide a replacement for the Manor Hall facility on this particular site.

**10.7.30 Issue 12:** The alternative site proposed is Site E. I have examined this matter under issue 5 above. Although I am told that development there would be more costly than a site directly on the Greys Mallory roundabout, I conclude that its landscape, amenity and land use advantages merit further and more detailed consideration.

**10.7.31 Issue 13:** The District Council says that in selecting a particular site within the area of search it will take account of all available information, including that provided by the Environment Agency. It will carry out environmental assessments as necessary. Notwithstanding this, I am recommending that Site A be deleted for other reasons.

**10.7.32 Issue 14:** I have considered Site G under issue 5 above. I conclude that park and ride on this site would not provide an attractive and viable service for Leamington Spa. Consequently, it would perform less well than sites at Greys Mallory in terms of reducing vehicular traffic.

**10.7.33 Issue 15:** I am satisfied that at planning application stage the need for a park and ride facility would be weighed against any local environmental impacts, including those affecting rural roads and fauna and flora. The District Council says that detailed appraisals of the environmental impacts, including species monitoring and archaeological investigations would be undertaken prior to the submission of a planning application. Such information would be used to select the most appropriate site, as described in Paragraph 10.33A of the Plan's supporting text.

**10.7.34** Finally, although not raised by any party at the inquiry, I consider that the key to Proposal Map 2 should be revised to make it clear that the notation refers to an area of search rather than to a specific site.

#### **Recommendations**

**10.7.35 (a) That the Revised Deposit Plan be modified as follows:**

(i) **amend the 'area of search' shown on Part 2 of the Proposals Map to exclude Sites A and B and include Site E (as identified on Map 1 in Appendix 3 of the District Council's statement to the RTS).**

(ii) **amend the wording on the key to Proposals Map 2 to read:**

**"Warwick and Leamington Park and Ride Area of Search".**

(b) **That no further modifications be made to the Revised Deposit Plan in respect of these objections.**

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#### **10.8 Paragraphs 10.35 - 10.38 Policy SSP6 Safeguarding Land for the Barford Bypass**

Objections to First Deposit Version

148/BT Campaign to Protect Rural England (Warwickshire Branch)  
234/BA Parish Councillor (Sherbourne)

Objections to Revised Deposit Version

No objections

## Key Issues

- 10.8.1** (1) The effect of the scheme on Sherbourne Conservation Area.
- (2) Whether the last sentence of Paragraph 10.36 should be deleted since the scheme is not supported by Sherbourne or Wasperton Parish Councils.

## Inspector's Appraisal and Conclusion

**10.8.2 Issue 1:** Proposals for the Barford Bypass were submitted for approval prior to designation of the Sherbourne Conservation Area. I am told that the impact of the scheme on the Sherbourne and Barford Conservation Areas was brought up for discussion at the Bypass inquiry. The Inspector decided it was not a matter for him but for resolution between the County and District Councils. I note that conservation area consent has subsequently been granted for the scheme.

**10.8.3 Issue 2:** The last sentence of Paragraph 10.36 has been deleted in the Revised Deposit version of the Plan, thereby correcting the error and meeting the objection. At the same time the opportunity was taken to update the supporting text in terms of the Local Transport Plan and funding. I endorse those alterations. The scheme is nearing completion.

## Recommendations

**10.8.4 That no modifications be made to the Revised Deposit Plan in respect of these objections.**

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## 10.9 Paragraphs 10.39 - 10.42B Policy SSP7 Coventry Airport

### Objections to First Deposit Version

1/AE	Warwickshire Wildlife Trust
10/AA	Bubbenhall Parish Council
36/AA	Birmingham International Airport Ltd
54/AN	Conservative Group of Councillors
66/BB	The Warwick Society
70/AA	Peter Edmond Larkin
71/AA	Dr Graham J Morgan
135/AA	Bishops Tachbrook Parish Council
148/BU	Campaign to Protect Rural England (Warwickshire Branch)
157/AB	West Midlands Planning and Transportation Sub Committee (except Coventry City Council)
193/BV	Coten End and Emscote Residents' Association
195/AO	The Leamington Society
196/AA	The National Trust
199/BV	James Mackay
221/BH	Kenilworth Society

223/BF	Kenilworth Town Council
243/AA	Coventry City Council (Property & Projects)
251/AB	Dr G and Mrs M Delfas
257/AJ	Highways Agency
260/AC	Baginton Parish Council
300/AA	John Border
304/AC	Stoneleigh and Ashow Joint Parish Council

#### Objections to Revised Deposit Version

1/RAA	Warwickshire Wildlife Trust
10/RAA	Bubbenhall Parish Council
36/RAA	Birmingham International Airport Ltd
64/RAA	Leek Wootton & Guys Cliffe Parish Council
110/RAD	Government Office for the West Midlands
135/RAF	Bishops Tachbrook Parish Council
148/RAX	Campaign to Protect Rural England (Warwickshire Branch)
157/RAA	West Midlands Planning and Transportation Sub Committee (except Coventry City Council) <sup>11</sup>
168/RAE	Advantage West Midlands
196/RAA	The National Trust
242/RAB	Coventry City Council (Planning & Transportation)
260/RAC	Baginton Parish Council
304/RAD	Stoneleigh and Ashow Joint Parish Council
305/RAA	Archy Muir
306/RAA	Birmingham City Council
307/RAA	Deborah Germaine
308/RAA	Andy Patrick
309/RAA	David Brooks
311/RAA	Sally Begg
313/RAA	Robert Taylor
314/RAA	Sandra French
315/RAA	A C Marson
316/RAA	Brinklow Parish Council
318/RAA	Alan Begg
319/RAA	Will and Nora Blagburn
320/RAA	Stuart Jordan
321/RAY	West Midlands International Airport Ltd
323/RAA	West Midlands Regional Assembly
325/RAA	Rod Wheat
326/RAA	Gillian Wheat
328/RAA	John Ciriani
329/RAA	Stretton on Dunsmore Parish Council
330/RAA	D G Sprigg
333/RAB	Benita and William Parry
334/RAA	David Hucker
336/RAA	Anthony Francis
337/RAA	Dr and Mrs S G Harvey

<sup>11</sup> A sub-committee of the West Midlands Joint Committee acting on behalf of all of the West Midlands Metropolitan Districts (Birmingham City Council, Dudley MBC, Sandwell MBC, Solihull MBC, Walsall MBC and Wolverhampton City Council), except Coventry City Council – responsible, amongst other matters, for exercising the shareholding interests of the District Councils, including those held at BIA.

338/RAB	Diane Francis
340/RAA	Steve Williams
343/RAA	West Midlands Friends of the Earth
353/RAC	A Brown

### **Key Issues**

- 10.9.1** (1) Whether the Policy should be restricted to the Airport's former operational boundary.
- (2) Whether the scope of Policy SSP7 should be extended to apply to the whole of Coventry Airport.
- (3) Whether the revised policy wording suggested by CPRE and Stretton-on-Dunsmore Parish Council has merit.
- (4) Whether there should be recognition of the ecological damage and global warming impacts of air transport.
- (5) Whether the Policy should be withdrawn.
- (6) Whether (a) a new Policy should be brought forward as a DPD following decisions on the current S78 inquiry for a permanent Air Passenger Terminal and the review of RSS Policy T11, and (b) West Midlands International Airport Ltd (WMIAL) should be encouraged to prepare and consult on a Coventry Airport Master Plan.
- (7) Whether the reference in criterion d) of the Policy to not exceeding 2mppa is premature.
- (8) Whether the Policy is inadequate in its treatment of surface access and public transport.
- (9) Whether the Policy fails to address the primary role of Coventry Airport as the region's principal gateway for airfreight.
- (10) Whether Policy SSP7 and its supporting text properly reflect the national and regional policy framework.
- (11) Whether competition with Birmingham International Airport would undermine endorsement of BIA as the Government's preferred location to meet future growth in passenger demand in the Midlands.
- (12) Whether the number of air passengers served by the Airport and the number of air traffic movements should be restricted.
- (13) Whether the Policy gives adequate consideration to environmental, economic and social impacts.
- (14) Whether existing S106 planning obligations are enforced effectively.

- (15) Whether Public Safety Zones should be declared for the Airport and its expansion.
- (16) Whether Policy SSP7 is sustainable.
- (17) Whether local democracy is being overridden by financial considerations.
- (18) Whether 'permitted development' rights should be withdrawn.
- (19) The timing of, and reasons for, the change in policy.
- (20) Whether the Policy should also allow for general employment uses.
- (21) Whether Policy SSP7 and its supporting text should be revised in accordance with the suggestions of WMIAL.

### **Inspector's Appraisal and Conclusions**

**10.9.2 Issue 1:** (*Coventry Airport*) The Policy does not purport to establish an Airport boundary or to define the extent of operational land. The Inset Plan simply defines the area within which Policy SSP7 applies. CPRE (Warwickshire Branch) has given no indication as to what the area of operational land should be. This matter was, I note, examined at the local inquiry into the Interim Passenger Facility (IPF). My colleague Inspector drew a distinction between two areas. Area A is that which he concluded had remained operational land for the last 8 years in the context of Part 18 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended. That view was accepted by the Secretaries of State. Area B is located to the south-west of Airport South. While the Inspector did not address the precise status of that area he cast doubt on the likelihood of it being operational land. Nevertheless, planning permission has been granted for parking on that site in association with the IPF. In those circumstances, and given that the land has not been incorporated into the District Council's schedule of employment sites, I consider it appropriate for the whole of Sites A and B to be included within the area over which Policy SSP7 should apply.

**10.9.3 Issue 2:** Policy SSP7 relates to a limited area of the Airport site, lying outside the Green Belt. It is largely covered by 'Application B' which is subject of a current S78 appeal. The District Council recognises that the outcome of that inquiry and a review of RSS Policy T11 may necessitate an early review. Policy SSP7 is therefore seen as an interim policy reflecting the wider planning framework as it stands at the present time. The remainder of the Airport is within the Green Belt and, as such, is subject to stringent controls offering the very highest level of protection. Where development requires planning permission and is considered inappropriate in Green Belt terms, very special circumstances need to be demonstrated before permission can be granted. I address elsewhere in my report, as a related issue, the question of whether Coventry Airport should be taken out of the Green Belt. Suffice it to record at this stage that a number of objectors, including Baginton Parish Council, argue that removal of Green Belt designation would be seen as a first step in the development of land by means other than exercising 'permitted development' rights. They point out that specific areas of the site have already had their Green Belt status taken away, traded off against the removal of GPDO rights as part of previous development (Parcelforce, 1998). They are concerned that with passenger activities concentrated/expanded at Airport South, freight activities are returning to Airport West and North with consequential noise and other pollution

impacts on nearby communities. In their view, retention of Green Belt in this location close to the urban area of Coventry is vital to maintain the rural character of this part of Warwickshire and to prevent urban sprawl. I agree and consider that it would not be appropriate for Policy SSP7 to apply to the whole of the Airport site. I see the exercise of 'permitted development' rights as a largely separate issue.

**10.9.4 Issue 3:** Policy TR9 of the 1995 Local Plan applies to Coventry Airport. It is outdated and does not reflect the current national and strategic policy context. The First Deposit Draft of the emerging Local Plan sought to update the situation through Policy SSP7. However, that Policy pre-dated the Air Transport White Paper (ATWP) issued in December 2003, and approval of RPG11 (now RSS) in June 2004. Policy SSP7 was therefore subsequently revamped in the Revised Deposit Plan. Since that document was published additional information has come forward to cause the District Council to make further changes to the Policy. Those proposed changes are set out in CD28.

**10.9.5** Coventry Airport developed primarily as a freight handling facility, providing a complementary service to Birmingham International Airport (BIA). That function was augmented in 2004 when charter passenger services were introduced. Those services have since expanded to change the balance and character of Airport operations. The importance of the original freight role is acknowledged in both the ATWP and RSS Policy T11. But the ATWP does not rule out passenger growth. At the same time, RSS Policy T11F refers to the prospect of use of Coventry Airport by "charter or scheduled passenger flights".

**10.9.6** CPRE and Stretton on Dunsmore Parish Council put forward broadly similar objections in respect of the wording of Policy SSP7 and the supporting text. They start from the basis that the District Council's Sustainability Appraisal acknowledges that Policy SSP7 does not help to reduce the need to travel. By its very nature, the Airport encourages travel and this is further exacerbated by its location, without direct rail access and located on a no-through road. The objectors maintain that the emerging Local Plan has been altered in successive stages to follow events on the ground at Coventry Airport rather than guiding or influencing applications. The First Deposit version of Policy SSP7 did not signal a great change from Policy TR9 of the adopted Local Plan, yet the Airport developed new passenger terminal facilities (IPF) without permission. The District Council now proposes a radically different Policy to support expansion. In the objectors' view, it was introduced without adequate public consultation and does not reflect the plan-led system required by PPS1. They say it would be preferable if the adopted Local Plan Policy TR9 or the First Deposit version of Policy SSP7 was to replace that proposed in the Revised Deposit Plan. But if there must be a policy which allows for what has been permitted retrospectively, 2 models are put forward for consideration - one based on Policy TR9 and the other following the format of Policy SSP7. Since the District Council has responded in detail in respect of the latter, I shall concentrate my attention on that proposal.

**10.9.7** Criterion d) of Policy SSP7 (as proposed to be changed by the District Council) requires the number of air passengers served by the Airport not to exceed 2 million passenger movements per annum. That figure was derived from the ATWP<sup>12</sup> which states: "Coventry Airport currently serves a specialist role within the region, catering for business, aviation, air mail and some freight, and can continue to perform this role within existing constraints. There is a current planning application for a terminal development

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<sup>12</sup> CD1140, Para 9.31

at the airport (*Application A, later withdrawn*). However, in the light of our conclusions on capacity elsewhere in the Midlands, and having regard to potential surface access, environmental and airspace constraints, we would not envisage any significant further development being appropriate beyond the level of passenger throughput in the current application.” I am told that the figure of 2mppa appeared in the Environmental Statement although letters accompanying the application made it clear that this was seen as a theoretical rather than a practical capacity for the terminal. Other parties regard it as an aspirational figure. Nevertheless, I agree with the District Council that it would be inappropriate to impose a much lower passenger limit of 1mppa (reflecting the 0.98mppa figure of the IPF), even though the throughput currently stands at only 0.78mppa or thereabouts. The issues surrounding the proposal to develop a 2mppa terminal are currently subject of a separate S78 inquiry. The outcome of that process will determine the appropriate level of activity. I note that in their 2006 decision letter for the IPF the Secretaries of State confirmed that “the White Paper offers no specific support for a passenger terminal of any size at Coventry Airport”. Baginton Parish Council is concerned that at some future date there would be an application from West Midlands International Airport Ltd (WMIAL) to increase passenger numbers beyond the 2m figure. This is, they say, substantiated by WMIAL suggesting the removal of any maximum figure for passenger throughput from Policy SSP7. While this is speculation, such arguments reinforce my view that a maximum figure is required in the interests of clarity for all concerned.

**10.9.8** A limit of 2mppa does not imply that development up to that figure would automatically prove acceptable. It simply serves as a ceiling or cut-off point above which it is clear that there would be conflict with national aviation policy. As the District Council points out, it is conceivable that a development of less than 2mppa throughput might be unacceptable if was not able to adequately mitigate impacts, deal with surface access issues, or would prevent the growth of Birmingham Airport in accordance with national and regional policy. I consider that what is contained in criterion d) is the most reasonable interpretation of Government policy set out in the ATWP.

**10.9.9** As regards the phrase ‘not significantly exceed 2 million’, which appears in the Revised Deposit Plan version of Policy SSP7 criterion d), I consider that term to be vague. Despite employment of the word ‘significant’ in the ATWP, I note that it has been deleted by the District Council in the proposed changes. I endorse that amendment which serves to make the Policy stronger and also reflects the clarification of Government policy given by the Parliamentary Under Secretary of State, Tony McNulty MP, in a letter dated 7 May 2004 to Councillor Bertie Mackay, Warwick District Council<sup>13</sup>.

**10.9.10** In its proof of evidence, CPRE suggests that criterion d) should require that ‘levels of passenger throughput meet sustainable development criteria in line with the objectives set out in the Air Transport White Paper’, and that criterion b) be augmented with the words ‘and a positive benefit to sustainability is obtained’. I believe those amendments to be unnecessary. In my view, they add little to the substance of the Policy while making it more complex. The purpose of criterion b) is to ensure that there is sufficient information to be able to make the judgement required by criterion c) that follows. In any event, the overall purpose of the Policy is to secure sustainability in the context of the ATWP policy for utilisation of existing airport capacity. In this respect, I do not consider Policy SSP7 to be significantly weaker than RSS Policy T11.

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<sup>13</sup> CD26 Core Topic Paper 12: Coventry Airport, Appendix B  
*Warwick District Local Plan 1996-2011 Inquiry – Inspector’s Report*  
Chapter 10

**10.9.11** Looking at criterion e), I feel it would be inappropriate to include a specific target for the use of public transport to access the Airport or to require development proposals to have the same modal split target as BIA. On the first point, RSS Policy T11 requires challenging targets to be set to encourage a greater percentage of trips by passengers, visitors and staff by more sustainable modes - but through local transport plans and Airport Surface Access Strategies rather than through local plans. Policy T15 of the Solihull UDP adopted in February 2006 makes no mention of a specific target figure for BIA, notwithstanding the reference to a target of 20% in the ATWP. On the second point, the location of Coventry Airport is markedly different from that of BIA which is less than 20km away and more centrally placed in the region. It has less developed public transport infrastructure, with no rail connection. It is almost entirely dependent upon road transport and use of the Toll Bar End junction that is currently at peak capacity awaiting redevelopment. Rather than achieving parity with BIA, I consider that the aim should be to secure the highest potential modal shift through the most appropriate Travel Plan requirements achieved by negotiation on individual proposals. However, I feel that a general reference in criterion e) to setting challenging targets would be beneficial. I recommend accordingly.

**10.9.12** Suggested criterion f) is the same as that contained in the Revised Deposit Plan. I prefer the amendment set out in the District Council's proposed changes. In protecting Birmingham Airport as the Government's preferred location to meet future growth in passenger demand, the revised policy constraint does not restrict itself just to airspace capacity considerations.

**10.9.13** CPRE and other objectors also propose a number of changes to the reasoned justification. In Paragraph 10.40 it is argued that the word 'can' should be removed, given that the Airport already has adverse impacts. However, it is not the case that all airport related development automatically harms the amenity of local residents or the historic and natural environments. The suggested amendment to Paragraph 10.41 is similar to the proposed change put forward by the District Council, except that it removes the reference to development of Coventry Airport as a matter for local determination. While acknowledging that the outstanding appeal has been recovered for determination by the Secretaries of State, I consider that the general message applies. I see no need to replicate the precise wording used in the ATWP.

**10.9.14** The main alteration proposed by CPRE to Paragraph 10.42 is to omit the last sentence of the District Council's proposed change which indicates a possible early review of Policy SSP7. I do not support that suggested alteration. Policy SSP7 is inevitably a stop-gap until such time as clarification is provided by the outcome of the S78 inquiry and the subsequent review of the RSS which is heralded in the heading of RSS Policy T11. As regards Paragraph 10.42B, CPRE proposes the addition of a reference to the District Council using Article 4 directions to remove 'permitted development' rights. I do not believe a reference would be appropriate for a number of reasons. Firstly, such Article 4 directions would require the Secretary of State's approval. Advice is that they should be used only in exceptional circumstances where there is a real and specific threat. Secondly, although extensive 'permitted development' rights exist for airports, prior consultation is required with the local planning authority. That affords the opportunity to consider whether use of these powers is warranted in any particular situation. Thirdly, where development is likely to have a significant impact on the environment and an Environmental Statement is required, 'permitted development' rights do not apply and a planning application must be submitted.

**10.9.15** Turning to the other Policy model suggested by CPRE and Stretton on Dunsmore Parish Council, the third criterion includes mandatory use of flight paths that do not allow unnecessary over-flying of local village centres, especially conservation areas, and route tracking and reporting. I note that the Airport has recently consulted on proposed Noise Preferential Routes (NPRs). These were considered by the Planning Committee in May 2006. Having taken specialist advice, the District Council concluded that NPRs are a reasonable approach to minimising noise impacts on local communities. However, details of such routes and the way in which they are assessed and enforced, and details of the consultation itself, are not matters that can be incorporated into a Local Plan policy. They have their own independent process which involves air traffic control considerations.

**10.9.16** To sum up, I consider that no modifications to Policy SSP7 are called for specifically in response to these objections, beyond the alterations made in the District Council's proposed changes. The same applies in respect of the supporting text, except for Paragraphs 10.39 and 10.42B. Paragraph 10.39 would, I believe, benefit from updating to refer to the passenger traffic currently catered for by Coventry Airport and by inclusion of a reference to the recent decisions by the Secretaries of State on the Interim Passenger Facility. That update should make it clear that a package of constraints apply to the IPF, including a Noise Quota Count limit. In light of this information, Paragraph 10.42B should also be corrected/amended, although I see no reason to delete the reference to 'permitted development' rights as suggested by the District Council. In my view, there would be no advantage in the suggestion made by Coventry City Council that an additional paragraph be inserted in the supporting text setting out the position reached by the District Council by the end of the IPF inquiry and its position going in to the subsequent 78 inquiry. That is now history.

**10.9.17 Issue 4:** The ATWP recognises that there is significant demand for air travel and acknowledges the contribution that aircraft make to global warming from greenhouse gas emissions. It also admits the concerns over noise generation, particularly at night time, and air quality. The White Paper concludes that a balanced strategy is appropriate. I respect the concerns of Baginton Parish Council, Brinklow Parish Council and others, but I must agree with the District Council that this Local Plan cannot be the mechanism for establishing policy on wider issues of environmental impact that are determined as Government policy. That policy framework allows for the expansion of Coventry Airport subject to individual development proposals meeting a range of environmental criteria.

**10.9.18 Issues 5 and 6:** West Midlands Planning and Transportation Sub-Committee (WMSC) objected to the Revised Deposit Plan on 4 grounds. Firstly, that the Policy as framed could prejudice the long-term expansion of BIA, contrary to RPG11, and have a detrimental impact on the regional economy as a whole. Secondly, that the strategic freight role of Coventry Airport is not recognised. Thirdly, that the reference to passenger number movements is too imprecise. And fourthly, that the surface access strategy and modal split targets are not adequately addressed. WMSC acknowledges that the District Council has taken some of its concerns into account through the proposed pre-inquiry changes to Policy SSP7. Nevertheless, it considers that in light of deliberations at the recent S78 inquiry and the Secretary of States' decision on the IPF a more fundamental re-examination is called for. The IPF decision suggests that the interim facility is consistent with the relevant development plan policies but notes that the Inspector's conclusions on the issue were brief due to the absence of contention, objection or testing at the inquiry. Wider strategic issues were not addressed, particularly

in relation to accessibility by public transport (RSS Policy T2, and PPG13) and the function of BIA in supporting Birmingham's role as a 'World City' (RSS Policy PA12). In light of these matters, WMSC finds it difficult to see how an emerging Policy SSP7, which sets a favourable policy context, can proceed in advance of a decision on the current S78 inquiry. Moreover, the Phase Two revision of the RSS has now commenced and Policy T11 (Airports) will feature as part of that selective review.

**10.9.19** WMSC is concerned that Policy SSP7 cannot cope with the possibility that the Secretaries of State could refuse planning permission for a 2m capacity permanent passenger terminal. Given the uncertainty that exists, the objector argues that Policy SSP7 should be withdrawn and the position revert to either that of the adopted Local Plan or the form of wording used at First Deposit stage. If that approach is accepted, WMSC considers that a new policy for Coventry Airport should be developed as a DPD under the new development planning arrangements reflecting the outcome of the current S78 inquiry and the current RSS review. In the meantime, because little is known about WMIAL's aspirations over the longer term, that development planning process would be assisted by preparation and consultation on a Coventry Airport Master Plan.

**10.9.20** I accept that the longer term planning framework for development of Coventry Airport will depend upon the review of RSS Policy T11. That process will itself be influenced by the decision of the Secretaries of State on the proposed 2m capacity permanent passenger terminal. It is the District Council's intention following the establishment of a revised RSS Policy T11 to review Local Plan Policy SSP7 as a matter of urgency through preparation of a DPD. I believe that to be the appropriate course of action. The question to be resolved through the present Local Plan inquiry is what planning policy should operate as an interim measure during this period of uncertainty. In my opinion, it would not be satisfactory to revert to Policy TR9 of the adopted Local Plan or the First Deposit version of Policy SSP7. Both of these policies pre-date publication of the ATWP and RPG11 and are therefore no longer up-to-date in terms of national and regional policy. While Policy SSP7 of the Revised Deposit Plan (as proposed to be changed) may not endure for long without modification, it is the best that can be achieved in the conditions that apply. Policy SSP7 relates to a relatively limited area of land, the future of which will be determined almost entirely by the outcome of the S78 inquiry into Application B for a permanent passenger terminal. Because of its current draft status and outstanding objections, Policy SSP7 will carry little weight in the determination of that appeal. Moreover, it is not the role of Policy SSP7 to influence the outcome of the RSS review of Policy T11. Such a matter stands wholly outside that process. In these circumstances, I conclude that Policy SSP7 should not be withdrawn.

**10.9.21** WMSC has raised a number of specific points in its evidence which require a response. Firstly, I concur with the District Council that the relative public transport sustainability of Coventry Airport compared to BIA is not a matter to be addressed through Policy SSP7. The RSS requires proposals for all airports to consider surface access issues and Policy SSP7 incorporates such a requirement. Secondly, the ATWP does not endorse a figure of 2mppa. It indicates that a throughput in excess of that figure would be in conflict with Government policy. Policy SSP7 does not therefore support a 2mppa proposal; it simply gives expression to that cap. The question of the capacity of the terminal subject of Application B is a matter for the outstanding S78 appeal. Thirdly, the District Council proposes to change criterion f) to remove the specific reference to airspace capacity and to reflect the position that BIA should remain the preferred location to meet future growth in passenger demand, in accordance with the ATWP and RSS. I support that proposed change. Airspace capacity is, I am told, a matter that was

discussed at the recent S78 inquiry and will be considered by the Secretaries of State in their decision on the Application B proposals. Fourthly, I agree that it is properly a matter for the RSS to consider the future role of Coventry Airport. Policy SSP7 may well need to be reviewed in light of the Phase Two review of the RSS. Finally, I accept that the preparation of a long term plan for development of Coventry Airport would be beneficial. But as the objector acknowledges, that is a matter that would require the involvement of WMIAL.

**10.9.22** At the Local Plan inquiry session, WMSC put forward a number of detailed drafting changes to Policy SSP7 and the supporting text in the event that the Policy is not withdrawn. I shall comment briefly on those suggestions. For reasons set out above, I do not support the deletion of criterion d), and for reasons explained in relation to Issue 3, I believe it would be inappropriate to include public transport modal share targets in criterion e). As regards criterion f), I see no need to refer to ‘air transport movements’ or ‘air traffic movements’ as well as, or in place of, the number of air passengers served by the Airport. With this in mind, the last sentence of Paragraph 10.42A can be deleted. There would be no benefit, in my view, in omitting from criterion f) the words “...and reflects regional policies for airport development”.

**10.9.23** As regards the suggested changes to the reasoned justification, I see no argument for substituting the words “but leaves scope for the limited complementary development of Coventry Airport” in Paragraph 10.41 in place of “but sees the development of Coventry Airport as a matter for local determination”. To my mind, this suggestion goes beyond the policy framework set by the ATWP. Nor is there any case for deleting the phrase “its position on the utilisation of existing airport capacity” which again broadly reflects the ATWP - although, in response to other objections, I do recommend some rewording. In the last line of Paragraph 10.42 I prefer use of the word “may” rather than “will”. There can be no absolute certainty that a review of RSS Policy T11 will necessitate an early review of Policy SSP7. Finally, I have recommended elsewhere that Paragraph 10.39 should be updated to refer to the IPF decisions. That alteration addresses in large measure the comments made by WMSC in respect of Paragraphs 10.42A and 10.42B.

**10.9.24 Issues 7, 8 and 9:** The West Midlands Regional Assembly is the Regional Planning Body (RPB). In August 2005 it advised the District Council that Policy SSP7 of the Revised Deposit Plan is not in general conformity with the RSS. Its concerns are threefold. Firstly, that the reference in criterion d) to not significantly exceeding 2mppa is premature, pre-empting the revision of Policy T11 in Phase Two of the forthcoming RSS review. Secondly, that the Policy is inadequate in its treatment of surface access. And thirdly, that the Policy fails to address the primary role of Coventry Airport as the region’s principal gateway for airfreight. I shall consider each of these matters in turn.

**10.9.25** The RPB argues that criterion SSP7d) is inappropriate and should be removed for 3 reasons. First of all, a S78 inquiry is examining the possibility of permitting development at the Airport which might accommodate 2mppa. If permission is refused, the RPB considers that it would be inappropriate to include such a figure in the Local Plan. Secondly, in its view the Policy could prejudice the outcome of the Phase Two Review given that this will be examining the current RSS designation of Coventry Airport as complementary to BIA. And lastly, the Local Plan recognises that there may be a need for an early review of Policy SSP7 in light of the RSS Revision. The RPB points out that the RSS Phase Two Revision of Policy T11 will take account of a range of planning considerations that influence passenger figures. These will include the Government’s neutral position regarding passenger figures (letter from the Under

Secretary of State to Councillor Bertie Mackay, 7 May 2004, refers), the recent approval for the IPF, the future outcome of the S78 inquiry, and potential Policy Options for Coventry Airport in the light of the ATWP and current RSS Policy T11F. The RPB is of the opinion that until the RSS Revision is completed there is no clear strategic policy context for determining passenger figures at Coventry Airport.

**10.9.26** The reference in criterion d) to 2mppa derives from the ATWP. It does not give support to all and any development so long as it limits its throughput to 2mppa. Compliance with all of the other criteria of Policy SSP7 is also required. Most importantly, it does not preclude the RSS Review from concluding differently in due course. If the appeal is dismissed Government policy is not changed. All that criterion d) does is to establish an upper limit on passenger numbers deriving from national policy to serve in the interim period until such time as RSS Policy T11 is reviewed. I conclude on this first matter that criterion d) is appropriate and not premature.

**10.9.27** Turning to the next issue, RSS Policy T11H requires airports to have an Airport Surface Access Strategy that sets challenging targets to encourage a greater percentage of trips by more sustainable modes. The RPB says that Policy SSP7 fails to acknowledge the requirement to set challenging targets and does not require development to maximise accessibility by public transport/walking/cycling. I have already concluded in respect of other similar objections that criterion e) should be amended to refer to ‘challenging targets’. Although worded differently from that suggested by the objector, I consider that my recommendation substantially meets the RPB’s concern on this point. The challenging targets established via the ASAS will, by their very nature, serve to maximise accessibility by sustainable modes.

**10.9.28** Other objectors argue that air passenger numbers should only be allowed to increase when improved surface access by public transport is in place. Policy SSP7 (as recommended for modification) provides for this through criterion e). It requires individual planning applications to be examined in terms of the phased provision of public transport and other sustainable modes to meet challenging targets set to discourage unnecessary private car use. Those challenging targets are established through the Airport Surface Access Strategy rather than through this Local Plan. That process is made clear in RSS Policy T11. Another objector maintains that criterion e) should define the maximum acceptable number of private cars using the Airport. However, for practical reasons I accept that the Policy cannot specify a precise number of vehicles. This is a matter for negotiation on each planning application with the aim of achieving the best possible modal split. Yet another objector requests that the following text be included in criterion c): “In any event the scheduled passenger capacity would have to be limited such that traffic impact in the morning and evening peak was controlled to an appropriate level.” I do not consider this additional wording to be necessary. All traffic impacts and the constraints they impose would be assessed at planning application stage. I agree with the planning authority that it is not essential to incorporate this requirement at policy level.

**10.9.29** Finally, the RPB and some other objectors are concerned that Policy SSP7 does not acknowledge Coventry Airport’s freight function when it is emphasised in both the ATWP and RSS Policy T11. Paragraph 9.1 of the ATWP, for example, refers to the Airport’s “niche role catering for air freight and flown mail”, while Paragraph 9.31 indicates that it “currently serves a specialist role within the Region, catering for business aviation, air mail and some freight.” An additional policy criterion is suggested by the RPB stating: “g) it does not prejudice its niche role of catering for air freight”.

**10.9.30** While Policy SSP7 does not itself mention the Airport's freight activities, Paragraph 10.42 of the supporting text does. It indicates that the RSS "recognises that Coventry Airport, as primarily a freight airport, provides a complementary service to Birmingham International Airport". In my view, this is sufficient given that (a) the ATWP does not rule out passenger growth, (b) RSS Policy T11F refers to the prospect of use of the Airport by "charter or scheduled passenger flights", (c) the WMRA's own Regional Freight Study and Draft Regional Freight Strategy acknowledges that Coventry Airport is not the region's principal airport in terms of freight tonnage handled (that distinction goes to BIA), and (d) the District Council is anxious not to see Coventry Airport's freight role develop in an uncontrolled way in the interests of protecting the amenity of local communities. In regard to the latter, I note that many freight flights occur at night and that they are largely unconstrained when using existing infrastructure. I conclude that there is no defined role for Coventry Airport in national and regional policy that requires its future use to be restricted to freight only or primarily freight. Consequently, the Policy should not be amended in that way. Nor is it necessary, in my opinion, to make the point in the reasoned justification that Policy SSP7 would allow a continued element of freight operations - notwithstanding the agreement of the parties at the hearing.

**10.9.31 Issue 10:** There are 3 important messages in the ATWP. Firstly, the Government does not support the expansion of Coventry Airport beyond the level of passenger throughput in the (then) current application (Application A – up to 2mppa). Secondly, it adopts a neutral position in relation to the proposals for development at Coventry Airport that would expand passenger services up to that level of passenger throughput. And thirdly, development at Coventry Airport should be considered in the context of the White Paper's endorsement of Birmingham as the Government's preferred location to meet future growth in passenger demand in the Midlands.

**10.9.32** The District Council has accepted that Policy SSP7 of the Revised Deposit Plan and the reasoned justification need to be amended to more closely accord with the ATWP in light of subsequent clarification of the level of expansion that is appropriate. Criterion d) of the Policy has been altered in the proposed changes to refer to the specific limit of 2mppa throughput established by the 2003 application. I endorse that change and agree that the wording put forward by GOWM is more appropriate as a replacement for criterion f). GOWM has also suggested a number of amendments to the supporting text at Paragraphs 10.41, 10.42 and 10.42A. These have been taken on board by the District Council in the proposed changes. They clarify the Policy's relationship with the ATWP and properly emphasise the role of the RPB in the review of RSS Policy T11. I support those amendments.

**10.9.33 Issue 11:** Criterion f) of Policy SSP7 and Paragraphs 10.41, 10.42 and 10.42A of the reasoned justification (as proposed to be changed) make clear the relationship between Coventry Airport and BIA. They confirm that BIA is the Government's preferred location to meet future growth in passenger demand. I am satisfied that taken together they ensure that there would be no detriment to the long term expansion of BIA. I see no need to make reference to East Midlands Airport which is located at a much greater distance from Coventry Airport and outside the West Midlands Region. I agree with Advantage West Midlands that in light of the July 2005 report by York Aviation ('The Regional Economic Impact of Airport Expansion in the West Midlands') it would be more appropriate to refer in the final sentence of Paragraph 10.39 of the supporting text to the sub-regional (rather than regional) economic importance of Coventry Airport as a

major employer and national and international transportation link for local businesses and passengers.

**10.9.34 Issue 12:** The figure of 2mppa is drawn from national policy laid down in the ATWP and does not require local justification. There is no policy basis for requiring this cap on passenger movements to be set at a lower level. Policy SSP7 requires a wide range of factors to be considered when examining development proposals at the Airport so as to address their wider environmental impacts and sustainability. In the event of permission being granted, the District Council says that control would be exercised through a S106 planning obligation. Enforcement would be through the normal legal procedures for enforcing covenants on land. It is not the role of policy to indicate what penalties would flow from any breach of control. Policy SSP7 is criteria-based. It applies a neutral, test-setting approach to development. It does not express support for passenger operations. In my view, that is the most appropriate policy framework.

**10.9.35** I am satisfied that the cap of 2mppa is an accurate reflection of national policy, based on the scale of the 2003 application then before the District Council. Should the decision of the Secretaries of State on the proposed permanent passenger terminal cause the position to be varied in relation to the cap, then the District Council has indicated that early consideration will need to be given to amending the Policy. Again, I consider that to be a logical and reasonable approach.

**10.9.36** An objector argues that the Policy and supporting text should be amended to allow only the replacement and updating of facilities at the Airport rather than expansion. I agree with the District Council that this would not comply with the national and regional policy framework in place.

**10.9.37** Another objector considers that the term ‘per annum’ used in criterion d) should be defined. I do not believe this to be necessary. The timeframe would be established when setting up a detailed monitoring regime to provide an accurate picture of the number of passengers movements throughout a 12 month period.

**10.9.38** As regards the number of air transport movements allowed, especially at night, this is a matter to be addressed in the context of a planning application when the impact of any proposed development can be assessed against the relevant Policy criteria. Interests of acknowledged importance would include harm to the amenity of local residents, the countryside and local historic assets, as well as the need to avoid constraining growth at BIA. It would not be appropriate, in my opinion, to specify a cap on air transport movements within the Policy.

**10.9.39 Issue 13:** Criteria b) and c) of Policy SSP7, taken together, call for rigorous environmental assessment, with any adverse effects mitigated to reduce harm or, where this cannot be achieved, compensated for. Such impacts need not necessarily be local but could occur over a wide area and involve many different considerations. Objectors have raised noise, health and conservation issues amongst other matters. The preparation of a formal Environmental Statement would be required where significant effects are likely and the Environmental Impact Assessment regime is invoked. I consider criteria b) and c) to be necessary policy criteria. They do not require the agreement of all parties. Such criteria are, I believe, more appropriate than those employed in earlier policies which referred simply to the need to balance economic benefits with environmental and social costs. In requiring a rigorous assessment of environmental issues, and mitigation or compensation for unavoidable harmful impacts, Policy SSP7 accords with and reflects

the terms of RSS Policy T11. What is meant by ‘adequate mitigation’ cannot be defined in the policy criteria but needs to be evaluated in the context of a particular proposal. As regards the growth of greenhouse gas emissions arising from increases in air and road traffic, these will have been factored into national and regional policy.

**10.9.40** I see no need to include a reference in the Policy to the aim of protecting rural Warwickshire. There are already other references in the Plan (eg Policy DAP3) to protecting the broader environment. As regards the principle of sustainability, this is reflected in national and regional policy with which Policy SSP7 must comply. In terms of night flying and other nuisances, the Policy cannot be used to take away rights that exist and are exercised. Paragraph 10.40 already refers to the adverse impacts that the operation of aircraft can have on the local community. In my view, it is not necessary to expand further on the negative aspects of aviation and the Airport. I have already concluded elsewhere that it would not be appropriate to delete the word ‘can’ which is used a number of times in Paragraph 10.40. Not all airport development will necessarily cause adverse impacts on the local community and the highway network.

**10.9.41 Issue 14:** There is concern amongst objectors that existing S106 planning obligations continue to be flouted. In their view, existing agreements should be honoured before any further development is permitted. While I can understand the concern of objectors, this is an enforcement matter that rests with the District Council. It falls outside the scope of this Local Plan inquiry.

**10.9.42 Issue 15:** The declaration of Public Safety Zones (PSZ) is a matter for the Civil Aviation Authority. I concur with the District Council that refusal of a planning application on grounds of prematurity because of the absence of a PSZ would not accord with the guidance on prematurity set out in PPS1.

**10.9.43 Issue 16:** There is concern that the District Council’s Sustainability Appraisal shows Policy SSP7 to score poorly in a number of areas - namely, sustainable transport, air quality and greenhouse gas emissions. However, the output of that process needs to be balanced against the prevailing policy framework to which the Local Plan has to respond. I am satisfied that despite the negative aspects revealed by the Sustainability Appraisal it is an appropriate policy for incorporation in the Local Plan. I believe that the final version which I recommend accords with both national and regional policy. As regards the criticisms made of the Sustainability Appraisal itself, these fall outside the scope of Policy SSP7.

**10.9.44 Issue 17:** I am content that Policy SSP7 has been drafted in order to reflect the national and regional policy framework that is currently in place. I see no evidence of undue financial or other influence on policy formulation. Indeed, Policy SSP7 is effectively neutral in its treatment of passenger operations, neither encouraging nor discouraging but establishing a series of policy criteria for assessment of specific development proposals.

**10.9.45 Issue 18:** Objectors maintain that the GPDO was not designed to provide a facility for a new airline operation to be started without permission. However, ‘permitted development’ rights granted by Part 18 of the GPDO are extensive, allowing generous amounts of development to be undertaken on operational land without the need to obtain planning permission. If a development complies with the terms of that Order the local planning authority has no role in determining whether or not it should proceed, other than as a consultee. While Article 4 directions can be pursued in any particular case to

remove those rights, there is understandably a reluctance to interfere with rights granted nationally unless there are compelling reasons - not least because of issues of compensation.

**10.9.46 Issue 19:** It is argued by objectors that it would be premature to establish a passenger limit and adopt Policy SSP7 until the outcome of the public inquiry into the permanent passenger facility has been determined by the Secretaries of State and the partial review of the RSS has been completed. The District Council has been at pains to explain that Policy SSP7 is seen as an interim measure until such time as the review of RSS Policy T11 has occurred. At that juncture Policy SSP7 will be re-examined and, if necessary, amended. I agree with the planning authority that it would be unreasonable to leave a policy vacuum in the meantime or to regard all proposals as premature. The Policy has been drafted to reflect existing national and regional policy. That requires a reference to the ATWP approach to capping development proposals. As I have indicated before, this does not mean that any scheme up to 2mppa is acceptable. Proposals will need to satisfy all of the policy criteria. The Policy does not therefore, as claimed by some objectors, establish an appropriate passenger throughput but merely identifies a ceiling above which there would be conflict with national planning policy.

**10.9.47** The alterations made to Policy SSP7 between First and Revised Deposit stages reflect the changes in national and regional policy with publication of the ATWP and RPG11 (RSS). I accept that the previous policy would not comply with the current policy framework. As regards the decision on the IPF, this has now been issued. In my opinion, it does not raise matters that require a re-assessment of Policy SSP7 (as proposed to be changed).

**10.9.48 Issue 20:** The purpose of Policy SSP7 is to guide and control Airport growth, and to accommodate the most significant aviation-related development needs. In those circumstances, I believe it would be inappropriate to encourage general employment activities on the site.

**10.9.49 Issue 21:** WMIAL's objection to Policy SSP7 of the Revised Deposit Plan and its reasoned justification is made on the grounds that the Policy prejudices the future development of Coventry Airport, does not correctly interpret national and regional guidance, and is worded in a negative manner that does not accord with the evidence presented by the District Council at the IPF inquiry and the more recent S78 inquiry into a permanent passenger terminal. National and regional policy support the growth of regional airports and encourage the best use of existing infrastructure and capacity. The recent grant of planning permission for the IPF has confirmed that provided appropriate mitigation measures are implemented to address potential environmental effects, use of the Airport for scheduled passenger flights is appropriate in policy terms. The objector considers that this policy support should form the foundations of Policy SSP7 and the supporting text.

**10.9.50** The District Council has proposed a number of changes to Policy SSP7 and its reasoned justification at various stages of the inquiry process. They include amendments agreed by the Council's Executive at its meeting on 13 February 2006, minor revisions made under delegated authority in response to the written evidence of WMIAL, and alterations put forward at the hearing itself. Those changes are included in closing notes presented by WMIAL. In my consideration of this objection, I shall first address a number of areas of common ground between the District Council and the objector. I shall then, as with the treatment of other detailed objections, work my way through each element of the

Policy and each paragraph of the reasoned justification, avoiding so far as possible unnecessary repetition and overlap with issues considered previously.

**10.9.51** It is common ground that: firstly, it would be wrong to delete Policy SSP7 in its entirety or not to formulate a policy at all. That would be abdicating responsibility and leave a policy vacuum harmful to all parties. No matter how much Policy SSP7 is seen as an interim measure pending the partial review of RSS and a decision on the proposed permanent passenger terminal, I believe that guidance is necessary to direct and assess development proposals. Secondly, there is no sequential approach in Government policy as to where best to meet demand, other than existing airports first. Thirdly, there is no suggestion that Coventry Airport is inherently unsuitable or unsustainable for aviation development, including passenger services. Fourthly, the reference to the ‘current application’ in Paragraph 9.31 of the ATWP is a reference to a proposal for 2mppa throughput.

**10.9.52** The opening sentence of the Revised Deposit version of Policy SSP7 states that “Development of Coventry Airport will only be permitted within the area defined on the Proposals Map where:-“ . The objector considers that this fails to reflect national and regional policy, is negatively worded and prejudices Coventry Airport in favour of the commercial interests of BIA. The ATWP makes reference to BIA as the preferred location for a new runway to meet additional growth in passenger demand. It also allows, in more general terms, for first making the best use of existing airports before supporting the provision of additional capacity. However, the White Paper offers no support for a specific size of passenger terminal at Coventry Airport. Moreover, no particular support is given by RSS Policy T11 or any relevant Structure Plan policy. In that context the District Council has elected to establish a range of criteria which reflect national and regional policy requirements that need to be taken into account in the assessment of proposals. I consider that there is no policy obligation to express support for development at the Airport. That is not necessary for proposals to be fully and objectively evaluated against the criteria of Policy SSP7. Nevertheless, the District Council has accepted, and I agree, that the opening paragraph of the Policy could be expressed more positively and should better reflect RSS Policy T11F. This indicates that “Development plans for Warwick District and neighbouring authorities should include policies for the assessment of proposals for the expansion of Coventry Airport.” (my emphasis). I support the amended wording put forward by the District Council - namely that “Proposals for the expansion of Coventry Airport will be permitted within the area defined on the Proposals Map where:-“, but not the further amendment suggested by WMIAL.

**10.9.53** Turning to Policy criterion a), the objector submits that this criterion is overly restrictive and should be replaced with a list of appropriate airport-related development that would add clarity and robustness. Such a list could be included in either the reasoned justification or in the glossary, subject only to a reference to scale. First of all, I do not accept that criterion a) is overly restrictive. In referring to ‘facilities for aviation activity undertaken at the airport’ it affords, arguably, more latitude than would be provided by any list of reasonable proportions. Secondly, the list put forward by WMIAL is prefaced with the words: “Airport related development includes:”. This is an admission that a list like this can never be truly exhaustive. It would not therefore achieve the certainty that is suggested. While the planning authority did not appear to be strongly opposed to the objector’s proposals, I consider that the disadvantages of such a list outweigh the benefits. I note that Policy T15 of the Solihull UDP, supporting the principle of

development at BIA, does not set out a range of developments considered appropriate at that Airport.

**10.9.54** The objector argues that criterion b) of Policy SSP7 is more restrictive than envisaged by the Regional Spatial Strategy. It requires in respect of Coventry Airport a more rigorous assessment than is required of BIA under RSS Policy T11. Regional policy does not include a requirement to assess social impacts or, specifically, road traffic impacts. The District Council has accepted that the criterion should be revised to follow more closely the wording of the RSS. I support the new text suggested by the Council which states: “b) it has been subject to rigorous environmental assessment and can demonstrate that both economic benefits and harmful environmental impacts have been assessed, in line with the principles of sustainable development.” In terms of social impacts, the District Council has explained that its concern was focused on the effect on local communities. I agree that such impacts would be largely environmental. As regards the words “in line with the principles of sustainable development”, I note that these are taken directly from the wording of RSS Policy T11. I do not regard them as otiose or of questionable meaning.

**10.9.55** There is no contention regarding criterion c). Criterion d), though, is strongly disputed by WMIAL. It is argued that a numerical limit to passengers should not be imposed. Instead, the Policy should indicate that passenger numbers will be supported up to a level that can be demonstrated to be acceptable having regard to any identified impact under criterion b). There are a number of reasons why this should be the case. Firstly, Paragraph 9.31 of the ATWP has been misread by the District Council. The ATWP simply states that in light of its conclusions on capacity elsewhere in the Midlands, and having regard to potential surface access, environmental and airspace constraints, the Government “would not envisage any significant further development being appropriate beyond the level of passenger throughput in the current application.” It was based on a broad brush assessment of factors that went to make the ATWP, not on a detailed assessment of impacts. Moreover the cap of 2mppa is inconsistent with the Executive Summary for the Midlands. This merely indicates that proposals to develop Coventry Airport “should be decided locally.” Secondly, if it can be shown that impacts on airspace and the environment are acceptable, then logically there should be no objection to development in excess of 2mppa. Thirdly, while it might be appropriate to impose a limit on a planning application where supported by a specific assessment, it is inappropriate to do so in respect of a local plan policy where there is no evidence base. It arbitrarily amounts to an assumption of harm without evidence. Fourthly, the District Council has excised the reference to ‘significantly’ on the basis that it is too vague. That approach is simplistic and inconsistent with the use of Paragraph 9.31 of the ATWP to set a cap in policy terms. Fifthly, there is no basis for ignoring the word ‘significantly’. The Government was looking at potential forecasts for Coventry Airport of 6-10mppa. Significant further development beyond 2mppa should be seen in the context of that scale of development. Sixthly, the cap of 2mppa is artificial and arbitrary and unsupported by evidence. Seventhly, the words ‘would not envisage’ used in Paragraph 9.31 of the ATWP are a far cry from ‘object’. They were written in the context of the 2003 planning application and the information that accompanied it. That application was subsequently withdrawn and the recent S78 appeal proceeded on the basis of a new ES and substantially better quality information. Lastly, although the Tony McNulty letter of 7 May 2004 made clear that the Government does not support development beyond 2mppa, it does not preclude development above that figure. In any event, private correspondence from a Government minister to a District Councillor does not constitute a statement of policy.

**10.9.56** Without prejudice to those arguments, WMIAL maintains that even if there was any justification for imposing a numerical limit, the wording of criterion d) is misconceived. At the S78 inquiry the 2mppa limit was proposed in respect of the specific terminal facility, not the Airport as a whole. There are other passenger services operated out of Airport West and Airport North that are unaffected by that planning application. Consequently, the imposition of a 2mppa cap for the Airport as a whole in terms of policy is more restrictive than that which the District Council has accepted. The District Council now says that the limit in criterion d) is intended to apply to Airport South only, rather than the Airport as a whole. But even that is inconsistent with the stance taken at the S78 inquiry. The 2mppa cap is in respect of the terminal, not Airport South.

**10.9.57** Generally, I do not find the objector's arguments on this matter convincing. The proposed cap derives from the wording of the ATWP and the level of passenger throughput in the then current application which anticipated 2mppa. This sets an upper limit for passenger activity. It specifically excludes development beyond 2mppa because of airport capacity elsewhere in the Midlands and potential constraints that derive from the Airport's location. Since Policy SSP7 was prepared, correspondence from Tony McNulty MP, Parliamentary Under Secretary of State within the Department for Transport, has clarified the position. His letter states that: "The White Paper ..... makes very clear that the Government does not support the expansion of the airport beyond the level for which planning permission is currently sought." That position has been endorsed by GOWM in their submissions in respect of this Local Plan. The proposed change to criterion d) to strike out the word 'significantly' has been put forward by the District Council in order to remove any ambiguity and to provide clarity in relation to the level of activity beyond which there would be conflict with national aviation policy. I endorse that change. It is important to note that no support is given in the ATWP to airport development of any size. This is made quite clear in both letters from the Parliamentary Under Secretary of State to Councillor Bertie Mackay, dated 7 May 2004 and 11 October 2004. The only modification I propose to make to criterion d) is to amend the reference to 'airport' to read 'Airport South'. This clarifies that other passenger operations at Airport West and Airport North are excluded.

**10.9.58** The purpose of criterion e) is to reflect RSS Policy T11. Paragraph F of that Policy requires that any proposals for use of Coventry Airport by charter or scheduled passenger flights should be subject to availability of public transport to serve the airport. Reference is also made in Paragraph H to the need for challenging targets to be set within Airport Surface Access Strategies (ASAS) to encourage a greater percentage of trips by passengers, visitors and staff by more sustainable modes. I note that an ASAS, intended to reduce dependence on the private car, is already in place for Coventry Airport. It includes an Airport Travel Plan and Parking Strategy, and defines modal shift targets over time that become more onerous as throughput increases. There are separate targets for passengers and employees with financial penalties if the latter are not achieved. The ASAS is overseen by the Air Transport Forum and reviewed annually. I believe it is necessary for the ASAS to have the formal underpinning of policy that sets out the overall approach to surface access. WMIAL and the District Council have agreed to substitute alternative wording for criterion e). This refers specifically to Airport South (rather than the Airport as a whole) and relates modal shift to passenger throughput. I support those proposed changes, subject to some further rewording to suit the format of the rest of the Policy. I consider it desirable, in view of the terms of RSS Policy T11, to include a specific reference to 'challenging targets' even though these are subsumed within the ASAS.

**10.9.59** WMIAL argue that criterion f) is unwarranted, there being no evidence that activity at Coventry Airport would constrain the growth of BIA. I am told that at the recent S78 inquiry, BIA's witnesses confirmed that airspace issues would be removed entirely if Coventry Airport was to operate revised Noise Preferential Routes thereby substantially reducing the effect of any interface between the two airports. I note that revised NPRs have been approved by the Airport and a final safety analysis is being conducted. The District Council does not take any view on whether development at Coventry Airport would be likely to conflict with BIA given the latter's role as the preferred location to meet future growth while accepting that national policy also allows for utilisation of existing airport capacity. This is a matter that will be considered by the Secretaries of State in making their decision on the S78 application. Nevertheless, national policy allows for the possibility that such conflict could occur. In my view, it is appropriate that a policy criterion is in place to enable the potential impact on BIA to be addressed. I support the policy wording put forward in the District Council's proposed changes, subject to inclusion of additional references to air traffic movements, Airport South, and a new runway for BIA. I do not feel that an alternative criterion should be substituted supporting 'related development appropriate to airports to be located outside the area defined as Coventry Airport'. As the District Council points out, this suggests inappropriately that development anywhere will be supported provided it has a relationship with airports.

**10.9.60** The objector maintains that Policy SSP7 should properly cover the whole extent of the Airport and not just Airport South. I do not agree. I have already concluded elsewhere in my report, in response to other objections, that the remainder of Coventry Airport (outside Airport South) should stay within the Green Belt. In my opinion, the existence of 'permitted development' rights for airport development is not a compelling reason to extend the scope of Policy SSP7.

**10.9.61** Turning now to the supporting text, the District Council accepts that Paragraph 10.39 should be revised to acknowledge passenger operations following the decisions on the IPF. I endorse the amended wording put forward in the proposed further changes, subject to additional references to the IPF decisions and the sub-regional (rather than regional) economy. Given that Paragraph 10.39 is descriptive only, it would not be appropriate to include an expression of support for the passenger facilities.

**10.9.62** At the hearing, the District Council and the objector agreed that, logically, a further short paragraph (10.39A) should be inserted between Paragraphs 10.39 and 10.40 explaining that the Government's starting point is to make the best use of existing airports before supporting the provision of additional capacity. I agree. Part of that text can conveniently be taken from Paragraph 10.41.

**10.9.63** Paragraph 10.40 of the Revised Deposit Plan is, in my view, appropriately worded. It acknowledges that the Airport and its aviation activities contribute air and noise pollution to the local environment. It goes on to say that these can harm the amenity of local residents and the surrounding historic and natural environments over a wide area, and that the generation of vehicular traffic can impact on the trunk road network and local roads. Use of the word 'can' rather than 'does' acknowledges the potential for such effects. That is, in my opinion, an appropriate statement. I see no basis for saying that potential impacts are necessarily localised nor for excluding the historic environment from consideration.

**10.9.64** WMIAL considers that Paragraph 10.41 of the Revised Deposit Plan does not correctly interpret the ATWP. The White Paper does not support the growth of BIA at the expense of Coventry Airport. BIA is identified as the Airport that will absorb the highest level of growth by virtue of a potential new runway, but it is not preferred to the extent that other airports will be restrained to favour it. Through the District Council's proposed changes, a new sentence has been added to the end of Paragraph 10.41. This confirms that future development of Coventry Airport needs to be considered in the context of the White Paper's endorsement of Birmingham as the Government's preferred location for a new runway to meet future growth in passenger demand and its position on making the best use of existing airport capacity. I support that additional wording, subject to further amendments as discussed at the hearing. I prefer that wording to the alternative paragraph suggested in the written evidence of the objector's witness.

**10.9.65** The objector considers that Paragraph 10.42 of the Revised Deposit Plan should be amended to recognise that the role of Coventry Airport has changed with the introduction of passenger flights and is no longer primarily a freight airport. The District Council has again put forward proposed changes to the supporting text of the Revised Deposit Plan. At the inquiry, the planning authority further conceded that it would be reasonable to reflect the grant of planning permission for the IPF. I consider that the text should go beyond this and acknowledge that RSS Policy T11 will be reviewed in light of (amongst other things) the outcome of the extant S78 appeal and that this may necessitate an early re-appraisal of Policy SSP7. The amended wording I recommend for Paragraph 10.42 reflects this.

**10.9.66** Turning to Paragraph 10.42A, I concur with both main parties that the word 'thus' in the first sentence should be deleted and that the word 'potential' should precede 'impact' in the second sentence. As regards the third sentence, I agree with WMIAL that this should reflect the planning balance that will be applied to assessment of any development proposals in order that the public are informed properly and that there are no false expectations that impacts which cannot be mitigated or compensated for will automatically lead to refusal of planning permission.

**10.9.67** Lastly, Paragraph 10.42B refers to the 'permitted development' rights that apply in respect of operational land. Having suggested in its written evidence that this Paragraph could be deleted in its entirety, the District Council subsequently changed its position at the hearing. I agree that a reference would be helpful to Plan users, if only to avoid any surprises or false expectations. The wording suggested by the parties is, in my view, appropriate.

### **Recommendations**

**10.9.68 (a) That the Revised Deposit Plan be modified as follows:**

**(i) amend Policy SSP7 to read:**

**“Proposals for the expansion of Coventry Airport will be permitted within the area defined on the Proposals Map where:-**

- a) they consist of facilities for aviation activity undertaken at the airport;**
- b) they have been subject to rigorous environmental assessment and can demonstrate that both economic benefits and harmful**

- environmental impacts have been assessed in line with the principles of sustainable development;
- c) any adverse impacts are mitigated to reduce harm or, where harm cannot be adequately mitigated, are compensated for;
  - d) the number of air passengers served by Airport South does not exceed two million passenger movements per annum;
  - e) the number of air passengers served by charter or scheduled flights via any terminal at Airport South is linked by challenging targets in an Airport Surface Access Strategy that encourage a modal shift towards sustainable modes of transport (eg public transport, car sharing, cycling) as passenger throughput increases; and
  - f) the number of air passengers served by Airport South accords with the Air Transport White Paper's endorsement of Birmingham International Airport as the Government's preferred location for a new runway to meet future growth in passenger demand and reflects regional policies for airport development."
- (ii) amend Paragraph 10.39 to (a) describe the scope of current aviation activities including the Airport's developing role for low-cost passenger flights, (b) make reference to the recent decisions of the Secretaries of State on the Interim Passenger Facility, and (c) refer to the Airport as being an important asset to the sub-regional economy.
- (iii) add a new Paragraph 10.39A to state:
- "The Government's starting point is to make the best use of existing airports before supporting the provision of additional capacity. A sustainable approach entails first making better use of present infrastructure wherever possible."**
- (iv) amend Paragraphs 10.41, 10.42, 10.42A and 10.42B to read:
- "10.41 Government policy on air transport is set out in the Air Transport White Paper (December 2003) which emphasises the need for a balanced approach to the growth in air transport, recognising both the costs and benefits of air travel. The provision of some additional airport capacity is essential to accommodate the potential growth in demand. Failure to provide additional capacity would become a barrier to future economic growth and competitiveness. In relation to the Midlands, the White Paper therefore supports the growth of Birmingham International Airport but sees the development of Coventry Airport as a matter for local determination. Future development of Coventry Airport needs to be considered in the context of the White Paper's endorsement of Birmingham as the Government's preferred location for a new runway to meet future growth in passenger demand and its position on making the best use of existing airports before supporting the provision of additional capacity."**

**10.42 The Regional Spatial Strategy for the West Midlands’ policy on airports is to be reviewed. The policy currently supports the continued development of Birmingham International Airport as the principal international airport for the West Midlands. It states that Coventry Airport as primarily a freight airport provides a complementary service to Birmingham International Airport. However, since the RSS was written, regular, scheduled commercial passenger flights are now undertaken at the airport. The RSS requires that any further development of Coventry Airport should be subject to rigorous environmental assessment with consideration to be given to mitigation and compensation for unavoidable harm. The Regional Planning Body is committed to reviewing the RSS in light of the Air Transport White Paper and has indicated that in doing so it will also take account of the outcome of the extant appeal for 2 million passengers per annum at Coventry Airport. This may necessitate an early review of Policy SSP7.**

**10.42A The objective of this policy is to direct aviation development to land to the south east of the runway and therefore away from nearby residential properties in Baginton and protect the West Midlands Green Belt which covers the remainder of the airport. The policy also ensures that the potential impact of any development is properly assessed and that any adverse impacts are mitigated or compensated for. Where adverse impacts cannot be mitigated to acceptable levels or compensated for, development will not be permitted except where the benefits of the proposals overall outweigh the adverse impacts. In relation to the development of passenger facilities, the policy recognises that it is necessary to restrict passenger growth in line with national policy, ensures appropriate levels of public transport and protects the ability of Birmingham International Airport as the West Midlands principal airport to grow as envisaged within national policy.**

**10.42B The above policy applies only to that development for which further planning permission is required. Coventry Airport has extensive rights to carry out development within its operational land by virtue of permitted development rights granted under the Town and Country Planning (General Permitted Development) Order 1995.”**

- (b) That no further modifications be made the the Revised Deposit Plan in respect of these objections.

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## **10.10 Paragraphs 10.43 - 10.46 Policy SSP8 Hatton Country World**

Objection to First Deposit Version

148/BV Campaign to Protect Rural England (Warwickshire Branch)

## Objections to Revised Deposit Version

No objections

### **Key Issue**

**10.10.1** Whether the prohibition on further retail development implies that other types of development will be permitted.

### **Inspector's Appraisal and Conclusions**

**10.10.2** I do not believe that by singling out retail development the implication is that other types of development will necessarily be allowed in this sensitive Green Belt location. The supporting text makes it clear at Paragraph 10.45 that in considering future proposals the District Council will have regard to all other relevant policies, particularly DAP1 (Green Belt) and RAP10 (Safeguarding Rural Roads). It goes on to say that in order to safeguard the character of the rural area the District Council will not support proposals which would lead to an increase in visitor numbers, and that any new building would be regarded as inappropriate development in the Green Belt. In any event, I note that activity at this site is controlled through SPG and planning permissions subsequently granted in December 2001. CPRE (Warwickshire Branch) has suggested that the word 'but' should be substituted for 'however' in the first sentence of Paragraph 10.45. That would also be my preference although I do not regard it as crucial. I therefore make no formal recommendation. To sum up, I see no need to amend either the Policy or the supporting text.

### **Recommendations**

**10.10.3 That no modifications be made to the Revised Deposit Plan in respect of this objection.**

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## **10.11 Chapter 10 - Policy omissions**

### Objections to First Deposit Version

3/AA	Stratford and Warwick Waterways Trust
7/AC	The Ramblers Association
8/AA	The Lower Avon Navigation Trust Ltd
21/AA	Donald Newton Evans
22/AA	Peter Alun Jones
23/AA	Andrew Guest
30/AA	Stratford upon Avon Canal Society
30/AB	Stratford upon Avon Canal Society
31/AA	Dr. D.N.F. Hall
32/AA	Dudley C.B. Matthews
33/AA	Upper Avon Navigation Trust
45/AB	Graham Leeke

51/AA	Bancroft Cruisers
52/AG	Barford, Sherbourne & Wasperton Joint Parish Council
60/AA	The Inland Waterways Association
61/AA	Inland Waterways Amenity Advisory Council
65/AA	David Cottrell
73/AA	National Association of Boat Owners
74/AA	Brian Holt
80/AA	J.F Holroyd
81/AA	Mrs M.L Holroyd
82/AA	Mark G Bennett
88/AA	Roger Clay
90/AA	M.C Burman
91/AA	Robert Mulgrue
92/AA	William Worrall
93/AA	F.W.B Atcheson
94/AA	Alan Neil Estherby
95/AA	D.J Bezzant
96/AA	David Higgins
98/AA	Mrs Alison Higgins
101/AA	J.D Berrington
102/AA	Association of Inland Navigation Authorities
104/AA	Warwickshire County Council (Property Services Dept)
107/AB	University of Warwick
112/AB	Jeffery Masters
117/AU	Langstone Homes Ltd
118/AF	Mr and Mrs G Bull
119/AF	Bloor Homes Ltd
125/AA	Ian Hunter
126/AC	2nd Warwick Sea Scouts
151/AA	J Cockburn
153/AC	Thomas Bates and Son Ltd
157/AA	West Midlands Planning and Transportation Sub Committee
160/AA	Kingfisher Marine
165/AA	Guy W L Morgan
166/AB	Mr D & Mrs M A Hunter
167/AB	Mrs E Brown
172/AA	Robyn Dorling
173/AA	W Halliday
174/AA	Dr I M Corbett
175/AA	Graham & Ellen Spencer
176/AA	K Galley
177/AA	Arne Haugerud
178/AA	Robert Bell
179/AA	Anne Oliver
180/AA	Mrs J Masters
181/AA	M Willetts
182/AA	Pauline Urwin
183/AA	Angela Corbett
184/AA	Mr R G & Mrs B Dee
185/AA	Miss Karen Hales
186/AA	Patricia Wilson
200/AA	Taylor Woodrow Strategic Developments

218/AA	Antony Butcher
218/AD	Antony Butcher
219/AE	Deeley Properties Ltd
221/BF	Kenilworth Society
223/BG	Kenilworth Town Council
227/AC	David Wilson Homes (East Midlands) Ltd
229/AH	Gallagher Estates Ltd
240/AD	George Wimpey Strategic Land
242/AL	Coventry City Council (Planning & Transportation)
243/AB	Coventry City Council (Property & Projects)
247/AA	J Norris
256/AF	T & N Ltd
266/AM	Warwick Town Council
266/AN	Warwick Town Council
279/AA	Mr R Butler
288/AG	Warwickshire Police Authority
289/AB	Taylor Woodrow Developments Ltd
290/AB	H E Johnson
291/AB	George Wimpey UK Ltd
293/AB	Oldhams Transport Ltd
294/AD	British Waterways
303/AK	Racecourse Holdings Trust

#### Objections to Revised Deposit Version

3/RAA	Stratford and Warwick Waterways Trust
7/RAA	The Ramblers' Association
266/RAJ	Warwick Town Council
289/RAA	Taylor Woodrow Developments Ltd
303/RAG	Racecourse Holdings Trust
324/RAA	Delta Marine European Ltd
347/RAA	Andrew Cooke

#### Key Issues

- 10.11.1** (1) Whether land at Oldhams Transport, Barford should be allocated for mixed use development.
- (2) Whether a site specific policy should be included to safeguard the line of the proposed extension of the Upper Avon Navigation from the District boundary at Hampton Lucy upstream to the Warwick aqueduct and/or the alternative proposal on the River Leam to Radford Semele.
- (3) Whether there should be a site specific policy to address redevelopment of the Charter Bridge Meeting Hall, Warwick for the 2<sup>nd</sup> Warwick Sea Scouts.
- (4) Whether land west of the A46 at Howes Lane, Finham should be removed from the Green Belt and the site of Oak Lea allocated for housing development.
- (5) Whether land at Kingswood Nurseries, Lapworth should be allocated for housing development.

- (6) Whether land at the former Council Depot, Norton Lindsey should be allocated for housing development.
- (7) Whether land adjacent to Woodside Farm, Whitnash should be allocated for housing development and not be designated as an AoR.
- (8) Whether land at South West Warwick should be allocated for housing development.
- (9) Whether land at Fieldgate Lane/Golf Lane, Whitnash should be allocated for housing development.
- (10) Whether land at Milverton should be taken out of the Green Belt and allocated as a sustainable urban extension to Leamington Spa to meet housing needs.
- (11) Whether land at Leek Wootton should be allocated for affordable housing development (and an element of key worker housing), cross-subsidised by market housing.
- (12) Whether land at Champion Hills, Leamington Spa should be taken out of the Green Belt and allocated for residential development.
- (13) Whether activities at Sydenham Industrial Estate should be limited to uses within Use Class B1.
- (14) Whether land between Rowley Road and the A45 should be safeguarded for the future employment needs of Coventry.
- (15) Whether land at Montague Road, Warwick should be allocated for mixed use development.
- (16) Whether land at Dalehouse Lane/Common Lane, Kenilworth should be allocated for (a) mixed use development, or (b) employment use.
- (17) Whether land at Queensway, Leamington Spa should be allocated for mixed use development.
- (18) Whether land at Lower Heathcote Farm, Leamington Spa should be identified as an 'area of search' for housing-led mixed use development post-2011 to meet medium and longer term needs.
- (19) Whether land south-west of Radford Semele should be allocated for mixed use development.
- (20) Whether land at Stratford Road, Warwick should be allocated for mixed use development and excluded from the AoR and the area where rural policies apply.
- (21) Whether land at Queens Square, Warwick should be safeguarded for community/leisure uses.

- (22) Whether land at Oaklands Farm, Birmingham Road, Budbrooke should be allocated for leisure and recreation development, including a marina.
- (23) Whether land between Charles Street bridge and Coventry Road bridge, Warwick should be allocated for a marina, and supported by a specific policy for the provision of a marina in the urban area of Warwick.
- (24) Whether (a) there should be a specific policy on access into and through Warwick Castle Park, and (b) the line of the extension of the millennium path along the River Avon past this site should be safeguarded.
- (25) Whether there should be provision for a new cycle/pedestrian way to link Tachbrook Road to the new playing field on Harbury Lane.
- (26) Whether the cluster of buildings at Park Farm, Banbury Road, Warwick should be excluded from the area where rural policies apply and be subject of a site specific policy.
- (27) Whether the Plan should (a) include a specific policy to support improvement and development of facilities at Warwick Racecourse, and (b) adopt a revised AoR boundary to facilitate future development of the racecourse.
- (28) Whether the Plan should include a specific policy relating to development at the University of Warwick.
- (29) Whether the Plan should protect riverside access between Stratford upon Avon and Warwick.

### **Inspector's Appraisal and Conclusions**

**10.11.2 Issue 1:** (*Oldhams Transport, Barford*) The objection site of 1.95ha lies within the settlement boundary of Barford defined on the Proposals Map. It constitutes previously developed land. The site was formerly occupied by Oldhams Transport Ltd which comprised 3 business activities - road haulage, HGV repairs/servicing, and furniture and plant removals. Because of land taken by the Barford Bypass (now under construction), compounded by the triangular shape of the plot, the company decided it could no longer function efficiently from the site. The business has been disaggregated and now operates from 3 separate locations. At its height it was a substantial employer with more than 100 personnel, mostly HGV drivers, although only one of those was resident in the village.

**10.11.3** Vacating the land has left a substantial brownfield site which, because of the location of the bypass and the removal of screen hedges to facilitate construction, has resulted in the land being prominent and open to views that detract from the character and appearance of the village and the approach to the Barford Conservation Area. The Revised Deposit Plan does not allocate the land for any purpose. The objectors contend that in a plan-led system it is not in the interests of good planning for the emerging development plan to remain silent about the future of this site when the public interest lies in securing redevelopment in a way that is appropriate to the edge-of-village location and compatible with the needs of the local community.

**10.11.4** In July 2003 the Secretary of State refused planning permission for redevelopment of the site wholly for residential purposes (Ref. APP/L2250/V/02/1083117). After a call-in

inquiry he agreed with the Inspector that the scheme met some of the tests of PPG3, in terms of the sequential approach and density, and that it would contribute a modest amount to the affordable housing needs in the area. However, he found that contrary to PPG3 there was no pressing need for market housing and that it would result in the loss of industrial employment opportunities in a rural area in conflict with the development plan and the then PPG7 policies which sought to sustain economic and social diversity in rural areas and promote sustainable development. He was not satisfied that the site would be unsuitable for continued industrial or employment use, nor that the possibility of a mixed use development or other forms of development other than residential had been fully investigated.

**10.11.5** As a direct response to that decision a further planning application was lodged in September 2004 for mixed use development comprising residential and Class B1 business units. 60 dwellings are proposed on the northern part of the site, of which 40% would be affordable housing (60% of these rented and 40% shared ownership). The smaller southern section of the site would be developed with 9 office units providing 1,557 sq m floorspace. That application has been supported by District Council Officers and Members alike, and by the Parish Council. In a Statement of Common Ground the planning authority and the applicants agreed that those proposals represent an optimum opportunity to redevelop this now largely redundant previously developed site. I note that the types and tenures of the affordable homes meet the District Council's current priorities and that of the 36 market dwelling units proposed 9 respond to a local housing need identified through a Parish Plan questionnaire administered by the Parish Council. At the time of writing, this application is still with the Secretary of State for decision following a further call-in inquiry as a departure from the development plan. However, an indication has been given that the Secretary of State is minded to agree with the Inspector's recommendation to grant planning permission subject to an amended condition and the submission of a satisfactory, reformulated S106 planning obligation.

**10.11.6** Although the objectors argue that allocation of this site would provide necessary guidance, incentive and control, the District Council does not consider that a blanket allocation for mixed use development would be desirable. The planning authority's approach has been to allocate sites only where development is essential to support the objectives of the Plan. This site is not considered central to the overall employment and housing strategies. Indeed, the strategic housing requirement for the District of 4,624 dwellings between 2001 and 2011 has already been exceeded by completions since 2001 and commitments at April 2005. In consequence of this, in the urban areas a policy of restraining further housing development has been put in place through SPD 'Managing Housing Supply', and in the rural areas housing growth is restricted by Policy RAP2. The District Council's view is that allocation of this site would be in conflict with regional and sub-regional policy which allows for limited development only in villages to meet an identified local need according to a hierarchy of settlements. While acknowledging that the objection site is the only large employment site in the District's five Limited Growth Villages, either in use or vacant, that is likely to be subject of redevelopment proposals, the District Council's preference is to treat this site as a windfall.

**10.11.7** I agree with the planning authority that an allocation for mixed use development here would not be appropriate. It would weaken the District Council's position when considering possible alternative future proposals for the site and could lead to additional in-migration as well as further exceeding the strategic housing requirement. I note that the District Council's support for the latest mixed use proposals is rooted in the specific

circumstances of that scheme. The planning authority has focused its attention on the balance of housing and employment uses, on the local need for both affordable and market housing informed by a Parish Plan questionnaire survey, and on the viability of new employment development before finding the development acceptable on merit, notwithstanding conflict with the development plan. Various policy criteria have been put forward by the objectors. Even with the refinements discussed at the hearing, I consider that a mixed use allocation would not improve the Plan. Treating proposals that come forward as windfalls would, I believe, ensure that all material considerations are given the fullest attention, allowing them to be carefully weighed in the balance against any conflict or tension with the general policy framework applicable to the rural parts of the District. I recommend accordingly.

**10.11.8 Issue 2:** (*Rivers Avon and Leam*) The Upper Avon Navigation Trust Ltd (UANT) has promoted for 30 years or more, but without success, extension of navigation upstream of Stratford-upon-Avon to link with the Grand Union Canal in the vicinity of Warwick. The Upper Avon Extension (UAE) would provide a navigation link for broad-beam boats between the inland waterways of the south-west and the rest of the inland waterways network, joining together the UK's major estuaries of the Severn, Mersey, Humber, Wash and Thames. This is identified by the Association of Inland Navigation Authorities as one of 11 strategic projects necessary to realise a vision for enhancement of the national network<sup>14</sup>. A case for the project is set out in the discussion document 'The Upper Avon Extension – Enhancing Britain's Inland Navigation Network for the 21<sup>st</sup> Century' (April 2002)<sup>15</sup>. It would involve engineering works over a 25km stretch of river in Warwick District, with at least 9 new locks by-passing existing weirs, a short new canal at Barford to avoid the fish spawning grounds at the shallow Sherbourne loop and, in places, dredging and canalisation to accommodate boat traffic. It is estimated that 92% of the in-river route is already navigable.

**10.11.9** Bancroft Cruisers are a commercial concern operating passenger boats from the Holiday Inn, Stratford. They say that the UAE should be seen not just as a navigation but as a linear water park linking Warwick Castle and Stratford-upon-Avon, two of the UK's major tourist attractions. It would potentially provide employment opportunities for many local people and economic growth. Other benefits would include greater access and facilities for the general public, and opportunities for leisure and recreational pursuits on and beside the water, education, tourism and the study/enhancement of wildlife. The objector argues that the District Council should safeguard the line of the proposed extension of navigation. It should also bear in mind the 2 suggested locations for connection with the Grand Union Canal - near Warwick aqueduct and along the River Leam from its confluence with the River Avon to near Radford Semele. This position is supported by the Inland Waterways Association (IWA) and the Stratford and Warwick Waterways Trust Ltd (SWWT). I note, however, that the latter organisation, established in October 2004 as the lead charity promoting increased access to and navigation upon the Warwickshire Avon between Stratford-upon-Avon and Warwick, no longer favours the second of these connections. Bancroft Cruisers consider it vital to protect at this stage the line of navigation by preventing ribbon development from taking place alongside the course of the River Avon in and between Warwick and Stratford-upon-Avon. The safeguarding of land by requiring consultation with relevant organisations would ensure that the necessary locks and associated works can be constructed at the appropriate time.

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<sup>14</sup> CD708, Page 4

<sup>15</sup> CD707

- 10.11.10** I note that in 1995 UANT presented the District Council with a consultation document outlining a proposal to create a navigable link on the Rivers Leam and Avon from the Grand Union Canal to Warwick Castle. The District Council expressed caution because of the implications for wildlife, existing river users and the character of the river, and requested a planning application and associated Environmental Statement. A Scoping Report was subsequently produced but work did not progress further. In early 2002 the 'Campaign for the Leam and Avon Rivers' (CLEAR) was established to coordinate opposition to the UANT proposals.
- 10.11.11** In 2004 Warwickshire County Council undertook public consultation to consider support and objections. 762 written responses were made of which 38% were in support (21% of these from Warwickshire) and 60% against (78% from Warwickshire) The most common arguments in support were economic benefits, public access, completion of the missing waterway link, increased wildlife protection, and better flood control. The main reasons for opposition were impact on the environment and wildlife, increased risk to existing river users, pollution from larger boats, loss of peace and tranquillity, loss of privacy to landowners, unsuitability of the river to navigation, and risk to historic buildings and parks. I am told that having considered the outcome of this exercise, the County Council's Environment and Rural Affairs Overview and Scrutiny Committee resolved not to support the proposals and this was backed by Cabinet in September 2004.
- 10.11.12** Further public consultation has occurred through the Omission Sites Consultation exercise undertaken for this inquiry. I note that Warwick Castle Park Trust considers that such a scheme would destroy the heritage of the Grade 1 listed park which has no history of navigation, and that the owners of the Castle object on grounds of aesthetics, security and noise/pollution adversely affecting the Castle's setting. Warwickshire Wildlife Trust considers that the proposals would have a significant detrimental effect on wildlife. Those concerns are variously echoed by the County Council's Museum Field Services, the County Archaeologist, CPRE (Warwickshire Branch), Warwick Natural History Society and Leamington Spa Town Council.
- 10.11.13** Several objectors refer to the 1635 Order in Council that established the right to navigation over the whole of this section of the River. It is contended that the scheme is a restoration project under Annex B of PPG13. The next step is envisaged to be a Scoping Feasibility Study, most likely followed by an Environmental Assessment. In the meantime it is felt that the route should be safeguarded in this Local Plan from inappropriate development.
- 10.11.14** I do not consider that such a course of action would be appropriate for a number of reasons. Firstly, this is not a restoration project within the meaning of PPG13. Although building materials may have been transported locally by river to construct Warwick Castle many centuries ago, there is no evidence that the Upper Avon between Stratford and Warwick was ever used as a through navigation or that works to make the River navigable were put into effect. Secondly, support has not been forthcoming from Warwickshire County Council, and work on an Environmental Statement has not progressed since a Scoping Report for a lesser proposal was published in 1996. Thirdly, the Inspector at the Stratford-upon-Avon Local Plan inquiry considered the same issue in 2004. His conclusion was that there was insufficient evidence on which he could reach a firm view as to whether there was any realistic prospect of producing an acceptable scheme. He dismissed calls for the land to be safeguarded. I take a similar view. I am not in a position, on the very limited evidence presented, to weigh the recreational, tourism, economic and other benefits suggested by supporters of the proposals against the

perceived impacts on the historic and natural environment and existing river users feared by those opposing the scheme. Fourthly, no sustainability appraisal has been undertaken. When assessed against County policies, it was found that opening of the River to navigation would make little or no contribution to 30 out of the 46 County Council aspirations. Finally, I read nothing into the County Council's consultations with UANT and the Inland Waterways Association on the height and other aspects of the new Barford Bypass river bridge. Clearly, such consultations are prudent in view of the history of the country's inland waterways and the length of time that new roads can be expected to remain in use. The County Council's position on the matter before this inquiry has not changed.

**10.11.15** To sum up, given the lack of information, the absence of strategic support from the County Council, the volume of objections received from interested organisations and other parties, and the resulting uncertainty as to whether any form of project will be forthcoming in the Local Plan period to 2011, I believe it would be wrong to protect this corridor to facilitate an extension of the navigation. The Stratford-upon-Avon Local Plan Inspector remarked that safeguarding cannot be considered wholly neutral. In these circumstances, I feel such action would be premature.

**10.11.16 Issue 3:** (*Charter Bridge Meeting Hall, Warwick*) The 2<sup>nd</sup> Warwick Sea Scouts are currently operating from 3 sites - the main meeting hall adjacent to Charter Bridge, St Nicholas Park; the Sailing Club, Myton Fields; and the former 4<sup>th</sup> Warwick Scout Hut, adjacent to St Nicholas Park car park. There are problems with the condition, size and arrangement of the buildings and the split of activities between sites. The only realistic option for relocation is considered to be land adjacent to Tesco, Emscote Road. However, that site has been discounted because of access difficulties and other restrictions. As a result, the organisation is proposing to rationalise activities through redevelopment of the main site at Charter Bridge where activities would be centralised (including secure open storage and boating areas), and at the former 4<sup>th</sup> Warwick Scout Hut which would be used as a workshop and store. The sailing club land would be returned to open space use as part of Myton Fields. In order to facilitate redevelopment of the Charter Bridge Meeting Hall and secure a measure of certainty in advance of fundraising, a site specific allocation is sought.

**10.11.17** I have already concluded in addressing related objections that criterion b) of Policy SC7 should be amended to accommodate the provision of local facilities where there is a specific locational requirement that cannot be met in a town or local centre or village. I have also recommended that Paragraph 4.56 supporting Policy DP10 should be altered, again as suggested by the objector. But like the District Council, I do not favour a site specific allocation (the objector's Option 2). In my opinion, any proposal should be addressed through a planning application. That is because the site in question lies within an Area of Restraint and no information has been supplied as to the scale and mass of any redevelopment scheme. It is not possible therefore to assess the visual impact of development on the openness of the AoR. In particular, any harm arising from a larger building cannot be weighed against the benefits of supporting rationalisation and improvement of existing community facilities, including the return to open space of the Sailing Club at Myton Fields. I am satisfied that the policies within the Local Plan (as recommended for modification in this report) provide an adequate framework against which any specific proposals can be assessed. Those Policies include SC7, SC7a, DAP2 and DP1. Moreover, I concur with the District Council that because this is an existing community use with specific locational requirements, there would be no need to go through the sequential approach demanded by Policy SC7.

**10.11.18 Issue 4:** (*Land east of Howes Lane, Finham*) The boundary of the Green Belt is currently drawn along the B4155 and includes an area sandwiched between Howes Lane and the A46 dual carriageway. That land has 3 principal uses. The northern-most part is allotments, the middle section is a 1970's residential estate of approximately 50 houses (Roman Way), and the southern section contains a dwelling known as Oak Lea. The last of these comprises a substantial 2-storey house with agricultural-style outbuildings set in grounds of about 1.75ha that also include a paddock. The eastern boundary of Oak Lea is marked by a screen of mature trees, beyond which the land rises steeply to an elevated section of the A46. The western highway boundary is formed by various hedges/trees.

**10.11.19** PPG2 indicates that once Green Belt boundaries have been approved, either in general or in detail, they should only be altered in exceptional circumstances. The objector argues that the Green Belt boundary here has been illogical ever since it was first defined and should be moved eastwards to follow the line of the A46. It is claimed that this would achieve a stronger, more defensible boundary. Through this Local Plan the District Council has already acted to correct other anomalies - including exclusion from the Green Belt of the adjacent Roman Way housing estate. In the objector's view the site does not accord with the fundamental aim of Green Belt policy which is to keep land permanently open. It does not assist in safeguarding the countryside from encroachment nor does it fulfil any of the other 4 purposes set out in PPG2. In addition, it does not serve any of the 6 Green Belt objectives.

**10.11.20** The objector points out that if taken from the Green Belt and allocated for housing Oak Lea could yield between 30 and 40 dwellings. In her opinion the Plan should be seeking to provide housing to 2016, not 2011, and should be allocating sites rather than placing so much reliance on windfalls. Paragraph 31 of PPG3 sets out criteria for assessing sites for allocation. Being situated on the edge of Coventry, this site falls within the second tier of the sequential approach. It is in part previously developed land which lies close to local shopping facilities, schools and employment opportunities, and would be well served by non-car modes of transport. Overall, the site is considered to fit well with the PPG3 criteria and would help meet the District's housing requirement without impacting adversely on the wider landscape.

**10.11.21** Looking first at the Green Belt boundary, I believe that the land in question is semi-rural in character and quite distinct from the suburban development at Roman Way and on the opposite side of Howes Lane. The backdrop is the embankment of the A46 which is now shielded by established vegetation. This serves to protect the essentially rural setting. I concur with the District Council that heading south along Howes Lane, the impression gained is increasingly one of countryside rather than built-up urban development. I consider that the land fulfils more than one Green Belt purpose. It assists in safeguarding the countryside from encroachment and also assists in urban regeneration by encouraging the recycling of derelict and other urban land. Most importantly, it maintains a feeling of openness. I note that the Green Belt boundary here was confirmed in 1975, after the A46 had been opened in June 1974. In its adopted UDP, Coventry City Council has maintained a Green Belt designation north of the District boundary towards the city centre. Land on both sides of the A444 (the number given to the A46 north of the A45) is kept open by this wedge of Green Belt. A continuation on both sides of the A46 into Warwick District is consistent with that approach. I note that in response to the Omission Sites Consultation the objector's proposals generated a significant number of comments, overwhelmingly objecting to adjustment of the Green Belt boundary in this

location. 22 people objected to exclusion of the allotments from the Green Belt, 5 to Oak Lea and 10 made representations in respect of both sites.

**10.11.22** Turning to the suggested housing allocation at Oak Lea, I have indicated earlier in my report that I am content the District Council has made adequate provision for new housing in the Plan. Indeed, there is evidence of oversupply in relation to the RSS strategic target that led the planning authority in 2005 to introduce SPD 'Managing Housing Supply' to reduce the future supply of urban windfall housing. That action was supported by GOWM, the Regional Assembly and the County Council. I agree with the District Council that it would be premature to safeguard land for further housing beyond 2011. At the present time the District's housing requirements are uncertain pending completion of the partial review of the RSS, and current indications are that housing needs for a number of years beyond 2011 can be substantially met by the release of urban brownfield sites. The District Council is committed through its Local Development Scheme to preparing a Core Strategy DPD as soon as this Local Plan is adopted. If any releases of greenfield sites are necessary, this should be done through an Allocations DPD which would tie-in with the partial review of the RSS and accommodate up-to-date housing requirements. In this regard, I note that the site at Oak Lea has not been subject to a comparative analysis of the merits of this site in relation to others, nor has a formal sustainability appraisal been undertaken.

**10.11.23** I conclude that land east of Howes Lane to the north-east and south-west of Roman Way should remain in the Green Belt, and that no housing allocation should be made at Oak Lea.

**10.11.24 Issue 5:** (*Kingswood Nurseries, Lapworth*) The objection site is situated on the edge of the village of Lapworth/Kingswood. It comprises a former builder's yard which was granted planning permission for use as a retail nursery in 1984 or thereabouts. That nursery use ceased in 1996 although a landscape contractor's business still operates from the land. The site extends to approximately 0.68ha and is broadly rectangular in shape with a relatively narrow frontage to Old Warwick Road (B4439). Kingswood Brook forms the north-western boundary beyond which is a pair of semi-detached dwellings. On the opposite side of Old Warwick Road is a row of 5 terraced houses. Kingswood Farm lies to the south-east. The site is bounded by open fields and further nursery land. Formerly, there were 2 main buildings on the site approached from Old Warwick Road via a central access track. They comprised a small brick office building close to the road and the owners' house located in the south-east corner of the site.

**10.11.25** In the adopted Local Plan Kingswood is identified as a Limited Infill Village. The defined village boundary includes the north-eastern part of the objection site (approximately 0.2ha) fronting Old Warwick Road, together with Kingswood Farmhouse. In the Revised Deposit Plan the Limited Growth Village boundary was drawn more tightly around the built-up area to reflect the different planning policy framework now in place at national, regional and strategic level. Nine pockets of more open land adjacent to the settlement were excluded from the village envelope, and two small areas of new development added. Land at Kingswood Nurseries and the neighbouring farmhouse was amongst the land taken out of the settlement boundary. However, following a recent appeal decision relating to the erection of 4 terraced cottages, the District Council is recommending that the north-eastern section of the objection site again be included within the village envelope. I support that suggestion which acknowledges that a group of dwellings are in course of construction on the land. I see no reason to also incorporate Kingswood Farm to the south-east which is set apart from the main built-up area of the

settlement. It is of a rather different character compared with development further to the west and on the opposite side of Old Warwick Road. The remainder of the objection site is, and always has been, outside the village confines. I note that in allowing the appeal in 2005 my colleague Inspector based his decision upon the policies of the adopted Local Plan which allow for small groups of dwellings within the boundaries of the Limited Growth Villages. He considered that the appeal site was previously developed land. Evidence from the neighbouring Rowington Parish Needs Survey was accepted and weight was given to the support gleaned from both local residents and the Parish Council. He concluded that this modest and small scale housing development would help address a local need.

**10.11.26** PPG3 indicates that in allocating sites for residential development priority should be given to previously-developed land in urban areas and only sufficient sites allocated to meet the agreed housing requirement. That strategic requirement has already been met in Warwick District and there is no need to identify further sites. Indeed, there is currently an oversupply of housing. While I acknowledge that part of the objection site is previously-developed, the majority has never been built upon. I consider that, despite the objectors' assertions to the contrary, most of the land is greenfield.

**10.11.27** I agree with the District Council that the rear part of the site has an open appearance and a character that relates more to the surrounding countryside than to the built-up area of the village. The only remaining building is the owners' dwelling, tied to horticultural use. The adopted Local Plan was drawn up in the context of a more relaxed planning framework. Unlike the emerging Local Plan, it does not restrict housing development to local needs only nor to previously developed land. I believe that if the whole of the objection site was included in the village envelope and developed for housing it would substantially increase the built-up area of the village and project outwards into the Green Belt. Because the site is capable of accommodating about 20 dwellings (at 30dph), it could not be described as infilling. Development on such a scale would, in my view, have a significant adverse impact upon the openness of the Green Belt and on the character of the village.

**10.11.28** Although no formal sustainability appraisal has been undertaken, the objectors have listed the community facilities and services found in Lapworth/Kingswood. The potential and suitability of the site for a housing allocation has also been assessed against the 5 criteria listed in Paragraph 31 of PPG3. I accept that Lapworth/Kingswood is a reasonably sustainable location possessing a basic level of services. Nonetheless, in allocating sites for development, priority should be given to previously-developed land in urban areas. While there is some support for new market housing in the village, there has been no appraisal or assessment carried out by the community providing specific details of the size and nature of that need. Nor is there evidence of need for other services or facilities such as a public house, shop or village hall. With regard to social housing, under Policy RAP5 affordable housing may be developed exceptionally within or adjacent to existing villages, irrespective of whether the site is in a village envelope. Moreover, potential enhancement of the site is not a compelling argument for its inclusion within the settlement boundary. In these circumstances, I consider it would be wrong to allocate this relatively large site for housing. In reaching this conclusion I am mindful that no comparison has been made of the merits of this site with other potential sites available in Lapworth/Kingswood.

**10.11.29 Issue 6:** (*Former Council Depot, Norton Lindsey*) I am told that planning permission was granted in respect of this site on 3 December 2004 on appeal to the Secretary of State. On the basis that it is now a commitment, the objection has been withdrawn.

**10.11.30 Issue 7:** (*Woodside Farm, Whitnash*) The objection site comprises 10.9ha of agricultural land at Woodside Farm, Whitnash. It is bounded to the west by the B4087 Tachbrook Road and to north by the rear of dwellings in Ashford Road and Landor Road. To the east lies recently planted woodland and sports pitches in the ownership of the District Council that formed part of the open space requirement of the Warwick Gates development. South of the site lies Harbury Lane and Woodside Farm. The site is divided into 3 small/medium size fields. The land is undulating and varying in height by up to 15m. In general, it slopes downwards from east to west and from north to south. The objector would like to see the site removed from the AoR (Policy DAP2) and allocated for residential development.

**10.11.31** The objector does not dispute that the strategic housing requirement for the District to 2011 is likely to be exceeded but argues that in light of the up-to-date position on need and demand this Plan should be looking beyond that time horizon. Since the Barker Report of March 2004 was published there has been a new imperative and step change in the Government's objectives for housing and its ambition to increase provision significantly. Correspondence from the ODPM to local authorities and regional planning boards in December 2005 reinforces the Government's response. The latest household projections for England and Wales envisage a significant increase in the number of households in the West Midlands over the period 2001-2026 compared to assumptions underpinning RPG11. The objector considers it would be wrong to leave matters to the forthcoming LDF process. It is an unsound approach that does not account for the uncertainty of delivering windfall sites and their diminishing supply, the lead-in times for larger housing developments, or possible slippage in the LDF process. The objection site is relatively unconstrained. If it was allocated in this Plan work could start on delivering housing in the next 18-24 months.

**10.11.32** Allocation of the site prior to 2011 is considered to be necessary to address the issue of affordability. This is one of the most serious issues facing the District. The 2006 South Warwickshire Housing Assessment confirms that since 2001 only 370 new affordable homes have been provided. The RSS makes it clear that reliance on relatively small windfall sites makes it difficult to secure affordable housing. Draft PPS3 indicates that windfall allowances should only be taken into account where it is not possible to allocate sufficient land. This signals a general movement away from windfall provision towards specific allocations and a greater degree of certainty. Thomas Bates and Son Ltd believes that the right way to achieve growth is to bring forward significant allocations that include a broad range of sites like Woodside Farm. A Development Principles Plan has been drawn up. This shows that after taking into account the need for landscaping and open space, some 8ha would be available for residential development that could yield 200-400 units. Assuming a 40% requirement for affordable housing, this would achieve 96-160 affordable units. This compares with the Council's District-wide target of just 100 new affordable dwellings each year, and the need in Whitnash of 70 affordable homes per annum.

**10.11.33** It is argued that the site meets sustainability criteria, being within easy walking distance of a wide range of community, education, retail and open space facilities. PPG3 gives priority to the re-use of previously developed land but acknowledges that it may be necessary to meet needs through the release of urban extensions in order to create mixed

communities. This is not the best quality agricultural land. Farming here is beset with problems including threats imposed by surrounding development and trespass/damage to crops.

**10.11.34** On visual matters, there has been much change to the surrounding landscape over recent years. The site is visually contained by the existing town of Whitnash to the north and north-east, by the latest urban extension at Heathcote to the west, by new woodland planting to the south-east, and by Woodside Farm, Grove Plantation and a tree belt along the edge of Harbury Lane to the south. The objector says that as a result there is only a narrow line of sight to the south-west across the junction of the B4087 and Harbury Lane. It is envisaged that the development would be restricted to two and a half storeys, with consideration given to limiting the height and extent of housing on the highest part of the site. This would allow existing buildings and trees/hedges/woodland to screen the site from most wider viewpoints. Frontage development along the B4087 would be set back behind a landscaped area to reflect the soft, green, gateway treatment of the Heathcote estate on the opposite side of the road.

**10.11.35** The objector contends that development here would do little to extend the developed edge of the settlement. The new Heathcote estate has already brought urban development up to Harbury Lane and the recent laying out of playing fields on the other side has effectively isolated the land from the wider countryside. In the objector's view, maintaining a gap between Whitnash and Bishops Tachbrook is best achieved using Harbury Lane as a strong defensible boundary to the town. It is not necessary to designate the land as an AoR but even if that designation is retained, the objection site should be removed.

**10.11.36** Looking first at the housing land supply position, I am content that the Local Plan has made adequate provision for new housing. There is clear evidence of an over-supply in relation to the strategic targets. This culminated in 2005 in the introduction of the District Council's SPD 'Managing Housing Supply' to reduce the future supply of urban windfall housing. The SPD attracted the support of the GOWM, the Regional Assembly and the County Council.

**10.11.37** The objector suggests that allocation of a large housing site would help address the acute shortage of affordable housing in the District. But research indicates that affordability is not a problem unique to Warwick District. It is equally a problem in many other Districts including Stratford upon Avon. The West Midlands Regional Housing Strategy confirms that intra-regional migration from the conurbation, coupled with migration from the South-East has created a high demand, highly unaffordable housing market in the South Housing Market Area. The District Council has chosen to address the problem in accordance with Government guidance by seeking a proportion of affordable housing on private development sites. I do not accept the objector's contention that the lack of a range of sites has inhibited affordable housing provision. The sites that make up the total of completions and commitments needed to meet the strategic requirement include a mix of windfall sites and allocated greenfield urban extension sites. The 2005 Housing Monitoring Report shows that in the period 2001-2005, 53.5% of the total was completed on allocated sites and, in terms of size, 64.6% were on sites of over 24 dwellings. While the trend is towards smaller sites as the impact of PPG3 in favouring previously developed land takes effect, this is a national rather than a local trend. It is one of the reasons for the proposed reduction in national thresholds from a norm of 25 dwellings to 15 dwellings. Because of the acute problem of affordability in the District, Revised Deposit Plan Policy SC9 sets a site size threshold of

just 10 dwellings (or 0.25ha) in the urban areas and 3 dwellings in the rural areas, and increases the amount of affordable housing throughout to a minimum of 40%. Once the Policy is adopted, I feel it is likely to yield more affordable homes.

**10.11.38** I do not believe it would be appropriate for this Plan to allocate greenfield sites simply to deliver more affordable housing. PPG3 sets out a site search sequence starting with the re-use of previously developed land and buildings in urban areas. I agree with the District Council that it would be irresponsible to allow the pressure for affordable housing to override all other planning policies, including PPG3 and the RSS. The planning authority has calculated that to meet affordable housing needs across the District over the next 6 years a total of 4,926 affordable homes would need to be provided. This would necessitate the delivery of an additional 7,389 market homes - massively exceeding the RSS housing requirement. What is called for, in my view, is a more balanced approach. I believe the Revised Deposit Plan, taken as a whole, seeks to achieve this.

**10.11.39** Turning to the situation post-2011, I feel it would be premature to safeguard land for further housing. The housing requirements of the District are uncertain pending completion of the partial review of the RSS. If any releases of greenfield land are needed, this should be done through preparation of an allocations DPD where a comparative assessment of all available sites within or on the edge of the urban area can be made in the context of a full sustainability appraisal and public consultation. The objector has not carried out these exercises. The District Council's Core Strategy DPD, work on which will commence immediately following adoption of this Local Plan, will tie in with completion of the partial review of the RSS. This will allow the up-to-date housing requirements for the District to 2021 to be accommodated.

**10.11.40** In the Omission Sites Consultation, sites on the edge of Whitnash generated the second highest response of any sites in the District. This particular site attracted 325 objections and no representations of support. It confirms widespread public opposition to removal of the AoR designation and to allocation of the land for housing.

**10.11.41** The AoR designation has been carried forward from the adopted Local Plan. It was established to maintain separation between Bishops Tachbrook and Whitnash. When preparing the earlier Plan the District Council successfully argued that any extension of built development to the south of Whitnash, beyond the ridge line that defines the present edge of the town onto the south facing slope, would create a major incursion into the countryside that would be highly visible and intrusive. Since that time a number of physical changes have occurred in the locality. Extensive housing development has taken place at Warwick Gates on the opposite side of Tachbrook Road. Although anticipated through a Local Plan allocation, this has affected the character of the area by bringing development to the west as far south as Harbury Lane. In addition, playing fields, open space and woodland have been laid out to the east of the objection site giving enhanced public access, and overhead electricity lines have been put underground. The objector argues that in light of these changes the objection site should be excluded from the AoR. The request is supported by a Landscape and Visual Impact Assessment and a Development Principles Plan.

**10.11.42** I consider that the AoR still performs essential functions. It helps safeguard the character and setting of Whitnash, prevents urban sprawl and assists in maintaining the integrity and separation of Bishops Tachbrook as an independent settlement. The objection site is an important element of the broader AoR. It occupies an elevated

position with views of it obtaining from certain directions. They include limited views driving northwards along Tachbrook Road from Bishops Tachbrook, from Harbury Lane to the east and long distance views from public locations on the northern edge of Bishops Tachbrook. From each of these positions housing development would be clearly visible for many years while structural landscaping matures. This would intrude into the rural surroundings and noticeably reduce the open gap that remains between Bishops Tachbrook and the urban area.

**10.11.43** I conclude that this land should remain open as part of a more extensive AoR and that it should not be allocated for housing development within the Plan period or be identified for longer term development.

**10.11.44 Issue 8:** (*Land at South West Warwick*) This land is identified as a 'Major Housing Allocation' in the adopted Local Plan. Policy (LW) H2 allocates the site for 1100 dwellings. A development brief prepared jointly by the developers and the District Council was agreed in March 2000 following public consultation. It included amended boundaries for the housing and employment areas to reflect land use changes and to relocate housing away from the noise of the southern corridor adjacent to the A46. Those altered boundaries are indicated on the Proposals Map of the Revised Deposit Plan. The land is shown as 'committed' rather than 'allocated' because planning permission has been granted.

**10.11.45 Issue 9:** (*Fieldgate Lane/Golf Lane, Whitnash*) This issue is addressed elsewhere in my report in response to other related objections (see Chapter 9, Policy DAP2, Issue 8).

**10.11.46 Issue 10:** (*Land at Milverton*) George Wimpey Strategic Land are promoting the allocation of an extensive site at Milverton as a sustainable urban extension to Leamington Spa to come forward for development either in the period to 2011 or the 10 year period from adoption of this Plan. The site extends to about 33ha and is in agricultural use except for 10ha of allotments. It is located on the northern periphery of Leamington Spa with the principal accesses via Fairways and Guys Cliffe Avenue. The land is bounded by the Leamington Spa/Coventry railway line to the west, existing development to the south and east, and field boundaries to the north. PPG3 recognises that, after land within urban areas, the urban extension is the next most sustainable development option. Within the locality, there is ready access to a range of facilities including schools, shops and some employment opportunities that are within easy walking and cycling distance of the site and there is a local bus service. Consideration has previously been given to provision of a railway station at Milverton. There are no environmental constraints and no insurmountable infrastructure problems that would preclude development. The site is of such a scale that it could accommodate a range of housing types to create a balanced community, including a contribution towards affordable housing provision. A mix of uses embracing some low key employment opportunities and open space/recreation uses (including relocation of the allotments) could be incorporated. It is argued that if a greenfield site is required to ensure that the District's housing needs are met, the sustainability credentials of this site outweigh its Green Belt designation. Development here would not prejudice the purposes of the Green Belt. It would be well related to the existing urban area and contained by the existing topography. There would be no material impact on the gap between Leamington Spa and Kenilworth.

**10.11.47** Looking first at the Green Belt aspect, PPG2 advises that once the general extent of a Green Belt has been approved it should be altered only in exceptional circumstances. No

such circumstances have been put forward by the objector. PPG2 makes it clear that Structure Plans should establish the general extent of Green Belts while the role of Local Plans is to define detailed boundaries. Both the Warwickshire Structure Plan and the RSS have confirmed the Green Belt status of this land. I concur with the District Council that removing 33ha from the Green Belt would be a strategic change that should properly be considered through a review of the RSS. In my view, the land in question serves a number of Green Belt purposes. It checks the unrestricted sprawl of Leamington Spa, prevents Kenilworth and Leamington Spa from merging, assists in safeguarding the countryside from encroachment, and assists in urban regeneration by encouraging the recycling of previously-developed urban land. Moreover, it plays a positive role in fulfilling Green Belt objectives. It provides opportunities for public access to the open countryside, retains attractive landscapes near to where people live, and retains land in agricultural and allotment gardens use. I conclude that there is no case for removing this land from the Green Belt.

**10.11.48** Turning to the question of whether the land should be allocated for housing, I have already concluded elsewhere in my report that adequate provision has been made in the Plan for new homes. In fact, there is evidence of an oversupply of new housing in relation to strategic targets set out in the RSS. The District Council has responded to this by producing in 2005 a Supplementary Planning Document: 'Managing Housing Supply' to reduce the future supply of urban windfall housing sites. That action has been supported by GOWM, the Regional Assembly and the County Council. In commenting on the Omission Sites Consultation, I note that the Regional Assembly has given a clear indication that any proposed greenfield site is likely to raise issues of conformity with the RSS.

**10.11.49** As regards the need to safeguard land for housing development beyond 2011, the requirements for the District remain uncertain pending completion of the partial review of the RSS. The District Council anticipates that future needs can be met largely through urban windfalls. But if greenfield land releases are required, this should be done through a comparative assessment of all available sites in the context of a sustainability appraisal and public consultation. Such work has not been undertaken in this case. I note that much of the site is in fact classified as 'best and most versatile' agricultural land. The District Council is committed to commencing preparation of a Core Strategy DPD in 2007. That will tie in with partial review of the RSS and accommodate up-to-date housing requirements for the District to 2021. If necessary, an Allocations DPD would then be prepared. In these circumstances I believe it would be premature to safeguard this land for further housing in this Local Plan.

**10.11.50** The site was included in the Omission Sites Consultation. It generated 122 representations, all of which were objections. This confirms my view that it would be inappropriate to remove this land from the Green Belt and allocate/safeguard it for housing development in this Local Plan.

**10.11.51 Issue 11:** (*Woodcote Lane, Leek Wootton*) Warwickshire Police Authority has suggested 2 adjacent sites with frontages to Woodcote Lane on the north-western boundary of Leek Wootton for a mixed tenure housing development. Market housing would be provided to cross-subsidise affordable and key worker units. The sites are within the Green Belt immediately to the east of the Warwickshire Police HQ at 'Woodcote'. This is a Grade II listed building set in parkland that is designated in the Revised Deposit Plan as a Major Developed Site in the Green Belt. Both objection sites

are currently in agricultural use. Site 1 has an area of 0.55ha and Site 2 of 0.35ha. The south-eastern corner of Site 2 abuts the Leek Wootton Conservation Area.

**10.11.52** Looking first at the need for additional market housing, I am satisfied that the District Council has made adequate provision in this Plan for new homes. In fact, there is evidence of an oversupply in relation to the strategic targets set out in the RSS. The District Council is addressing this through a Supplementary Planning Document adopted in 2005 ('Managing Housing Supply'). That SPD, supported by GOWM, the Regional Assembly and the County Council, seeks to reduce the future supply of urban windfall housing sites. Consequently, I see no need to release further housing sites for development in this Plan period.

**10.11.53** Because Sites 1 and 2 are situated in a rural area, Policy RAP2 applies. This restricts new housing to Limited Growth Villages (identified on the basis of their sustainability in terms of services and facilities) where a local need has been demonstrated. Leek Wootton is not identified as a Limited Growth Village. Affordable housing is subject to Policy RAP5 and again requires a local need to be shown. However, no study has been undertaken in this case to demonstrate local need for either affordable or market housing.

**10.11.54** The sites in question are greenfield. Any land releases required should only be made in the context of an analysis comparing the merits of these sites with all other potential sites. I note that no such analysis has been undertaken. Moreover, no sustainability appraisal has been carried out. The sites were subject of the Omission Sites Consultation. Five representations were received by the District Council, all objecting to the proposals. They included objections from the CPRE (Warwickshire Branch), Leek Wootton and Gys Cliffe Parish Council, and the Warwick Society.

**10.11.55** The objection sites fall within the Green Belt where there is a general presumption against inappropriate development unless very special circumstances can be shown. No such circumstances exist here. The land lies beyond the built-up confines of the village on the edge of the parkland associated with 'Woodcote' and on the margins of the Leek Wootton Conservation Area. Those parklands are noted in the Plan as 'locally important'. I consider that housing development in this location could have a detrimental impact on the setting of either or both of these historic features and would be likely to adversely affect the character of the village.

**10.11.56** I conclude that there is no need to allocate these greenfield sites for housing. Development in the Green Belt outside any Limited Growth Village would, in my view, be unnecessary and inappropriate.

**10.11.57 Issue 12:** (*Land at Campion Hills, Leamington Spa*) The objection site comprises 8.6ha of open pasture that is divided by low hedges into a number of fields. It includes Top Cottage. The land is bordered by the Lillington housing estate along the north-western boundary, by open farmland to the east and south-east, and by a covered reservoir to the south-west. The site is accessed via Black Lane with a potential access to the land from Buckley Road. Forming part of the Campion Hills it is one of the highest points within the urban area of Leamington Spa. The land falls away gently to the east and south with long range views towards Offchurch and Hunningham. The objector would like to see the site allocated for housing. This would necessitate its release from the Green Belt. The objector points out that it has good services and infrastructure and that when the adjoining area was laid out an access point was left in anticipation of future development.

**10.11.58** This site has been in the Green Belt since its inception in the 1970s. PPG2 requires exceptional circumstances to be shown for altering Green Belt boundaries. No such circumstances have been put forward in this instance. I am satisfied that the site meets several of the purposes of including land in the Green Belt identified in Paragraph 1.5 of PPG2. It serves to check the unrestricted sprawl of Leamington Spa, assists in safeguarding the countryside from encroachment, and assists in urban regeneration by encouraging the recycling of derelict and other urban land. Also, because of its elevation and location on Campion Hills, it contributes to the broader setting of Leamington Spa. I agree with the District Council that development here would extend what is already a prominent area of development on the highest land within Leamington Spa still further to the east over the brow of Campion Hill. Such intrusive development would be highly visible over long distances. The site also fulfils three Green Belt objectives. It provides opportunities for access to the open countryside for the urban population, retains attractive landscapes near to where people live, and retains land in agricultural use. I conclude that it would not be appropriate to remove the land from the Green Belt. This would, in any event, be a strategic change that ought, in my view, to be carried out through a review of the RSS rather than be treated as a detailed amendment of the Green Belt boundary.

**10.11.59** I am content that adequate provision has been made for new homes through this Local Plan. There is no need for the release of any further land for new housing. On the contrary, there is evidence of an oversupply of new housing in relation to strategic targets set out in the RSS which has led the District Council to produce a Supplementary Planning Document: 'Managing Housing Supply'. That document has the support of GOWM, the Regional Assembly, and the County Council. As regards the position post-2011, I consider it would be premature to safeguard land for further housing given the uncertainty over future housing requirements pending completion of the partial review of the RSS. The District Council will start preparing a Core Strategy DPD in 2007. That DPD and, if necessary, a Housing Allocations DPD, will be able to tie in with completion of the partial review of the RSS and accommodate up-to-date housing requirements for the District to 2021. In this regard, I note that no comparative analysis of the objection site in relation to other potential greenfield sites has been undertaken, nor has a sustainability appraisal been carried out.

**10.11.60** This site was included in the Omission Sites Consultation. 122 objections were received from local residents and the Town Council. Again, this serves to reinforce my judgement. I conclude that this land should not be removed from the Green Belt nor should it be allocated or safeguarded for housing development through this Local Plan.

**10.11.61 Issue 13:** (*Sydenham Industrial Estate*) This industrial estate, triangular in shape, is surrounded by residential areas. It is accessed from Sydenham Drive to the east and through the residential area of St Marys Road to the north. The Leamington Spa Conservation Area and the Grand Union Canal abut the northern boundary while the western boundary is the railway line. This is a long established employment area pre-dating the current Use Classes Order. Historically, a range of B1, B2 and B8 uses have been permitted, some without planning conditions, and many have since changed their use. The result is, I am told, a wide range of employment activities operating legitimately within planning law but largely uncontrolled in terms of their use and operations.

**10.11.62** Objectors are local residents. They would like to see uses on this estate restricted to B1 (Business) only and the area recognised as a mixed industrial/residential locality. Current

activities on the estate, some of which fall within Use Classes B2 (General industrial) and B8 (Storage or distribution) are causing problems through noise nuisance, smell, traffic generation and light pollution. Those difficulties are exacerbated by unneighbourly hours of operation. The District Council acknowledges the sensitive relationship that exists between residential properties and the industrial estate, particularly those adjacent to the canal and on Clapham Terrace/Clapham Street. It assures me that it examines very carefully all applications for development that might impact on residential amenity - both changes of use requiring planning permission and extensions/alterations. Such proposals are assessed against relevant policies in the Local Plan, the general need to protect employment provision, and the results of consultations with statutory bodies and adjoining occupiers. However, the planning authority cannot reasonably control many of the existing operations on the estate. I accept that attempts to revoke earlier planning permissions and impose new conditions would result in punitive claims for compensation. In such circumstances the District Council has little alternative but to rely on its powers and responsibilities under environmental health legislation to protect the community against nuisance from industrial plant and processes.

**10.11.63** I conclude on this issue that the District Council is unable, for practical reasons, to impose restrictions on occupants of existing units on this industrial estate in order to limit activities solely to those within Use Class B1. Furthermore, given the concentration of employment activities here I see no reason to identify Sydenham Industrial Estate as a mixed industrial/residential area.

**10.11.64 Issue 14:** (*Rowley Road/A45*) The objection made by Coventry City Council as landowner relates to approximately 25ha in the Green Belt on the edge of Warwick District abutting the administrative boundary with Coventry City Council. Allowing for strategic planting strips and zones, around 20ha would be potentially available for development in either a single block or two development blocks arranged on either side of the slight ridge running north-south through the middle of the site. The land is flanked by the A45 Stonebridge Highway to the north, Stonebridge Trading Estate to the east, The Lunt Roman Fort (a scheduled ancient monument) to the south-west with Baginton village beyond, and Coventry Airport, Air Museum and a landfill site to the south. It is presently used for grazing livestock.

**10.11.65** The City Council argues that this site should be taken out of the Green Belt and allocated for employment development in the Local Plan. It is considered that in the context of the Warwickshire Green Belt as a whole, such development would not result in additional urban sprawl, coalescence of settlements or significant encroachment into the countryside. It would be a logical addition to the City Council's portfolio of employment land with ready access to the strategic highway network and Coventry Airport. There is evidence of a likely shortage of employment land supply after 2011 and this site could help meet that need, supporting the City's long-term competitiveness. The site would be a logical extension to the Coventry Major Urban Area (MUA). Not all industrial needs can be accommodated within the MUA, requiring some peripheral development. It is considered that development here would offer an opportunity to respond to the urban renaissance challenge through linkages to both the Coventry and Nuneaton Urban Regeneration Zone and the Coventry, Solihull and Warwickshire Hi-Technology Corridor serving the south of the City and its hinterland. The site is of sub-regional quality. Employment development in this location to meet the needs of Coventry would be more sustainable in terms of distance travelled by private car than development beyond the Green Belt. Finally, the site can be made accessible by public transport to link it to the Regeneration Zone in particular.

**10.11.66** Examining first the need for employment land in Warwick District to 2011, Structure Plan Policy I.2 requires provision to be made in the Local Plan for 132ha of industrial land (22ha through small industrial sites and 110ha through large industrial sites). The Employment Core Topic Paper<sup>16</sup> shows progress towards meeting this target, updating the position in Appendix 1 of the Revised Deposit Plan. The District Council has subsequently accepted that there is doubt as to whether certain allocated sites will come forward for development in the Plan period. If Site G is deleted as an allocation and Sites B and F are excluded from the calculation, then the provision is reduced. However, a number of windfall sites have come forward since 2003, at an average rate of 3.17 ha per annum. Taking into account the recent decision on a call-in inquiry into mixed use development at Oldhams, Barford, the District Council has shown that the total supply stands at 131.91ha. If the trend of windfalls continues there would be an excess of employment land supply against strategic targets. I agree with the planning authority that given the need for some flexibility such an oversupply would not be problematical. In my view, it has been satisfactorily demonstrated that sufficient employment land has been allocated to meet needs to 2011. I see no need to allocate further sites.

**10.11.67** Looking further ahead, I concur with the District Council that it would be premature to safeguard land in this Local Plan for additional employment development beyond 2011. At the present time the District's employment requirements are being met by existing permissions, allocations and take-up of sites. Current indications are that employment land needed beyond 2011 can be found largely through the release of urban brownfield sites. Future employment requirements are uncertain pending completion of the sub-regional employment land review and the partial review of the RSS. I agree that if greenfield site releases are necessary, this should be done through an Allocations DPD where a comparative assessment of all development opportunities can be made in the context of a sustainability appraisal and following public consultation. In this regard, the District Council is committed to begin preparation of a Core Strategy DPD in 2007. This DPD will tie in with completion of the partial review of the RSS and be able to accommodate up-to-date employment requirements for the District to 2021.

**10.11.68** Turning to the need for additional employment land in Coventry, the Coventry Development Plan (1996-2011) adopted in 2001 cites a requirement for 208ha of employment land during the Plan period. Paragraph 5.36 of the Plan indicates that the sub-regional view is that both Coventry and Warwickshire expect the demand for employment land in Coventry to diminish. There is no reference in the Structure Plan to the Warwickshire Districts being required to meet the needs of Coventry over and above the targets established in Policy I.1. The City Council's April 2005 Annual Monitoring Report shows provision for 210.8ha of employment land. It appears therefore that Coventry does not need to allocate additional employment land at the present time.

**10.11.69** Again, looking beyond 2011 there is no way of knowing how much additional employment land will be required in Coventry until the partial review of the RSS is completed. Attention has been drawn by the District Council to the availability of the Peugeot Plant at Ryton. This 84.8ha site lies just beyond the Coventry boundary in Rugby District but has drawn many employees from the area. Given its large size, history of employment use and previously-developed nature, it would be much more suitable for redevelopment for sub-regional employment purposes when compared with the objection site. In my opinion, it would be premature to consider allocating the Green

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<sup>16</sup> CD21

Belt site at Rowley Road for allocation at this time or for safeguarding it for development in the post-Plan period.

**10.11.70** In terms of the objection site's suitability for employment use, I believe it fulfils a number of Green Belt purposes. It safeguards the countryside surrounding Coventry from encroachment, prevents the unrestricted sprawl of the City, helps maintain separation between Coventry and the outlying village of Baginton, and encourages the re-use of previously-developed urban land. The site is a sensitive one that is under pressure from its close proximity to employment uses, the highway network and Coventry Airport. I note that the Green Belt boundary does not end at the A45 but extends beyond this highway to the north to include a Local Nature Reserve. The Stonebridge Highway is not therefore the logical Green Belt boundary alluded to by the objector. No exceptional circumstances have been demonstrated for excluding this site from the Green Belt, the functioning of which would, I believe, be severely compromised by such development.

**10.11.71** Moreover, the site lies immediately adjacent to the scheduled ancient monument (SAM) of The Lunt Roman Fort. Development in this location close to the SAM would close off open views out of the site and would be likely to harm its setting. The site is within the Aerodrome Safeguarding area of Coventry Airport. Any development here would need to meet Civil Aviation Authority criteria. There are concerns regarding traffic problems at the Tollbar Roundabout and approaches, with severe congestion experienced at peak periods. Development of this site would exacerbate those difficulties. There is a bus service (21W) running from Coventry to the Middlemarch Industrial Estate, but other services only go as far as Tollbar End. The hourly bus service to the Airport is, in the District Council's view, unlikely to serve those employed on this site with the result that the emphasis would be on the private car, contrary to policy objectives. I note that the Omission Sites Consultation generated 24 representations, 23 of which were objections and only 1 of support (from Coventry City Council). All of the above matters reinforce my view that this large site is unsuitable for employment development either now or in the foreseeable future.

**10.11.72 Issue 15:** (*Montague Road, Warwick*) Warwickshire County Council is seeking to promote a mixed use development on a site comprising the County Council Depot and Ridgeway Special School. Part of that site consists of previously-developed land. A planning application for such development was refused in 2003 due to the loss of school playing fields and the use of greenfield land. In light of the conclusions I have reached elsewhere in my report in response to other objections, I consider that no further land is required to be allocated for housing or employment use during the currency of this Local Plan. Sufficient land has been allocated or is already committed to satisfy strategic requirements. Indeed, there is evidence of an oversupply of new housing in relation to strategic targets set out in the RSS. This has led the District Council to introduce SPD 'Managing Housing Supply' in 2005 in order to reduce the future supply of urban windfall housing sites. Moreover, I see no need to safeguard land for further housing and employment provision beyond 2011. In these circumstances, I find that there is no imperative to allocate this site for mixed use development. In any event, I note that this site has not been subject of an analysis comparing its merits with those of alternative sites nor has a sustainability appraisal been undertaken.

**10.11.73 Issue 16:** (*Dalehouse Lane/Common Lane, Kenilworth*) This site of 0.8ha lies at the corner of Dalehouse Lane and Common Lane, Kenilworth. The premises were formerly occupied by Arden Pallets as a B2 employment use but are now vacant and falling into

disrepair. They form part of the more extensive Common Lane Industrial Estate which is one of only 3 industrial concentrations in the town. There are 2 objections before me.

**10.11.74** The first is from the site owners who are seeking a broader range of permitted uses. They would like the site allocated for mixed use development to include a rest home/sheltered accommodation, and/or live and work premises, and/or mixed residential and office uses - with the residential element helping to cross-fund the cost of ground decontamination. Policy SC2 of the Revised Deposit Plan seeks to protect existing employment land and buildings. I agree with the District Council that it is particularly important in the Kenilworth context. Unlike much of Warwick District which has maintained a good balance between homes and job opportunities, Kenilworth has become primarily a residential community with most of its population commuting out of town for work. Industrial floorspace in Kenilworth totals only 9.1ha. This equates to just 4 sq m per resident compared with an average of 30 sq m per resident for Warwick/Leamington Spa/Whitnash. While the Arden Pallets building is unattractive and flanked on 2 sides by residential uses, the site occupies one corner of an established employment area with a long history of employment use. I consider it essential to retain that employment activity. In my opinion, a B1 office use would be the ideal end user. A planning application for residential development was submitted in 2005. That application remains to be determined, awaiting a report from the applicants on the viability of redeveloping the site for employment purposes in accordance with Policy (DW) EMP5 of the adopted Local Plan. The District Council's independent advisor considers, though, that a scheme for an office courtyard development would be an attractive proposition in principle. Given this situation, I consider that the protection afforded by Policy SC2 should remain in place and that an alternative policy framework allowing a broader range of uses would not be appropriate.

**10.11.75** The second objection is from the Kenilworth Society who are keen to see the site return to a productive use and remain available thereafter for employment purposes. The Society argues that Kenilworth needs an employment allocation to replace that made at Pipers Lane, Kenilworth under Policy SSP1(H) of the First Deposit Plan. The Pipers Lane site was subject of a successful planning appeal and has now been redeveloped for housing. Consequently, there are no longer any employment allocations made in Kenilworth in the Revised Deposit Plan. While I see no reason to allocate the Arden Pallets site for employment purposes, I believe it is important to support employment activities in the town through Policy SC2. That Policy protects existing and committed employment land and buildings but allows other uses to be explored if the site is no longer suitable or viable for an employment use. In my opinion, that is the correct approach for addressing the future use of this site. The objection by the Kenilworth Society has been conditionally withdrawn.

**10.11.76 Issue 17:** (*Queensway, Leamington Spa*) This matter has been considered elsewhere in my report when addressing other related objections (see Chapter 10, Policy SSP1, Issue 2).

**10.11.77 Issue 18:** (*Lower Heathcote Farm, Leamington Spa*) The objection by Gallagher Estates Ltd proposes that a tract of land at Lower Heathcote Farm be identified as an area of search post-2011 for mixed-use development in order to meet medium and long term development needs. The land in question lies south of Harbury Lane and east of Europa Way. It extends as far as Grove Farm to the south-east, and follows the line of the Tach Brook to the south. The site has an area of approximately 125ha, of which a maximum of

two thirds is developable. The land is largely greenfield but contains the previously developed former Heathcote Sewage Treatment Works and a caravan park.

**10.11.78** The objection is made on the basis that the evidence presented by Gallagher Estates Ltd to the Managing Housing Supply RTS is accepted - namely that (i) 2021 (or at least 2016) is the appropriate time horizon for identifying sources of housing land, and that (ii) the RSS housing requirement for the District 2001-2011 is met by completions since 2001 and current commitments, but (a) there is a shortfall in relation to the housing requirement to 2021; (b) the partial review of the RSS in 2007 is likely to substantially increase the housing requirement in the West Midlands Region in order to reflect the Government's desire to see a significant improvement in housing provision; and (c) this Local Plan should identify broad areas of land for growth after 2011, as recommended by draft PPS3. It is envisaged that this urban extension would be housing-led and likely to incorporate a range of house types (including affordable housing), primary school, small local centre, small-scale employment uses (mainly offices), formal and informal open spaces for recreation, and a bus-based park and ride facility.

**10.11.79** The Government's response to the Kate Barker Review of Housing Supply calls for a step change in housing supply. New homes should be delivered in inclusive, mixed communities that are supported by health, education and transport infrastructure, well connected to economic development, and with access to leisure and recreational facilities. Paragraph 67 of PPG3 confirms that, after urban areas, planned extensions to existing urban areas are likely to prove the next most sustainable option. All of this requires a lengthy planning period, as evidenced by the South West Warwick and Warwick Gates mixed use allocations identified in the adopted Local Plan of 1995 which have still not yet been completed. The objector contends that now is the time for the emerging Local Plan to identify the most sustainable urban extension to meet medium and long term needs after 2011. Advice on site allocations to meet the short term 5 year requirement is set out in Paragraphs 13-16 of draft PPS3. For the following 10 years, Para 12d calls for 'broad areas' of land for future growth to be identified in the core strategy. Gallagher Estates Ltd believe that Lower Heathcote Farm is the most sustainable broad location for future growth.

**10.11.80** The objector's consultants have developed a sustainability evaluation matrix (SEM) to identify the most sustainable locations for housing-led mixed use developments and urban extensions. It is based on assessment of the main factors that underpin the principles of sustainable development. First, 11 key policy objectives are distilled from Government documents; then 17 factors are identified on which the core objectives are dependent; and then 42 measures are extracted clustered under each of the factors. Applying the SEM to the objection site and to other omission sites outside the Green Belt where objectors are seeking housing or mixed use development, Gallagher Estates Ltd claim that Lower Heathcote Farm achieves the highest overall weighted score by far, at 83 out of a possible 100 compared with other omission sites that have scores in the range 53-66. That work is supported by a landscape appraisal summarising the landscape constraints in Warwick and Leamington Spa. It identifies the key features that contribute to the character, distinctiveness and separation of Warwick, Leamington Spa, local villages and the wider countryside. The most coherent unconstrained area is found to be at Lower Heathcote Farm where the integrity of the Green Belt would be maintained as well as landscapes that define the setting to the local settlements. This site would, it is argued, be contained by topography within the wider landscape, would maintain separation of settlements, and would be well related to the existing urban edge of Leamington Spa.

**10.11.81** In summary, the objector is seeking a new site specific policy and Inset Map notation in respect of Lower Heathcote Farm. It should state that the Plan's rural area policies will apply in the period to 2011 but thereafter the site is identified as an area of search for housing-led mixed use development. The Policy should indicate that the area will be developed in accordance with principles set out in a forthcoming area action plan or SPD. Moreover, the explanatory text should include the objector's likely mix of land uses and should state that this area represents the most sustainable urban extension for meeting needs identified in the RSS from 2011 onwards.

**10.11.82** Tables 4.4 and 4.5 of the Housing Core Topic Paper set out the RSS housing requirements for the periods 2001-2016 and 2001-2021, showing how they can be met through urban windfall sites. I believe it would be premature to safeguard land for further housing beyond 2011 or to indicate broad areas for future growth in those circumstances. Without trespassing too much on the RTS discussions, this is because the housing requirements for the District remain uncertain pending completion of the partial review of the RSS. It would, I feel, be inappropriate to anticipate the outcome of that review. The District Council is confident that additional housing needed beyond 2011 can be largely found through the release of urban brownfield sites. Development of mainly greenfield land at Lower Heathcote Farm would be contrary to the RSS policy of prioritising previously-developed land. I note that the WMRA, responding to the Omission Sites Consultation, considered that those greenfield sites put forward appeared to be inconsistent with the RSS. In any event, if there is a need to take greenfield land such sites are unlikely to be required until several years after 2011. In that event, I agree with the planning authority that such releases should be done through an Allocations DPD. In that way a comparative analysis can be made of all greenfield opportunities on the fringe of the urban areas in the context of a full sustainability appraisal and following public consultation.

**10.11.83** I consider it would be inappropriate to make a last minute revision to the Plan of this magnitude to reflect draft PPS3, which calls for broad areas of land for future growth to be identified, and the Government's response to the Barker Review of Housing Supply. Those documents were published in December 2005 after both deposit periods. The District Council's Local Development Scheme commits the authority to begin preparation of a Core Strategy DPD in 2007, once the Local Plan is adopted. That DPD will be able to take account of the completion of the partial review of the RSS and will accommodate up-to-date housing requirements for the District to 2021.

**10.11.84** Turning to the objector's sustainability appraisal of the area, this is a fairly brief analysis which does not reflect all of the District Council's objectives. For instance, it does not address the need to protect/enhance biodiversity or to protect the best and most versatile agricultural land. I consider that this work should not be allowed to short-circuit the local consultation and scrutiny by the planning authority that would occur through a DPD. While the objector asserts that Lower Heathcote Farm scores better than any other omission site, no evidence has been provided to the inquiry to verify this. The sustainability appraisal needed to underpin this exercise should be properly scoped and subject to public consultation, as required by the Planning and Compulsory Purchase Act 2004.

**10.11.85** I am told that this site only featured in the Omission Sites Consultation as a potential park and ride facility. The District Council is aware, though, of local opinion expressed through those objectors seeking to have the land designated as Green Belt or as an Area

of Restraint. Six respondents, including the CPRE (Warwickshire Branch), supported the Green Belt suggestion in order to safeguard the countryside from encroachment, and a further 15 individuals and organisations, including Whitnash Town Council, and Bishops Tachbrook Parish Council, requested that it be designated as an AoR to restrict urban sprawl and preserve the separation and identity of Bishops Tachbrook.

**10.11.86** The District Council accepts many of the observations made in the objector's landscape evidence. It would, however, wish to undertake a more comprehensive exercise considering opportunities and constraints presented by natural landscape features throughout the District if greenfield allocations are required in the future. The objector asks what harm would result from identification of this site as an area of search. I agree with the District Council that it would represent an assault on proper procedures, committing the planning authority to this direction of growth without full consideration of all options.

**10.11.87** I conclude that land at Heathcote Farm should not be identified as an area of search post-2011 for housing-led mixed use development in the medium and longer terms.

**10.11.88 Issue 19:** (*Land south-west of Radford Semele*) This issue is addressed elsewhere in my report in response to a related objection (see Chapter 14, Proposals Map Part 2, Issue 13).

**10.11.89 Issue 20:** (*Stratford Road, Warwick*) The objection site has an area of approximately 4ha. It is bounded by the A429 Stratford Road to the west, residential properties in Lodge Crescent to the north, Fisher's Brook to the east (with Warwick Conservation Area and Castle Park beyond), and Longbridge Sewage Works to the south. The land is flat and currently in agricultural use. The entire site lies within the 'cordon sanitaire' of the sewage works. The land is indicated on the Proposals Map as part of the Castle Park AoR and lies within an area where rural area policies apply. The objector points out that the site has good access directly onto Stratford Road which links Warwick town centre with the M40. The location of the site is such that it ought to be considered for residential or employment development or a mix of the two. It is suggested that because of the location of the Severn Trent Sewage Works the northern part of the site would be most suitable for housing (including affordable housing), with the remainder developed for B1, B2 or B8 purposes. In employment terms it would give a greater choice of sites and sizes and provide flexibility in the event that other allocated employment sites do not come forward as anticipated. As regards housing, a mixed use allocation would help to redress the undue weight placed by the District Council on windfalls and provide greater certainty. The site lies closer to the town centre than the 'Tournament Fields' scheme currently under construction for residential and employment purposes. In the objector's view the site is not open, being screened from Stratford Road by a mature hedge and tree line. It is argued that the land should be excluded from the AoR designation, the boundary of which should be re-drawn to follow Fisher's Brook and the Conservation Area., and should be recognised as an area where urban rather than rural policies apply.

**10.11.90** Looking first at the practicality of mixed use development, it is clear that this site is subject to a number of physical constraints. They include the watercourse bounding the site on 2 sides and the private access road crossing the land linking Leafield Farm and several cottages with the A429. The watercourse and associated berm required by the Environment Agency effectively reduce the overall area of the site and preclude residential development on the northern section. The proximity of the site to the sewage

works would also prevent residential development in the 'cordon sanitaire'. Together, these constraints substantially reduce the prospects for housing development on the land.

**10.11.91** As regards the need for new homes, I am content that adequate provision is made in the Plan without the need for specific housing allocations. There is, in fact, evidence of an oversupply of housing in relation to strategic targets set out in the RSS. That oversupply has been addressed through a Supplementary Planning Document: 'Managing Housing Supply' which has been supported by the GOWM, the Regional Assembly and the County Council. I consider that there is no requirement to release further land for housing.

**10.11.92** Likewise, I am satisfied that sufficient land has been allocated in the Plan for employment development. A number of windfall sites on brownfield land have come forward in recent years. The District Council is confident that this situation will continue into the future. I agree with the planning authority that in light of the current availability of employment land in more sustainable locations this site should not be considered for allocation at this time.

**10.11.93** While the objector has not made a case for meeting needs beyond 2011, I believe that this would need to be informed by the partial review of the RSS that is presently underway. That review is, I am told, in turn being informed by a sub-regional employment land review for the Coventry, Solihull and Warwickshire sub-region. Until such time as that work is complete any releases of greenfield land for future development would be contrary to the existing RSS.

**10.11.94** Turning to the AoR designation, I note that this site was similarly identified in the adopted Local Plan. I agree with the planning authority that the land forms a natural boundary to the urban area, providing an open space adjacent to the town and forming part of the setting of Warwick. Those characteristics were acknowledged by my colleague Inspector who held the inquiry into objections to the adopted Local Plan. He was aware of proposals adjacent to this site at South West Warwick and concluded: [with regard to South West Warwick] "at least building will be set back from Stratford Road and with substantial landscaping, and taken with the open land to the east of Stratford Road, it may be possible to retain something of the rural approach to the town. To build up the eastern side of the road, where there is little room to retain a worth-while green corridor, would be more substantially damaging to the approach and to the impression of open land tightly enclosing the town. There is a difference in character between land along Stratford Road and that within the Park to the east but the land is not urban, nor at present related in any strong way to the town. Its relationship is very much with the Park.....it is in my mind appropriately included in the Area of Restraint." I take a similar view. I believe that built development here would contribute to urban sprawl and be likely to have a significant adverse visual impact on Castle Park to the east which forms part of the larger Warwick Conservation Area.

**10.11.95** The site is greenfield land in agricultural use and open in character. To my mind it has more in common with the rural environment than the town. I see no reason why it should be subject to urban rather than rural area policies, particularly if the AoR designation is maintained. This site was subject of the Omission Sites Consultation. I note that 9 representations were received by the District Council, none in support. They include objections from the Warwick Society, CPRE (Warwickshire Branch) and 2 individuals.

**10.11.96** I conclude that this site is properly included within the Castle Park AoR designation. It should not be allocated for mixed use development, nor should urban area policies be applied to it.

**10.11.97 Issue 21:** (*Queens Square, Warwick*) I am satisfied that Policy SC7a provides an adequate framework for protection of community facilities at Queens Square, Warwick and elsewhere in the District. Redevelopment or change of use will only be allowed where it can be shown that there are other similar facilities accessible to the local community - and either the facility is redundant and no other user is willing to acquire and manage it, or there is an assessment demonstrating a lack of need. I see no requirement for a separate, specific policy to safeguard land for community/leisure uses in this location.

**10.11.98 Issue 22:** (*Oaklands Farm, Birmingham Road, Budbrooke*) The objection site lies to the west of Warwick and close to Hatton Park in open countryside designated as Green Belt. It comprises a triangular parcel of land bounded by the A4177 Birmingham Road to the north and the Grand Union Canal to the south. The north-western section contains a group of single-storey buildings including a farm bungalow, kennels and a former barn used for the repair and servicing of caravans, while the south-eastern part is open pasture. The objector is seeking an allocation for recreational development comprising visitor accommodation, pub/restaurant and marina to capitalise on the attractive canal-side location at the foot of the Hatton flight of locks. Although several policies of the Plan are broadly supportive of leisure/recreation development, a site specific policy together with an additional criterion in Policy RAP13 would give a greater degree of certainty to encourage development to take place..

**10.11.99** The objector has put forward a number of arguments in support of the allocation. Firstly, it is pointed out that the site is accessible by non-car modes. It is within easy walking distance of Warwick Parkway Station on the Birmingham to Marylebone line via the canal towpath and there is a regular bus service to Hatton Park from the main urban areas. Warwick, Leamington Spa and Stratford upon Avon are all in proximity. Secondly, the location is well suited to serve the immediate local leisure needs of Hatton Park residents as well as the wider ranging needs of the populations of Warwick and Leamington Spa. Existing buildings and structures on the site would be removed and replaced with a quality development. The suitability of the site for a 36-moorings marina, 40-bed budget hotel, and family pub/restaurant (drawn up jointly by the objector and British Waterways) was examined by the Heart of England Tourist Board in 2001. The conclusions were that the site is well situated in tourism terms and could generate 35 full-time equivalent jobs. Thirdly, development of this site would mitigate the loss of an employment allocation to residential at the nearby King Edward VII Hospital site, improving the sustainability of the new village at Hatton Park. Fourthly, there is an alleged shortage of visitor accommodation in the area with many hotels in Leamington Spa now lost to other uses. Finally, I am told that a pub/restaurant with caravan site featured in the original 1988 proposals for Hatton Park but was never pursued.

**10.11.100** National planning policy guidance in PPG2, PPS7 and PPG17 share a number of common themes. They support outdoor recreation in countryside locations accessible by non-car modes to urban areas, the re-use of brownfield sites, sustainable rural tourism, essential facilities for visitors, and rural diversification. The intention would be, I am told, to keep built development to the northern end of the site, to construct buildings at single storey height with accommodation in the roofspace, and to minimise the visual impact of the scheme on the openness of the Green Belt. Exceptional circumstances

supporting development here are considered to be the current status and appearance of buildings on the site, all of which would be demolished; a new footprint that need not significantly exceed that of the existing buildings; and extensive hard surfaced areas that would be removed.

**10.11.101** A fundamental objective underpinning national planning policy guidance and policies in the RSS, Structure Plan and Local Plan is a concern to protect the openness of rural sites, particularly those in the Green Belt. I do not regard the proposals put to me as essential facilities for outdoor recreation. PPG2 gives the examples of small changing rooms, unobtrusive spectator accommodation and small stables. The hotel and pub/restaurant uses clearly fall outside that category and no evidence has been provided to support the essential need for a marina. I believe the scale of development proposed would fail to maintain the openness of the Green Belt, notwithstanding the objector's assurances to the contrary and his intentions regarding the positioning, scale and format of buildings. Moreover, there is no evidence of exceptional circumstances or that such facilities could not be located elsewhere in the District outside the Green Belt. No comparative analysis has been made of other sites and there has been no sustainability appraisal of the scheme.

**10.11.102** I acknowledge the proximity of Warwick Parkway railway station within 2km of the site and the existence of a bus service along Birmingham Road. Nevertheless, I feel that few visitors would arrive at and leave from the objection site by means other than the private car. Warwick Parkway largely serves the needs of commuters or shoppers to London, Birmingham and Stratford upon Avon and is aimed at those using a car for part of the journey. While bus links from the station pass the objection site, services are limited and a lack of Sunday and evening services severely restricts public transport options for the visitor. For this reason, Policy RAP16 directs new visitor accommodation to urban areas.

**10.11.103** As regards employment benefits, this scheme is not on all fours with the King Edward VII Hospital site. That land was originally earmarked for Class B1 employment development as an acceptable use for a large, vacant, previously developed site. That is not the case at Oaklands Farm which is still in agricultural/rural business use and is partly greenfield. Although Policy RAP7 supports employment development in rural areas in a limited number of circumstances, none apply in respect of the Oaklands Farm proposals. The scheme includes significant development aimed at meeting more than local needs. The land is outside a Limited Growth village and is not designated as a Major Developed Site in the Green Belt. Evidence of the loss of hotel accommodation in Leamington Spa is anecdotal. No documentary or other hard evidence has been placed before me to confirm a shortage of visitor accommodation in the area.

**10.11.104** Turning to the marina aspect of the proposals, the Revised Deposit Plan allows for small scale marinas in the rural area but directs large scale projects with associated buildings, like the objection scheme, to the urban areas. Policy RAP13 permits major outdoor leisure and recreation development in the countryside only where the use cannot operate effectively in an urban location and then only where the development is, or can be made, highly accessible to the urban area by walking, cycling and public transport. I am not satisfied that these criteria are met here. In particular, no evidence has been presented that a marina could not operate successfully from within the urban areas of Warwick or Leamington Spa.

**10.11.105** I acknowledge, as does the District Council, that part of this site can be regarded as previously developed land. Nevertheless, a substantial proportion is greenfield. Although unkempt the site has a distinctly rural appearance. In my opinion, the scale of development envisaged would be out of character with its rural setting and would have a harmful effect on the local landscape.

**10.11.106** To conclude, I believe that the policies of the Revised Deposit Plan provide an adequate framework for considering this proposal either taken as a whole or for assessing its constituent elements on an individual basis. In my view, an allocation is unnecessary and would conflict with national, regional and strategic policies which aim to restrict development in the rural areas to that which supports the needs of local communities. Policy RAP13 establishes criteria that apply throughout the rural area. It does not allocate particular sites for leisure and recreation development. It would not therefore be appropriate to refer to this site within the Policy.

**10.11.107 Issue 23:** (*Land between Charles Street bridge and Coventry Road bridge, Warwick*) Warwick Town Council would like to see an allocation made for a marina in this general area, together with the introduction of a specific policy. The site, bounded by the canal to the south, embraces a number of employment uses, Warwick Ambulance Depot, Warwickshire County Council Depot and Ridgeway Special School. However, no evidence other than anecdotal has been submitted to the inquiry of the need for a new marina. Much of the land in question is an existing employment area forming part of the District's employment land portfolio that is protected under Policy SC2. There is already a policy framework in place for considering such proposals. Paragraph 8.76A of the Plan indicates that large scale marinas with associated buildings are more likely to be appropriate in urban areas. Policies UAP7 and UAP8 direct new tourism development and new visitor accommodation respectively. I believe that this policy basis is adequate without the need for a more specific policy. Should a scheme come forward, the benefits of the proposal would have to be examined against the requirements of Policies UAP7 and UAP8 and, where relevant, the need to protect employment land. I agree with the District Council that in the absence of any compelling need it would be premature to consider allocating a site for a marina at this stage - particularly since the suitability of the site for a marina does not appear to have been explored by way of a feasibility study and no comparative analysis of alternative sites and sustainability appraisal has been undertaken. I note that the Omission Sites Consultation generated 3 objections to this proposal. Sport England objected to inclusion of playing fields at the Ridgeway School; the Warwick Society supported such an allocation in principle but considered the 'area of search' to be too extensive for an allocation; and the Highways Agency raised concerns over possible effects on the highway network.

**10.11.108 Issue 24:** (*Warwick Castle Park*) Proposals for pedestrian access routes into and through Warwick Castle Park and for safeguarding a footpath along the River Avon past the site are not, in my view, appropriate matters for inclusion in this Local Plan. Such initiatives are better addressed through the Local Transport Plan following liaison between Warwickshire County Council and the land owner. I note, though, that changes made to Policy SC10 in the Revised Deposit Plan make provision for contributions to be sought in appropriate circumstances towards footpaths both within development sites and to create links with the wider network.

**10.11.109 Issue 25:** (*Playing Fields, Harbury Lane*) As discussed elsewhere in my report in relation to other objections, I consider it would be inappropriate to show a new cycle/pedestrian link between Tachbrook Road and the Harbury Lane playing fields until

such time as a route has been defined and there is a commitment to implementing this from Warwickshire County Council. Policy SC4 supports the development of cycle and pedestrian facilities. It provides the framework through which detailed proposals can come forward.

**10.11.110 Issue 26:** (*Park Farm, Banbury Road, Warwick*) The objector considers that Park Farm, Banbury Road, Warwick should be excluded from the area where rural policies apply and should be afforded a greater degree of flexibility through a site specific policy. However, no indication has been given of the intended use of those buildings. Policy RAP8 (Converting Rural Buildings) sets out criteria for the re-use and adaptation of existing rural buildings, while Policies RAP2 (Directing New Housing), RAP7 (Directing New Employment), RAP9 (Farm Diversification), RAP11 (Rural Shops and Services), RAP12 (Farm Shops), RAP13 (Directing New Outdoor Sport and Recreation Development), RAP 15 (Camping and Caravanning Sites) and RAP16 (Directing New Visitor Accommodation) address the various uses to which rural buildings may be put. I consider those policies to be appropriate and adequate. I see no case for removing Park Farm from the area where rural policies apply and no need for a site specific policy. I note that the Omission Sites Consultation resulted in 4 representations, all opposing a site specific policy.

**10.11.111 Issue 27:** (*Warwick Racecourse*) Racecourse Holdings Trust considers that there should be a site specific policy in Chapter 10 of the Local Plan relating to Warwick Racecourse establishing a positive policy framework to support upgrading and development of new facilities at the site. In support of this objection, extracts have been supplied from the Revised Deposit West Lindsey Local Plan and the Inspector's report. West Lindsey is home to the Market Rasen Racecourse. Policy CRT7 of that Plan is site specific. It provides flexibility for future development, facilitating wider uses provided as part of a modern racecourse. The Inspector commented that the planning implications for such a significant and multi-faceted enterprise are many and varied and merit specific treatment. The objector seeks a similar Policy in respect of Warwick Racecourse, with the addition of a hotel to provide both accommodation and a range of business orientated facilities, in order to increase its attractiveness as a sporting and leisure destination. This would, it is argued, provide the racecourse operation with greater certainty in planning future investment decisions. The approach seeks to respond to the increasing competition facing the industry from other leisure sectors and meet the changing needs of the customer base. In addition, the objector seeks an amendment to the boundary of the Area of Restraint to allow for redevelopment/expansion. It is proposed that the AoR boundary should bisect the middle of the racecourse on the south-eastern side closest to the grandstand buildings, and also include land immediately to the south-west of the existing buildings.

**10.11.112** Looking first at the need for a site specific policy, I am content that the policies in the Warwick District Local Plan provide an adequate planning framework against which to assess proposals. So, for example, a business use, hotel accommodation or leisure activity would be assessed against Policies UAP2 (Directing New Employment Development), UAP8 (Directing New Visitor Accommodation) and UAP9 (Directing New Leisure Development) respectively. And as regards other broader considerations, these would be addressed through Policies DP1 (Layout and Design), DP2 (Amenity), DP3 (Natural and Historic Environment and Landscape), DP6 (Access) and DP7 (Traffic Generation). The District Council has a record of supporting development at the racecourse where this has been seen as essential for maintaining and supporting the core business activity. Planning permission has been granted for a variety of schemes in

recent years including a 2-storey restaurant and offices, new workshop and store, new stables and lads' hostel, car parking, and alterations to grandstand. Moreover, I am told that the District Council has implemented a major scheme (the St Mary's Land project) over the last 8 years to protect and improve land in and around the racecourse, much of which is in Council ownership.

**10.11.113** I am not aware of the precise circumstances surrounding the West Lindsey Local Plan. It is difficult therefore to comment on the reasons for a bespoke policy. However, I accept that there are locational differences which might have a bearing. Firstly, I am told that Market Rasen Racecourse lies close to but outside the Lincolnshire Wolds Area of Outstanding Natural Beauty. No protective designation covers that site. In contrast, Warwick Racecourse lies within an AoR and abuts the Green Belt. Secondly, Warwick is a much larger town than Market Rasen with a wider range of retail and food/drink facilities and hotel accommodation. Thirdly, Market Rasen occupies a very rural situation in the heart of the Lincolnshire countryside with the nearest large towns at some distance. Warwick, by contrast, is only 5km from Leamington Spa and 15km from Coventry. Bearing in mind these differences I feel it would be inappropriate and undesirable to transpose a planning policy approach that is appropriate for Market Rasen to the situation prevailing in Warwick.

**10.11.114** Turning to examine the boundary of the AoR, all of the racecourse was covered by that designation in the First Deposit version of the Local Plan. In response to representations, the AoR boundary was altered at Revised Deposit stage to exclude the main racecourse buildings that lie along Hampton Street which form a continuous mass of development, often at 2 or more storeys. Their removal was considered to improve the robustness of the remainder of the AoR. I consider that exclusion of any further parts of the racecourse would prejudice the effectiveness of the AoR and its aim of preserving the open nature of the area. The AoR boundary has been drawn to include all land up to the racecourse track. I am satisfied that this represents a clear, logical and defensible boundary. In my opinion, it allows ample scope for the objector to redevelop buildings and carry out other development as and when the need arises. I do not support the objector's alternative proposal which appears to be based solely on the desire for greater commercial freedom and flexibility. I note that there were 4 responses to the Omission Sites Consultation, all opposing the amended AoR boundary put forward by the objector.

**10.11.115** I conclude that there is no compelling reason to introduce a site specific policy for the racecourse. It would not be in the interests of producing a simplified and slimmed-down version of the Plan when wider criteria-based policies can successfully be applied to any developments that come forward. Nor do I favour further amendment of the AoR boundaries which would serve over time to erode the openness of the area.

**10.11.116 Issue 28:** (*University of Warwick*) This issue has been addressed elsewhere in my report in response to other objections. I note that the University of Warwick now supports designation of Central Campus West as a Major Developed Site in the Green Belt "as an interim policy measure that may afford some comfort to the University in promoting infill development in the short term."

**10.11.117 Issue 29:** As I have indicated before, it would be inappropriate to include specific footpath proposals within this Local Plan until routes have been defined and there is a commitment to providing these from Warwickshire County Council.

## **Recommendations**

**10.11.118 (a) That the Revised Deposit Plan be modified as follows:**

**amend the Village Envelope on the Lapworth/Kingswood Inset to include an additional area of land at Kingswood Nurseries, as shown on the plan at Appendix 2b of the District Council's further written statement (Ref: WDC/FWS/112/AB, 118/AF and 119/AF (Kingswood Nurseries)/1) of July 2006.**

- (b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.**

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**10.12 Objections made by the Leamington Society and Mr R Richmond**

*[The Leamington Society and Mr R Richmond have lodged a substantial number of objections to the Plan covering a broad spectrum. The objections have been grouped under 3 themes - people first (safety, fairness and sustaining communities); design and visual issues; and development opportunities and specific sites. Those objections still outstanding were discussed at an all-day informal hearing session held on 6 July 2006. In my report I have dealt with these individually in the order of the Plan under the relevant Chapter headings. However, a number of more general issues of overarching concern were raised during the morning session which I address below. Because they cover more than one topic area, they are examined at this point in the report - at the end of the main body of the Plan but before considering objections to the Appendices, Glossary and Maps]*

Objections to First Deposit Version

None outstanding

Objections to Revised Deposit Version

*(NB The following objection numbers also appear elsewhere in my report where objections are examined individually.)*

195/RAA	The Leamington Society
195/RAB	“
195/RAC	“
195/RAD	“
195/RAE	“
195/RAF	“
195/RAG	“
195/RAH	“
195/RAJ	“
195/RAL	“
195/RAM	“
195/RAP	“
195/RAQ	“

195/RAR	“
195/RAS	“
195/RAT	“
195/RAU	“
195/RAV	“
195/RAW	“
195/RAX	“
195/RAY	“
195/RAZ	“
195/RBA	“
195/RBB	“
195/RBC	“
195/RBD	“
195/RBE	“
195/RBG	“
195/RBH	“
191/RAA	Mr R Richmond
191/RAB	“
191/RAC	“
191/RAD	“
191/RAE	“
191/RAF	“
191/RAG	“
191/RAH	“
191/RAK	“
191/RAL	“
191/RAM	“
191/RAN	“
191/RAP	“
191/RAQ	“
191/RAS	“
191/RAT	“
191/RAU	“
191/RAV	“
191/RAW	“
191/RAX	“
191/RAY	“
191/RAZ	“

### Key Issues

- 10.12.1** (1) Whether the Plan: (a) affords sufficient protection for town centre and urban communities, (b) reflects local needs, and (c) makes best use of national and regional guidance.
- (2) Whether focusing development in urban areas will reduce car usage.
- (3) Whether a strategy of ‘urban expansion’ incorporating some greenfield development would lead to a more balanced housing supply.

- (4) Whether the Plan will deliver a safe environment, particularly in respect of parking.
- (5) Whether the text of the Plan is sufficiently clear and appropriately worded.
- (6) Whether the Plan adequately addresses layout and design, visual appearance and amenity.

### **Inspector's Appraisal and Conclusions**

**10.12.2 Issue 1:** The objectors contend that the Plan does not provide sufficient safeguards for people living in urban areas and those residing in the town centres in terms of social and environmental considerations. A key fact is that 81% of the District's population lives in just 11% of the area. Of particular concern is the loss of character through redevelopment of lower density residential areas with high density schemes, and inadequate off-street parking provision, especially in areas close to the town centres. It is argued that safety and fairness ought to appear at the beginning of the Plan and be cascaded down to all sections.

**10.12.3** It seems to me, though, that these concerns are not unique to Warwick District. They derive in large measure from the emphasis placed in national planning policy guidance on achieving more efficient use of previously developed urban land through recycling and greater sustainability by promoting transport choice, enhanced accessibility and reducing the need to travel, especially by car. The Local Plan has separate chapters and policies dealing with town centres and urban areas. I am content that throughout the Plan the need to balance social, economic and environmental factors is emphasised and given appropriate weight. This approach is reflected in the criteria employed by many of the policies. It is underpinned by the core strategy which has the aims of maintaining high and stable levels of economic growth, effective protection of the environment, prudent use of natural resources, and social progress which recognises the needs of everyone. While the aims and objectives of the Plan have, so far as possible, been drafted to be mutually exclusive, they need to be added together and balanced when assessing proposals in terms of their sustainability.

**10.12.4** As regards local needs, I consider that these are adequately addressed. Plan policies do not simply regurgitate national, regional and strategic advice. They pay proper regard to such guidance but at the same time reflect local requirements. I am satisfied that in general there is sufficient flexibility shown in the policies, many of which are criteria-based, to meet the needs peculiar to this District.

**10.12.5** Throughout the plan preparation process the District Council has sought to employ the most up-to-date national and regional policy guidance. This is a moving feast with a constant supply of new advice coming on stream. Twelve Core Topic Papers have been prepared for this inquiry. They provide the background and context to development of the Plan policies and their relationship to PPGs, PPSs and Circulars, and to the RSS. I am content that best use has been made of such guidance to maintain/improve the local environment.

**10.12.6 Issue 2:** The objectors believe that concentrating development into built-up areas and making use of previously developed urban land will not necessarily reduce car usage while exacerbating existing problems faced by residents. In their view, some greenfield development could assist in reducing car travel. However, to accord with PPG13 and to

reduce the need to travel, the Local Plan directs development to locations that are well served by public transport. These are locations within the urban areas. There is only a limited requirement for additional land use allocations to be made in this Plan to meet strategic targets set by the Structure Plan and RSS. I have accepted that no housing allocations are necessary and only 10ha or so of employment land, all of which can be accommodated on urban sites. In these circumstances, I consider that the allocation of new greenfield sites would be inappropriate and would conflict with strategic policy.

**10.12.7 Issue 3:** The Leamington Society points out that the Structure Plan considered 4 options for a development strategy. It chose 'urban expansion' as being the closest interpretation of RPG11 and the distribution of housing across the districts. Although 'windfall plus' would also be consistent with RPG11, it was rejected because in practice it would be extremely difficult to deliver the scale and type of housing needed in the right places at the right time by relying entirely on windfalls. The Society is concerned that the District Council continues to place heavy reliance on windfall development with the inherent difficulties and risks it poses.

**10.12.8** National planning policy sets a presumption in favour of previously-developed sites being taken before greenfield sites. It indicates that in allocating sites account should be taken of the likely supply of previously-developed windfall sites. Additionally, local planning authorities are required to make the best use of land through avoiding housing developments with densities of less than 30 dph and by requiring greater intensity of development in locations with good accessibility. RSS Policy CF4 requires planning authorities to optimise opportunities for recycling land and buildings for new housing development. The Structure Plan encourages intensification of development within urban areas. SP Policy GD.3 directs most new development towards towns of over 8,000 population because they offer the best prospect of expanding public transport and job opportunities.

**10.12.9** In considering whether to allocate housing sites in this Local Plan, the District Council says that it took into account the above advice and policies. It had regard to the quantity of housing already committed as allocated sites in the adopted Local Plan, sites with planning permission and sites under construction, and the amount of land likely to emerge on previously developed windfall sites. Since the sum of housing commitments and the estimate of windfalls are sufficient to meet the strategic requirement, no further allocations are made in the Local Plan. I note that of the 2,844 committed dwellings at April 2005, 821 will be provided on greenfield sites at South-West Warwick and South Sydenham and 176 in the rural area. The sites at South-West Warwick and South Sydenham are, in effect, 'urban extension' sites. Supporting these provisions are the Development Policies and the Supporting Communities Policies. The former should ensure a satisfactory standard of development while the latter will provide for affordable housing, transport improvements, open space and recreation, and community facilities. Taking all of these matters together, I believe that a balanced housing supply will be achieved through this Local Plan and that the impact on the urban areas will be acceptable. I consider it highly significant that the Revised Deposit Plan was held by the County Council to be in general conformity with the Structure Plan.

**10.12.10 Issue 4:** The objectors maintain that the Plan will not deliver a safe environment. It contains 50 references to 'safe'. These are most frequently related to travel, rural areas and site policies. However, there are other policies where development pressures create an equal risk to safety such as urban parking and tenure and 30 places where the Leamington Society believes that references to 'safe' are necessary to deliver the

Community Plan vision. There are no parking standards in force for residential development. Such standards will not be available until a supplementary planning document has been agreed in October 2007 or thereabouts. In the interim, development schemes are assessed on their merits in consultation with the County Council as highway authority. Many streets in Leamington Spa are heavily parked along both sides of the road, with vehicles left partially on the footways restricting the movement of refuse and emergency vehicles and causing a hazard for pedestrians. New Street is a good example. Surveys, photographs and newspaper reports confirm the extent of the problem. There is particular concern over the impact of restricting off-street parking in relation to specific types of windfall development such as student accommodation. Even with the District Council's SPD 'Managing Housing Supply' in force to restrict the supply of urban windfalls, the Society fears that there will be a significant increase in on-street parking demand following implementation of decriminalised parking enforcement. It is believed that this could be around twice the most favourable estimate (made in the recent Ove Arup Parking Study) of spare spaces in the unrestricted streets surrounding the town's Permitted Parking Zone (ie town centre and existing Residents' Parking Zone).

**10.12.11** Policy DP8 of the Plan addresses parking issues. Criterion c) indicates that development will only be permitted where it does not result in on-street parking detrimental to highway safety. The Plan was amended at Revised Deposit stage to clarify that parking at maximum levels will be appropriate in most circumstances and that below these levels the applicant will need to demonstrate that the proposed level of parking is appropriate. Subsequently, several further changes promoted by the objectors have been recommended by the District Council which I have endorsed elsewhere in my report. The District Council is currently liaising with Warwickshire County Council in respect of decriminalised parking enforcement and residents' parking zones in order ensure adequate provision. I am satisfied that Policy DP8 and its reasoned justification, as amended, will support a safe environment. I see no reason to include a statement in the Plan presuming against zero levels of off-street parking in all circumstances. That would conflict with national guidance which seeks to encourage flexibility and promote the use of public transport and other non-car modes.

**10.12.12 Issue 5:** It is claimed by the objectors that there is a perceived lack of clarity and vague wording throughout the Plan. The District Council has explained that it has sought to strike a balance between including sufficient detail and providing a readable and clear document. The Plan has been written in a concise style to reflect the new planning framework. In doing so, the planning authority has sought to follow Government advice in terms of the structure of the Plan and in the level of detail it contains. I believe that the District Council has been fairly successful in its endeavours. The Plan is a slimmed down and logically organised document. In the main it has well-focused policies accompanied by succinct reasoned justifications. Technical information, lists, inset maps, and information plans have been relegated to appendices rather than complicating the Plan and interrupting the flow of the text. The employment and housing land supply calculations set out in Appendices 1 and 2 are examples of this approach. The District Council has a programme of SPD production within its Local Development Scheme. These documents will provide more detail on some of the issues raised by the objectors. I note that a number of changes have been proposed by the District Council in respect of policies that the Leamington Society has objected to. They include amendments to Paragraphs 3.34, 4.38, 4.45, 5.2, 7.8A and 9.41; amendments to Policies DAP10 and TCP7; and a new Paragraph 7.33A. I have supported all of those alterations. I conclude that the text of the Plan, as amended, is generally clear and presented in sufficient detail.

**10.12.13 Issue 6:** Chapter 4 of the Plan contains a series of Development Policies. These are District-wide policies that apply, in principle, to all developments. Amongst other matters, they address layout and design (Policy DP1) and amenity (Policy DP2). I am content that, taken alongside other Plan policies and the District Council's Residential Design Guide (being consulted upon at the time of the hearing) and Conservation Area Statements, they provide an adequate framework for development control.

**10.12.14** Although not related to any specific objection, the District Council acknowledged that the reference in Paragraph 2.3A of the User Guide to Policy DP7 is incorrect. It should in fact refer to Policy DP8. This is addressed in my recommendations below.

### **Recommendations**

**10.12.15 (a) That the Revised Deposit Plan be modified as follows:**

**amend the reference in Paragraph 2.3A to Policy DP7 to read "DP8".**

**(b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.**

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