

WARWICK DISTRICT COUNCIL

WARWICK DISTRICT LOCAL PLAN 1996-2011

REPORT OF THE INQUIRY INTO OBJECTIONS

Inspector: **CLIVE A RICHARDSON JP BA(Hons) MCD MRTPI**

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ABBREVIATIONS

Throughout the report I have used abbreviations for terms that appear regularly in the text. They comprise:

AoR	Area of Restraint
ASAS	Airport Surface Access Strategy
ATWP	Air Transport White Paper
BIA	Birmingham International Airport
CCTV	Closed circuit television
CD	Core document
CPRE	Campaign for the Protection of Rural England
DCLG	Department for Communities and Local Government
DETR	Department of the Environment, Transport and the Regions
DfES	Department for Education and Science
DPD	Development plan document
dph	Dwellings per hectare
GOWM	Government Office for the West Midlands
GPDO	General Permitted Development Order
HBF	Home Builders' Federation
HGV	Heavy goods vehicle
IPF	Interim Passenger Facility
LDF	Local Development Framework
LDS	Local Development Scheme
LNR	Local Nature Reserve
LTP	Local Transport Plan
MBC	Metropolitan Borough Council
MDS	Major Developed Site (in the Green Belt)
mppa	Million passengers per annum
MUA	Major Urban Area
NFU	National Farmers' Union
NHS	National Health Service
NPR	Noise Preferential Route
ODPM	Office of the Deputy Prime Minister
PPG	Planning Policy Guidance
PPS	Planning Policy Statement
PSZ	Public Safety Zone
RASE	Royal Agricultural Society of England
RIGS	Regionally Important Geological and Geomorphological Sites
RPB	Regional Planning Body
RPG	Regional Planning Guidance
RSL	Registered social landlord
RSPB	Royal Society for the Protection of Birds
RSS	Regional Spatial Strategy
RTS	Round table session
SAM	Scheduled Ancient Monument
SEM	Sustainability Evaluation Matrix
SINC	Site of Importance for Nature Conservation
pSINC	Potential Site of Importance for Nature Conservation
SLA	Special Landscape Area
SPD	Supplementary Planning Document
SPG	Supplementary Planning Guidance
SSSI	Site of Special Scientific Interest
STWA	Severn Trent Water Authority
SUDS	Sustainable drainage systems
TPO	Tree Preservation Order
UCS	Urban Capacity Study
UDP	Unitary Development Plan
WCC	Warwickshire County Council

WDC	Warwick District Council
WDLP	Warwick District Local Plan 1996-2011
WMIAL	West Midlands International Airport Ltd
WMRA	West Midlands Regional Assembly
WMSC	West Midlands Planning and Transportation Sub-Committee
WSP	Warwickshire Structure Plan 1996-2011

CHAPTER 1: INTRODUCTION

Notes: (a) At the time the inquiry into objections to this Local Plan was held Planning Policy Guidance 3: Housing (PPG3) was in force as Government policy. A draft of Planning Policy Statement 3: Housing (PPS3) had been published for consultation purposes. All of the evidence presented to the inquiry was on that basis.

Subsequent to closure of the inquiry, the Government published the final version of PPS3 on 29 November 2006. It introduces significant changes, putting in place a new national policy framework for planning for housing at the local and regional levels and cancelling previous policy and guidance including PPG3 and Circular 6/98: Planning and Affordable Housing.

The covering letter from DCLG to Heads of Planning Service under which PPS3 was published indicates that: "The Government wants to move as quickly as possible to a development plan policy framework which reflects this PPS. Local planning authorities and regional planning bodies should consider the extent to which emerging local development documents and regional spatial strategies can reasonably have regard to the policies in this statement, depending on their state of preparation. As far as is practicable, changes should be made to emerging spatial plans so that they reflect PPS3 policies, but this should not be done at the expense of putting in place an effective policy framework for housing as quickly as possible." A similar message is contained in Paragraph 6 of PPS3. Bearing in mind that the recommendations in my report are binding on the District Council, it would be impracticable at this late stage of the inquiry process and unfair on inquiry participants to explicitly take account of this new policy framework. To do so would involve seeking further evidence and result in considerable delay to the plan-making programme.

My consideration of objections and my recommendations are therefore based on PPG3 and the 'direction of travel' indicated by draft PPS3. The District Council will need to bear this in mind and set out the steps it will be taking to address the issues arising from this PPS through an early plan review. I note that the District Council is committed to begin preparation of a Core Strategy DPD in 2007. That document (and any necessary Allocations DPD) will be the appropriate vehicle for taking these matters forward.

(b) Again, at the time of the inquiry Planning Policy Guidance 25: Development and Flood Risk (PPG25) was in force, although a draft Planning Policy Statement 25: Development and Flood Risk (PPS25) had been published for consultation purposes. The evidence presented to the inquiry was on that basis.

Following closure of the inquiry, in December 2006 the Government published the final version of PPS25.

My consideration of objections and my recommendations are based on PPG25. The District Council will need to bear this in mind and, if necessary, address any issues arising from this PPS through an early plan review.

1.1 Overview

- 1.1.1** This first chapter of my report addresses a range of objections that relate to the objectives and context of the Local Plan, the various background reports used to inform its policies and designations, and the plan making process. I make a number of recommendations for modification.

1.2 Paragraphs 1.1 - 1.45 Introduction

Objections to First Deposit Version

54/AA	Conservative Group of Councillors
54/AB	Conservative Group of Councillors
109/AH	Warwickshire County Council (Planning, Transport & Economic Strategy)
168/AA	Advantage West Midlands
193/AA	Coten End and Emscote Residents' Association
193/AB	Coten End and Emscote Residents' Association
193/AC	Coten End and Emscote Residents' Association
193/AD	Coten End and Emscote Residents' Association
193/AE	Coten End and Emscote Residents' Association
193/AF	Coten End and Emscote Residents' Association
193/AG	Coten End and Emscote Residents' Association
193/AJ	Coten End and Emscote Residents' Association
193/AK	Coten End and Emscote Residents' Association
193/AM	Coten End and Emscote Residents' Association
199/AA	James Mackay
199/AC	James Mackay
199/AD	James Mackay
199/AE	James Mackay
199/AF	James Mackay
199/AG	James Mackay
199/AH	James Mackay
199/AJ	James Mackay
199/AK	James Mackay
199/AL	James Mackay
199/AM	James Mackay
223/AA	Kenilworth Town Council
242/AE	Coventry City Council (Planning & Transportation)
262/AE	Warwick & Leamington Spa Green Party

Objections to Revised Deposit Version

1/RAC	Warwickshire Wildlife Trust
52/RAA	Barford, Sherbourne & Wasperton Joint Parish Council
52/RAE	Barford, Sherbourne & Wasperton Joint Parish Council

52/RAF	Barford, Sherbourne & Wasperton Joint Parish Council
52/RAJ	Barford, Sherbourne & Wasperton Joint Parish Council
66/RAA	The Warwick Society
150/RAG	Warwickshire County Council (Museum Field Services - Ecology)
168/RAF	Advantage West Midlands
191/RAA	Robin A Richmond
195/RAA	The Leamington Society
349/RAA	Mr. D. G. Goodyear
350/RAA	Tesco Stores Ltd

Key Issues

- 1.2.1**
- (1) Whether rural policies should apply on the edge of built-up areas.
 - (2) Whether more detail should be included in Paragraph 1.45 regarding the content of supplementary planning documents.
 - (3) Whether Paragraph 1.9 should refer to both PPGs and PPSs.
 - (4) Whether the Plan should include a schedule detailing the date of inquiry and likely date of adoption.
 - (5) Whether the introductory chapter should include an identification plan showing the main settlements and infrastructure within the District.
 - (6) Whether the explanatory text should be reworded to: (a) reflect the current position of Regional Planning Guidance, (b) refer to the Regional Economic Strategy, and (c) show how the Plan's policies and proposals relate to the 'four major challenges' identified in Paragraph 3.4 of the RSS and to the MUA of Coventry referred to in Paragraph 3.11 of the RSS.
 - (7) Whether the Plan's policies contribute adequately to the aims and objectives of the Core Strategy, Corporate Strategy and Local Transport Plan.
 - (8) Whether the Plan should indicate that its policies will be adhered to and given greater weight than national policy.
 - (9) Whether the Plan's policies afford sufficient certainty.
 - (10) Whether a more targeted customer focus is required acknowledging the variation in needs of local communities across the District.
 - (11) Whether the Plan should include a statement of sustainability objectives and provide, in the form of SPG, a checklist to form part of every planning application.
 - (12) Whether the Proposals Maps are clear in indicating where policies, designations and allocations apply.
 - (13) Whether the text of the Plan is sufficiently precise, concise, and user friendly.

- (14) Whether ‘managing and directing development pressure to specific areas’ goes far enough.
- (15) Whether use of the word ‘fair’ is appropriate in terms of the overriding objective of the Local Plan.
- (16) Whether the status and weight given by the District Council to the Retail Studies of 2002 and 2004 need to be clarified and conclusions drawn in an appendix on quantitative and qualitative retail need.
- (17) Whether Paragraph 1.35 should be reworded to acknowledge that more work is required to inform retail policy in Kenilworth town centre.
- (18) Whether the District Council’s Sustainability Appraisal should be subject to public consultation.
- (19) Whether the Plan should emphasise the District Council’s commitment to alleviating global climate change.
- (20) Whether the Plan should confirm support for the Local Biodiversity Action Plan, the UK Government’s Biodiversity Strategy for England 2002 and the West Midlands Regional Biodiversity Strategy 2004.
- (21) Whether Paragraphs 1.16 and 1.17 should provide information about the split of population between town and country and comment on the limited ability of towns to accommodate further development.
- (22) Whether the consultants’ reports to the County Council on the Warwick and Leamington park and ride proposals should be made publicly available and the Plan reconsidered in the light of comments received.
- (23) Whether Plan policies adequately contribute towards making the District ‘safe’ and ‘fair’.

Inspector’s Appraisal and Conclusions

1.2.2 Issue 1: The Plan has a separate set of policies that apply to urban areas, town centres and rural areas. This is necessary to reflect the more limited services and infrastructure available within the countryside than in more sustainable urban locations better placed to accommodate growth. While this will inevitably result in rural policies applying to sites close to the urban fringe, I see no practical difficulty in this regard.

1.2.3 Issue 2: I agree with the District Council that it is not essential to detail supplementary planning guidance in the introductory chapter. Such guidance is likely to change over the lifetime of the Plan. Current SPG which the planning authority intends to ‘save’ under the old regulations, together with a programme of Supplementary Planning Documents to be prepared under the Planning and Compulsory Purchase Act 2004, is included in the District Council’s Local Development Scheme 2006.¹ The general reference to SPD in Paragraph 1.45 of the Plan is, in my view, the best approach. I note that, where necessary, SPG/SPD is referred to elsewhere in the Plan. The only

¹ CD802

modification required to Paragraph 1.45 is to correct a minor typographical error in the first line of the text.

- 1.2.4 Issue 3:** National planning advice is addressed in Paragraph 1.19 of the introductory chapter. This forms part of the context for the Local Plan, being one of the factors that influence its content. The Revised Deposit Plan amends that Paragraph to refer more fully to PPSs as well as PPGs, bringing it up-to-date. I see no need to include an additional reference to Government policy in the earlier Paragraph 1.9 which simply describes the structure of the Plan.
- 1.2.5 Issue 4:** Paragraphs 1.39 and 1.40 have been amended in the Revised Deposit Plan to describe the Plan preparation process and to ensure that the text is as up-to-date as possible. In my opinion, it would not have been appropriate to include a schedule of dates either for the inquiry or adoption of the Plan. This information is subject to change. In any event, the District Council's Local Development Scheme sets out the anticipated timescale for different stages of the process. That Scheme is revised annually.
- 1.2.6 Issue 5:** There is no need for an A4-size identification plan showing the District's main settlements and infrastructure. The District-wide Proposals Map already provides that information. To include such a plan would, in my view, add unnecessarily to the bulk of the Local Plan and conflict with Government guidance that they should be as concise as possible.
- 1.2.7 Issue 6:** RPG11 (June 2004) now has the status of RSS and forms part of the development plan. Paragraph 1.22, as amended by the Revised Deposit Plan, makes this clear while Paragraph 1.23 explains that it replaces the earlier RPG issued in April 1998 against which the Warwickshire Structure Plan was prepared. As the District Council points out, any amendments to the Plan required in relation to policies of the RSS would be addressed in the future through the core strategy DPD and other local development documents.
- 1.2.8** As regards the Regional Economic Strategy, the location of the District in the Coventry, Solihull and Warwickshire High Technology Corridor is of particular relevance to the Plan's Spatial Strategy. In my view, this matter is more appropriately addressed in Paragraphs 3.6B-3.6F than in the introductory chapter of the Plan.
- 1.2.9** Coventry City Council contends that Paragraphs 1.22 and 1.23 should also be modified to reflect the 4 major challenges of the RSS (that is, urban renaissance; rural renaissance; diversifying and modernising the region's economy; and modernising the transport infrastructure of the West Midlands) and to draw attention to the position of the District in relation to the MUA of Coventry. The latter is seen as having implications for the future roles of Leamington town centre and Coventry city centre (dealt with in the Regional Centres Study), for the University of Warwick, for Coventry Airport, and for land in Rowley Road where the City Council as landowner is seeking an allocation for employment development. It is important to ensure that Plan Policies have been drafted to accord with regional and strategic objectives, but I agree with the District Council that these matters are not appropriate for inclusion in the introduction to this Plan. The Local Plan's role in relation to the RSS is more relevant to the Spatial Strategy. I conclude on this issue that the wording of the introduction to the Plan is satisfactory.
- 1.2.10 Issue 7:** Concern has been expressed that the Plan's policies do not do enough to satisfy the aims and objectives of the Core Strategy, Corporate Strategy and Local

Transport Plan. In my opinion, there is no convincing evidence to support this assertion. The policies that have been drafted provide a relevant planning framework that contributes to the aims and objectives of the Core Strategy. The relationship between individual policies and the Core Strategy is set out in the Local Development Framework Annual Monitoring Report.² So far as possible, the Plan also reflects and reinforces the aims of the Corporate Strategy. As regards the Local Transport Plan, a series of policies contribute towards its aims and objectives. They include Policies DP6, DP7, DP8 and SSP4. I see no basis for modifying the Plan in response to this issue.

1.2.11 Issue 8: It is argued that Local Plan policies are not being followed adequately when considering planning applications; instead, decisions are being dictated by central Government. Local plans must be in general conformity with regional and national planning policy, but there is considerable scope for local circumstances to be taken into account in policy formulation. The plan-led system ensures that the development plan is the primary consideration when assessing planning applications. I note that the District Council has put forward proposed changes to Paragraph 2.8 (User Guide). This confirms that planning applications are determined primarily against policies in the development plan. I support those changes. In my view, they substantially address the objector's concern and I see no need for further modifications.

1.2.12 Issue 9: I am satisfied that the concise structure and policies of this Local Plan do provide a logical framework for making decisions on individual planning applications. Allowing for the inherent difficulties in planning ahead, they afford considerable guidance and a reasonable degree of certainty as to the outcome.

1.2.13 Issue 10: It is claimed by objectors that Paragraph 1.7 does not adequately reflect the variation in communities across the District and that a more targeted customer focus is required. It seems to me, though, that the high-level statement made in the text that the policies of the Local Plan will provide for the needs of each community whilst protecting and enhancing the quality of the environment is appropriate in the context of achieving sustainable development and contributing to the joint vision for Warwick District. The Plan has been informed by public involvement throughout the plan making process. Where different communities or areas warrant specific policies to address particular needs, these have been introduced.

1.2.14 Issue 11: I see no need to include as supplementary planning guidance a sustainability checklist that should form part of every planning application. The aims and objectives of the Core Strategy set out the approach to sustainable development, with the Development policies serving as a checklist once other relevant Plan policies have been satisfied.

1.2.15 Issue 12: I am content that the Proposals Maps are sufficiently clear. They show where specific policies, designations and allocations are relevant. However, I agree with the Council's suggestion that in order to maximise clarity the maps should be labelled as 'Proposals Map Part 1: District Wide', 'Proposals Map Part 2: Leamington and Warwick Urban Inset' etc.

1.2.16 Issue 13: I do not accept that the text of the Plan is so vague as to dilute the precision and enforceability of its policies. In my opinion, the text is generally concise and user-friendly. Its style reflects the approach of the new planning framework.

² CD801

- 1.2.17 Issue 14:** Paragraph 1.17 recognises the considerable development pressure to which the District is subject. The statement made that ‘this pressure needs to be managed in such a way that maintains and directs growth to areas in need whilst protecting the very qualities which make the District a desirable place to live and work’ encapsulates the essential challenge facing the District Council through this Local Plan. The Plan provides the necessary planning framework to control development. It can do little more in the light of market forces.
- 1.2.18 Issue 15:** The overriding objective of the Local Plan is to contribute towards achieving the joint vision for the District taken from the Community Plan. This reads: “We want Warwick District to be safe, healthy, fair and prosperous, now and into the future”. In those circumstances, I agree with the District Council that it would not be appropriate to omit the word ‘fair’.
- 1.2.19 Issue 16:** Paragraph 1.35 has been amended in the Revised Deposit version to update the Plan in respect of the retail studies undertaken by consultants DTZ for the Council in 2002 and 2004. Those reports are publicly available. The key issues identified are set out in Paragraphs 7.8 and 7.8A of the Plan. A number of the studies’ broad recommendations have informed Plan policies. I concur with the District Council that the status of the reports is clear and that it is unnecessary to provide any more information in the introduction to the Plan. Moreover, the policy framework is adequate to assess the implications of specific retail proposals without the need to draw conclusions on quantitative and qualitative need in an appendix to the Plan. I note that as part of the report preparation process consultation was carried out through a series of stakeholder events.
- 1.2.20 Issue 17:** The Council has accepted that more work is required to inform retail policy in Kenilworth town centre. An additional Paragraph 7.8A has been included in the Revised Deposit Plan detailing work in progress. It is intended that this be further updated through proposed changes, which I endorse subject to minor redrafting. I agree that this level of detail is more appropriate for inclusion in the introduction to Chapter 7 (Town Centre Policies) rather than in the introductory chapter of the Plan. The objection by Kenilworth Town Council has, I note, been conditionally withdrawn.
- 1.2.21 Issue 18:** A sustainability appraisal was undertaken by the District Council, advised by consultants, to inform preparation of the Revised Deposit Plan. Its purpose was to ensure that the economic, environmental and social impacts of policies had been taken into account. The appraisal sought to comply with Government guidance and the European Union Directive on Strategic Environmental Assessment. I note that the process included consultation with statutory and other bodies identified in the Final Sustainability Appraisal Report.³ I am satisfied that this process of consultation was adequate.
- 1.2.22 Issue 19:** Further text was added after Paragraph 1.18 in the Revised Deposit Plan to confirm the District Council’s commitment, as a signatory of the Nottingham Declaration, to contribute at a local level to delivery of the UK Climate Change Programme. The objection by the Warwick and Leamington Green Party has therefore been met.

³ CD10

1.2.23 Issue 20: In order to ensure a compact and concise Plan I accept that it is not necessary to refer to every single document that may have informed preparation of the Local Plan. Nevertheless, I note that Paragraph 4.22 in support of Policy DP3 makes specific mention of the Habitat Biodiversity Audit for Warwickshire, Coventry and Solihull, and emerging Geodiversity and Biodiversity Action Plans. These references are, in my opinion, sufficient without the need for a separate paragraph in the introductory chapter.

1.2.24 Issue 21: The Plan acknowledges the differences between the rural and urban sections of the District and includes a suite of policies for each, arranged in separate chapters. Paragraph 8.4 details the population and area characteristics of the rural localities while the urban areas chapter sets out the population residing within each of the towns. I agree with the planning authority that there is no need to cover this split in detail in the introduction to the Plan. In particular, I see no need to point out that 81% of the population lives in 11% of the District. The ability of each town to accommodate further development is addressed through a range of Plan policies.

1.2.25 Issue 22: The District Council confirms that all 3 of the consultants' reports commissioned by the County Council in relation to the Warwick and Leamington park and ride proposals are in the public domain.⁴ I note that the park and ride proposals are under active consideration, with no site having yet been firmly selected.

1.2.26 Issue 23: In terms of safety, Policy DP1 k) requires all components of a development to be well related to each other to provide a safe and attractive environment, while Policy DP13 encourages layout and design to minimise the potential for crime and anti-social behaviour. As regards fairness, the Plan seeks to provide a high quality environment for all; ensure a good level of accessibility to services, amenities and employment opportunities; provide housing (including affordable housing) to meet the needs of all sections of the community; and support rural communities in sustainable locations. In my view, these provisions demonstrate a commitment to safety and fairness.

Recommendations

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

(i) amend the first line of Paragraph 1.45 to read:

“The policies, allocations and designations”

(ii) amend Paragraph 2.8 to read:

“Planning applications are determined primarily against policies in the development plan. The following points are assessed and considered when determining a planning application:-

- policies contained within supplementary planning guidance and supplementary planning documents;**
-**”

⁴ CD 450, CD451 and CD452

*(NB This recommendation duplicates that made at Paragraph 2.2.10
(a) (i) of my report)*

- (iii) label the Proposals Maps as:

“Proposals Map Part 1: District Wide”, “Proposals Map Part 2: Leamington and Warwick Urban Inset” etc.

- (iv) amend Paragraph 7.8A to read:

“Following from the work undertaken by DTZ the Council is presently undertaking further work to address some of the key issues within the town centres. Within Leamington town centre it has commissioned work to assess the feasibility and opportunities for a retail-led redevelopment of Chandos Street car park. This work will also take account of the future need for car parking in maintaining the retail attractiveness of the town centre overall. In Kenilworth the Council, alongside Warwickshire County Council and Kenilworth Town Council, has developed traffic management measures which have not yet been agreed. They will be subject to public consultation as part of the consideration of a wider framework of improvements to the town centre that will also include environmental improvements and the possible redevelopment of a number of sites, in particular a Public Service Centre at Smalley Place.”

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

CHAPTER 2: USER GUIDE

2.1 Overview

- 2.1.1** As its name suggests, the User Guide explains how the Plan should be employed to understand which policies are relevant to determining a planning application. I find the Guide clear and helpful. I recommend a minor modification to the text reflecting a proposed change put forward by the District Council, together with certain corrections.

2.2 Paragraphs 2.1 - 2.11 Introduction

Objections to First Deposit Version

193/AN	Coten End and Emscote Residents' Association
193/AO	Coten End and Emscote Residents' Association
197/AA	Norton Lindsey Parish Council
199/AN	James Mackay
199/AO	James Mackay
228/AB	West Midlands RSL Planning Consortium

Objections to Revised Deposit Version

66/RAB	The Warwick Society
199/RAF	James Mackay
350/RAB	Tesco Stores Ltd

Key Issues

- 2.2.1** (1) Whether there should also be guidelines on the planning application consultation process.
- (2) Whether other matters should be included in the list of factors to be assessed and considered when determining a planning application.
- (3) Whether the introductory sentence of Paragraph 2.8 in the First Deposit Plan should be reinstated.
- (4) Whether clarification is necessary on how to locate the various Proposals Map Inset Plans.
- (5) Whether the Environment Agency contact telephone number is the most appropriate.
- (6) Whether parts of the User Guide are superfluous due to the status of the Plan prior to adoption and because of the SPD in force on Managing Housing Supply.

- (7) Whether the wording used in some parts of the Plan is ambiguous and does not deliver the requisite degree of certainty.

Inspector's Appraisal and Conclusions

- 2.2.2 Issue 1:** The purpose of the User Guide is to clarify how the Plan should be used by applicants. It explains the structure of the Plan and why it is in that format, and details the relationship between the different chapters and the Proposals Map and Inset Plans. There are 2 flow diagrams. The first shows how to find the policies that apply to a particular site. The second illustrates the planning application process as a whole, outlining clearly and simply the various stages. I consider that both charts would also be of use to consultees when considering the appropriateness and suitability of any scheme. With this in mind, I see no need for any further guidance.
- 2.2.3 Issue 2:** In the Revised Deposit Plan the Council added 'representations of objection and support' and 'affordability' to the list of factors identified in Paragraph 2.8. I support those amendments. I agree that 'tenure' need not be included, it being subsumed within affordability. As regards 'sustainability', this is expanded upon elsewhere through other Plan policies and through the objectives of the Core Strategy. Consequently, there is no need to enlarge upon the matter here.
- 2.2.4 Issue 3:** I agree with Tesco Stores Ltd that the first sentence of Paragraph 2.8 in the First Deposit version of the Plan should be reinstated to reflect the plan-led system and the primacy of the development plan. The District Council has, I note, suggested a proposed change to this effect with the result that the objection has been conditionally withdrawn.
- 2.2.5 Issue 4:** Paragraph 2.5A inserted into the Revised Deposit Plan satisfactorily addresses this concern.
- 2.2.6 Issue 5:** The Environment Agency contact telephone number has been amended in the Revised Deposit Plan. The number substituted is, I am told, that of the planning liaison team at the local area office.
- 2.2.7 Issue 6:** The User Guide needs to be relevant over the lifespan of the Plan. It would, I feel, be inappropriate to refer to the status and timescale of documents which might change over time or be superseded once the Plan is adopted. The SPD on Managing Housing Supply has been approved by the District Council for use in decision making but cannot be formally adopted at this stage and could conceivably be withdrawn before 2011.
- 2.2.8 Issue 7:** I am satisfied that efforts have been made to ensure that the Plan is clear and user-friendly, and that it reflects the slimmed down and more structured approach of the new local development framework. Where I consider there to be ambiguity or lack of clarity in a policy or its explanatory text, I say so in my report.
- 2.2.9** Although not raised in objections, I note that there are minor typographical errors in Paragraphs 2.2 and 2.4 of the Plan. I include those corrections in my recommendations.

Recommendations

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

- (i) substitute the following text for the introductory sentence and first bullet point of Paragraph 2.8:**

“Planning applications are determined primarily against policies in the development plan. The following points are assessed and considered when determining a planning application:-

- policies contained within supplementary planning guidance and supplementary planning documents;**
-”**

- (ii) amend the fourth sentence of Paragraph 2.2:**

to delete the word ‘that’ before the word ‘those’.

- (iii) amend Paragraph 2.4 by:**

deleting the words ‘and what’ in the first sentence.

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

CHAPTER 3: CORE STRATEGY

3.1 Overview

- 3.1.1** The Core Strategy demonstrates how the Local Plan will contribute towards delivering the joint vision for the District set out in the Community Plan 2001-2003. The objections made are diverse in nature. I recommend a number of modifications to the Spatial Strategy and to certain of the objectives that appear under the broad 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.

3.2 Paragraphs 3.1 - 3.6A Introduction

Objections to First Deposit Version

148/AB	Campaign to Protect Rural England (Warwickshire Branch)
187/AA	The Countryside Agency (West Midlands Region)
193/AP	Coten End and Emscote Residents' Association
193/AQ	Coten End and Emscote Residents' Association
199/AP	James Mackay
199/AQ	James Mackay
302/AA	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

195/RAB	The Leamington Society
242/RAA	Coventry City Council (Planning & Transportation)

Key Issues

- 3.2.1**
- (1) Whether objectives should be afforded equal weight or priority given to protecting the environment, natural resources and amenity.
 - (2) Whether the core strategy should set out the overall approach to the distribution of development.
 - (3) Whether the reference to sustainable development in Paragraph 3.4 should be aligned with that in Paragraph 1.7.
 - (4) Whether the wording of Paragraph 3.6 should follow Government advice more closely, reflecting the 'polluter pays' principle.
 - (5) Whether the core strategy properly reflects the Regional Spatial Strategy.

- (6) Whether the introduction to Chapter 3 should recognise the potential risk of continued urban development.
- (7) Whether the introduction should recognise the Council's commitment to monitoring changes in the District.

Inspector's Appraisal and Conclusions

- 3.2.2 Issue 1:** Paragraph 3.6 explains that the Core Strategy of the Plan attaches equal weight to all objectives. Integrating such objectives is the challenge in achieving sustainable development. It is the role of individual policies in the Plan to seek to balance objectives in the light of all material circumstances. I support this methodology. It follows that it would not be appropriate to give priority to the natural environment and amenity as advocated by CPRE (Warwickshire Branch). I note that there is a close link between the objectives in the Core Strategy, which were amended in the Revised Deposit Plan, and those employed in the Sustainability Appraisal of the Plan.
- 3.2.3 Issue 2:** The concern at First Deposit stage that the Plan should set out the overall approach to the distribution of development has been addressed by inclusion of a Spatial Strategy in the Revised Deposit Plan.
- 3.2.4 Issue 3:** I agree with the District Council that there is no inconsistency between the references to sustainable development in Paragraphs 1.7 and 3.4 of the Plan. The 4 aims that underpin the Core Strategy are identical to those identified by the Government as the basis of sustainable development in PPS1 - that is, to maintain 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.
- 3.2.5 Issue 4:** I see no conflict between Paragraph 3.6 of the Plan and sustainable development as promoted in PPS1. The approach taken in the Local Plan is, I believe, on all fours with the aims of sustainable development as set out in Paragraph 5 of PPS1.
- 3.2.6 Issue 5:** The First Deposit version of the Plan was issued prior to the latest version of RPG11 and before it became part of the development plan. The Revised Deposit version addresses this and includes a number of references to the RSS, and its status as part of the development plan, at Paragraphs 1.22-1.23, 3.6B, 3.11, amongst others, and in specific policies such as SSP2 (University of Warwick) and SSP7 (Coventry Airport). Moreover, I note that each of the Topic Papers prepared for this Local Plan inquiry show how the policies of the Plan accord with those of the RSS. I am satisfied that the Core Strategy adequately reflects the Regional Spatial Strategy.
- 3.2.7 Issue 6:** The Leamington Society and other objectors are concerned that the Plan should reflect the relative amounts of urban against rural land in the District and should acknowledge the potential risk of further urban concentration in light of 50 years of development on the peripheries of Warwickshire's main towns. Paragraph 8.4 (Rural Area Policies Chapter) sets out the population and land distribution between urban and rural areas. The Spatial Strategy gives a clear steer as to where new development in the District should be directed. I am satisfied that this Spatial Strategy reflects a sound understanding of the need to foster urban growth in order to maximise sustainability, while satisfying local needs in the countryside.

- 3.2.8 Issue 7:** There is no need, in my view, to specifically indicate in the introduction to the Plan that change will be monitored. This is an on-going activity throughout the life of the Plan. I note that where monitoring is vital to the implementation of a policy (such as Policy SC8a Managing Housing Supply) this is clearly indicated in the text (eg Paragraph 5.41B). To include a general statement to this effect would serve to make the Plan less concise.

Recommendations

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

3.3 Paragraphs 3.6B - 3.6F The Spatial Strategy of the Local Plan

Objections to First Deposit Version

None

Objections to Revised Deposit Version

120/RAJ	Miller Homes (West Midlands)
191/RAB	Robin A Richmond
195/RAC	The Leamington Society
222/RAC	John Burman & Family
239/RAM	Mr D Austin
321/RAC	West Midlands International Airport Ltd
322/RAB	J G Land and Estates
349/RAB	Mr. D. G. Goodyear
350/RAC	Tesco Stores Ltd

Key Issues

- 3.3.1** (1) Whether Paragraph 3.6E should give greater recognition to those locations where development will be supported in the rural areas.
- (2) Whether Paragraph 3.6F should be less restrictive with regard to the provision of market housing in the rural areas.
- (3) Whether the spatial strategy should provide more information on the 'urban expansion' development strategy of the Warwickshire Structure Plan.
- (4) Whether Whitnash should be referred to as a 'main town' in the spatial strategy.
- (5) Whether it is appropriate for Paragraph 3.6C to refer to 'all' main shopping development as being within the existing town centres.
- (6) Whether the spatial strategy is misleading in suggesting that outside the town centres the District is rural.

- (7) Whether the spatial strategy should make reference to Policy GD.3 of the Warwickshire Structure Plan given that this Policy has a limited life and has been superseded by the RSS.

Inspector's Appraisal and Conclusions

- 3.3.2 Issue 1:** The District Council accepts that the spatial strategy should acknowledge that in certain cases controlled growth in the rural areas is appropriate - that is, where development is identified and site specific policies apply. I endorse the changes proposed by the District Council to Paragraph 3.6E and to the unnumbered paragraph between Paragraphs 3.6C and 3.6D. Those amendments go some way towards satisfying the objections made by West Midlands International Airport Ltd. However, I see no reason to add the rest of the wording put forward by the objector. It is sufficient in my view for 'support' for controlled development in the rural areas to be included in Paragraph 3.6E of the explanatory text rather than in the spatial strategy itself. The opportunity should also be taken here to correct the typographical errors in Paragraph 3.6E.
- 3.3.3 Issue 2:** The policy basis for adopting a restrictive approach towards market housing in rural areas is set out in the District Council's Core Topic Paper 10: Rural Areas¹. In brief, the Warwickshire Structure Plan establishes a number of principles. Firstly, growth in rural areas must be restricted in order to direct most development towards urban areas. Secondly, any housing permitted in rural areas must be related to a hierarchy of settlements determined by local plans. Thirdly, housing in rural areas should be provided to meet the needs of local people and any new homes must be supported by evidence that they will help meet that need. Policy RAP2 of the Revised Deposit Local Plan sets out the approach for the District. It provides that any building of new open market housing is restricted to that which meets identified needs within the rural areas and will only be permitted within the 5 largest 'limited growth villages' on previously developed land. This is in the context of a situation where there is already an excess of housing over that required to 2011. In these circumstances, I do not accept that Paragraph 3.6F should be less restrictive.
- 3.3.4 Issue 3:** The approach taken by the Plan's spatial strategy accords with the strategic and regional framework set by the Warwickshire Structure Plan and the West Midlands RSS. It has been confirmed that the Revised Deposit Plan is in general conformity with both (except for the specific case of Policy SSP7 in relation to the RSS). The Local Plan does not have a strategy to expand its present urban area beyond existing commitments and provides for limited growth. I agree with the District Council that to include information about the 'urban expansion' development strategy of the Structure Plan is unnecessary and could potentially mislead.
- 3.3.5** As regards criticisms made of the Annual Monitoring Report 2005, the District Council acknowledges that it lacks information in certain areas including off-street parking. Not all of the core indicators were met because of resource constraints. However, it is anticipated that the content and detail of the Report will improve as new monitoring information becomes available. Its purpose is primarily to demonstrate that the policies of the Plan are being implemented. I accept that this is not a local plan issue as such and not directly relevant to this inquiry.

¹ CD24

- 3.3.6 Issue 4:** Whitnash is officially a town. As it adjoins Leamington Spa I consider it logical to include it as part of the District's urban area where most new development will be directed. I agree, though, that the reference to Whitnash as a main town is confusing. The Plan would be improved by deleting that word from the spatial strategy, as conceded by the Council.
- 3.3.7 Issue 5:** I note that the wording of Paragraph 3.6C closely follows that of Structure Plan Policies TC.1 and TC.2. These Policies indicate that all main shopping, entertainment and leisure development should be located in town centres. I see no reason to amend the text which reflects the thrust of national planning policy guidance.
- 3.3.8 Issue 6:** The spatial strategy does not imply that outside the town centre boundaries the rest of the District is rural in character. It firstly establishes the principle that most development will be directed to the 4 towns, and then indicates that the centres of the 3 largest towns will be the main shopping and service foci. The strategy then goes on to state that the remainder of the District is defined as rural (that is, will be regarded as rural for policy purposes) where development will generally be provided only to meet the needs of the local population and to support rural communities. I consider this to be appropriate. In my opinion no amendment of the text is warranted.
- 3.3.9 Issue 7:** Under the provisions of the Planning and Compulsory Purchase Act 2004 the Warwickshire Structure Plan only has life as 'saved' policy until September 2007. However, I note that in relation to the towns of Warwick District the Structure Plan and the RSS are essentially at one. Leamington Spa is defined in the RSS as an 'other large settlement' and Warwick and Kenilworth can reasonably be classified as 'market towns'. There are no other towns in the District that would fall into either category. The approach of the RSS in directing new development to those locations is similar to Structure Plan Policy GD.3. Consequently, the principles embodied in that Policy will have a life beyond that of the 'saved' Structure Plan. In these circumstances, I see no harm in maintaining that reference in the Plan's spatial strategy.

Recommendations

- 3.3.10 (a) That the Revised Deposit Plan be modified as follows:**
- (i) delete the word "main" from the reference to the '...four main towns of the District...' in the unnumbered paragraph between Paragraphs 3.6A and 3.6B.
 - (ii) add the wording "except where development is identified and site specific policies apply" after the words '...rural communities,' in the unnumbered paragraph between Paragraphs 3.6C and 3.6D.
 - (iii) add the wording "and where appropriate, support development within" after the word 'control' in Paragraph 3.6E.
 - (iv) correct the typographical errors in Paragraph 3.6E by substituting the word "these" for 'there' and the word "region's" for 'region'.
- (b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.**

3.4 Paragraphs 3.7 - 3.9 The Core Strategy of the Local Plan. Objective 1A: To maintain high levels of economic growth. (Paragraph 3.9 was originally numbered Objective 1B)

Objection to First Deposit Version

256/AD T & N Limited

Objections to Revised Deposit Version

66/RAC The Warwick Society
191/RAC Robin A Richmond
195/RAD The Leamington Society
349/RAC Mr. D. G. Goodyear
350/RAD Tesco Stores Ltd

Key Issues

- 3.4.1** (1) Whether the objective should be reconciled with social and environmental objectives.
- (2) Whether it is appropriate for Paragraph 3.7 to make reference to employment land within the District meeting the needs of in-migrants as well as the resident population
- (3) Whether it should be recognised that other sectors, such as retailing, can contribute to economic growth.

Inspector's Appraisal and Conclusions

- 3.4.2 Issue 1:** It is clear from Paragraph 3.6 that the objectives of the Plan should be read as a whole, and integrated and balanced. Wherever possible, duplication should be avoided to ensure a succinct document. Since it is implicit in all of the objectives that economic, social and environmental factors need to be reconciled, I see no reason to amend the text.
- 3.4.3 Issue 2:** I note that SP Policy GD.1 includes an element of in-migration in the employment figures calculated for Warwickshire. Consequently, I accept that the statement made in Paragraph 3.7 of the Local Plan is factually correct.
- 3.4.4 Issue 3:** Because Objective 1A is concerned principally with setting the context for meeting the need for employment land identified in the Structure Plan, I accept that the focus here should be as indicated. It is recognised elsewhere through Objectives 1B, 1D and 1F that other sources of employment - namely rural development, retail/other town centre uses, and tourism - also contribute to economic growth.

Recommendations

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

- 3.5 Paragraph 3.10 The Core Strategy of the Local Plan. Objective 1B: To promote and enhance vibrant rural communities. (Originally numbered Objective 1C)**

Objections to First Deposit Version

193/AR Coten End and Emscote Residents' Association
199/AR James Mackay

Objections to Revised Deposit Version

222/RAD John Burman & Family
224/RAB Mr and Mrs R M Orr

Key Issue

- 3.5.1** Whether the objective of promoting and enhancing vibrant rural communities conflicts with the overriding aim of achieving sustainable development, by dispersing employment and increasing the need for car travel.

Inspector's Appraisal and Conclusions

- 3.5.2** The Plan's approach towards development in rural areas, set out in the spatial strategy, is to generally restrict new development in open countryside while supporting local communities, helping meet local needs and assisting farmers through well-conceived farm diversification projects. It seeks to maintain an appropriate balance between the needs of farming, the rural population and protection of the countryside. I see no inconsistency between this approach and the overriding aim of achieving sustainable development.

Recommendations

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

- 3.6 Paragraphs 3.11 - 3.12 The Core Strategy of the Local Plan. Objective 1C: To meet the housing needs of the whole community to 2011. (Originally numbered Objective 1D)**

Objections to First Deposit Version

66/AE	The Warwick Society
117/AC	Langstone Homes Ltd
120/AB	Miller Homes (West Midlands)
132/AA	KB Benfield Group Holdings Ltd
170/AE	Mr Martin Wood
200/AN	Taylor Woodrow Strategic Developments
201/AN	Home Builders Federation
228/AD	West Midlands RSL Planning Consortium
239/AJ	Mr D Austin
240/AD	George Wimpey Strategic Land
256/AE	T & N Limited
263/AA	Christopher Wilson

Objections to Revised Deposit Version

66/RAD	The Warwick Society
119/RAB	Bloor Homes Ltd
120/RAH	Miller Homes (West Midlands)
191/RAD	Robin A Richmond
195/RAE	The Leamington Society
214/RAB	Mrs J Biles
223/RAA	Kenilworth Town Council
239/RAL	Mr D Austin
322/RAC	J G Land and Estates
349/RAD	Mr. D. G. Goodyear

Key Issues

- 3.6.1**
- (1) Whether sites should be allocated for housing development rather than reliance being placed entirely on windfalls to meet the Structure Plan target.
 - (2) Whether the objective should allow the Structure Plan target to be exceeded only by affordable housing.
 - (3) Whether the housing land situation should be updated.
 - (4) Whether objective 1C should include a reference to protecting established residential areas and discourage the demolition of properties that add to the character of such areas.
 - (5) Whether a target for affordable housing should be integrated into objective 1C.
 - (6) Whether the Plan should make provision for a 10 year supply of land for housing and identify sites to 2016 or beyond.
 - (7) Whether this objective should be reconciled with social and environmental objectives.
 - (8) Whether Paragraph 3.12 should be deleted following approval of the SPD 'Managing Housing Supply'.
 - (9) Whether the word 'acceptable' should be deleted from Paragraph 3.12 because it

would encourage unnecessary development.

- (10) Whether the Plan should include a specific policy that confirms the District Council's commitment to meeting its strategic housing requirement, with the relevant figures set out in the main body of the Plan.

Inspector's Appraisal and Conclusions

- 3.6.2 Issue 1:** The Structure Plan target has been superseded by the housing requirements set out in the Regional Spatial Strategy. I am satisfied for reasons given in my Appraisal and Conclusions on the key issues discussed at the Round Table Session on Managing Housing Supply² that there is no need for specific housing allocations to be made to meet these requirements or to renew any allocations from the 1995 Local Plan. It is sufficient, in my view, to rely on commitments and windfall sites coming forward. These will provide adequate choice. Replacement Appendix 2 included in the Council's Proposed Changes³ sets out how the strategic requirement has been met. Paragraph 3.11 of the Plan's supporting text does, though, need to be amended to correct a typographical error and to reflect more up-to-date monitoring information available at April 2005.
- 3.6.3 Issue 2:** The RSS establishes a maximum figure for new housing that should be applied to the District for the period to 2021. To significantly exceed that requirement would undermine the broader planning and housing strategy of the Structure Plan and the RSS. With this in mind the Council has adopted for development control purposes a Supplementary Planning Document 'Managing Housing Supply'⁴. This severely restricts windfall housing in the urban areas to bring supply into line with requirements. It does, however, allow solely affordable housing proposals to continue to come forward in view of the urgent needs of the community in this regard. I consider this to be appropriate.
- 3.6.4 Issue 3:** The Revised Deposit Plan updated the housing land situation in relation to the First Deposit Plan by employing the (then) most up-to-date figures from April 2004. Replacement Appendix 2 in the District Council's Proposed Changes further updates those figures using information gleaned from the 2005 monitoring returns. It also takes into account latest Government advice and demonstrates how the strategic requirements have been satisfied. I am content that these actions meet the objection.
- 3.6.5 Issue 4:** As the Council points out, objective 1C is focused on meeting housing needs under Aim 1 (To Maintain High and Stable Levels of Economic Growth). Other objectives of the Plan, particularly those under Aim 2 (Effective Protection of the Environment) seek to protect amenity and the character of areas. In my view that is the most appropriate location to ensure that environmental safeguards are in place. I am satisfied generally that the Plan provides an appropriate level of safeguarding of established residential areas through Policies DP1, DP2 and DP3, and, in respect of listed buildings and conservation areas, through Policies DAP6-12.
- 3.6.6 Issue 5:** I note that the request for a target for affordable housing be integrated into objective 1C has been met by a cross reference to objective 4A (To make housing affordable and available to everyone) in the Revised Deposit Plan.

² See Paragraphs 5.12.1-5.12.27

³ CD28

⁴ CD202

- 3.6.7 Issue 6:** This issue was discussed at the Round Table Session on Managing Housing Supply. My conclusion is that 2011 is the appropriate Plan period. Beyond 2011 the housing requirement is uncertain. The process of disaggregating and reviewing the housing figures in the RSS has not yet been undertaken and there is no certainty as to what the District's requirement will be up to 2016. Nevertheless, to the extent that the housing requirement is known at the moment, Core Topic Paper 2: Housing⁵ demonstrates that reliance on commitments and windfalls will continue to bring forward sufficient sites to meet the general level of requirements to 2016, and even to 2021. In these circumstances, I see no need to make allocations beyond 2011 or to reserve sites to meet longer-term housing needs. This Plan has a short shelf life. I note that work will commence on a Core Strategy DPD in 2007/8. That DPD and any subsequent Allocations DPD will be able to take full account of emerging housing requirements to 2026 at District level resulting from the RSS Phase Two Review and the new housing projections.
- 3.6.8 Issue 7:** In drafting the Plan the District Council says that a number of principles were followed. One of these was to simplify and slim down the document by avoiding duplication. Another was that the Plan should be read as a whole. Paragraph 3.6 makes it clear that the objectives identified under each aim of the core strategy are intended to complement each other as far as possible although it recognises there is potential for conflict. It confirms that those objectives should be read together and that they should be integrated and balanced. It is implicit, therefore, that economic, social and environmental objectives need to be reconciled. I agree with the planning authority that it is unnecessary to make any further reference to this point in the supporting text.
- 3.6.9 Issue 8:** I concur with the District Council that Paragraph 3.12 should be retained in the Revised Deposit Plan. While the SPD 'Managing Housing Supply' is currently in force, severely restricting urban windfalls, there is no certainty that it will endure for the life of the Plan. It is possible that the position will change before 2011. The final sentence of Paragraph 3.12 properly explains that the District Council will continue to monitor progress towards achieving the objective of meeting the housing needs of the whole community to 2011.
- 3.6.10 Issue 9:** Kenilworth Town Council argues that use of the word 'acceptable' in Paragraph 3.12, which clarifies what is meant by windfall proposals on previously developed land in urban areas, is inappropriate because it could encourage unnecessary development harmful to established residential areas in particular. I do not agree. In considering whether to grant planning permission I believe the planning authority would examine all relevant planning policies and other material considerations.
- 3.6.11 Issue 10:** The Home Builders' Federation argues that the Plan should contain a specific policy confirming the Council's commitment to meeting its strategic housing requirement. The relevant figures should, they say, be clearly identifiable and transparent and be incorporated within the main body of the Plan rather than in an Appendix. I do not consider this to be necessary. Under objective 1C the District Council makes it quite clear that it will provide for the release of sufficient land to meet the strategic housing requirement as set out in Appendix 2. This is, in my opinion, sufficient. As regards the housing requirement/supply figures, I support the Council's approach of slimming down the Plan and separating technical/statistical information from the main text by including

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such information as an Appendix. It carries equal weight to the rest of the Plan and makes it easier, in my judgement, for the user to understand the document.

Recommendations

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

substitute the following text for the last 2 sentences of Paragraph 3.11:

“It includes need for affordable as well as market housing (see objective 4A). Appendix 2 of the Local Plan identifies the current and forecast supply of dwellings at April 2005.”

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

3.7 Paragraph 3.13 The Core Strategy of the Local Plan. Objective 1D: To enhance the vitality of town centres. (Originally numbered Objective 1E)

Objection to First Deposit Version

228/AE West Midlands RSL Planning Consortium

Objections to Revised Deposit Version

191/RAE Robin A Richmond
195/RAF The Leamington Society
283/RAA The Ancient Monuments Society

349/RAE Mr. D. G. Goodyear
350/RAE Tesco Stores Ltd

Key Issues

- 3.7.1** (1) Whether mention should be made of the use of upper floors for affordable housing in town centres.
- (2) Whether the objective should also refer to the ‘viability’ of town centres.
- (3) Whether this objective should be reconciled with social and environmental objectives.
- (4) Whether the core strategy should make specific reference to the special historic character of each of the town centres.

Inspector's Appraisal and Conclusions

- 3.7.2 Issue 1:** I agree with the District Council that in seeking to give a broad overview of Plan priorities it would be inappropriate for objectives of the core strategy to go into this level of detail. In any event, Policies TCP11 and TCP12 provide support for the use of upper floors in town centres for housing.
- 3.7.3 Issue 2:** I note that the wording of this objective was amended between the First and Revised Deposit versions of the Plan to give greater consistency between the core strategy and the objectives of the Sustainability Appraisal. However, together with vitality, ‘viability’ is one of the key considerations in the health of town centres. This is recognised in Paragraph 6.15 of the Plan and elsewhere. To more accurately reflect the advice in PPS6 I consider that the objective would be improved by re-introducing the word ‘viability’.
- 3.7.4 Issue 3:** The Leamington Society and Messrs Richmond and Goodyear have objected to a number of the core strategy objectives on the grounds that they should be reconciled with social and environmental objectives. However, Paragraph 3.6 makes it clear that all of the objectives need to be read together, integrated and balanced. There is no requirement, in my view, to make explicit reference to the need for reconciliation.
- 3.7.5 Issue 4:** Elsewhere the Plan makes reference to the specific character of each of the town centres, while Objective 2C refers to protecting and enhancing the historic environment. In these circumstances, I see no case for the core strategy duplicating this information. A further reference here would only add to the bulk of the Plan, defeating the intention of producing a focused slimmed-down document.

Recommendations

- 3.7.6 (a) That the Revised Deposit Plan be modified as follows:**
- substitute the following wording for Objective 1D:**
- “To enhance the vitality and viability of town centres”**
- (b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.**

3.8 Paragraph 3.14 The Core Strategy of the Local Plan. Objective 1E: To promote the regeneration of deprived areas. (Originally numbered Objective 1F)

Objection to First Deposit Version

No objections

Objections to Revised Deposit Version

191/RAF	Robin A Richmond
195/RAG	The Leamington Society
349/RAF	Mr. D. G. Goodyear

Key Issue

- 3.8.1** Whether this objective should make reference to the need to protect the quality of the environment.

Inspector's Appraisal and Conclusions

- 3.8.2** I consider this to be unnecessary. The aim of protecting the environment is implicit across all of the objectives. Moreover, objectives 2A-2E under Aim 2 focus on 'Effective Protection of the Environment'.

Recommendations

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

- 3.9 Paragraph 3.15 The Core Strategy of the Local Plan. Objective 1F: To promote sustainable tourism. (Originally numbered Objective 1G)**

Objections to First Deposit Version

154/AB	National Farmers' Union
168/AB	Advantage West Midlands
196/AH	The National Trust

Objection to Revised Deposit Version

66/RAE	The Warwick Society
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Key Issues

- 3.9.1** (1) Whether the Plan properly reflects an understanding of 'sustainable tourism'.
(2) Whether it is clear how this objective will be achieved.
(3) Whether it is reasonable to require tourism-related development in rural areas to be accessible by public transport.
(4) Whether Paragraph 3.15 should make specific reference to modes of transport other than the car.

Inspector's Appraisal and Conclusions

- 3.9.2 Issue 1:** Paragraph 3.15 was amended in the Revised Deposit Plan to explain what is meant by the term 'sustainable tourism'. I endorse those amendments which satisfy the concerns expressed by the National Trust. I note that on this basis the objection has been conditionally withdrawn.

- 3.9.3 Issue 2:** Achievement of this objective will clearly be through Plan policies that relate specifically to tourism related development. They include Policies UAP7 (Directing New Tourism Development), UAP8 (Directing New Visitor Accommodation – urban areas), and RAP16 (Directing New Visitor Accommodation – rural areas).
- 3.9.4 Issue 3:** The District Council recognises that it may not be feasible for all tourism-related development in rural areas to be accessible by public transport. The wording of Paragraph 3.15 of the Revised Deposit Plan reflects this by indicating that ‘tourism related proposals should, wherever possible, be accessible by various transport modes’.
- 3.9.5 Issue 4:** The reference to ‘various transport modes’ in Paragraph 3.15 of the Revised Deposit Plan also addresses the objection that the text should make specific mention of modes of transport other than the car.

Recommendations

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

3.10 Paragraphs 3.16 - 3.17 The Core Strategy of the Local Plan. Objective 2A: To protect and improve land quality

Objections to First Deposit Version

1/AA	Warwickshire Wildlife Trust
117/AD	Langstone Homes Ltd
120/AC	Miller Homes (West Midlands)
150/AA	Warwickshire County Council (Museum Field Services - Ecology)
200/AM	Taylor Woodrow Strategic Developments
210/AA	English Nature
239/AL	Mr D Austin

Objections to Revised Deposit Version

191/RAG	Robin A Richmond
195/RAH	The Leamington Society
302/RAA	English Heritage (West Midlands Region)
349/RAG	Mr. D. G. Goodyear

Key Issues

- 3.10.1** (1) Whether there is also a need to bring forward greenfield sites as well as previously developed land.
- (2) Whether the text should include a definition of previously developed land.

- (3) Whether, in bringing forward brownfield sites, acknowledgement should be made of the need to protect land of nature conservation value.
- (4) Whether Paragraph 3.16 should refer to land of historic as well as nature conservation value.
- (5) Whether Paragraph 3.16 should be amended to reflect the ‘urban expansion’ option favoured by the Warwickshire Structure Plan.
- (6) Whether the phrase ‘making best use’ should be substituted for ‘maximising the use’ (of previously developed land) in Paragraph 3.16.

Inspector's Appraisal and Conclusions

3.10.2 Issue 1: I am satisfied, for reasons set out elsewhere in my report, that there is no need in this Plan to identify greenfield land for development, be it for housing or employment. Nevertheless, Objective 2A does not preclude the use of greenfield sites in appropriate circumstances where, for example, the need for development could not be met on previously-developed land.

3.10.3 Issues 2, 3 and 4: A definition of previously developed land was included in Paragraph 3.16 of the Revised Deposit Plan through a cross-reference to PPG3. On that basis the objection by Warwickshire Wildlife Trust has been withdrawn. Although the definition makes reference to land of ecological value I note that the District Council considered it helpful to clarify the matter further through another amendment to Paragraph 3.16 which has also been incorporated into the Revised Deposit Plan. This addresses Issue 3. As regards Issue 4, the District Council has put forward an additional proposed change that makes reference to land that is of historic interest. Again, that objection is satisfied. I support all of those amendments.

3.10.4 Issue 5: In the context of Warwick District and the levels of growth projected for this Local Plan to 2011, I do not believe it necessary or appropriate for Objective 2A to refer to the balanced ‘urban expansion’ strategy of the Warwickshire Structure Plan. The Local Plan does not have a strategy to expand its present urban area beyond existing commitments. The Revised Deposit Plan’s approach has, I note, been accepted as being in general conformity with both the RSS (except for Policy SSP7 – Coventry Airport) and the Structure Plan.

3.10.5 Paragraph 3.17 sets out the position at 2004 in relation to the Structure Plan’s indicative minimum targets for the percentage of new housing and industry on previously developed urban land/buildings. These figures should be updated according to the latest monitoring information available.

3.10.6 Issue 6: I do not consider that the alteration to the text suggested by the Leamington Society is necessary. Objective 2A that it supports should be read alongside other objectives of the Plan. In any event, the following sentence in Paragraph 3.16 goes on to say that the District Council “will support proposals which re-use vacant previously developed land and which make the best use of such land for development (subject to protecting land which is of nature conservation value in accordance with other policies of this Local Plan).”

Recommendations

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

(i) substitute the following for the second sentence of Paragraph 3.16:

“We will support proposals which re-use vacant previously developed land and which make the best use of such land for development (subject to protecting land which is of nature conservation value or historic interest in accordance with other policies of this Local Plan).”

(ii) substitute the following for the second sentence of Paragraph 3.17:

“Appendices 1 and 2 of the Local Plan identify the position in relation to these targets at 2005.”

(iii) update Appendices 1 and 2 to a base date of 2005.

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

3.11 Paragraphs 3.18 - 3.19 The Core Strategy of the Local Plan. Objective 2B: To protect and enhance the natural environment

Objections to First Deposit Version

1/AB	Warwickshire Wildlife Trust
150/AB	Warwickshire County Council (Museum Field Services - Ecology)
210/AB	English Nature
226/AA	Environment Agency

Objections to Revised Deposit Version

150/RAA	Warwickshire County Council (Museum Field Services - Ecology)
226/RAB	Environment Agency
350/RAF	Tesco Stores Ltd

Key Issues

- 3.11.1** (1) Whether the objective should embrace wider environmental concerns such as sustainable drainage systems, soil quality and dereliction.
- (2) Whether the objective should include reference to geological and geomorphological features.
- (3) Whether the objective should include reference to opportunities for off-site compensation, in addition to mitigation measures.
- (4) Whether it is appropriate to both protect and enhance landscape character.

- (5) Whether compensation should only be sought where on-site mitigation is not possible.

Inspector's Appraisal and Conclusions

- 3.11.2 Issue 1:** Because there is overlap between objectives, I am satisfied that many of the wider environmental concerns identified are adequately addressed through other objectives of the core strategy. The District Council cites the example of objective 3C which seeks to ensure the prudent use of scarce resources and to limit and reduce the impacts of climate change. Paragraph 3.18 has, I note, been amended in the Revised Deposit Plan to strengthen and clarify objective 2B. Additional informal changes have also been put forward by the District Council.
- 3.11.3 Issue 2:** The Revised Deposit Plan includes a reference to 'geological' features while the subsequent proposed changes add 'geomorphological' features to the list of matters that will be protected from inappropriate development.
- 3.11.4 Issue 3:** Paragraph 3.19 has also been amended in the Revised Deposit Plan to include a high standard of mitigation and/or off-site compensation. This meets the objections from English Nature and Warwickshire Wildlife Trust. I endorse those amendments.
- 3.11.5 Issue 4:** I also support the other minor drafting changes to Paragraph 3.18 proposed by the District Council. In my view, it is clearer and more meaningful to firstly protect landscape character, geological/geomorphological features, and wildlife habitats and species of value, and then to follow that statement with the additional aim, wherever possible, of enhancing all of those assets.
- 3.11.6 Issue 5:** I accept that there could be cases where mitigation and/or off-site compensation measures are required. This would be permissible under Development Policies DP2 (Amenity) and DP3 (Natural and Historic Environment and Landscape). I consider therefore that the wording of the first sentence of Paragraph 3.19 is appropriate.

Recommendations

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

substitute the following for the final sentence of Paragraph 3.18:

“We will therefore protect the landscape character, geological/geomorphological features and wildlife habitats and species of value and acknowledged national, regional or local importance from inappropriate new development in urban and rural locations. We will aim, wherever possible, to enhance all of these assets.”

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

3.12 Paragraphs 3.20 - 3.21 The Core Strategy of the Local Plan. Objective 2C: To protect and enhance the historic environment.

Objections to First Deposit Version

122/AF	Warwick Castle
149/AA	Warwickshire County Council (Museum Field Services - Archaeology)
189/AB	Warwickshire Gardens Trust
193/AU	Coten End and Emscote Residents' Association
195/AA	The Leamington Society
199/AU	James Mackay
221/AA	Kenilworth Society
223/AD	Kenilworth Town Council
302/AD	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

66/RAF	The Warwick Society
122/RAE	Warwick Castle
154/RAA	National Farmers' Union
302/RAB	English Heritage (West Midlands Region)

Key Issues

- 3.12.1** (1) (a) Whether objective 2C should reflect the broader definition of the historic environment and include both designated and non-designated sites and areas.
(b) Whether Paragraph 3.20 should refer to 'buildings and other structures'.
- (2) Whether objective 2C should make explicit reference to buildings owned by Warwick District Council.
- (3) Whether the Plan should be more supportive towards the use of Article 4 Directions and Conservation Area Statements.
- (4) Whether objective 2C is supported by adequate Plan policies.
- (5) Whether reference should be made to archaeological sites.
- (6) Whether objective 2C should include a more positive statement about the role of tourism in protecting the historic environment.
- (7) Whether reference should be made to protection and conservation.

Inspector's Appraisal and Conclusions

- 3.12.2 Issue 1:** In responding to the First Deposit Plan, English Heritage said: "...there is also an increasing recognition at all levels of the value and importance of wider aspects of the historic environment that do not benefit from any statutory protection, but are integral to people's quality of life and in creating a sense of place and local identity. As a reflection of this and the rich and diverse heritage of the District, it is recommended that

the text is expanded to foster a wider definition and interpretation of the historic environment beyond statutorily protected sites and features.” The District Council accepts that a reference to both designated and non-designated sites and areas is appropriate. The amended wording of Paragraph 3.20 in the Revised Deposit Plan reflects this. The objections of English Heritage and Kenilworth Town Council on this point have, in consequence, been conditionally withdrawn. I note that a subsequent proposed change put forward by the District Council alters the final sentence of Paragraph 3.20 to clarify that objective 2C relates to ‘buildings and other structures’ and ‘non-designated aspects’. I support those amendments, with the addition of the word ‘area’. It follows that I reject the counter-argument made by the National Farmers’ Union.

3.12.3 Issue 2: The policies of this Plan apply to all land and buildings regardless of ownership. In my view, it would be inappropriate to make explicit reference to property owned by the District Council. I agree with the planning authority that any commitment to maintenance should properly be made through other Council documents such as the Corporate Strategy and Community Plan.

3.12.4 Issue 3: The use of Article 4 Directions to restrict ‘permitted development’ rights is addressed through Paragraph 9.41 of the reasoned justification to Policy DAP10 (Protection of Conservation Areas). I consider that to be the best place for such a reference rather than in support of objective 2C. As regards Conservation Area Statements, I note that the District Council has provided replacement text in Paragraph 9.44 of the Revised Deposit Plan, again in support of Policy DAP10. This indicates that: “The Council is committed to the periodic review of the District’s Conservation Areas and is in the process of preparing Conservation Area Statements.” I support that revision.

3.12.5 Issue 4: I concur with the planning authority that this objection does not concern objective 2C as such but relates instead to the adequacy of policies that follow in the Plan. I shall address these in due course in response to specific objections.

3.12.6 Issue 5: The District Council agrees that a stronger reference to measures that will be taken to protect archaeological sites and features would be helpful. I note that additional text has been suggested by the County Archaeologist. Some of that wording has now been incorporated into Paragraph 3.20 and other elements into Policy DP4 (Archaeology) of the Revised Deposit Plan. In consequence, this objection has been conditionally withdrawn. I support those amendments.

3.12.7 Issue 6: I note that there is already an objective (1F) supporting sustainable tourism which recognises its importance to the economy and the role it plays in the upkeep and use of historic properties. I consider that no further reference is required.

3.12.8 Issue 7: The District Council accepts that although ‘conservation’ is implied in Paragraph 3.21, a specific reference to conservation as well as protection would assist in Paragraph 3.20. I support that Proposed Change.

Recommendations

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

(i) substitute the following text for the first sentence of Paragraph 3.20:

“We recognise our responsibility to protect and conserve the historic environment for current and future generations.”

- (ii) **substitute the following text for the last sentence of Paragraph 3.20:**

“Furthermore, we recognise that the historic environment includes both designated and non-designated areas, buildings and other structures and we will ensure that appropriate protection is given to non-designated aspects.”

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

3.13 Paragraph 3.22 The Core Strategy of the Local Plan. Objective 2D: To maintain and enhance the quality of landscapes and townscapes

Objection to First Deposit Version

54/AC Conservative Group, Warwick District Council

Objection to Revised Deposit Version

No objections

Key Issue

- 3.13.1** Whether a ‘one size fits all’ approach is being taken to protecting the character and setting of towns and villages.

Inspector's Appraisal and Conclusions

- 3.13.2** I do not discern a blanket approach to maintaining/enhancing the quality of landscapes and townscapes in the District. This objective, as amended in the Revised Deposit Plan to reflect its reworded Sustainability Appraisal definition, pays particular attention to local issues of distinctiveness, separate identity and individual character. I note that the objective is supported by Kenilworth Town Council, the Kenilworth Society and English Heritage. I endorse the objective and its supporting text.

Recommendations

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

3.14 Paragraphs 3.23 - 3.24 The Core Strategy of the Local Plan. Objective 2E: To promote excellence in sustainable design and enhance the built environment

Objections to First Deposit Version

148/AC Campaign to Protect Rural England (Warwickshire Branch)
189/AC Warwickshire Gardens Trust

Objection to Revised Deposit Version

350/RAH Tesco Stores Ltd

Key Issue

- 3.14.1** Whether excellence in design could be construed as unachievable and should be replaced by the term ‘good design’.

Inspector's Appraisal and Conclusions

- 3.14.2** Aiming to achieve excellence in design is an appropriate aspiration. However, national planning policy advice in PPS1 talks of good design with high quality and inclusive design being the object of all those involved in the development process. Local Plan Policy DP1 itself indicates that development will only be permitted which positively contributes to the character and quality of its environment through good layout and design. It does not demand excellence which, in my view, is too high a requirement. As suggested by Tesco Stores Ltd, this could be seen as setting an unachievable objective. Consequently, while I acknowledge the intent of Government to improve the standard of design in the built environment and the role of CABE ‘to create places that are beautiful, safe, and efficient to run’, I consider that the references made in the supporting text to excellence should be replaced by the term ‘good design’. It follows that I do not support the position of CPRE (Warwickshire Branch) despite its objection being conditionally withdrawn. I accept that good design does not focus solely on easily measurable aspects but extends to more subjective and less easily assessed matters such as quality of design. I am satisfied that the policies of the Local Plan, particularly DP1, RAP3, DAP6, DAP9-11 and DAP13, seek to achieve this.

Recommendations

- 3.14.3 (a) That the Revised Deposit Plan be modified as follows:**
- (i) amend objective 2E to read:**

“To promote high quality sustainable design and enhance the built environment”
 - (ii) replace the words ‘excellent design’ in line 6 of Paragraph 3.23 and line 1 of Paragraph 3.24 with the words “good design”**
- (b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.**

3.15 Paragraphs 3.25 - 3.26 The Core Strategy of the Local Plan. Objective 3A: To reduce the need to travel.

Objections to First Deposit Version

117/AA	Langstone Homes Ltd
154/AC	National Farmers' Union
191/AC	Robin A Richmond
193/AW	Coten End and Emscote Residents' Association
199/AW	James Mackay
239/AN	Mr D Austin

Objections to Revised Deposit Version

191/RAH	Robin A Richmond
195/RAJ	The Leamington Society
321/RAD	West Midlands International Airport Ltd
349/RAH	Mr. D. G. Goodyear
350/RAG	Tesco Stores Ltd

Key Issues

- 3.15.1** (1) Whether recognition should be made of the requirement for additional development to meet the needs of rural areas.
- (2) Whether the objective should acknowledge that farm and rural diversification projects cannot necessarily be sited on public transport routes.
- (3) Whether objective 3A is adequately supported by Plan policies and the explanatory text.
- (4) Whether there should be criteria for measuring the impact of development upon those living in town centres given the core strategy of concentrating development into the District's major towns.
- (5) Whether Paragraph 3.25 should recognise that greenfield development on the edge of the urban areas might provide greater environmental benefits in terms of travel savings.
- (6) Whether the objective is inconsistent with PPS6 which states that development should be accessible by a choice of means of transport.
- (7) Whether, in seeking to reduce the need to travel, the provision of additional travel facilities (eg regional airports, parkway railway stations) can help minimise use of the private car.

Inspector's Appraisal and Conclusions

- 3.15.2 Issue 1:** Objective 1B is to promote and enhance vibrant rural communities. The Plan goes on to incorporate policies to meet needs in rural areas. The District Council has accepted, though, that it would be helpful to include a specific reference to rural areas under Objection 3A to acknowledge the distinctive issues they face. I endorse the additional text included at Paragraph 3.25 of the Revised Deposit Plan.
- 3.15.3 Issue 2:** I agree with the planning authority that the point made by this objector, although recognised, relates more to the issue of offering alternatives to the private car than to reducing the need to travel. It is covered by objective 3B (To promote the use of more sustainable travel options).
- 3.15.4 Issue 3:** Although there is no specific policy to directly implement this objective, the Plan needs to be read as a whole. When this is done, many of its policies come together to achieve objective 3A. In its response to this objection the District Council points out that the Plan's spatial strategy focuses development on the urban areas, with the Rural Area Policies (RAP1-16) complementing this by limiting growth in the countryside to meeting local needs and supporting rural communities. With this in mind, I see no need for an additional policy or for strengthening existing policies.
- 3.15.5 Issue 4:** I am satisfied that the Plan contains policies to control the impact of growth and development upon those living in town centres in terms of residential amenity and the adequacy of local infrastructure. Those policies incorporate relevant criteria to guide development in these and other sustainable urban locations.
- 3.15.6 Issue 5:** Both national and strategic planning policy seek to focus development on the urban areas, and previously developed land in particular, in order to reduce the need to travel, minimise land-take, and ensure sustainability. Given the character of the District and the circumstances that prevail at the present time which are likely to remain for the rest of the Plan period, the District Council is not promoting any greenfield sites for housing or employment. I am content that this is an appropriate policy approach.
- 3.15.7 Issue 6:** I agree with the District Council that there is no inconsistency in seeking to reduce the overall need to travel and the statement made in PPS6 (Planning for Town Centres) that development should be accessible by a choice of means of transport. The latter is effectively a sub-set of the former.
- 3.15.8 Issue 7:** Objective 3A is about reducing the overall need to travel in the interests of sustainability. West Midlands International Airport Ltd consider that this matter needs to be addressed on both a micro and macro scale. The objective as currently written seeks to reduce the need to travel on a principally local scale. The Government's White Paper: The Future of Air Transport (Dec 2003) recognises the opportunity to claw back the passenger air travel market that exists in the Midlands but which is currently leaking to airports outside the region, and to reduce the number of long distance journeys made to airports by supporting the development of regional facilities. Similar travel savings are offered by the provision of parkway stations. These provide opportunities for longer journeys to be undertaken by more sustainable rail transport as an alternative to the private car. The objector proposes that further text be added to Paragraph 3.25 to acknowledge the scope for such savings and to express support for additional travel facilities, such as the scheduled commercial passenger services at Coventry Airport or the provision of parkway stations, where it can be shown that they will reduce distances travelled by private vehicle by people within the District.

3.15.9 It seems to me that this objection is more about addressing how journeys are to be carried out once a decision has been made to travel. Providing better public transport facilities like parkway stations and regional airports may promote more sustainable travel options but will do little to reduce the need to travel. In any event, many of the savings made in journey times will be offset by the attraction of a greater number of trips cancelling out any advantage. I therefore do not support the additional wording promoted by the objector.

Recommendations

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

3.16 Paragraphs 3.27 - 3.28 The Core Strategy of the Local Plan. Objective 3B: To promote the use of more sustainable travel options

Objections to First Deposit Version

193/AX	Coten End and Emscote Residents' Association
199/AX	James Mackay
234/AA	Cllor A Gordon (Sherbourne Parish Council)

Objections to Revised Deposit Version

No objections

Key Issues

- 3.16.1 (1)** Whether the Plan should acknowledge that restraint on use of the private car can only operate effectively in urban areas where alternatives are available.
- (2) Whether the objective should be more proactive towards proposals to improve public transport facilities and require major travel generating developments to be located and designed to be accessible by sustainable means of transport.

Inspector's Appraisal and Conclusions

3.16.2 Issue 1: Rural areas raise particular issues concerning sustainable transport choices. However, in order to maximise travel sustainability across the District as a whole I accept that it is necessary to focus the majority of development in suitable urban locations near to public transport interchanges and to encourage improvements in public transport. In this regard, I see no need to amend the text supporting objective 3B.

3.16.3 Issue 2: The District Council accepts that the First Deposit Plan was not as positive as it might have been in promoting public transport, even though the Council is not a public transport authority. I support the amendments made at Revised Deposit stage which now refer at Paragraph 3.28 to making and facilitating, as well as supporting, proposals to improve public transport services and infrastructure. As regards major travel

generating developments, I feel that the emphasis in Paragraph 3.28 on directing such schemes to locate near to public transport interchanges to encourage patronage is the right approach. The alternative wording suggested by Mr Mackay and the Coten End and Emscote Residents' Association is, I feel, too prescriptive.

Recommendations

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

3.17 Paragraphs 3.29 - 3.30 The Core Strategy of the Local Plan. Objective 3C: To ensure the prudent use of scarce resources and limit and reduce the impacts of climate change

Objections to First Deposit Version

148/AD	Campaign to Protect Rural England (Warwickshire Branch)
168/AC	Advantage West Midlands

Objections to Revised Deposit Version

154/RAB	National Farmers' Union
199/RAA	James Mackay
350/RAJ	Tesco Stores Ltd

Key Issues

- 3.17.1** (1) Whether the objective should be supported by a specific policy on renewable energy.
- (2) Whether the objective should be more proactive in requiring new developments to incorporate energy efficient measures.
- (3) Whether the reference to high quality agricultural land should read 'best and most versatile' to accord with Structure Plan policy.
- (4) Whether 'landscape' should be recognised as a resource.
- (5) Whether the reference to 'landscape' in the Revised Deposit Plan is too restrictive and not adequately explained.
- (6) Whether the addition of 'climate change' to the objective is reflected in the explanatory text.

Inspector's Appraisal and Conclusions

- 3.17.2 Issue 1:** This matter has been addressed by inclusion in the Revised Deposit Plan of new Policy DP12a in respect of Renewable Energy Developments.

3.17.3 Issue 2: Policy DP12 (Energy Efficiency) encourages the layout and design of energy efficient buildings but it cannot require that specific measures be incorporated. I am satisfied that the Policy goes as far as it reasonably can in expecting applicants to demonstrate the steps that have been taken. In my opinion, Objective 3C properly reflects the current position in respect of Government policy.

3.17.4 Issue 3: The objection by CPRE (Warwickshire Branch) to use of the term ‘high quality’ agricultural land has been met in the Revised Deposit Plan by substitution of the words ‘best and most versatile’. I support that amended wording which more accurately reflects national and strategic planning policy.

3.17.5 Issue 4: Likewise, the District Council has accepted that ‘landscape’ is a resource deserving of protection.

3.17.6 Issue 5: I agree with the objector that simply inserting the word ‘landscape’ in Paragraph 3.29 of the Revised Deposit Plan causes confusion. Any new development, no matter how small, could conceivably have some impact upon the landscape implying that it would be resisted. I endorse the proposed change put forward by the District Council. The sentence would then more reasonably read: “We will also protect best and most versatile agricultural land and the landscape from inappropriate new development.”

3.17.7 Issue 6: Although not specifically mentioning climate change, I consider that Paragraphs 3.29 and 3.30 do properly support objective 3C. The minor correction to the objective put forward by the District Council allows it to read as intended. I support that proposed change.

Recommendations

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

(i) amend the objective to read:

“To ensure the prudent use of scarce resources and limit and reduce the impacts on climate change”

(ii) amend the last sentence of Paragraph 3.29 to read:

“We will also protect the best and most versatile agricultural land and the landscape from inappropriate new development.”

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

3.18 Paragraph 3.31 The Core Strategy of the Local Plan. Objective 4A: To make housing affordable and available to everyone.

Objection to First Deposit Version

Objection to Revised Deposit Version

No objections

Key Issues

- 3.18.1** (1) Whether the objective should recognise the role played by mixed use developments in securing affordable housing.
- (2) Whether the objective should include a target for affordable housing.

Inspector's Appraisal and Conclusions

3.18.2 Issue 1: Objective 4A does not preclude affordable housing in mixed use developments. As the District Council points out, Paragraph 3.26 specifically promotes schemes that provide opportunities for people to live, shop or work in close proximity. In my view no further elaboration is necessary.

3.18.3 Issue 2: The District Council has agreed that a target for affordable housing would improve the Plan. A target of at least 100 new affordable homes per year has been included in Paragraph 5.46 of the Revised Deposit Plan in support of Policy SC9. That target is felt to be a realistic assessment of the potential to deliver affordable housing taking into account the likely supply of committed and future windfall sites. I note that a reference to targets is made in Paragraph 3.31. I support those amendments.

Recommendations

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

3.19 Paragraph 3.32 The Core Strategy of the Local Plan. Objective 4B: To reduce poverty, social exclusion, crime and anti-social behaviour.

Objection to First Deposit Version

Objection to Revised Deposit Version

No objections

Key Issue

3.19.1 Whether the District Council should support the provision of 'lifetime homes' as a proportion of all new homes built in the District across all tenures.

Inspector's Appraisal and Conclusions

3.19.2 'Lifetime homes' are those that comply with the standards promoted by the Joseph Rowntree Foundation. They are suitable for different generations of families at the same time, including provision for the disabled. While the District Council supports the concept it considers it would be difficult at the present time to require a percentage of homes to be built to that standard. I agree. I note that the District Council has included in Paragraph 3.32 of the Revised Deposit Plan a reference to 'homes that meet the needs of all within society'. It has also inserted a new Paragraph 5.5A under Policy SC1 (Securing a Greater Choice of Housing) indicating that the Council will actively support the inclusion of a suitable proportion of such homes wherever this is practical and appropriate. In my view this substantially addresses the objection.

Recommendations

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

3.20 Paragraph 3.33 The Core Strategy of the Local Plan. Objective 4C: To improve the health and well-being of communities.

Objections to First Deposit Version

193/AY Coten End and Emscote Residents' Association
199/AY James Mackay

Objection to Revised Deposit Version

350/RAK Tesco Stores Ltd

Key Issues

- 3.20.1** (1) Whether other means open to the District Council for promoting the health and well-being of communities should be recognised in the Plan.
- (2) Whether the objective should clarify how local shops and services can deliver healthy lifestyles and/or make reference to social inclusion and accessibility to a range of facilities.

Inspector's Appraisal and Conclusions

3.20.2 Issue 1: The text of Paragraph 3.33 of the Revised Deposit Plan has been augmented to show how the Plan seeks to promote healthy lifestyles. Mention is made of reducing the need to travel; promoting local shops and services; offering safe and convenient alternatives on foot, cycle or public transport; and protecting open spaces. I note that a subsequent proposed change has also been suggested by the District Council, referring to 'leisure' as well as recreational opportunities. I am satisfied that these

amendments address the objectors' concern and assists in better understanding the objective.

- 3.20.3 Issue 2:** Paragraph 3.33, as amended, explains that the provision of local shops and services can contribute to a healthy lifestyle by reducing the need to travel and by promoting safe and convenient alternative modes. I consider that specific references to social inclusion and access to a range of facilities are more appropriately dealt with under other Plan objectives, notably 4B and 4E.

Recommendations

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

replace the third sentence of Paragraph 3.33 with the following:

“Providing a variety of leisure and recreational opportunities and protecting open space is also essential to promote the health and well-being of the community and support social inclusion.”

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

- 3.21 Paragraph 3.34 The Core Strategy of the Local Plan. Objective 4D: To protect the amenity of the local community.**

Objection to First Deposit Version

No objections

Objections to Revised Deposit Version

191/RAJ Robin A Richmond
195/RAK The Leamington Society

Key Issue

- 3.21.1** Whether this objective should include a reference to improving standards of amenity.

Inspector's Appraisal and Conclusions

- 3.21.2** The District Council has accepted that the objective should be not only to protect but also to improve standards of amenity. I support the proposed change to the Revised Deposit Plan which amends Paragraph 3.34. In my view, it is also necessary to amend the objective itself in the interests of consistency. The objection has, I note, been conditionally withdrawn.

Recommendations

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

(i) amend the objective to read:

“To protect and improve the amenity of the local community”

(ii) replace the second sentence of Paragraph 3.34 with the following:

“We will ensure all new development takes account of surrounding uses and is designed to protect and improve standards of amenity.”

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

3.22 Paragraph 3.35 The Core Strategy of the Local Plan. Objective 4E: To protect, enhance and improve accessibility to local services and community facilities.

Objection to First Deposit Version

No objections

Objection to Revised Deposit Version

341/RAC South Warwickshire Primary Care Trust

Key Issue

3.22.1 Whether the objective should aim to protect existing, and support new, facilities including those relating to health.

Inspector's Appraisal and Conclusions

3.22.2 The objective is a broad one that embraces a wide range of uses. The reasoned justification to Policies SC7 (Directing Community Facilities) and SC7A (Protecting Community Facilities) makes it clear at Paragraph 5.33 that protection/support is given to existing and proposed medical facilities.

Recommendations

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

3.23 Chapter 3 – Omissions

Objections to First Deposit Version

107/AA	University of Warwick
262/AG	Warwick & Leamington Spa Green Party
302/AC	English Heritage (West Midlands Region)
303/AA	Racecourse Holdings Trust

Objection to Revised Deposit Version

303/RAA	Racecourse Holdings Trust
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Key Issues

- 3.23.1** (1) Whether Aims 1 and 2 should include a reference to higher education and the High Technology Corridors.
- (2) Whether the Plan should include a statement about the use and renovation of empty properties.
- (3) Whether landscape character should be acknowledged as a separate objective under Aim 2 in view of its multi-faceted nature.
- (4) Whether the Plan should include an objective to support and improve existing and new leisure facilities.

Inspector's Appraisal and Conclusions

- 3.23.2 Issue 1:** In response to an objection from the University of Warwick at First Deposit stage the District Council agreed to incorporate in the Revised Deposit Plan references to higher education and the High Technology Corridors identified in the RSS. These have been inserted in the spatial strategy of the Plan at Paragraphs 3.6B and 3.6E. I accept that this is an appropriate location and preferable to augmenting Aims 1 and 2.
- 3.23.3 Issue 2:** The Plan encourages the re-use of vacant buildings/land through objective 2A and Paragraph 3.16. In light of this I believe no further reference is necessary.
- 3.23.4 Issue 3:** I acknowledge that landscape character is a function of the complex interplay of many different components. This interrelationship between natural, built and historic factors is reflected in the Countryside Agency's landscape character assessment guidelines. The District Council considers that the objectives of the core strategy, when taken together, afford adequate recognition and protection of the various elements of landscape character. However, to reinforce the point a specific reference to historic landscapes has been added to objective 2C at Revised Deposit stage. I note that English Heritage has conditionally withdrawn its objection on that basis.
- 3.23.5 Issue 4:** Objective 4C already highlights the health/well-being and economic benefits of leisure facilities. Nevertheless, the District Council recognises that it would be helpful to include leisure uses alongside recreation and open space and therefore proposes a further change to Paragraph 3.33. I support that minor amendment. I see no need for a separate, specific objective.

Recommendations

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

replace the third sentence of Paragraph 3.33 with:

“Providing a variety of leisure and recreational opportunities and protecting open spaces is also essential to promote the health and well-being of the community and support social inclusion.” *[NB This recommendation duplicates that made under objective 4C]*

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

CHAPTER 4: DEVELOPMENT POLICIES

4.1 Overview

- 4.1.1** These policies are generic, applying to all development throughout the District. They have attracted many objections. I consider those objections in some detail. I support modifications to each of the policies and/or their reasoned justification, save for Policies DP9, DP13 and DP14. I recommend no additional policies.

4.2 Paragraphs 4.1 - 4.2 Introduction

Objections to First Deposit Version

No objections

Objections to Revised Deposit Version

191/RAK	Robin A Richmond
195/RBB	The Leamington Society
349/RAK	Mr. D. G. Goodyear

Key Issue

- 4.2.1** Whether Paragraph 4.2 should include ‘safety’ as an objective in the first bullet point.

Inspector’s Appraisal and Conclusions

- 4.2.2** Paragraph 4.2 sets out what the Plan’s generic development policies seek to achieve. The first bullet point refers to the Core Strategy and, in particular, to the environmental and social objectives. ‘Safety’ is not identified as an aim or an objective of the Core Strategy. I am told by the District Council that this matter has been raised in connection with car parking. Since on-street parking and highway safety issues are addressed later by Policy DP8 I see no need for this detailed consideration to be included here in the introductory text.

4.2.3 Recommendations

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

4.3 Paragraphs 4.3 - 4.11 Policy DP1 Layout and Design

Objections to First Deposit Version

44/AA	P Lloyd
66/AG	The Warwick Society
109/AF	Warwickshire County Council (Planning, Transport & Economic Strategy)
109/AR	Warwickshire County Council (Planning, Transport & Economic Strategy)
128/AA	Mr and Mrs Devereux
148/AA	Campaign to Protect Rural England (Warwickshire Branch)
148/AE	Campaign to Protect Rural England (Warwickshire Branch)
187/AB	The Countryside Agency (West Midlands Region)
193/AZ	Coten End and Emscote Residents' Association
194/AA	Vernon Lawton
195/AB	The Leamington Society
197/AB	Norton Lindsey Parish Council
198/AA	John Henderson
220/AB	Cala Homes (Midlands) Ltd
229/AA	Gallagher Estates Limited
252/AA	Dr T L & Mrs M E Dunn
273/AA	R H S Montanaro
281/AA	Mrs Bernadette Seales
296/AK	CLARA

Objections to Revised Deposit Version

66/RAG	The Warwick Society
148/RAA	Campaign to Protect Rural England (Warwickshire Branch)
191/RAL	Robin A Richmond
195/RBC	The Leamington Society
283/RAB	The Ancient Monuments Society
349/RAL	Mr. D. G. Goodyear
350/RAL	Tesco Stores Ltd

Key Issues

- 4.3.1** (1) Whether Policy DP1 should include criteria similar to those in Policy RAP3.
- (2) Whether the Policy allows for the more efficient use of land required by national guidance and for radical solutions, new building technology and innovative design.
- (3) Whether reference should be made in the supporting text to PPS1 and the DETR publication 'By Design'.
- (4) Whether the Plan should create a better relationship between Policies DP1 and DP5.
- (5) Whether the Policy should be cross-referenced to Policy DP3 in relation to protecting landscape character and distinctiveness.

- (6) Whether reference should be made in the Plan to village design statements and other documents as sources of advice and guidance.
- (7) Whether Policy DP1 is adequate to protect the character of areas of local significance or historic distinctiveness from intrusive development.
- (8) Whether the Policy affords adequate protection against unsatisfactory redevelopment at a higher density.
- (9) Whether Policy DP1 is too prescriptive in not allowing development to be significantly different in physical form, urban design, and architectural style from surrounding buildings.
- (10) Whether (i) criterion b) should be expanded to include a reference to maintaining front walls and boundary hedges, and precluding parking on front gardens; and (ii) further criteria should be added.
- (11) Whether criterion g) is appropriately worded.
- (12) Whether there should be a specific criterion to control the design and number of signs and other street furniture that clutter and detract from openness.
- (13) Whether the term 'significant impact' should be defined, preceded by the word 'potentially' or qualified with the words 'as judged by the Council'.
- (14) Whether Paragraph 4.6 should indicate that SPD will be produced and specify a target date.
- (15) Whether there should be an additional criterion within Policy DP1 relating to trees and other landscaping.
- (16) Whether the Plan should address the situation where amended proposals are submitted after planning permission is granted.
- (17) Whether the Policy should include a reference to car parking as this affects layout and design.
- (18) Whether shopfronts should be covered by the Policy.
- (19) Whether Paragraphs 4.7 and 4.8 are appropriately worded.
- (20) Whether the explanatory text adequately supports the Policy.
- (21) Whether the various suggestions made would improve the Policy criteria.
- (22) Whether Paragraph 4.8 should be amended to refer to acceptable standards of accommodation in terms of size, daylight and outlook.
- (23) Whether SPD should be prepared giving details and examples of the standard of drawings and other information required for planning applications.
- (24) Whether the second sentence of Paragraph 4.3 should be re-ordered.

Inspector's Appraisal and Conclusions

- 4.3.2 Issue 1:** Kenilworth Town Council argues that the character of Kenilworth is more akin to the rural settlements than to other urban areas of the District. The equivalent Policy to DP1 in the extant Local Plan has, it says, proved ineffective in protecting Kenilworth and similar settlements from the worst excesses of domestic extensions. The Town Council requests that Policy DP1 be augmented by similar criteria to those that apply to extensions in rural areas under Policy RAP3.
- 4.3.3** I agree with the District Council that the content of Policy RAP3 is not directly relevant to the urban setting in that it seeks to prevent disproportionate additions from affecting the open character of the countryside, much of which lies within the Green Belt, in accordance with PPG2: Green Belts and PPG7: Sustainable Development in Rural Areas. I consider that, unlike many villages in the District that are washed over by the Green Belt, urban areas are less likely to be adversely affected by issues of openness. The District Council has, I note, published design guidance on its web site, adopted supplementary planning guidance on both the 45 degree code and on distance separation, and work is currently underway on a new supplementary planning document in respect of residential design, all of which are intended to complement Policy DP1.
- 4.3.4** I am satisfied that Policy DP1, assisted by other Plan policies and the planning authority's additional forms of design guidance, is in this respect fit for purpose and adequate to protect the general character and appearance of the District. Paragraph 4.1 of the reasoned justification makes it clear that all development proposals, including extensions/alterations, will be assessed against the generic policies within Chapter 4. It is for the District Council's development control section to apply Policy DP1 with sufficient rigour. I see no compelling argument for adding further criteria to Policy DP1. The Policy already requires development proposals to demonstrate that they respect surrounding buildings in terms of scale, height, form and massing and to adopt appropriate materials and details, amongst many other matters. Paragraph 4.6 should, though, acknowledge the work in progress to prepare additional guidance on residential design. That work has, I am told, been approved in draft form by the District Council's Planning Committee prior to public consultation.
- 4.3.5 Issue 2:** As the District Council points out, Policy DP1 should be read in conjunction with other Plan policies. Policy DP5 is another generic policy. It deals with density and specifically supports the efficient use of land. Although layout and design are required to pay appropriate regard to the existing built and natural environment, Policy DP1 does not seek to stifle new solutions and innovation. Paragraph 4.11 makes it abundantly clear that the District Council supports the use of imaginative designs in the right place.
- 4.3.6 Issue 3:** Reference is made in Paragraph 4.5 of the Revised Deposit Plan to PPS1 (Delivering Sustainable Development). I feel that this is appropriate given the pivotal role of sustainability in supporting the planning process and achieving desirable outcomes. However, it is not necessary to specifically mention all Government guidance including 'By Design'. To do this would serve to make the Local Plan less focused and succinct.
- 4.3.7 Issue 4:** It is made clear at Paragraph 2.3A of the User Guide that regard needs to be had to all relevant policies, and that individual policies should not be applied in

isolation. Bearing in mind the generic nature of the Plan's development policies, I believe there to be no risk that Policy DP5, which deals with density and efficiency of land use, would be given greater weight than Policy DP1. As regards the Rock Townsend Study, this is of particular relevance to Leamington Spa and its Conservation Area. In my view, it is more appropriately referred to under Policy DAP10 (Protection of Conservation Areas).

4.3.8 Issue 5: Given the instruction in the Plan that policies need to be read together and the generic nature of the development policies, there is no general requirement to cross-reference them. To do so without very good reason would substantially increase the bulk of the Plan and adversely affect its clarity.

4.3.9 Issue 6: I see no compelling need in relation to Policy DP1 to burden the explanatory text with mention of additional documentation. If a village design statement or other document is of relevance it should be referred to in the section of the Plan that relates specifically to that settlement or topic.

4.3.10 Issue 7: Policy DP1 is criteria-based. It lists a substantial number of diverse factors that will be used to evaluate development proposals. Amongst other matters, schemes will be expected to demonstrate that they reflect, respect and reinforce local architectural and historical distinctiveness. Where proposals are likely to have a significant impact upon the character and appearance of an area the Policy requires the applicant to prepare a Character Appraisal and Design Statement. I am satisfied that this affords a considerable degree of protection. In relation to safe routes for cycling, there is no reason in principle why these should prove harmful if carefully laid out and designed.

4.3.11 Issue 8: In my opinion, the criteria and matters identified in Policies DP1, DP5 and other Plan policies provide a sufficient basis for assessing more intensive redevelopment proposals. Demolition of family homes and other large buildings and their replacement with higher density schemes is not contrary to Government guidance. PPG3 urges local planning authorities to make more efficient use of land by reviewing planning policies and standards and to provide wider housing opportunity and choice and a better mix in the size, type and location of housing than is currently available, and seek to create mixed communities. It supports the use of previously developed land in achieving these objectives including existing dwellings and their gardens. Authorities are expected to avoid developments which make inefficient use of land (those of less than 30 dwellings per hectare net) and encourages housing development which makes more efficient use of land (between 30 and 50 dwellings per hectare net).

4.3.12 Nevertheless, the District Council has done much to afford control in areas that exhibit special characteristics. Conservation Areas have been re-surveyed and, where appropriate, expanded to protect against development that could compromise their overall character and distinctiveness. I note that the Leamington Conservation Area, for example, was reviewed in 2004 and Northumberland Road included. As regards the provision of mobile phone masts in residential areas, this is addressed in general terms by Policy DP1 and more specifically by Policy SC8 (Telecommunications).

4.3.13 Issue 9: I do not believe that Policy DP1 is inflexible, stifles innovative design or encourages pastiche. Although the criteria employed generally require development to 'reflect' the existing built form, they also use words like 'harmonise', 'enhance', 'reinforce' and 'respect'. The Policy indicates that development will only be permitted which positively contributes to the character and quality of its environment. Good layout

and design does not require slavish adherence to what already exists or mimicry but allows for innovation and the possibility of a different approach. The District Council points to the offices at Gem House, Hamilton Terrace, Leamington Spa as a good example of a building of contemporary design situated adjacent to a row of Georgian buildings within a conservation area. Where proposals could potentially have a significant impact on the character and appearance of an area, applicants are expected to demonstrate compliance through a Character Appraisal and Design Statement.

4.3.14 Issue 10: The Leamington Society argues that the criteria of Policy DP1 should be expanded to prevent parking on front gardens. This practice can have townscape implications, lead to loss of public on-street parking, and increase surface water runoff contributing to flooding problems. In most situations, ‘permitted development’ rights allow hardstandings to be formed for car parking on front gardens and vehicular accesses to be laid out without the need for planning permission. Moreover, the removal of boundary walls and hedges does not generally require consent. Because of these planning concessions made nationally, I feel it would be inappropriate to include such matters within Policy DP1 or to introduce a separate policy to safeguard front gardens in conservation areas or elsewhere. Where there are particular concerns, say on streetscape grounds, the District Council can make an Article 4 direction restricting the application of ‘permitted development’ rights over a specific area. As regards use of the word ‘significant’ in the final paragraph of the Policy, this is necessary to ensure that it only applies to matters with which the Policy should be concerned. I agree with the District Council that it would be out of place to require an ‘Amenity Appraisal’ of all new development under Policy DP1 which relates specifically to layout and design. Such an assessment is required for all proposals under Policy DP2. Finally, I do not believe that additional policy criteria are warranted in respect of highway/pedestrian safety, rectification of past mistakes prior to new works being carried out, signage, or shop fronts.

4.3.15 Issue 11: I consider criterion g) to be appropriate, except for the final word ‘used’ which is unnecessary. I see no need to add ‘to achieve the purposes of paragraphs a) to f)’.

4.3.16 Issue 12: The District Council acknowledges in Paragraph 9.44B that there are concerns regarding the detrimental impact of statutory signage such as highway information within conservation areas and says that it is committed to working with the relevant agencies to minimise those impacts. I note that guidance has been published on shop fronts and signage in the Warwick and Leamington Spa Conservation Areas¹ and that Policy DAP12 precludes the erection of advertisement hoardings in all conservation areas. In my view, these measures are appropriate without the need for further reference in Policy DP1.

4.3.17 Issue 13: There is no need to define what is meant by ‘significant impact’. This will vary from site to site and from proposal to proposal and is a matter that will need to be considered at planning application stage. In my opinion, the word ‘potentially’ would add very little, if anything, to the Policy and the words ‘as judged by the Council’ are unnecessary.

4.3.18 Issue 14: The District Council is in the process of preparing SPD on residential design. This will be used in conjunction with Policy DP1 and other DP policies to assess

¹ CD602 and CD603

planning applications. That SPD has been approved in draft form prior to public consultation later in 2006. While it may not be possible to specify target dates for all SPD, I believe the Plan should indicate that the District Council 'will' rather than 'seek to' produce SPD.

- 4.3.19 Issue 15:** I see no need for a further policy criterion in respect of trees and other landscaping. These matters are already covered under criteria e) and k). The former refers to incorporating existing features into the site while the latter ensures that landscaping and open spaces are well related to each other. I agree with the District Council that forest trees are unlikely to be suitable for most schemes, other than in large areas of landscaping, because of their size and vigour, effect on foundations and the need to achieve a reasonable density of development. No convincing argument has been put to me to extend the proposed SPD to cover 'other landscaping' as well as trees within new development sites.
- 4.3.20 Issue 16:** Policy DP1 will apply equally to any amended scheme that is submitted after the grant of planning permission.
- 4.3.21 Issue 17:** The Policy already refers at criterion k) to parking. It requires this and other layout components to be well related to each other and provide a safe and attractive environment. Policy DP8 addresses the issue of car parking and highway safety in more detail. As regards the needs of pedestrians and cyclists, new schemes will be expected to demonstrate how these interests are to be accommodated and given priority over other means of transport.
- 4.3.22 Issue 18:** I agree with the District Council that it is not necessary to single out shopfronts for particular attention in the Policy. Policy DP1 is intended to cover all layout and design issues. Policy TCP13 later in the Plan relates specifically to the design of shopfronts.
- 4.3.23 Issue 19:** I do not accept that the District Council should be required to consult local representative groups wherever pre-application discussions are held. This would potentially serve to delay development and duplicate the consultation procedures followed at application stage. The present wording of Paragraph 4.7 is, in my opinion, to be preferred - that is, 'where it (*the Council*) considers it appropriate and with the agreement of the applicant'. Neither do I support the suggested amendment to Paragraph 4.8 which would require applicants to demonstrate 'to the satisfaction of the Council' that their development achieves good layout and design. Such additional words are, in my view, unnecessary.
- 4.3.24 Issue 20:** I am content that there is no conflict between the statements made in the supporting text and the thrust and detail of Policy DP1. Paragraphs 4.3-4.11 explain the background to and development of the Policy. I consider that the Policy itself is clear and unambiguous.
- 4.3.25 Issue 21:** A number of suggestions have been made for improving the detailed Policy criteria. I do not believe that criteria a) - l) of Policy DP1 duplicate each other to any great extent nor that they cannot be justified where the existing urban character is undistinguished. I note that criterion e) has already been amended in the Revised Deposit Plan and a new criterion l) added. However, I feel that there is also merit in amending criteria b) and i). The former would result in a clearer text while the latter relates more properly to the essential design requirement of providing adequate open space. As

regards the suggestion that criterion e) be further changed from ‘enhance’ to ‘improve’, I see no essential difference in these terms.

4.3.26 Issue 22: Policy DP1 sets out the basic principles that underpin all development, not just residential. Minimum standards of accommodation are more properly addressed under the Building Regulations.

4.3.27 Issue 23: It is proposed to introduce a standard planning application form which will ensure a consistent quality of plans and level of detail. I agree that a Local Plan is not the correct vehicle for setting out those general requirements, either in the body of the Plan itself or in SPD. As regards larger sites, the District Council says that it intends to prepare a planning brief for each site which will incorporate the Council’s known requirements and expectations.

4.3.28 Issue 24: I agree with the objector that the second sentence of Paragraph 4.3 would benefit in terms of comprehension and emphasis from reversing the order of the 2 parts of the sentence.

Recommendations

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

(i) amend criterion b) of Policy DP1 to read:

“relate well to local topography and landscape features, including prominent ridge lines”

(ii) amend criterion g) of Policy DP1 to read:

“adopt appropriate materials and details”

(iii) amend criterion i) of Policy DP1 to read:

“provide adequate open space for the development in terms of both quantity and quality”

(iv) amend the second sentence of Paragraph 4.3 to read:

“This is as relevant in more modern development as it is in historic conservation areas.”

(v) add “design guidance” to the list of supplementary planning documents in Paragraph 4.6

(vi) delete the words ‘seek to’ from the first line of Paragraph 4.6

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

4.4 Paragraphs 4.12 - 4.15 Policy DP2 Amenity

Objections to First Deposit Version

4/AD	Arlington Planning Services LLP
54/AD	Conservative Group of Councillors
148/AF	Campaign to Protect Rural England (Warwickshire Branch)
193/BA	Coten End and Emscote Residents' Association
199/BA	James Mackay
220/AD	Cala Homes (Midlands) Ltd
221/AD	Kenilworth Society
302/AH	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

66/RAH	The Warwick Society
191/RAM	Robin A Richmond
195/RAL	The Leamington Society
283/RAC	The Ancient Monuments Society
321/RAE	West Midlands International Airport Ltd
327/RAB	Miss E M Rumary
349/RAM	Mr. D. G. Goodyear
350/RAN	Tesco Stores Ltd

Key Issues

- 4.4.1** (1) Whether the SPG referred to in Paragraph 4.15 should be updated to reflect changes in national policy.
- (2) Whether the design standards referred to in Paragraph 5.54 for social housing should be applied to all other housing.
- (3) Whether Paragraph 4.13 should be amended to improve the clarity of the Policy.
- (4) Whether there is tension between Policies DP2 and DP5.
- (5) Whether the Policy is too subjective and should be deleted.
- (6) Whether brownfield sites should be redefined to exclude private gardens and permission granted for development only in exceptional circumstances with minimum amenity space defined and 'permitted development' rights removed.
- (7) Whether considerations of amenity should be expanded to include risk, particularly the impact of on-street parking on emergency services and pedestrians.
- (8) Whether Paragraph 4.12 should reflect the District Council's Continuous Improvement Agenda (EFQM, 2002).
- (9) Whether the objectives of the Policy would be strengthened by amending 'good design' to 'excellent design' in Paragraph 4.14.

- (10) Whether the Policy would benefit from further clarification.
- (11) Whether air pollution is an appropriate example of an adverse impact on amenity.
- (12) Whether the Policy should indicate the way in which the impacts on amenity will be assessed and weighed.
- (13) Whether the Policy and its supporting text adequately promote safety and fairness in protecting the community.
- (14) Whether mitigation and compensation should be added to the Policy.
- (15) Whether demolition and replacement should be accompanied by improvement and neighbours consulted on design.

Inspector's Appraisal and Conclusions

- 4.4.2 Issue 1:** The District Council says it is updating its existing SPG on residential design. As part of that review, guidance on distance separation and the 45% rule is being revisited. Any necessary updates will be included in the SPD which will be consulted upon shortly. I consider that there is no need to amend the Plan in light of this information.
- 4.4.3 Issue 2:** Unlike the case with social housing, no minimum design standards exist for private housing where market forces dictate what is required. It is not therefore possible to apply those standards universally. However, the Building Regulations do have a role to play in the implementation of construction standards.
- 4.4.4 Issue 3:** The Council accepts that the phrase 'can be described as' is rather vague. In the Revised Deposit version of the Plan it has been amended to read 'is defined as'.
- 4.4.5 Issue 4:** There can be conflict between preserving amenity and aspiring to meet required densities. However, acceptable standards of amenity are achievable with good design. I note that the second sentence of Paragraph 4.28, which alluded to that potential conflict, has been deleted from the Revised Deposit Plan.
- 4.4.6 Issue 5:** I agree with the District Council that Policy DP2 is necessary to supplement Policies DP1 and DP3. It addresses the relationship with neighbouring buildings and uses, and the standard of amenity enjoyed by occupiers of the development itself. It is particularly relevant in residential areas. While the Policy relies on subjective considerations it is precise in indicating that development which creates unacceptable adverse impacts will not be permitted.
- 4.4.7 Issue 6:** PPG3 includes residential gardens within the definition of previously-developed land. However, draft PPS3 indicates at Paragraph 36 that 'although residential gardens are defined as brownfield land, this does not necessarily mean that they are suitable for development'. If carried through into the final version of PPS3 this will assist in protecting gardens from inappropriate development. I agree with the District Council that in light of this national policy it would not be appropriate to redefine brownfield land in the manner sought by the objector. As regards minimum amenity

space standards and ‘permitted development’ rights, these fall to be considered on a case by case basis within the context set by Policy DP1.

- 4.4.8 Issue 7:** I believe that ‘amenity’ is a broad concept that could conceivably include parking issues. It is not necessary, in my view, to list all possible concerns. Off-street parking requirements in the District are guided by the County Council’s Parking Standards which are expressed as maxima. The specific requirement for any development is determined on a case by case basis following consultation with the highway authority. I note that the District Council intends to produce SPD on parking which will examine matters in detail and be tailored to reflect situations where on-street parking would create local difficulties. I see no compelling need to include any of the additional wording suggested by the Leamington Society in respect of Paragraphs 4.12 or 4.15.
- 4.4.9 Issue 8:** The objector’s reference to EFQM is to a practical self-assessment model to help organisations establish where they are on the road to excellence. It has been largely superseded by Comprehensive Performance Assessment (CPA). I agree that it is not appropriate to include this in Paragraph 4.12. The Local Plan is concerned with land use matters rather than process and local authority performance.
- 4.4.10 Issue 9:** As indicated by the District Council, good design is promoted by all Government guidance. While everyone involved in development should strive for high quality, I have already concluded in respect of Core Strategy 2E that excellence is too high a test. I consider that the wording of Paragraph 4.14 in the Revised Deposit Plan which talks of ‘achieving good design’ is appropriate and requires no amendment.
- 4.4.11 Issue 10:** I am satisfied that the Policy is sufficiently clear as drafted. It is succinct and says exactly what it means.
- 4.4.12 Issue 11:** I agree with the objector that air pollution is beyond the immediate control of the planning system and is not the most appropriate example of disturbance/intrusion. I consider that Paragraph 4.14 would be improved by listing the main detractors from amenity - that is, loss of privacy, loss of sun/daylight, visual intrusion, noise disturbance, and light pollution.
- 4.4.13 Issue 12:** Policy DP2 is a general policy. It would not be appropriate to indicate the weight to be given to amenity. This will vary on a case by case basis taking account of the strength of other policy considerations.
- 4.4.14 Issue 13:** I am satisfied that Policy DP2 addresses fairness and safety in a very general sense, protecting the interests of the whole community. There is no need, in my view, to incorporate a policy specifically targeting residential areas.
- 4.4.15 Issue 14:** The District Council accepts, and I agree, that it would be helpful to acknowledge in Paragraph 4.14 that ‘mitigation’ could make a scheme more acceptable. A proposed change has been put forward to this effect which I endorse. In my opinion, it would not be appropriate to include ‘compensation’ since this implies harm that cannot be overcome.
- 4.4.16 Issue 15:** Matters of design would be addressed at planning application stage in the light of Policy DP1 and other relevant Plan policies during which neighbour

consultations would be carried out. I see no need to amend the Policy or the explanatory text in response to this objection.

Recommendations

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

- (i) **substitute the following text for the second sentence of Paragraph 4.13:**

“Examples of disturbance and intrusion include: loss of privacy; loss of sun/daylight; visual intrusion; noise disturbance; and light pollution.”

- (ii) **add the following sentence at the end of Paragraph 4.14:**

“In considering development proposals, any appropriate mitigation measures that can be put in place will be taken into account in assessing the overall impact of the development on amenity.”

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

4.5 Paragraphs 4.16 - 4.22B Policy DP3 Natural and Historic Environment and Landscape

Objections to First Deposit Version

109/AW	Warwickshire County Council (Planning, Transport & Economic Strategy)
117/AE	Langstone Homes Ltd
120/AD	Miller Homes (West Midlands)
148/AG	Campaign to Protect Rural England (Warwickshire Branch)
149/AB	Warwickshire County Council (Museum Field Services - Archaeology)
150/AC	Warwickshire County Council (Museum Field Services - Ecology)
187/AC	The Countryside Agency (West Midlands Region)
194/AB	Vernon Lawton
198/AB	John Henderson
200/AL	Taylor Woodrow Strategic Developments
210/AG	English Nature
221/AE	Kenilworth Society
229/AB	Gallagher Estates Limited
234/AE	Parish Councillor (Sherbourne)
239/AM	Mr D Austin
302/AJ	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

66/RAJ	The Warwick Society
119/RAC	Bloor Homes Ltd
150/RAB	Warwickshire County Council (Museum Field Services - Ecology)
154/RAC	National Farmers' Union
214/RAC	Mrs J Biles
221/RAB	Kenilworth Society
223/RAK	Kenilworth Town Council
226/RAJ	Environment Agency
239/RAK	Mr D Austin
283/RAD	The Ancient Monuments Society
302/RAC	English Heritage (West Midlands Region)
350/RAM	Tesco Stores Ltd

Key Issues

- 4.5.1**
- (1) Whether the Policy should be restructured to provide separate policies in respect of the natural environment, the historic environment, and landscape character.
 - (2) Whether Policy DP3 is too prescriptive.
 - (3) Whether it is appropriate for some of the policy criteria to use the term 'protect and/or enhance'.
 - (4) Whether the Policy should seek to repair the environmental and ecological damage that has previously occurred in the countryside.
 - (5) Whether the wording of the Policy implies that only features of particular nature conservation or landscape importance will be protected.
 - (6) Whether S106 planning obligations should be employed to ensure retention of approved landscaping schemes.
 - (7) Whether further wording is necessary to clarify references to the Habitat Biodiversity Audit, and Action Plans.
 - (8) Whether the words 'where necessary' should be removed from criteria a) and b).
 - (9) Whether landscape and ecology issues are sufficiently separated in the supporting text.
 - (10) Whether geomorphological references should be added to the Plan, and applicants encouraged to submit ecological information as part of any planning application.
 - (11) Whether Policy DP3 should more explicitly acknowledge the historic dimension of the landscape.
 - (12) Whether the Policy and its supporting text would benefit from further drafting improvements.
 - (13) Whether the last paragraph of the Policy is at odds with the criteria set out in the first part of the Policy.

- (14) Whether the Policy should allow for the possibility of mitigation and, where adverse impacts are unavoidable, compensation measures.
- (15) Whether policies protecting the natural and historic environment and the landscape contained in the extant Local Plan should remain in force until a new Nature Conservation and Landscape Analysis for the District has been completed.
- (16) Whether (a) the reference to 'Special Landscape Areas' in Paragraph 4.19A should be deleted, or (b) Policy DAP3 reinstated with SLAs denoted on the Proposals Map.

Inspector's Appraisal and Conclusions

- 4.5.2 Issue 1:** I am satisfied that a composite policy is appropriate and workable. This approach acknowledges the complex inter-relationships that exist between the natural and historic environments. Together, they contribute to the distinctive character and landscape of the District. Such a framework serves to simplify the Plan by minimising the number of policies. Under Policy DP3 development will only be allowed where it protects important natural features and contributes positively to the character and quality of both the natural and historic environments. In my view that is appropriate. I note that the Policy and its reasoned justification were amended at Revised Deposit stage to give greater emphasis to the historic environment.
- 4.5.3 Issue 2:** I consider it very important that adequate protection is afforded to both the natural and historic environments. This necessitates a number of policy criteria. Taken as a whole, I do not believe those criteria to be unduly prescriptive or onerous.
- 4.5.4 Issue 3:** I have no problem with use of the words 'and/or'. I agree with the District Council that development proposals can both defend environmental assets from harm as well as being carefully designed so as to add to their value. I do not see protection and enhancement as necessarily mutually exclusive terms. I note that Langstone Homes have conditionally withdrawn their objection.
- 4.5.5 Issue 4:** It is not the specific aim of this Policy to address existing environmental damage. Nevertheless, I accept that through inclusion of the term 'enhancement' there may be opportunities to secure improvements through well considered schemes. I see no need to further amend the Policy in this regard.
- 4.5.6 Issue 5:** A number of changes were made to the Policy and supporting text in response to the Environment Agency's objection. I am satisfied that the Policy criteria set out in the Revised Deposit Plan afford an appropriate level of protection of nature conservation and landscape interests in general by requiring consideration of a broad range of environmental matters when assessing development proposals.
- 4.5.7 Issue 6:** I agree with the District Council that an adequate mechanism is available through the use of tried and tested planning conditions to ensure that landscaping schemes are implemented and subsequently maintained for an appropriate period of time. In my opinion, this long-standing development control practice requires no specific reference within the Policy. Nor is it necessary to routinely employ S106 planning obligations.

- 4.5.8 Issue 7:** I note that in response to the objection by English Nature additional wording was added to the reasoned justification to clarify references to the emerging nature conservation studies. On this basis, the objection has been conditionally withdrawn. I endorse those alterations.
- 4.5.9 Issue 8:** The District Council has deleted the words ‘where necessary’ from criteria a) and b) of Policy DP3 in the Revised Deposit Plan. I agree that this strengthens the Policy.
- 4.5.10 Issue 9:** Paragraph 4.19A inserted at Revised Deposit stage provides additional references to the importance of landscape character. It explains that the Warwickshire Landscape Guidelines published by the County Council and the Countryside Commission in 1993 have been adopted as SPG and that development proposals will have to accord with those principles in order to comply with the requirements of Policy DP3. I am content that this further text adequately differentiates between landscape and nature conservation interests. Consequently, I believe that the objection by the Countryside Agency has been substantially met.
- 4.5.11 Issue 10:** The District Council has added, at Revised Deposit stage and through subsequent proposed changes, various references to ‘geomorphology’ and included text to encourage the submission of ecological information in support of planning applications. As a result, the objections of the County Council’s Ecology Department have been addressed. I endorse those changes which reflect Natural England (English Nature) and UKRIGS guidance.
- 4.5.12 Issue 11:** Suggestions for improvement of the Plan made by the County Council’s Archaeology Department to give greater recognition to the historic landscape were accepted by the District Council. I note that amendments were duly made to the Policy and the reasoned justification in the Revised Deposit Plan. The objection has, I note, been conditionally withdrawn. I support those alterations.
- 4.5.13 Issue 12:** Both CPRE (Warwickshire Branch) and Warwickshire County Council (Planning, Transport and Economic Strategy) have put forward a number of minor drafting changes to assist comprehension of the Policy. These have been taken on board by the District Council at Revised Deposit stage. Following on from this, both objectors have conditionally withdrawn their objections. I endorse those amendments.
- 4.5.14 Issue 13:** I consider it appropriate to require development proposals that would affect the character and appearance of an area to provide a thorough analysis of nature conservation and landscape issues. I see no conflict between the possibility of significant impact and the various policy criteria.
- 4.5.15 Issue 14:** The District Council has accepted, and I agree, that Policy DP3 should allow for mitigation measures to reduce harm and, if this is not possible, compensation measures where appropriate. I support the proposed change promoted by the Council which addresses the objection by the Environment Agency.
- 4.5.16 Issue 15:** I concur with the District Council that it would neither be practicable nor appropriate to rely on policies of the current adopted Local Plan until such time as a total review of the District’s nature conservation and landscape assets has been completed. In my view, policies in the emerging Local Plan are sufficiently robust to protect and/or enhance the natural and historic environment and landscape.

4.5.17 Issue 16: The question of whether Special Landscape Areas should be carried forward from the extant Local Plan into this emerging Local Plan is addressed later in my report in response to objections to deletion of Policy DAP3 at Revised Deposit stage (see Paragraphs 9.5.2-9.5.7). My conclusion on that matter is that the Policy should be removed. This is because SLAs are local landscape designations. Latest national planning policy advice in PPS7 indicates that local landscape designations should only be maintained where it can be clearly shown that criteria-based planning policies cannot provide the necessary protection. I do not believe that to be the case here. For the time being, the Warwickshire Structure Plan (adopted in 2001) retains SLA designations and such areas are identified on the Key Diagram. It is therefore necessary to make reference somewhere in the Local Plan to the Structure Plan SLAs. I consider the appropriate place to be in the text supporting Policy DP3 where development proposals are required to pay due regard to landscape character. The reasoned justification explains at Paragraph 4.19A that the Warwickshire Landscape Guidelines will provide the necessary framework through which to consider all proposals in these sensitive areas.

4.5.18 At First Deposit stage, CPRE (Warwickshire Branch) drew attention to a typographical error in the last sentence of Paragraph 4.21. This was not corrected in the Revised Deposit Plan and remains to be done.

Recommendations

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

(i) add the following paragraph to the end of Policy DP3:

“Where adverse impacts are unavoidable, the Council may consider possible mitigation measures to reduce any harm caused by these adverse impacts. Where mitigation measures are not possible, compensation measures may be appropriate.”

(ii) amend the first sentence of Paragraph 4.16 to read:

“Wildlife habitats, landscape and geomorphological features can contribute towards the character and quality of our environment, whose character is also the product of long-term historical processes.”

(iii) amend the final sentence of Paragraph 4.16 to read:

“This should be achieved through careful consideration of habitat/landscape design with regard to existing site features and the landscape character, geology/geomorphology and ecology of the surrounding area.”

(iv) amend the third sentence of Paragraph 4.17 to read:

“This guidance is reflected in the Structure Plan which requires that development does not have an adverse impact on landscape, or features of ecological, geological/geomorphological or archaeological interest of local importance.”

- (v) amend the first sentence of Paragraph 4.19 to read:

“The Council encourages applicants to submit landscape and ecological information as part of their application to demonstrate that they form an integral part of the layout and design of the development.”

- (vi) amend the final sentence of Paragraph 4.21 to read:

“The Council will produce further guidance on Landscape Analysis to give greater certainty to applicants in accordance with the ‘character-based’ approach advocated in the Structure Plan.”

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

4.6 Paragraphs 4.23 - 4.27 Policy DP4 Archaeology

Objections to First Deposit Version

53/AA	Cllr. Spencer Harrison
149/AC	Warwickshire County Council (Museum Field Services - Archaeology)
220/AE	Cala Homes (Midlands) Ltd
229/AE	Gallagher Estates Limited
302/AL	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

221/RAC	Kenilworth Society
302/RAD	English Heritage (West Midlands Region)
321/RAF	West Midlands International Airport Ltd

Key Issues

- 4.6.1** (1) Whether the Policy should adopt a more flexible approach towards protection of archaeological remains.
- (2) Whether the word ‘exceptional’ should be removed from the first sentence of Paragraph 4.25 to acknowledge that remains of local archaeological interest are widespread.
- (3) Whether the revised Policy wording weakens protection for archaeological remains of regional or local significance.
- (4) Whether the wording of the first paragraph of the Policy is ordered appropriately.
- (5) Whether Policy DP4 and Paragraph 4.26 accurately reflect national advice in PPG16.

Inspector's Appraisal and Conclusions

- 4.6.2 Issue 1:** Policy DP4 resists the loss of nationally important archaeological sites while adopting a less rigid stance in respect of archaeological remains of regional or local importance. That is appropriate. I note that the Policy has been revamped in the Revised Deposit Plan to accord more closely with Government guidance in PPG16.
- 4.6.3 Issue 2:** The word 'exceptional' has been removed from Paragraph 4.25. The District Council recognises that in the case of proposals affecting regionally or locally important sites there will be instances where the benefits of development outweigh the disadvantages rather than being the exception. I support that amendment. I agree that it would not be appropriate to attempt to define 'benefits' which will vary from case to case.
- 4.6.4 Issue 3:** Policy DP4 requires that any remains of archaeological value are properly evaluated prior to determination of a planning application. Where it is considered that the benefits of development outweigh the harm to archaeological remains of local or regional importance, an agreed programme of archaeological investigation and recording to precede development will be required as part of a S106 agreement or planning condition. I am satisfied that this is sufficient to safeguard such interests.
- 4.6.5 Issue 4:** I agree with the objector that it would be more appropriate to place the words 'and their settings' at the end of the sentence so that this applies to both Scheduled Ancient Monuments and other archaeological remains of national importance. The District Council has accepted this and put it forward as a proposed change to the Revised Deposit Plan.
- 4.6.6 Issue 5:** West Midlands International Airport Ltd considers that Policy DP4 is unduly restrictive. Rather than precluding harmful development, it should establish a 'presumption in favour of physical preservation' to satisfy PPG16. The Policy has been substantially rewritten between the First and Revised Deposit versions of the Plan. The phrase 'presumption in favour of preservation' now applies in respect of locally or regionally important sites, unless the applicant can demonstrate that the benefits of development will outweigh the harm to archaeological remains. I agree with the District Council, though, that a stronger form of wording is desirable in respect of national sites to distinguish their greater importance. In my opinion, it is appropriate to indicate that 'development will not be permitted' which harms Scheduled Ancient Monuments or other archaeological remains of national importance, and their settings - leaving any very exceptional circumstances to be considered as a departure from the development plan. I see no conflict in this regard with the advice in PPG16 which views archaeological remains as a finite and non-renewable resource.
- 4.6.7** As regards the first 2 sentences of Paragraph 4.26, the Plan does not require field evaluation to be carried out in all cases prior to determination of an application – only where existing information is insufficient to allow an informed decision about the archaeological consequences of a proposal. It follows that I do not support the amendments to the Policy and text suggested by the objector.

Recommendations

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

substitute the following for the first paragraph of Policy DP4:

“Development will not be permitted which harms Scheduled Ancient Monuments (as shown on the Proposals Map) or other archaeological remains of national importance, and their settings.”

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

4.7 Paragraphs 4.28 - 4.31 Policy DP5 Density

Objections to First Deposit Version

4/AE	Arlington Planning Services LLP
79/AB	Matthew Rhodes
89/AA	Michael & Caroline Hughes
109/AO	Warwickshire County Council (Planning, Transport & Economic Strategy)
110/AA	Government Office for the West Midlands
148/AH	Campaign to Protect Rural England (Warwickshire Branch)
164/AA	Jeremy Foster
171/AC	Portland Place Residents Association
189/AD	Warwickshire Gardens Trust
193/BB	Coten End and Emscote Residents' Association
194/AC	Vernon Lawton
198/AC	John Henderson
199/BB	James Mackay
201/AO	Home Builders' Federation
219/AA	Deeley Properties Limited
221/AG	Kenilworth Society
223/AH	Kenilworth Town Council
233/AC	Tanya Newby
255/AA	Mr J T Cashman
266/AB	Warwick Town Council
275/AA	M Kenser
282/AA	David Marr

Objections to Revised Deposit Version

110/RAA	Government Office for the West Midlands
191/RAN	Robin A Richmond
195/RAM	The Leamington Society
199/RAB	James Mackay
199/RAC	James Mackay
266/RAA	Warwick Town Council
283/RAE	The Ancient Monuments Society
321/RAG	West Midlands International Airport Ltd

341/RAA	South Warwickshire Primary Care Trust
349/RAN	Mr. D. G. Goodyear
350/RAP	Tesco Stores Ltd
354/RAW	Roger Higgins

Key Issues

- 4.7.1**
- (1) Whether residential densities should reflect the character of existing areas.
 - (2) Whether there should be a separate policy for residential densities with examples of locations where higher densities might be appropriate.
 - (3) Whether the Policy should clarify what is meant by the ‘best use’ of land and make clear the circumstances when an exception would be appropriate.
 - (4) Whether consideration should be given to the adverse effects of high density development in terms of social and environmental factors, safety impacts, parking provision, health services capacity, and over-supply of housing.
 - (5) Whether the Policy should state that a minimum of 30 dwellings per hectare should be achieved on suitable sites.
 - (6) Whether (a) the definition of ‘best use’ of land should be incorporated into the Policy itself with the identification of criteria, and (b) the provisions relating to residential development should be extended to embrace other uses.
 - (7) Whether the Policy conflicts with or duplicates Policy DP1.
 - (8) Whether the word ‘maximising’ used in Paragraph 4.28 should be replaced with the word ‘minimising’.
 - (9) Whether the supporting text at Paragraph 4.29 is accurate.
 - (10) Whether the wording of the reasoned justification at Paragraph 4.31 is appropriate.
 - (11) Whether a new paragraph should be inserted recognising that proposals for Coventry Airport make the best use of an existing facility.

Inspector's Appraisal and Conclusions

- 4.7.2 Issue 1:** PPG3 requires local planning authorities to avoid the inefficient use of land – defined as densities of less than 30 dwellings per hectare net. The Government’s view is that higher densities, supported by good design and layout, need not harm the character of existing residential areas. Policy DP5 is reinforced by other policies, including DP1 (Layout and Design) and DAP10 (Protection of Conservation Areas). I note that the District Council is committed through its Local Development Scheme to producing SPD on residential design.
- 4.7.3** Following objections made at First Deposit stage the District Council added a new paragraph to Policy DP5 concerned solely with residential densities. It incorporates the minimum densities set out in Paragraph 58 of PPG3, with the caveats that such densities

should not compromise the character of the area or the standards of residential amenity. I believe the latter to be necessary and important provisos. The supporting text at Paragraph 4.31 acknowledges that there may be circumstances where development below the minimum densities might still be considered to make the best use of land – where, for instance, there are particular site constraints or where the character of the locality suggests that a lower density would be more appropriate.

- 4.7.4** Emerging Government policy set out in PPS3 is less prescriptive about residential densities. It indicates that local planning authorities should develop density policies with local stakeholders and local communities having regard to the suggested densities in Annex C and other considerations that include the desirability of maintaining the character of particular residential areas or environments. I note that as a consequence of the changes made to the Revised Deposit Plan the objection by Kenilworth Town Council has been conditionally withdrawn. I endorse those changes.
- 4.7.5 Issue 2:** GOWM objected to Policy DP5 of the First Deposit Plan, arguing that there should be a separate policy devoted specifically to residential densities. Policy DP5 was amended at Revised Deposit stage by insertion of a further section which included the recommended minimum densities set out in Paragraph 58 of PPG3. The reasoned justification was altered at Paragraphs 4.29-4.31. While GOWM subsequently raised other concerns (addressed below), I am content that the revised Policy and supporting text adequately reflect national planning guidance. In my opinion, Policy DP5 provides an appropriate and sound basis for assessing development proposals while protecting important elements of residential character. I note that Paragraph 4.30 gives the example of town centres where higher density developments will be appropriate in order to support the objective of reducing dependence on the private car and increasing patronage of public transport.
- 4.7.6 Issue 3:** The District Council accepted that clarification was needed in respect of the ‘best use’ of land and those circumstances where a lower density might be appropriate. Consequently, the Policy itself and Paragraphs 4.30 and 4.31 were amended in the Revised Deposit Plan. Paragraph 4.30 explains that for the purposes of Policy DP5, a development making the best use of land is one which achieves firstly, a density that is commensurate with efficient use of the land and, secondly, a high standard of layout and design that is in keeping with the character of the locality. Paragraph 4.31 sets out the circumstances where a lower density might be acceptable. I note that these alterations resulted in the objections by CPRE (Warwickshire Branch) and the Kenilworth Society being conditionally withdrawn.
- 4.7.7** A fresh objection was, however, generated from GOWM who considered that exceptions to the Policy should not be set out in the Plan. I acknowledge that it is poor quality design more often than density that compromises the character of an area or standards of residential amenity. Nevertheless, Paragraph 56 of PPG3 recognises that new housing development must be informed by the wider context. With this in mind, I see considerable benefit in retaining the policy caveats, together with the reasoned justification at Paragraph 4.31. It follows that I discern no conflict with the thrust of national planning policy guidance.
- 4.7.8** The HBF maintains that Policy DP5 is inappropriately worded. Its negative construction does not allow development unless it makes the most efficient use of land, and conflicts with the greater flexibility at Paragraph 4.31 of the supporting text. I do not subscribe to that view. The Policy sets out the circumstances where permission will be granted.

While it refers to the need to make the best use of land, Paragraph 4.31 explains how this might be achieved, in certain situations, by densities below the minimum specified in PPG3. I do not favour the revised policy wording suggested by the HBF. I agree with the District Council that it is more prescriptive. It is for the developer to decide how to achieve the best use of land. PPS3, if published as per its draft form, will require local authorities to develop density policies with stakeholders and the local community. I note that is what the District Council intends through preparation of future local development documents.

4.7.9 Issue 4: The District Council does not accept that high density development in itself leads to social and environmental problems of the kind referred to by various objectors. I am of a similar mind. Higher densities in built-up areas can prove very sustainable in terms of access to public transport, employment and services, and can support social inclusion. In terms of public safety, Policy DP8 seeks to ensure that schemes do not give rise to levels of on-street parking that are detrimental to highway safety, while Policy DP13 fosters developments that minimise the potential for crime and anti-social behaviour. I note that the District Council consults with health authorities, including the Primary Care Trust, in respect of future levels of housing development. It is not the density of development that puts pressure on health facilities and other services. Rather, it is the overall level of housing provision. The current over-supply of housing in relation to that planned for in the Structure Plan and Regional Spatial Strategy is being addressed through the District Council's SPD 'Managing Housing Supply'. This was introduced in 2005 to regulate the supply of housing in the short term, with Policy SC8a providing the requisite Local Plan policy context.

4.7.10 Issue 5: Policy DP5 was amended at Revised Deposit stage to include reference to a minimum density of 30dph net. The objection by Warwickshire County Council (Planning, Transport and Economic Strategy) has, I note, been conditionally withdrawn.

4.7.11 Issue 6: What constitutes the 'best use' of land will vary from site to site according to individual circumstances. The definition/clarification given in Paragraph 4.30 is intended for guidance only. I consider that it would not be appropriate to burden Policy DP5 with any greater level of prescription. I see no compelling reason to adopt the criteria suggested by Tesco Stores Ltd. The second part of Policy DP5 reflects the minimum residential densities set out in Paragraph 58 of PPG3. However, in the case of non-residential sites, I believe it would not be feasible to go beyond the general policy requirement that schemes should make the best use of land and buildings, in accordance with the explanation set out in the reasoned justification.

4.7.12 Issue 7: I am satisfied that there is no conflict or significant overlap between Policies DP1 and DP5. While the former seeks to ensure that development contributes to the character and quality of its environment through good layout and design, the latter aims to secure the best use of land consistent with maintaining the character of the area and protection of residential amenity. I note that Kenilworth Town Council has conditionally withdrawn its objection following clarification in the supporting text of the links between density and design.

4.7.13 Issue 8: I accept that the wording used in Paragraph 4.28 properly reflects Government policy. PPG3 requires development to maximise the use of land and buildings.

4.7.14 Issue 9: Paragraph 4.29 indicates that the results of the pre-deposit consultation exercise showed that 60% of respondents supported higher density housing in towns. Details are contained in the document entitled ‘Key Issues Report of Public Consultation’². This statement would, I believe, benefit from a greater accuracy in reporting and the addition of some context. The report actually states: “Respondents to the leaflet gave general support (59%) to allowing higher density housing within towns provided that the quality of the environment can be maintained.” A modification along those lines would also address the objector’s second point about maintaining the quality of the environment. Finally, I note that the word ‘net’ was inserted into Paragraph 4.29 at Revised Deposit stage to distinguish it from ‘gross’ density. The text now makes it clear that inefficient use of land has been defined as a net density of less than 30 dwellings per hectare.

4.7.15 Issue 10: The word ‘exceptional’ was deleted and the text reworked following objections to the First Deposit Plan to clarify the circumstances where a density below the minimum may be appropriate. The need for an applicant to demonstrate why a higher density cannot be achieved was also omitted in favour of a requirement to show why the appropriate minimum density cannot be satisfied. I consider that these amendments substantially address the objectors’ concerns. As regards the other points raised, there may be circumstances where the achievement of minimum densities will not be appropriate. Examples are given in the District Council’s response statement of a replacement dwelling on a large plot in the open countryside, an awkward site configuration, and limited highway capacity. To my mind, the wording of the text does not imply that densities above 30dph would generally compromise the character of an area. Finally, I see no benefit in changing ‘cannot’ to ‘should not’ in the last sentence of the paragraph. In my view, it would not improve the substance or clarity of the reasoned justification.

4.7.16 Issue 11: Policy DP5 is concerned with density issues in general. I concur with the District Council that it would not be appropriate to address here site specific considerations.

Recommendations

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

substitute the following text for the final sentence of Paragraph 4.29:

“The results of the pre-deposit consultation exercise showed that 59% of respondents gave general support to allowing higher density housing within towns provided that the quality of the environment can be maintained.”

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

4.8 Paragraphs 4.32 - 4.37 Policy DP6 Access

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Objections to First Deposit Version

135/AG	Bishops Tachbrook Parish Council
156/AA	Alan Moore
198/AD	John Henderson
234/AF	Parish Councillor (Sherbourne)
257/AA	Highways Agency
226/AE	Environment Agency

Objections to Revised Deposit Version

135/RAB	Bishops Tachbrook Parish Council
217/RAB	McCarthy and Stone (Developments) Limited
321/RAH	West Midlands International Airport Ltd
350/RAQ	Tesco Stores Ltd
260/RAD	Baginton Parish Council

Key Issues

- 4.8.1** (1) Whether proposed cycle and pedestrian routes should be shown on the Proposals Map.
- (2) Whether Council employees should be given exaggerated bicycle allowances, in excess of motor vehicle allowances for travel to and from work, as a positive step to reduce carbon dioxide emissions.
- (3) Whether a long term view should be taken on the intended road structure to avoid difficulties caused by segmented development.
- (4) Whether Paragraph 4.35 should include a direct reference to the impact of traffic on local schools, community facilities etc.
- (5) Whether the Policy wording is sufficiently clear and straightforward.
- (6) Whether the Plan should indicate that where development is likely to impact on a trunk road, the Highways Agency should be consulted at the earliest stage.
- (7) Whether access for cyclists and pedestrians through a sheltered accommodation site would undermine the safety of residents.
- (8) Whether Policy DP6 should acknowledge the effects of HGVs on rural roads.
- (9) Whether Paragraph 4.32 should be expanded to refer to the provision of access to and from new development.
- (10) Whether the text of Policy DP6 should (a) follow Paragraph 4.36 in recognising that it might not always be appropriate to provide access for public transport, and (b) more closely reflect national planning policy advice in terms of enabling accessibility by a choice of means of transport.

- (11) Whether, in terms of flood risk, the Policy should recognise the importance of safe access to and from new development.

Inspector's Appraisal and Conclusions

- 4.8.2 Issue 1:** Annex B of PPS12 stresses the importance of integrating transport and spatial planning. It gives advice as to what should be shown on the Proposals Map. While the development plan should indicate proposed improvements to the transport network in support of the core strategy, scheme proposals should only be included where there is a strong commitment from the relevant delivery agency - for instance, if the local transport authority has marked the scheme as a priority in its local transport plan. In Warwick District the provision of specific cycle and pedestrian routes is determined through the Warwickshire Local Transport Plan 2006. The County Council's view is that until the route of any proposed cycle and pedestrian corridor is finalised, it would be inappropriate to include it on the Proposals Map. To do so could blight the affected area and prevent an opportunity being taken up for a more suitable route. With this in mind the District Council has agreed with the County Council that the Local Plan should only illustrate the already implemented parts of the National Cycle Network. To my mind this is a sensible position to adopt. Consequently, I do not support the objection by Bishops Tachbrook Parish Council that a proposed cycle and pedestrian route parallel to Ashford Road linking Tachbrook Road to the north-west corner of the new playing fields should be shown on the Leamington and Warwick Urban Inset Map. In any event, I am told that an alternative link to that promoted by the objector is being constructed, running from Rideswell Grove.
- 4.8.3** The Parish Council draws attention to the Warwick and Leamington Park and Ride proposals. Despite being at a less advanced stage, an Area of Search is shown on the Proposals Map. However, that is quite a different matter. The Park and Ride scheme has featured in the Warwickshire LTP since 2000 and is subject of a Major Scheme bid to central Government for funding. Rather than endorsing a specific route to serve the Harbury Lane sports pavilion, the principle of a pedestrian/cycle link is supported in the Local Plan through Core Strategy objective 3B and Policy SC4 (Supporting Cycle and Pedestrian Facilities).
- 4.8.4 Issue 2:** I note that Council employees are not reimbursed for travel to and from work by any mode of transport. The District Council says it has produced a Travel Plan setting out objectives for use of public transport by its employees and that a pool of bicycles is available for loan.
- 4.8.5 Issue 3:** I acknowledge that for larger sites access points are established in the earliest stages of development through consultation with the Highways Agency and Warwickshire County Council and that these details are set out in a development framework or brief.
- 4.8.6 Issue 4:** This matter is more appropriately dealt with under Policy DP7 (Traffic Generation).
- 4.8.7 Issue 5:** I am satisfied that Policy DP6 is worded in a clear and relatively simple manner, and not convoluted.
- 4.8.8 Issue 6:** This matter has been addressed through Policy DP7 of the Revised Deposit Plan, the supporting text of which states that in appropriate circumstances the

District Council will consult the Highways Agency on proposals which are likely to have an impact on the trunk road network.

4.8.9 Issue 7: The District Council says it is confident that the welfare and safety of occupiers of residential and other developments would be considered alongside the interests of pedestrians and cyclists. Moreover, Policy DP13 encourages layout and design of development to minimise the potential for crime and anti-social behaviour.

4.8.10 Issue 8: Paragraph 4.35 states that all highway infrastructure will be required to comply with 'Transport and Roads for Developments: The Warwickshire Guide 2001'. The impacts of development on rural roads is dealt with specifically by Policy RAP10 (Safeguarding Rural Roads).

4.8.11 Issue 9: I note that the Revised Deposit Plan incorporates the amendment suggested by the Environment Agency in order to comply with guidance in PPG25 which requires development to provide safe access to and from sites. The objection has therefore been satisfied.

4.8.12 Issue 10: The District Council has put forward minor proposed changes to Policy DP6 to make it consistent with the explanatory text at Paragraph 4.36. The latter indicates that the provision of access for public transport will only apply to developments where the scale, nature and location warrant this. West Midlands International Airport Ltd have confirmed that these proposed changes meet their objection. I am content also that through this amendment the national planning policy requirement for development to be accessible by a choice of means of transport is achieved.

4.8.13 Issue 11: Paragraph 4.32 was amended at Revised Deposit stage to address this objection. I support that amendment.

Recommendations

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

amend Policy DP6 to read:

“Development will only be permitted which provides safe, convenient and attractive access routes for pedestrians, cyclists, public transport users and other users of motor vehicles, as appropriate. Development proposals will be expected to demonstrate that they:

- a) do not cause harm to highway safety;**
- b) are designed to give priority access to, and allow penetration by, pedestrians, cyclists and public transport services, as appropriate;**
and
- c) integrate the access routes into the overall development.”**

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

4.9 Paragraphs 4.38 - 4.43 Policy DP7 Traffic Generation

Objections to First Deposit Version

52/AC	Barford, Sherbourne & Wasperton Joint Parish Council
66/AH	The Warwick Society
66/AJ	The Warwick Society
122/AE	Warwick Castle
148/AJ	Campaign to Protect Rural England (Warwickshire Branch)
193/BC	Coten End and Emscote Residents' Association
193/BD	Coten End and Emscote Residents' Association
199/BC	James Mackay
199/BD	James Mackay
219/AB	Deeley Properties Limited
220/AF	Cala Homes (Midlands) Ltd
234/AG	Parish Councillor (Sherbourne)
257/AB	Highways Agency
266/AD	Warwick Town Council
296/AH	CLARA
298/AB	Action 21
301/AB	Mr S O Peter

Objections to Revised Deposit Version

195/RAN	The Leamington Society
260/RAE	Baginton Parish Council
283/RAF	The Ancient Monuments Society
350/RAR	Tesco Stores Ltd

Key Issues

- 4.9.1** (1) Whether the Policy should recognise rural car dependency.
- (2) Whether the floorspace thresholds set out in Paragraph 4.39, above which a Transport Assessment will be required, are appropriate.
- (3) Whether the Policy should ensure that developments are traffic neutral or reduce traffic rather than seeking to reduce the impact of traffic generation.
- (4) Whether Policy DP7 should be more strongly worded to encourage other modes of transport.
- (5) Whether Paragraph 4.42 relating to Travel Plans is sufficiently clear.
- (6) Whether the term 'significant' should be defined.
- (7) Whether the Policy should use S106 agreements to improve the current traffic situation by contributing towards out-of-town parking, improved bus routes etc.
- (8) Whether Paragraph 4.41 should specifically exclude the use of speed humps as traffic control measures.

- (9) Whether Paragraph 4.42 should be reworded to require Travel Plans for wholly residential development.
- (10) Whether 'low car housing' should be included in all large-scale residential developments.
- (11) Whether the impact of HGV traffic should be specifically recognised.
- (12) Whether the wording of Paragraphs 4.39 and 4.43 should be augmented, and an additional paragraph introduced, to refer to the adequacy of on-site parking, regular revisions of the County Council's guidance on Travel Plans, and monitoring the effects of traffic on residential areas.
- (13) Whether Paragraph 4.39 should include as an additional bullet point 'other developments that result in significant traffic generation'.
- (14) Whether the threshold for retail development requiring a Transport Assessment should be increased to 2,500 sq m floorspace to accord with PPS6.
- (15) Whether Policy DP7 affords sufficient protection to the trunk road network within the District.
- (16) Whether the first sentence of Paragraph 4.38 requires correction.

Inspector's Appraisal and Conclusions

4.9.2 Issue 1: I acknowledge that in less accessible rural locations there is likely to be more reliance upon the private car. Where potential traffic impacts of a development are likely to be significant it is appropriate that a Transport Assessment be prepared, and where necessary a Travel Plan, setting out mitigation measures. As the District Council points out, the requisite traffic modelling exercise will reflect car usage of the existing population. There is no need, in my view, to refer specifically in the Plan to rural car dependency.

4.9.3 Issue 2: PPG13 indicates that where a development will have significant transport implications, the planning application should be accompanied by a Transport Assessment. The thresholds indicated in Paragraph 4.39 of the Plan are those set out in Paragraph 2.1.1 of 'Transport and Roads for Developments: The Warwickshire Guide, 2001'³. I agree with the District Council that in the interests of consistency those thresholds should apply throughout the county and not be reduced in the rather arbitrary fashion suggested by objectors. Leisure developments present particular difficulties because they vary widely in character. The First Deposit Plan was amended by addition of the words 'that will result in significant traffic generation' at the end of the final bullet point in Paragraph 4.39. That is appropriate, in my view, allowing such uses to be considered on a case by case basis. I note that as a result Warwick Castle has conditionally withdrawn its objection that a threshold be set for leisure developments.

4.9.4 Issue 3: I concur with the District Council that it is unrealistic to expect development to have no impact on, or reduce, traffic. Policy DP7 quite rightly focuses

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on providing an appropriate policy framework to minimise the impact of new development on traffic generation and to mitigate against the effects. It would not be appropriate, in my view, to delete from the Policy the words ‘unless practical and effective measures are taken to avoid adverse impact from traffic generation’. Such measures might include improved public transport, walking and cycling facilities, better access arrangements and enhanced traffic flow. They accord with the advice in PPG13 and need to be taken into account when considering the suitability of a site for a particular development. There may well be instances where the economic and social benefits of development justify a material increase in road traffic, providing every effort has been made to minimise its impact. I see no reason to amend the first paragraph of the Policy from ‘significant road traffic movements’ to ‘significant adverse road traffic impacts’.

- 4.9.5 Issue 4:** Together with Policies DP6 (Access) and DP8 (Parking), Policy DP7 forms part of a package which aims to limit traffic generation and promote the use of alternative methods of transport. The District Council has, I note, put forward a proposed change to the Revised Deposit Plan to give improved clarity. I endorse that change which adds the words ‘In appropriate circumstances’ at the beginning of the second paragraph. I also support the additional text suggested for Paragraph 4.40 which indicates that ‘An informal Transport Appraisal or a Transport Assessment may be required for smaller developments as set out in Transport and Roads for Developments: The Warwickshire Guide, 2001’, and adds the words ‘...and on what level of transport appraisal is appropriate’ at the end of the final sentence. I am content that the proposed change to the Policy, together with Paragraphs 4.39 and 4.40 (as amended), make clear the various circumstances in which a transport assessment will be required. In my view, Policy DP7 is sufficiently strongly worded.
- 4.9.6 Issue 5:** The District Council has put forward further proposed changes at inquiry stage to bring Paragraph 4.42 into line with guidance issued by the County Council in respect of Travel Plans. I endorse those further minor changes which clarify that ‘Travel Plans will be required for all non-residential developments that fulfil the requirements for a Transport Assessment’, and that development proposals in areas where public transport is limited may (rather than will) also be required to submit Travel Plans.
- 4.9.7 Issue 6:** Use of the term ‘significant’ in Policy DP7 is consistent with PPG13. This indicates at Paragraph 23 that “Where developments will have significant transport implications, transport assessments should be prepared and submitted alongside the relevant planning applications for development.” Significance will be determined by the County Highways Department on a case by case basis having regard to the location and nature of the proposed development. In these circumstances, I see no benefit in attempting a definition. I do not favour the alternative word ‘material’ suggested by the Leamington Society. The objection has, I note, been conditionally withdrawn.
- 4.9.8 Issue 7:** The District Council acknowledges that S106 planning obligations can be used to secure improvements to transport infrastructure identified through Travel Assessments and Travel Plans. I note that Policy SC10 establishes the necessary policy framework for seeking contributions.
- 4.9.9 Issue 8:** Traffic control measures are the responsibility of the County Council. This level of detail is not appropriate for inclusion in this Local Plan.

- 4.9.10 Issue 9:** To require Travel Plans for residential development would be inconsistent with national planning guidance in PPG13. The District Council is proposing that this part of the Plan text be changed. I support that amendment which gives greater clarity.
- 4.9.11 Issue 10:** I believe that although ‘low car housing’ would assist in delivering sustainability objectives, it would be uneconomic and unrealistic to expect this type of housing to be provided in connection with all large scale residential schemes.
- 4.9.12 Issue 11:** The references in the Policy and in the explanatory text to ‘road traffic movements’ include HGVs as well as car and other traffic. The requirement for a Transport Assessment where, due to its location, the development could have a significant impact in transport terms addresses the objector’s further concern that even fairly small developments can be significant in a rural context.
- 4.9.13 Issue 12:** Parking is addressed under Policy DP8. The other matters fall within the remit of Warwickshire County Council’s Highways Department. Clearly, it would not be appropriate for the District Council to update County Council publications that establish policy at a strategic level nor to monitor traffic with a view to downgrading some ‘A’ class routes passing through residential areas.
- 4.9.14 Issue 13:** Paragraphs 4.39 and 4.40 identify the circumstances where a Transport Assessment will be required. They include major development and other locations where development could have a significant impact in transport terms. Since the list of developments does not claim to be exhaustive, I see no need to amend the text in the manner suggested by the objector.
- 4.9.15 Issue 14:** The threshold of 2,500 sq m referred to in PPS6 relates to the need for retail impact assessment. This addresses issues concerning the hierarchy of centres, vitality and viability, the range of services on offer, vacant properties, physical condition and character, night time economy etc. It is patently not a threshold for Transport Assessment.
- 4.9.16 Issue 15:** An additional sentence was added to Paragraph 4.40 of the Revised Deposit Plan to address this objection. It states that: ‘In appropriate circumstances the Council will consult the Highways Agency for proposals which are likely to have an impact on the trunk road network.’ I endorse that amendment, subject to a minor drafting improvement. The objection has been conditionally withdrawn.
- 4.9.17 Issue 16:** The District Council has put forward a proposed change to the Revised Deposit Plan to correct the word ‘environments’ which appears in the first sentence of Paragraph 4.38. It should read ‘environment’. I endorse that minor amendment.

Recommendations

- 4.9.18 (a) That the Revised Deposit Plan be modified as follows:**
- (i) amend the second paragraph of Policy DP7 to read:**
- “In appropriate circumstances, development proposals will be required to demonstrate how they comply with this policy by way of a Transport Assessment and, where necessary, Travel Plan.”**

- (ii) substitute the word “environment” for ‘environments’ in the first sentence of Paragraph 4.38.
- (iii) add the following sentence before the last sentence of Paragraph 4.40:

“An Informal Transport Appraisal or a Transport Statement may be required for smaller developments as set out in Transport and Roads for Developments: The Warwickshire Guide, 2001.”
- (iv) amend the final sentence of Paragraph 4.40 to read:

“In appropriate circumstances the Council will consult the Highways Agency on proposals which are likely to have an impact on the trunk road network and on what level of transport appraisal is appropriate.”
- (v) amend the first sentence of Paragraph 4.42 to read:

“Travel Plans will be required for all non-residential developments that fulfil the requirements for a Transport Assessment.”
- (vi) substitute the word “may” for ‘will’ in the third sentence of Paragraph 4.42.
- (b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.

4.10 Paragraphs 4.44 - 4.47 Policy DP8 Parking

Objections to First Deposit Version

52/AD	Barford, Sherbourne & Wasperton Joint Parish Council
66/AK	The Warwick Society
110/AB	Government Office for the West Midlands
193/BE	Coten End and Emscote Residents’ Association
194/AD	Vernon Lawton
195/AC	The Leamington Society
198/AE	John Henderson
199/BE	James Mackay
213/AE	Warwickshire Rural Community Council
221/AJ	Kenilworth Society
223/AK	Kenilworth Town Council
225/AC	WM Morrisons Supermarkets PLC
228/AL	West Midlands RSL Planning Consortium
260/RAF	Baginton Parish Council
234/AH	Parish Councillor (Sherbourne)
301/AA	Mr S O Peter

Objections to Revised Deposit Version

52/RAC	Barford, Sherbourne & Wasperton Joint Parish Council
66/RAK	The Warwick Society
191/RAP	Robin A Richmond
195/RAP	The Leamington Society
283/RAG	The Ancient Monuments Society
349/RAP	Mr. D. G. Goodyear
350/RAS	Tesco Stores Ltd

Key Issues

- 4.10.1** (1) Whether the principle of restricting parking in order to limit car usage is flawed.
- (2) Whether the Policy is too weak to ensure that priority is given to more sustainable means of transport.
- (3) Whether the Policy is inflexible in not allowing parking standards to be exceeded in appropriate circumstances.
- (4) Whether Policy DP8 should be expanded to discourage on-street parking.
- (5) Whether criterion c) of Policy DP8 should be amended to include the amenities of existing residents, and Paragraph 4.46 of the explanatory text altered.
- (6) Whether the Policy is so restrictive as to damage the economic viability of the District's towns and villages.
- (7) Whether Policy DP8 should acknowledge the car dependency of rural communities.
- (8) Whether maximum levels of car parking for broad classes of development should be included in the Plan in accordance with Paragraph 52 of PPG13.
- (9) Whether additional measures should be promoted to relieve on-street parking pressures - such as encouraging the use of private car parks at offices and retail stores by the general public during periods of under-use.
- (10) Whether the scope of Policy DP8 should be expanded to address HGV traffic as well as cars.
- (11) Whether criterion c) of Policy DP8 should be augmented to ensure that development is not detrimental to pedestrian use of the pavement and amenity.
- (12) Whether Paragraph 4.44 should address parking in relation to windfall development, recognising that zero level parking provision is likely to compromise safety, social and environmental considerations.
- (13) Whether the Plan accurately reflects the findings of the pre-deposit consultation exercise which acknowledges that the car remains the only option in some instances.

- (14) Whether additional wording should be included in Paragraph 4.46 to address amenity considerations.
- (15) Whether the references in Paragraphs 4.44 and 4.46 to excessive car parking lowering the density of development resulting in inefficient use of land, and to allowing parking below maximum levels where appropriate, should be deleted in favour of a statement that ‘satisfactory levels of on-site parking facilities will be required on all development sites.’
- (16) Whether the proposed SPD should be flexible in recognising the differing parking requirements across the District.
- (17) Whether the normal car parking expectation should be the maximum standard with developers having to justify any alternative level of provision.

Inspector's Appraisal and Conclusions

4.10.2 Issue 1: I am satisfied that the approach of Policy DP8 in discouraging unnecessary car usage by restricting parking accords with the thrust of Government guidance in PPG13. Development which provides levels of parking in excess of the standards set out in Annex D (Maximum Parking Standards) of PPG13 would generally be considered unacceptable.

4.10.3 Issue 2: Criterion a) seeks to prevent unnecessary car usage. This means parking which is excessive in relation to the location of the site, the type of development proposed and the availability of alternative means of transport. While alone it may be insufficient to promote the use of more sustainable transport modes and reduce reliance on the private car, it needs to be viewed as part of a complementary suite of Local Plan policies that include DP7, DP6, SC3, SC4 and SC10.

4.10.4 Issue 3: The District Council has put forward a proposed change to the Revised Deposit Plan to address this concern. I endorse the suggestion that a further sentence be added to the end of Paragraph 4.6 to accept parking in excess of the maximum standard in appropriate circumstances, as set out in PPG13 or any subsequent Government guidance. I note that on this basis the objection by Tesco Stores Ltd has been conditionally withdrawn.

4.10.5 Issue 4: Restricting off-street parking will result in greater pressures for on-street parking. This is consistent with Government planning policy which aims to encourage a modal shift to reduce reliance on the private car. Since on-street parking controls fall outside the planning system, it is not possible to expand Policy DP8 in the way suggested. Such parking controls are established by the County Council. I note that from 2007, under the decriminalised parking enforcement regime, they will be more strictly enforced as powers shift from the police to the District Council acting as agents for the County Council.

4.10.6 Issue 5: The effect of development on the amenity of existing residents is covered elsewhere in the Plan through Policy DP2. As regards the two sentences in Paragraph 4.46 which the objector suggests be amended/deleted, I note that these were omitted from the Revised Deposit Plan.

- 4.10.7 Issue 6:** The District Council says that its parking standards which will be set out in a forthcoming SPD will respond to all material considerations across the District. Those standards will be subject to public consultation to ensure that any local issues can be properly addressed. I am content with this response.
- 4.10.8 Issue 7:** Criterion b) of Policy DP8 requires that parking should have regard to the location and accessibility of the site by means other than the private car. I consider that this adequately covers the matter of rural car dependency. I note that through a proposed change to the Revised Deposit Plan the District Council suggests further wording be added to Paragraph 4.44 to recognise the different needs of urban and rural areas. I support that suggested change.
- 4.10.9 Issue 8:** The District Council acknowledges that PPG13 requires maximum parking standards to be set out within the Plan but maintains that it is not practical to do so in this case. This is because the geography of the District has led to specific parking issues that need careful evaluation and treatment. These issues include historic and high quality central environments, the presence of many large residential properties in urban areas that are subject to pressure for intensification, planning policies that encourage mixed use urban living, and already high levels of on-street parking. The District Council is committed through its Local Development Scheme to produce SPD detailing maximum parking standards. This work has, I am told, been brought forward in response to concerns expressed by local residents and is scheduled to commence in October 2006 with adoption in 2007. The SPD will not have the same status as adopted development plan policy though it may be taken into account as a material consideration. This is not the most satisfactory situation but given the particular circumstances that prevail in Warwick District I feel I have little choice but to endorse the District Council's stance. In the meantime, reliance must be placed on the non-residential maximum parking standards set out at a county level in Appendix A of the Warwickshire Structure Plan (which are those in Annex D of PPG13).
- 4.10.10 Issue 9:** I agree with the District Council that this suggestion and others for relieving on-street parking are too specific to form the basis of policy. They need to be addressed at application stage on a case by case basis.
- 4.10.11 Issue 10:** The District Council has suggested a proposed change to the Revised Deposit Plan to include a new policy criterion 'e) takes account of the requirements of commercial vehicles.' I support that amendment which meets the objection. Policy DP7 addresses the impact of HGVs on rural roads arising from development.
- 4.10.12 Issue 11:** I accept that the reference to highway safety in criterion c) would include the safety of pedestrians using the pavement.
- 4.10.13 Issue 12:** In my view, it would be inappropriate to cover windfall development specifically. Being a generic development policy, DP8 and its supporting text apply to all categories of development.
- 4.10.14 Issue 13:** The District Council accepts that Paragraph 4.45 ought to be amended to more closely reflect the findings of the pre-deposit consultation exercise. A proposed change is suggested to the Revised Deposit Plan. I support that amendment which recognises the importance of adequate parking, even in locations well served by public transport.

4.10.15 Issue 14: I believe it is unnecessary to augment the text in Paragraph 4.46 in the way suggested by the Leamington Society and other objectors. Parking below maximum levels would only be considered appropriate where it can be demonstrated that this is not detrimental to safety, social and environmental considerations.

4.10.16 Issue 15: The objective of Policy DP8 is to balance the aims of promoting sustainable transport and efficient use of land with the accessibility and mobility needs of people and businesses through appropriate levels of on-site parking. The objectors' suggested replacement wording would not further this approach and would not, in my opinion, improve the Plan.

4.10.17 Issue 16: I am assured by the District Council that in setting car parking standards for broad categories of development, the different parking issues across the District will be acknowledged. I note that Kenilworth Town Council has withdrawn its objection in light of this response.

4.10.18 Issue 17: The District Council accepted the thrust of the objection made by the Leamington Society at First Deposit stage. The supporting text was reworked in the Revised Deposit Plan so that proposals which meet maximum levels of parking will be appropriate in most circumstances. Lower levels of parking will, however, be acceptable where this can be shown to be appropriate. The objection has therefore been satisfied.

4.10.19 Although not raised by any objector, I consider that in the interests of consistency the word 'would' in the final sentence of Paragraph 4.46 of the Revised Deposit Plan should be replaced by the word 'will'. I recommend accordingly.

Recommendations

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

(i) **add a new criterion to Policy DP8 to read:**

"e) takes account of the requirements of commercial vehicles."

(ii) **move the word 'and' from after criterion c) to after criterion d) in Policy DP8.**

(iii) **amend the penultimate sentence of Paragraph 4.44 to read:**

"It is acknowledged, however, that parking levels on new development need to recognise the accessibility and mobility needs of people and businesses and that these may be different in urban and rural areas."

(iv) **substitute the following for the last 2 sentences of Paragraph 4.45:**

"The results of the pre-deposit consultation exercise revealed that respondents consider easy access to car parking important for housing, shopping and employment uses with slightly less importance attached to leisure uses. In addition, parking for all types of uses was considered less important in locations which were well served by public transport, but even here 54% felt that parking remained important."

- (v) amend the second sentence of Paragraph 4.46 to read:

“Applicants will be expected to provide car parking on new developments in accordance with these standards, as set out in this document.”
 - (vi) add the following sentence to the end of Paragraph 4.46:

“It will also accept parking in excess of the maximum standard in appropriate circumstances, as set out in PPG13 or any subsequent Government documents.”
 - (vii) substitute the word “will” for the word ‘would’ in the final sentence of Paragraph 4.46.
- (b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.

4.11 Paragraphs 4.48 - 4.52 Policy DP9 Pollution Control

Objections to First Deposit Version

109/AE	Warwickshire County Council (Planning, Transport & Economic Strategy)
148/AK	Campaign to Protect Rural England (Warwickshire Branch)
154/AG	National Farmers’ Union

Objections to Revised Deposit Version

226/RAC	Environment Agency
321/RAJ	West Midlands International Airport Ltd

Key Issues

- 4.11.1** (1) Whether the explanatory text should refer to environmental assessment and preconsultation with infrastructure providers.
- (2) Whether the term ‘sensitive receptors’ should be defined.
- (3) Whether the Policy should indicate that new development will not be allowed within 400m of a bad neighbour use.
- (4) Whether the first part of the Policy should be re-ordered and the final sentence of Paragraph 4.50 amended.

- (5) Whether the word 'harm' in Policy DP9 should be qualified and preceded by the word 'unacceptable' to acknowledge the possibility of mitigation and compensation measures overcoming pollution and/or contamination.
- (6) Whether the last part of Paragraph 4.48 should be augmented with the sentence: 'This may require applicants to carry out assessment work regarding contamination before any planning decision can be made.'

Inspector's Appraisal and Conclusions

- 4.11.2 Issue 1:** This objection has been satisfied. A reference to Environmental Statements has been included in Paragraph 4.52 of the Revised Deposit Plan.
- 4.11.3 Issue 2:** What is meant by 'sensitive receptors' is clarified in Paragraph 4.50 of the Revised Deposit Plan. Again, this meets the objection.
- 4.11.4 Issue 3:** It would not be appropriate, in my opinion, to adopt such a blanket policy provision. Each case needs to be assessed on its own merits in the light of expert evidence. Policy DP2 addresses general amenity considerations.
- 4.11.5 Issue 4:** The Council accepted that the Policy wording could be misconstrued. The objection has, I note, been addressed in the Revised Deposit Plan.
- 4.11.6 Issue 5:** I see no benefit in adding the word 'unacceptable' when addressing harm in Policy DP9. Whether harm can be mitigated or compensated for in any particular case will be considered and assessed at planning application stage in the light of specialist advice. It is implicit in the Policy that where pollution or contamination is at an unacceptable level then development will not be permitted. It follows that I also consider there to be no need to amend or amplify the supporting text at Paragraphs 4.50 and 4.52.
- 4.11.7 Issue 6:** PPS23 advises that the precautionary principle should be invoked where there is good reason to believe that harmful effects may occur. This may require a preliminary assessment of risk. It is a matter which would have to be addressed in consultation with the Environment Agency before determination of a planning application. I am content that the general statement made in Paragraph 4.48 of the Plan that it is important that the issue of pollution control be addressed at the development stage is sufficient without the need for further elaboration.

Recommendations

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

4.12 Paragraphs 4.53 - 4.60 Policy DP10 Flooding

Objections to First Deposit Version

126/AA 2nd Warwick Sea Scouts

198/AF John Henderson
234/AK Parish Councillor (Sherbourne)

Objections to Revised Deposit Version

66/RAL The Warwick Society
122/RAD Warwick Castle
223/RAB Kenilworth Town Council
226/RAD Environment Agency
226/RAH Environment Agency
327/RAA Miss E M Rumary
350/RAT Tesco Stores Ltd

Key Issues

- 4.12.1** (1) Whether it is appropriate to show areas of flood risk on the Proposals Map given that the information is poorly defined and will become outdated.
- (2) Whether development should be precluded in the flood plain.
- (3) Whether the Policy should be redrafted to apply to every location, with Flood Risk Assessments appropriate to the scale and nature of the scheme proposed.
- (4) Whether the Plan should identify ‘areas of high flood risk’.
- (5) Whether the Policy fails to address redevelopment proposals.
- (6) Whether the Policy is consistent with national guidance in PPG25.
- (7) Whether Policy DP10 should foster sustainable drainage solutions and be supported by SPD.
- (8) Whether there is a discrepancy between the wording of the first paragraph of the Policy and Paragraph 4.57.
- (9) Whether the Policy and its reasoned justification require further amendment.
- (10) Whether Paragraph 4.56 should be amended to accommodate proposals on sites subject to regular flooding which comply with site specific advice issued by the Environment Agency.

Inspector's Appraisal and Conclusions

- 4.12.2 Issue 1:** I am told that the Environment Agency now supports the inclusion of areas of flood risk on Proposals Maps. The reasoned justification has been amended at Revised Deposit stage. Paragraph 4.59 explains that the boundaries of flood zones are indicative only and that applicants should check with the Environment Agency for the most up-to-date information. In my view, that is appropriate. I note that the District Council has put forward minor proposed changes to the text in this regard. I support those amendments.

- 4.12.3 Issue 2:** Guidance in PPG25 and advice from the Environment Agency is that certain forms of development can be accommodated in areas at risk of flooding, so long as particular criteria can be met. Flood Risk Assessments are the tools by which individual schemes are evaluated.
- 4.12.4 Issue 3:** Policy DP10 and its supporting text were amended significantly through the Revised Deposit Plan to reflect advice received from the Environment Agency. The Policy includes a set of criteria to be applied to all development in areas of flood risk and indicates that the necessary Flood Risk Assessment should be appropriate to the scale and nature of the development proposed.
- 4.12.5 Issue 4:** The ‘areas of high flood risk’ can be identified from the Environment Agency’s flood zone maps. A reference to this was, I note, included in Paragraph 4.59 of the Revised Deposit Plan.
- 4.12.6 Issue 5:** Paragraph 4.54 was amended in the Revised Deposit Plan to clarify that ‘development’ refers to all types of development including redevelopment, changes of use and conversions. This meets the objection.
- 4.12.7 Issue 6:** I am assured that the District Council has worked closely with the Environment Agency in producing a Policy which allows development that will not increase the incidence of flooding while providing sufficient means of escape in the event of flooding. The sequential test will ensure that high risk floodplain is developed only as a last resort in exceptional circumstances. I consider that to be appropriate and in accord with PPG25.
- 4.12.8 Issue 7:** I agree with the District Council that while sustainable drainage is important in minimising flooding, questions such as the extent of hard surfacing and the planting of trees and shrubs as rainwater buffers are matters for detailed consideration at planning application stage in the light of Policy DP11 (Drainage). Given the limited resources available to the District Council, I can see no urgent case for producing SPD to address the matter of flooding.
- 4.12.9 Issue 8:** The District Council has accepted that there is an inconsistency between the Policy and the supporting text in Paragraph 4.57. A proposed change has been put forward to address the matter. I support that amendment.
- 4.12.10 Issue 9:** Further detailed changes to Policy DP10 and its supporting text have been suggested by the Environment Agency. I agree with the objector that criteria g) and h), relating to dwellings and essential civil infrastructure respectively, would benefit from further refinement. The wording put forward by the Environment Agency is, I feel, preferable to that contained in the Revised Deposit Plan. For all residential development, dry pedestrian access to land not at high risk should be a minimum requirement; while in the case of essential civil infrastructure, access must be guaranteed 24/7 and must be capable of remaining operational during all flooding events. I endorse the Environment Agency’s suggested amendments to Paragraphs 4.56 and 4.57. These make the text simpler and clearer, and reinforce the importance of the sequential test set out in Policy criterion b). I recommend accordingly.

4.12.11 Issue 10: The 2nd Warwick Sea Scouts have been in discussion with the Environment Agency regarding redevelopment and rationalisation of their sites, buildings and other facilities. Agreement has been reached in principle for redevelopment in the floodplain of the River Avon. They are concerned that criterion e) of Policy DP10, which requires a site not to be subject to regular flooding, could preclude such a scheme. They request, as part of their Option 1 (Revised Policies), an addition to the reasoned justification at Paragraph 4.56 to address this situation. While Policy DP10 also provides for a Flood Risk Assessment to evaluate individual schemes, I agree with the objector that the text could usefully be clarified by making reference to site specific advice issued by the Environment Agency. I incorporate that revision in my recommendations.

Recommendations

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

(i) amend Policy DP10 to read:

“Development in areas at risk of flooding will only be permitted where the following criteria are met:

.....;

- g) in the case of dwellings, it is evident that as a minimum safe, dry pedestrian access would be available to land not at high risk; and**
- h) in the case of essential civil infrastructure, access must be guaranteed and must be capable of remaining operational during all flooding events.**

Where development is supported as an exception to this policy within high risk areas, applicants will need to demonstrate that they strictly comply with criteria b), c), d) and g).

.....”

(ii) amend Paragraph 4.56 to read:

“In accordance with PPG25, the policy recognises that where the location is essential to the development proposed eg water-based recreation uses or agriculture, permission will be granted provided the applicant can demonstrate that they strictly comply with either this policy or site specific advice issued by the Environment Agency, and any other relevant local plan policy.”

(iii) amend the second sentence of Paragraph 4.57 to read:

“Where, in the wider overall interest, development is supported as an exception to this policy within high risk areas, applicants will need to demonstrate that they strictly comply with criteria b), c), d) and g) of the policy in that the development is and remains safe throughout its lifetime and does not increase flood risk elsewhere.”

(iv) amend Paragraph 4.59 to read:

“The Environment Agency is the land drainage authority for main rivers and has produced indicative flood zone maps for these and other watercourses. These are shown on the proposals map. These maps are based upon the approximate extent of flooding with a 1% annual occurrence for rivers, or where this is greater, the highest recorded flood event. The maps represent the best information available at the time but are indicative only and should be used as a basis for consultation rather than decision making. Applicants are advised to refer to the Environment Agency for the most up-to-date indicative flood zone maps to identify any changes. These maps will also enable applicants to identify areas of high flood risk. Where floodplains for some other watercourses are not yet available applicants are asked to contact the Local Authority Drainage Engineers who are the Land Drainage Authority for non main rivers, to check the location of the nearest watercourse to their development site.”

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

4.13 Paragraphs 4.61 - 4.65 Policy DP11 Drainage

Objections to First Deposit Version

69/AA	Linda Forbes
156/AB	Alan Moore
198/AG	John Henderson
201/AF	Home Builders' Federation
210/AJ	English Nature
223/AN	Kenilworth Town Council

Objections to Revised Deposit Version

66/RAM	The Warwick Society
223/RAC	Kenilworth Town Council
223/RAL	Kenilworth Town Council
226/RAF	Environment Agency

Key Issues

- 4.13.1 (1)** Whether Policy DP11 adequately addresses drainage issues of particular relevance to Kenilworth.

- (2) Whether applicants should be required to justify their position if sustainable drainage systems are not incorporated into a scheme.
- (3) Whether it should be made clear which organisation will enforce the Policy.
- (4) Whether restrictions should be placed on impermeable paving and encouragement given to the planting of trees and shrubs to act as rainwater buffers, through SPD.
- (5) Whether there are typographical errors in criterion b) of Policy DP11 and in Paragraph 4.61.
- (6) Whether the Policy should be re-ordered so that the re-use and recycling of surface water and domestic waste water is dealt with first.
- (7) Whether it is reasonable for the Policy to 'require' the use of sustainable drainage systems.

Inspector's Appraisal and Conclusions

4.13.2 Issues 1, 2 and 3: Kenilworth Town Council points out that the population of Kenilworth has more than doubled in the last 50 years and that this has put a huge strain on the town's sewerage system, part of which dates back to the 1880s. Severn Trent Water Authority is in the middle of a £16m scheme to replace sewers (equating to £1,500 per household). While the Town Council has no argument with the principle of sustainable drainage systems it is concerned to prevent the recurrence of drainage problems in respect of storm water. Changes to the Plan are sought to make it clear that Policy DP11 applies to all development or, if not, to specified classes of development. It argues that Paragraph 4.65 of the reasoned justification should be amended to include a requirement for all applicants to demonstrate how they can comply with the objective of the Policy or why the small scale of development proposed should exempt them, and should clarify which agency will take responsibility for managing the effects of the Policy.

4.13.3 The purpose of Policy DP11 is to foster sustainable drainage systems that use a variety of techniques to control surface water run-off as close to its origin as possible. By seeking to mimic natural drainage processes, they are less likely to lead to flooding and surcharging. Phase 2 of the Kenilworth Sewerage Strategy currently underway is designed to allow for some limited future housing. The modelling that has been undertaken includes allowances for smaller developments, 'permitted development' that does not require planning permission, and takes account of a variety of other growth factors. Monitoring the impact of development on drainage is the responsibility of the statutory water authority rather than the District Council. To that end STWA requires consultation on all schemes involving 10 or more dwellings, and the District Council feeds back information to STWA through the Building Regulations. For its part, the planning authority will monitor whether Policy DP11 is successful in achieving sustainable drainage systems in new development.

4.13.4 In my view, there is no need to clarify that the Policy applies to all development. Paragraph 4.1 of the reasoned justification introducing Chapter 4 explains that the development policies in the chapter are generic and that all development proposals will be assessed against them. Under Paragraph 4.65 applicants need to demonstrate how they can comply with the objective of the Policy. I see no particular benefit in adding the

words ‘to the approval of the Council and The Environment Agency’. There is recognition that some developments, like changes of use, may have little or no impact on drainage. In those cases the Plan indicates that an exception will be made. Clearly, the District Council will be the body deciding whether there is likely to be a potential impact and whether further information is required.

4.13.5 Issue 4: I agree with the District Council that it is for individual planning applications to address such matters as the need to control hard landscaping and to encourage rainwater buffers. This will be done in consultation with the relevant statutory undertaker. There is no compelling argument, in my view, for giving priority to the preparation of SPD on flooding and drainage at this time.

4.13.6 Issue 5: A proposed change has been put forward by the District Council to meet the objection by the Environment Agency. It is suggested that the word ‘flood’ in Policy DP11b) and in Paragraph 4.61 should be amended to ‘flooding’. I support that correction.

4.13.7 Issue 6: Kenilworth Town Council argues that the Policy should be re-ordered so that the final section regarding water re-cycling should come first. I do not agree. The Policy focuses on sustainable drainage systems and that is what needs to be considered initially.

4.13.8 Issue 7: The HBF point to the reluctance of some water companies and local authorities to adopt SUDS. In their view, the Policy should either ‘encourage’ the use of SUDS or seek the implementation of SUDS ‘wherever practicable’ until such time as a suitable mechanism for dealing with the adoption of SUDS schemes is established. I acknowledge the difficulties that have arisen. A SUDS scheme needs maintenance if it is to work properly. I have not been made aware of any general arrangements for adoption agreed between local authorities, water companies and the Environment Agency. In these circumstances, I feel it would be appropriate for Policy DP11 to indicate that development will be ‘encouraged’ rather than ‘required’ to incorporate SUDS. This would be consistent with the statement made in Paragraph 4.62 of the supporting text that ‘(Government guidance)... *encourages* reduction and restriction of surface water run off from new developments by the provision of sustainable drainage systems.’ A consequential amendment would also be required to Paragraph 4.65. I recommend accordingly.

Recommendations

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

(i) amend the first sentence of Policy DP11 to read:

“Development will be encouraged to incorporate sustainable drainage systems which provide for the disposal of surface water.”

(ii) amend the first sentence of Paragraph 4.65 to read:

“Applicants will need to demonstrate how they comply with the objective of this policy.”

- (iii) substitute the word “flooding” for the word ‘flood’ in criterion b) of Policy DP11 and in the 11th line of Paragraph 4.61.
- (b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.

4.14 Paragraphs 4.66 - 4.71 Policy DP12 Energy Efficiency

Objections to First Deposit Version

79/AA	Matthew Rhodes
138/AA	Laing Homes Midlands
141/AA	Parkridge Homes Ltd
142/AC	A C Lloyd Ltd
148/AL	Campaign to Protect Rural England (Warwickshire Branch)
168/AD	Advantage West Midlands
201/AG	Home Builders’ Federation
220/AC	Cala Homes (Midlands) Ltd
262/AC	Warwick & Leamington Spa Green Party
298/AA	Action 21

Objections to Revised Deposit Version

66/RAN	The Warwick Society
350/RAU	Tesco Stores Ltd

Key Issues

- 4.14.1**
- (1) Whether Policy DP12 should be expanded to encompass renewable energy generation, and reflect the guidance in PPS22.
 - (2) Whether the Policy is inconsistent in itself and in relation to the supporting text, and overly prescriptive.
 - (3) Whether criterion d) is appropriate and accurate.
 - (4) Whether energy efficiency and conservation in new homes is best achieved through the Building Regulations, rather than through planning policy.
 - (5) Whether Paragraph 4.69 should be expanded to include domestic property extensions and other minor developments.
 - (6) Whether the Plan should indicate that SPD will be prepared covering the installation of solar panels and other alternative energy sources.
 - (7) Whether the typographical error in Paragraph 4.68 has been corrected.

Inspector's Appraisal and Conclusions

- 4.14.2 Issue 1:** National, regional and Structure Plan policy all emphasise the urgency of increasing the proportion of energy from renewable resources. Paragraphs 7, 8 and 18 of PPS22 are particularly relevant, as is RSS Policy EN1 and Structure Plan Policy GD.1. With this in mind, the District Council agreed that 2 new policy areas needed to be addressed in the emerging Local Plan. These were: (a) criteria for consideration of applications for renewable energy projects, and (b) a requirement that a proportion of appropriate developments meet their predicted energy requirements from renewable sources. Policy DP12a (Renewable Energy Developments) was introduced into the Revised Deposit Plan by way of response. In doing so, this objection has effectively been met.
- 4.14.3 Issue 2:** The first sentence of the Policy encourages energy efficiency while the second requires compliance with all 5 of the detailed criteria that follow. The District Council has accepted, and I agree, that this is inconsistent and inflexible. It does not accord with the reasoned justification which clarifies at Paragraphs 4.69 and 4.70 that only large scale developments can be expected to meet criterion e), and that minor developments and changes of use that have little impact on energy conservation will not be expected to comply. The District Council has put forward further proposed changes to the Revised Deposit Plan to address these concerns. I endorse those changes which in large measure meet the objections. As regards the need to balance the objectives of Policy DP12 with those of other policies, referred to in Paragraph 4.71, I see no argument for including this statement in the Policy itself.
- 4.14.4 Issue 3:** An objector argues that recycled materials do not necessarily have a reduced energy input as the recycling process can be energy intensive. I accept, though, that recycled materials can save on landfill costs and the costs involved in producing new materials in terms of natural resources and transportation. I note that the District Council deleted the original reference to materials ‘produced locally’ when preparing the Revised Deposit Plan. I agree that this was too stringent. Insertion in the Policy of the words ‘where appropriate’ goes someway towards satisfying the objection. It follows that I do not support the deletion of criterion d).
- 4.14.5 Issue 4:** In my view, energy efficiency in homes is relevant to both planning and Building Regulations. This is confirmed through Policy EN2 of the RSS which states that development plans should include measures to: (i) minimise energy demands from development by encouraging the use of sustainable construction techniques, best practice in energy efficient design and the orientation of buildings to maximise passive solar gain, and (ii) encourage the use of good quality combined heat and power systems and district heating schemes for developments, particularly major new mixed use developments.
- 4.14.6 Issue 5:** I see no need to extend Paragraph 4.69 in the manner suggested. I do, however, recognise that technologies exist enabling individual homeowners to contribute to energy conservation and pollution reduction by, for instance, incorporating solar thermal systems or ground source heat pumps in extensions, or by providing small wind turbines.
- 4.14.7 Issue 6:** I agree with the District Council that the subject of energy efficiency is adequately covered in Policy DP12, as proposed to be amended, without the need for SPD. This Policy requires to be balanced with others requiring good design (DP1) and protecting listed buildings and conservation areas (DAP6 and DAP10).

4.14.8 Issue 7: The District Council has amended the word ‘principle’ to read ‘principal’ in Paragraph 4.68 of the Revised Deposit Plan, thereby satisfying the objection by CPRE (Warwickshire Branch).

Recommendations

4.14.9 (a) That Policy DP12 of the Revised Deposit Plan be modified to read:

“The layout and design of development will be encouraged to promote energy efficient buildings. Where appropriate, development proposals will be expected to demonstrate that they have considered:-

- a) opportunities to maximise passive solar gain, minimise heat loss and wind tunnelling and eddying;**
- b) opportunities to limit overshadowing of buildings to minimise loss of useful solar gain;**
- c) opportunities for landscaping to provide shelter belts to improve energy conservation;**
- d) the use of materials with a reduced energy input, such as recycled products;
and**
- e) the use of sustainable and renewable forms of heating such as solar panels and CHP (Combined Heat and Power) schemes.”**

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

4.15 Paragraphs 4.71A - 4.71H Policy DP12a Renewable Energy Developments

Objections to First Deposit Version

No objections

Objections to Revised Deposit Version

66/RAO	The Warwick Society
110/RAB	Government Office for the West Midlands
154/RAD	National Farmers’ Union
283/RAH	The Ancient Monuments Society
351/RAA	British Wind Energy Association

Key Issues

4.15.1 (1) Whether the Plan should indicate that SPD will be prepared covering the installation of solar panels and other alternative energy sources.

- (2) Whether the Policy should discourage inappropriate renewable energy installations on listed buildings, in conservation areas and close to ancient monuments .
- (3) Whether Part B of the Policy is properly justified and in accord with PPS22.
- (4) Whether the detailed wording of the Policy and its reasoned justification is appropriate.
- (5) Whether Part B of the Policy should allow for the fact that biomass might be grown locally but not on site.

Inspector's Appraisal and Conclusions

4.15.2 Issue 1: The matters raised by the Warwick Society have already been addressed in considering a similar objection to Policy DP12 (see Paragraph 4.14.7 of this report).

4.15.3 Issue 2: I consider that criteria a), c) and e) of Part A of Policy DP12a, together with other Plan policies that foster good design and seek to protect listed buildings, conservation areas and ancient monuments (DP1, DP4, DAP6 and DAP10), afford adequate protection for the historic environment.

4.15.4 Issue 3: Renewable energy is a field where technological innovations are taking place. Part B of Policy DP12a deals with a relatively new area of Government policy. It aims to establish a baseline position from which further work can be done by the District Council in conjunction with the County Council, development industry and other stakeholders. The principles incorporated into the Policy are firstly, that it is appropriate to require a percentage of energy from renewable sources and secondly, that this should be done only where it is viable and would not place an undue burden on developers. I am satisfied that these considerations reflect the advice in PPS22. The reasoned justification to Policy DP12a makes it clear that the 10% requirement will be applied to 'appropriate' developments which will include those where the installation of micro generation equipment is viable given the type of development proposed, its location and design. This meets the criteria in Paragraph 8 of PPS22. Paragraph 4.71H (as amended in the Council's proposed changes) indicates that further guidance on implementation of this Policy will be set out in SPD. In my view, this is to be preferred to burdening the Policy with detail. Such SPD will, in any event, be subject to public consultation.

4.15.5 Issue 4: While supporting the introduction of Policy DP12a in the Revised Deposit Plan, the British Wind Energy Association (BWEA) has a number of concerns regarding detailed wording. On reflection, the District Council agrees with the objector that the word 'intrusion' in criterion a) of the Policy is emotive and should be replaced with the word 'appearance'; and that the first sentence of Paragraph 4.71F should be amended to include reference to the Environmental Assessment process. The latter would address a number of the BWEA objections including the question of subjectivity. I support those proposed further changes which would improve the Plan. As regards the other points, I agree with the District Council that only in the case of larger schemes will pre-application consultation with local communities be expected. I consider that the reference in Paragraph 4.71B to a lower regional target of at least 5% of electricity to be generated from renewable means by 2010 compared with the 10% national target, and an explanation as to how this figure has been derived, is pertinent information that should be retained in the text.

4.15.6 Issue 5: The District Council agrees that the Policy should acknowledge that energy may be produced on site ‘or in the locality’ from renewable sources and has put forward a proposed change to that effect. I support that amendment.

Recommendations

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

(i) amend criterion a) of Part A of Policy DP12a to read:

“a) local amenity including visual appearance, noise, dust, odour, and traffic generation;”

(ii) amend Part B of Policy DP12a to read:

“B. In appropriate residential and non-residential developments, including conversions, the Council will require 10% of the predicted energy requirements to be produced on site, or in the locality, from renewable energy resources.”

(iii) amend the first sentence of Paragraph 4.71F to read:

“Where appropriate, Environmental Assessment will be used to determine the effect of any proposal on amenity, public health and safety, townscape and/or landscape character, the natural and historic environment, climate and other factors.”

(iv) amend the final sentence of Paragraph 4.71H to read:

“Further guidance on the implementation of this policy will be set out in a Supplementary Planning Document.”

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

4.16 Paragraphs 4.72 - 4.76 Policy DP13 Crime Prevention

Objections to First Deposit Version

27/AA	Warwickshire Police
115/AA	Alan Roberts
122/AD	Warwick Castle
193/BF	Coten End and Emscote Residents’ Association
199/BF	James Mackay

Objections to Revised Deposit Version

Key Issues

- 4.16.1** (1) Whether Paragraph 4.76 implies that there is conflict between crime prevention and achieving good design.
- (2) Whether the design of security lighting should be required to produce minimal light pollution.
- (3) Whether the Policy should be extended to ensure that development does not create opportunities for crime or anti-social activity in adjoining areas.
- (4) Whether the Policy reacts to crime rather than fostering good design which minimises its likelihood.
- (5) Whether the Policy should prevent the appearance of exclusive gated closed communities.

Inspector's Appraisal and Conclusions

4.16.2 Issue 1: The supporting text recognises the possibility that the most appropriate layout and design from a crime prevention perspective may not necessarily accord with other policy objectives such as achieving the highest quality design or most accessible layout. But it does not suggest the need to design for a safe environment is a lower priority than other factors. The Policy requires applicants to demonstrate how they have sought to balance competing objectives and show where choices have been made. I consider that to be proper and acknowledge that in most cases it should be possible to produce a scheme that satisfies many if not all requirements.

4.16.3 Issue 2: I agree with the District Council that issues surrounding light pollution can be addressed most fittingly through Policy DP9 (Pollution Control).

4.16.4 Issue 3: Policy DP13 is aimed at minimising the potential for crime and anti-social behaviour generally and not just within a development site. Reflecting this, Paragraph 4.72 of the Plan also refers to the surrounding environment. In these circumstances, I see no need to extend the Policy.

4.16.5 Issue 4: I do not believe that Policy DP13 is simply reactive. Criteria a) to c) refer to positive aspects of design, the aim of which is to minimise the potential for crime and anti-social behaviour and improve community safety. I note that in implementing the Policy the District Council routinely consults the Architectural Liaison Officer within the Warwickshire Police Authority, and applicants are encouraged to seek a 'Secured by Design' certificate.

4.16.6 Issue 5: Policy DP13 deals in general terms with crime prevention. How developers best address the matter in any given circumstance falls to be determined at application stage in the light of this and other policies (including DP14: Accessibility and Inclusion), and consultation with the Police Architectural Liaison Officer. It may or may not involve the use of gated communities. I see no place for such a level of detail in this generic policy.

Recommendations

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

4.17 Paragraphs 4.77 - 4.81 Policy DP14 Accessibility and Inclusion

Objections to First Deposit Version

37/AA	Sport England
201/AH	Home Builders' Federation
213/AF	Warwickshire Rural Community Council

Objections to Revised Deposit Version

No objections

Key Issues

- 4.17.1 (1) Whether Paragraph 4.79 should make specific reference to children's play spaces.
- (2) Whether Policy DP14 duplicates the provisions of Part M of the Building Regulations and is unnecessary.
- (3) Whether the word 'inclusion' is appropriate for use in the Policy.

Inspector's Appraisal and Conclusions

4.17.2 Issue 1: The District Council accepted this objection and incorporated a reference to children's play spaces in the Revised Deposit Plan in acknowledgement of the ODPM publication 'Developing Accessible Play Space' (Nov 2003). The objector, Sport England, has conditionally withdrawn its objection on that basis. I endorse that amendment which improves the text.

4.17.3 Issue 2: The Building Regulations are primarily concerned with access to and within buildings. In contrast, the scope of Policy DP14 is broader. It applies to all aspects of a scheme, not just the buildings, encouraging developers to meet the highest standards of accessibility and inclusion for all potential users and sectors of the population. Consequently, I see no inappropriate duplication of the kind discouraged in Government guidance.

4.17.4 Issue 3: Since the aim of Policy DP14 is to promote social inclusion through access to, and use of, new developments and facilities, I consider it to be quite proper to associate the words accessibility and inclusion. I note that Policy SC1 later in the Plan deals with inclusive communities in terms of securing a mix of housing in new developments.

Recommendations

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

4.18 Chapter 4 – Policy omissions

Objections to First Deposit Version

7/AB	The Ramblers' Association
7/AD	The Ramblers' Association
24/AA	Future Energy Solutions (on behalf of DTI)
66/AF	The Warwick Society
109/AK	Warwickshire County Council (Planning, Transport & Economic Strategy)
109/BC	Warwickshire County Council (Planning, Transport & Economic Strategy)
158/AG	Tyler-Parkes Partnership
221/BB	Kenilworth Society
223/AY	Kenilworth Town Council
226/AJ	Environment Agency
234/BB	Parish Councillor (Sherbourne)
248/AA	Mr & Dr C.G. Oliver
262/AD	Warwick & Leamington Spa Green Party
302/AK	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

No objections

Key Issues

- 4.18.1** (1) Whether the Plan should include a requirement for developers to provide off-site links to the existing footpath network.
- (2) Whether the Plan should incorporate a policy to encourage safe road crossings.
- (3) Whether the Plan should contain a policy on renewable energy and renewable technologies, and set minimum standards.
- (4) Whether the Plan should include a policy requiring acceptable standards of accommodation in terms of daylight, size and outlook.
- (5) Whether there should be a policy steering development to particular locations.
- (6) Whether the Plan should contain a policy encouraging developers to provide space and facilities for waste recycling and composting in residential developments.

- (7) Whether the Plan should make provision for long-term (post-2011) housing needs by excluding land from the Green Belt.
- (8) Whether the Plan should include policies on extensions and replacement dwellings covering the whole of the District (similar to Policies RAP3 and RAP4 that currently apply to the rural areas only).
- (9) Whether the Plan should include a policy on water conservation.
- (10) Whether the Plan should include a policy to control home working where this generates traffic resulting in environmental disturbance.
- (11) Whether the Plan should contain a policy that precludes the demolition of high quality housing and its replacement with high density housing.
- (12) Whether the Plan should contain separate policies in respect of landscape character and the historic environment.

Inspector's Appraisal and Conclusions

4.18.2 Issue 1: The District Council accepts that it is reasonable to seek contributions from new developments for footpath and cycleway improvements where these are directly related to the development sought. Policy SC10 (Sustainable Transport Improvements) has been amended in the Revised Deposit Plan and a new Paragraph 5.64B added. The second part of the Policy indicates that: "Contributions will also be sought in appropriate cases towards footpaths, cycleways and towpaths both within development sites, and to create links with the wider network." The objection by the Ramblers' Association has been met. I endorse those alterations.

4.18.3 Issue 2: Although the provision of safe road crossings is a legitimate aim, I agree with the District Council that this a matter more appropriately addressed by the County Council in its capacity as highway authority, rather than through this Local Plan. The Ramblers' Association has accepted the point and withdrawn its objection.

4.18.4 Issue 3: Policy DP12a (Renewable Energy Developments) was introduced at Revised Deposit stage in response to this and other objections.

4.18.5 Issue 4: I consider that these matters are adequately dealt with under other Policies of the Plan, principally DP1 (Layout and Design) and DP2 (Amenity). The Building Regulations also have a role to play. I see no need to amend the Plan in the manner suggested by the Warwick Society. It would, in any event, be inappropriate to apply the Social Housing Design Standards to market housing.

4.18.6 Issue 5: The core strategy of the First Deposit Plan was augmented at Revised Deposit stage by a spatial strategy which is also set out in Chapter 3. This meets the objection and in consequence the objector, Warwickshire County Council (Planning, Transport and Economic Strategy), has conditionally withdrawn its objection. I support that spatial strategy which sets out clearly the locations to which most new development will be directed.

- 4.18.7 Issue 6:** PPS10 (Planning for Sustainable Waste Management) and the RSS both support measures to promote better waste management. In view of this, the District Council included a further criterion in Policy DP1 at Revised Deposit stage. Amongst other matters, development proposals will be expected to demonstrate that they: “make sufficient provision for sustainable waste management (including facilities for kerbside collection, waste separation and minimisation where appropriate) without adverse impact on the street scene, the local landscape or the amenities of neighbours.” The County Council has conditionally withdrawn its objection on that basis. I endorse that amendment.
- 4.18.8 Issue 7:** This matter is addressed elsewhere in my report in response to other objections. In summary, I conclude that there is no need for greenfield land to be allocated for housing up to 2011 and no requirement at this time to amend Green Belt boundaries to allow for longer term housing needs beyond the Local Plan period. I agree with the District Council that if and when further land is required for housing no changes should be made to Green Belt boundaries without a full comparative assessment of all options supported by a Sustainability Appraisal.
- 4.18.9 Issue 8:** I agree with the District Council that the coverage of Policies RAP3 and RAP4 should not be extended to apply to the urban areas. RAP3 and RAP4 deal specifically with rural issues - principally the effect of development on the open character of the countryside. They draw much support from PPG2 which applies to the Green Belt areas. Generally, a more positive approach is taken in respect of extensions and replacement dwellings in urban areas, subject to appropriate safeguards applied through District-wide Policies DP1 and DP2. In my view, there are clear differences in circumstances that merit a dissimilar approach in rural and urban locations.
- 4.18.10 Issue 9:** Recycling of surface water and domestic waste water is encouraged by Policy DP11. However, incorporation of other water efficiency measures and achievement of a secure water supply are matters that, in my view, fall outside the scope of this Local Plan.
- 4.18.11 Issue 10:** The Plan is generally supportive of home working in that such activity reduces the need to travel in furtherance of objective 3A. Where this does lead to adverse impacts, I am confident that these can be adequately dealt with under other Plan policies, particularly DP1, DP2 and RAP10. I see no need therefore to incorporate a specific policy on homeworking.
- 4.18.12 Issue 11:** Policies DP1, DP2 and DP5 seek to ensure that in any redevelopment a high quality of design and layout is achieved. This will be supplemented in due course by a Residential Design Guide which will have the status of SPD. I am told that this will be going out to public consultation in late 2006. Given the general thrust of PPG3 which encourages greater efficiency in the use of land, I consider that a specific policy that resists the demolition of high quality houses and their replacement with higher density schemes would be incompatible with national planning policy advice. I note that this objection by Mr D Shakespeare has subsequently been withdrawn.
- 4.18.13 Issue 12:** This matter has been addressed elsewhere in my report in response to other similar objections by English Heritage (see Issue 1, Policy DP3). My conclusion is that a composite policy is appropriate and workable. It recognises the complex inter-relationship that exists between the natural environment, the historic environment and landscape character and serves to keep the Plan succinct.

Recommendations

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

CHAPTER 5: SUSTAINING COMMUNITIES

5.1 Overview

- 5.1.1** The policies in this chapter of the Local Plan apply to development proposals across the District. By promoting sustainable projects they aim to build and strengthen communities through new developments. I recommend modifications to some of the policies and/or their reasoned justification, including those relating to affordable housing. In respect of the housing land supply position I consider that, in the context of this Plan, 2011 is the appropriate time horizon. I support the District Council's supply calculations and the SPD 'Managing Housing Supply'. I recommend that a revised Appendix 2 be substituted and conclude that there is no need for this Plan to allocate additional sites for housing or to safeguard land for longer term housing needs. Additional policies relating to canals, allotments, a new prison and nursing/care homes are not supported.

5.2 Paragraphs 5.1 - 5.2 Introduction to Chapter 5

Objections to First Deposit Version

37/AE	Sport England
109/AL	Warwickshire County Council (Planning, Transport & Economic Strategy)

Objections to Revised Deposit Version

191/RAQ	Robin A Richmond
195/RAQ	The Leamington Society
349/RAQ	Mr. D. G. Goodyear
350/RAV	Tesco Stores Ltd

Key Issues

- 5.2.1** (1) Whether it is appropriate that policies in this Chapter are negatively worded.
- (2) Whether Paragraph 5.41 should make reference to sports and recreational facilities.
- (3) Whether a reference to inclusive communities and environmental objectives should be included within Paragraphs 5.1 and 5.2.

Inspector's Appraisal and Conclusions

- 5.2.2 Issue 1:** I consider that clarity and lack of ambiguity are important elements essential to the utility of the Plan. Where policies seek to retain, protect or enhance, the Plan indicates that development that fails to respect specific attributes will not be

permitted. I consider this to be the appropriate approach in circumstances where it might be difficult to identify a wide range of planning considerations through a positively worded policy. I note that the objection by the County Council has been conditionally withdrawn.

5.2.3 Issue 2: Paragraph 5.41 has been amended in the Revised Deposit version of the Plan to make reference to sports and recreational facilities. On that basis the objection from Sport England has been conditionally withdrawn.

5.2.4 Issue 3: The District Council acknowledges that policies in Chapter 5 support environmental as well as social and economic objectives of the Plan. It is proposed therefore to amend the first bullet point of Paragraph 5.2. I support that proposed change. As regards a specific mention of inclusive communities in accordance with Paragraph 10 of PPG3, I agree with the Council that this is not strictly necessary given the references to mixed communities and strengthening communities in Paragraph 5.1. Furthermore, as the planning authority points out in its response, social inclusion is referred to in Paragraph 3.33 supporting Objective 4C (to improve the health and well-being of communities).

Recommendations

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

amend the first bullet point in Paragraph 5.2 to read:

“contribute towards achievement of the core strategy, specifically in relation to the economic, social and environmental objectives, by protecting....”

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

5.3 Paragraphs 5.3 - 5.5A Policy SC1 Securing a Greater Choice of Housing

Objections to First Deposit Version

117/AF	Langstone Homes Ltd
120/AE	Miller Homes (West Midlands)
195/AD	The Leamington Society
200/AK	Taylor Woodrow Strategic Developments
201/AJ	Home Builders' Federation
221/AM	Kenilworth Society
228/AO	West Midlands RSL Planning Consortium
239/AK	Mr D Austin
294/AC	British Waterways

Objections to Revised Deposit Version

66/RAQ	The Warwick Society
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Key Issues

- 5.3.1** (1) Whether the Policy should be more flexible and only apply to developments above a certain size.
- (2) Whether Policy SC1 should also refer to a range of affordability and tenure.
- (3) Whether there is a contradiction in seeking to avoid large areas of housing of similar character while trying to preserve the homogeneity of Regency terraces and Victorian streets.
- (4) Whether the Policy should resist further proposals for conversion to flats.
- (5) Whether residential moorings can assist the choice of housing types.
- (6) Whether all new housing should comply with 'lifetime homes' standards.
- (7) Whether existing communities should be protected from a concentration of houses in multiple occupation/student accommodation.

Inspector's Appraisal and Conclusions

- 5.3.2 Issue 1:** It is acknowledged in Paragraph 5.5 that this Policy may not be relevant to all developments. Nevertheless, in order to clarify the matter the words 'in all appropriate circumstances' were added to the Policy at Revised Deposit stage. I note that in consequence the objection by Langstone Homes Ltd has been conditionally withdrawn. I support that amendment.
- 5.3.3 Issue 2:** The District Council has accepted that 'affordability' is a relevant factor in terms of housing choice. PPG3 indicates at Paragraph 11 that local authorities should 'secure an appropriate mix of dwelling size, type and affordability in both new developments and conversions to meet the changing composition of households in their area in the light of the assessed need'. A reference to affordability was included in Paragraph 5.4 at Revised Deposit stage and as a result the objection by the West Midlands RSL Planning Consortium has been conditionally withdrawn.
- 5.3.4** I agree with the planning authority that 'tenure' is not appropriate for inclusion within the Policy. Circular 6/98, setting out the Government's position on affordable housing, states that 'planning policy should not be expressed in favour of any particular form of tenure.' Tenure is, in any event, an aspect of affordability. Nevertheless, it seems to me that the supporting text would benefit from inserting the message 'different types of housing and tenure do not make bad neighbours', as suggested by the Leamington Society.
- 5.3.5 Issue 3:** Addition of the words 'in all appropriate cases' at Revised Deposit stage also addresses the concern that Policy SC1 conflicts with the District Council's commitment to conserving historic terraces that possess a uniform architectural style. Paragraph 5.5 outlines those circumstances where it may not be appropriate to apply the Policy - that is, on small sites or sites within areas of a distinctive residential character. I see no need for further amendment.

- 5.3.6 Issue 4:** It would not be appropriate, in my view, to resist further conversion schemes to flats in the ‘blanket’ manner suggested. Policy SC1 is a generic policy that provides a framework for assessing all housing schemes in terms of the mix of dwellings. Where development fails to achieve a satisfactory mix and does not reflect the changing composition of households, such a scheme might be resisted but that would depend upon the strength of the evidence. This objection by the Leamington Society has, I note, been withdrawn.
- 5.3.7 Issue 5:** The Council points out that the District has no history of significant numbers of residential moorings. While they offer a particular lifestyle to a few, I see no need to single out this specialised form of housing in this Policy. I consider that the reference in Paragraph 5.3 to the importance of creating mixed and inclusive communities which can offer a choice of housing and lifestyle is sufficient.
- 5.3.8 Issue 6:** It is beyond the scope of this Plan to require all new homes to be constructed to ‘lifetime homes’ standards. I note, though, that in response to an objection from the West Midlands RSL Planning Consortium to objective 4B, the District Council inserted a new Paragraph 5.5A into the Revised Deposit Plan. This indicates that the District Council will actively support the inclusion of a suitable proportion of housing built to ‘lifetime homes’ standards.
- 5.3.9 Issue 7:** The objector argues that concentrations of rented houses in multiple occupation and/or student accommodation threaten the social mix of an area creating demographic and tenure imbalances. They force out other occupiers eroding the established community and weakening the community’s capacity to forge neighbourly relationships. Policy DP2 (Amenity) is held to be inadequate in this regard because it focuses on technical and building matters rather than on issues of tenure and community balance. It is pointed out that other local authorities have recognised the need for regulation and Charnwood BC (Loughborough University) has issued SPD on the subject.
- 5.3.10** The District Council relies upon Policy DP2 to address any harm to local residential amenity arising from change of use to a house in multiple occupation or to student hostel accommodation through, for example, noise nuisance or visual intrusion. Research into shared dwellings in the District shows that of the 2,125 known properties about 1,036 are shared student houses. Planning permission is not required for up to 6 people living together as a single household. There are also 5 managed student halls of residence. The majority of students in the District attend Warwick University, with much of the student accommodation being located in Leamington Spa.
- 5.3.11** I note that the District Council’s Private Sector Housing Unit does not consider student housing to be a particular problem in terms of either anti-social behaviour or unsatisfactory housing conditions. It has no intentions at present to further regulate student housing using additional powers under the Housing Act 2004. I agree with the planning authority that there is no justification for introducing SPD at this point in time to restrict student accommodation through, for example, the application of neighbourhood thresholds. The situation in Leamington Spa appears to be quite different from the much greater concentrations of students experienced at, for example, Loughborough, Leeds and Newcastle-upon-Tyne. As regards other issues, the forthcoming SPD on parking will address matters in relation to change of use to houses in multiple occupation and self-

contained flats. In these circumstances, I see no need to augment either the Policy or its supporting text.

Recommendations

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

insert the following text after the first sentence of Paragraph 5.3:

“Different types of housing and tenure do not make bad neighbours.”

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

5.4 Paragraphs 5.6 – 5.11 Policy SC2 Protecting Employment Land and Buildings

Objections to First Deposit Version

2/AA	British Telecommunications plc
69/AB	Linda Forbes
110/AC	Government Office for the West Midlands
148/AM	Campaign to Protect Rural England (Warwickshire Branch)
166/AA	Mr D & Mrs M A Hunter
190/AB	Countrywide Homes Limited
195/AE	The Leamington Society
201/AK	Home Builders' Federation
219/AF	Deeley Properties Limited ¹
220/AM	Cala Homes (Midlands) Ltd
221/AN	Kenilworth Society
225/AB	WM Morrisons Supermarkets plc
228/AP	West Midlands RSL Planning Consortium
229/AC	Gallagher Estates Limited
253/AA	John Myers
289/AC	Taylor Woodrow Developments Ltd ²
293/AC	Oldhams Transport Limited ³
295/AC	B&Q plc

Objections to Revised Deposit Version

168/RAN	Advantage West Midlands
201/RAA	Home Builders' Federation
212/RAA	IBM United Kingdom Ltd
226/RAL	Environment Agency
345/RAB	Church Commissioners for England
348/RAF	Merrill Lynch Investment Managers

¹ Addressed jointly with related objections (Chapter 10, Policy SSP1, Issue 2)

² Addressed jointly with related objections (Chapter 10, Section 10.11, Issue 1)

³ Addressed jointly with related objections (Chapter 10, Section 10.11, Issue 1)

Key Issues

- 5.4.1** (1) Whether the Policy is contrary to Paragraphs 42 and 42a of PPG3 which support the review of non-housing allocations in Local Plans for housing or mixed use development.
- (2) Whether the Policy should recognise and support the role of mixed use schemes and ‘non-Class B’ employment uses on employment sites.
- (3) Whether Policy SC2 is unduly negative and restrictive, and should support proposals unless they are important to the overall supply of employment land.
- (4) Whether the Sydenham industrial area should be allocated for mixed residential/industrial use, and Class B2 uses resisted.
- (5) Whether the Policy should allow affordable housing on employment sites as an exception to the norm.
- (6) Whether the Policy should give greater support to the protection of employment land in Kenilworth.
- (7) Whether criterion b) of Policy SC2 should also refer to the economic viability of the existing use.
- (8) Whether Paragraph 5.8 should refer to proposals coming forward for the redevelopment of employment sites ‘for employment purposes’.
- (9) Whether Policy SC2 is incompatible with the sequential test outlined in Policy UAP2 (Directing New Employment Development).
- (10) Whether the Policy allows the possibility of affordable housing in areas of potential flood risk.
- (11) Whether the District Council is using Policy SC2 as a tool to restrict housing development as a means of solving its housing land issues.
- (12) Whether the District Council should be seeking to protect allocated sites only and not existing employment sites.
- (13) Whether the Policy should be augmented by additional criteria to address transport issues.

Inspector's Appraisal and Conclusions

- 5.4.2 Issue 1:** The District Council accepts that the Policy set out in the First Deposit Plan did not fully reflect the more positive approach outlined in national planning policy guidance. The purpose of Paragraph 42 of PPG3 is to avoid land allocated for employment purposes being a wasted resource. Councils are urged to ‘review all their non-housing allocations when reviewing their development plan and consider whether this land might better be used for housing or mixed use developments.’ The only allocations from the previous Local Plan that have not been fully taken up are those at

South West Warwick (Tournament Fields) and Warwick Gates. Both are still considered suitable for employment uses and are being actively marketed. Policy SC2 covers all existing and committed employment land and buildings. It does, though, provide flexibility, ensuring that redundant or surplus employment land is not wasted. The circumstances identified are where an existing employment activity has an unacceptable impact on residential amenity, where it may not be viable to retain a site in employment use, or where it would not limit the provision and quality of land available to meet strategic targets. A further specific exemption is made for affordable housing through criterion c).

- 5.4.3** Paragraph 42a of PPG3 goes further. It requires local planning authorities to consider favourably planning applications for housing or mixed use developments on land allocated for industrial or commercial use, or on sites comprising redundant industrial or commercial land and buildings, unless any of 3 criteria apply. Two of these are particularly relevant here. Firstly, housing development would undermine the planning for housing strategy set out in RSS and lead to an over-provision of new housing. In the case of Warwick District, there is clear evidence from annual monitoring of an oversupply of housing in relation to the strategic housing target. The RSS is up-to-date and this has provided the basis for the District Council's SPD on Managing Housing Supply which has been supported by the Regional Assembly. By over-providing housing in Warwick District, this could divert investment away from the Major Urban Areas of the West Midlands making it more difficult for them to achieve their regeneration targets including areas of low demand within their boundaries. Secondly, there is a realistic prospect of the allocation being taken up in the Plan period. Criterion b) of Policy SC2 allows for this to be tested through a viability assessment.
- 5.4.4** With these points in mind, I am satisfied that Policy SC2 does respond positively to the requirements of PPG3 to be more flexible in the approach to the reallocation of employment land. It follows that I do not support the objections made by the Home Builders' Federation and others.
- 5.4.5 Issue 2:** Policy SC2 is primarily concerned with maintaining a supply of Class B employment land. However, where an applicant can satisfy criteria a), b) or d) then non-Class B uses are permissible on existing and committed employment sites. To broaden the Policy beyond this would lead to land being lost to employment use. This could undermine the strategy of the Local Plan which is to recycle employment land and reduce pressure on greenfield sites.
- 5.4.6 Issue 3:** I am satisfied that the Policy seeks to achieve an appropriate balance between protecting existing and committed employment land while recognising that there are a number of circumstances where use for other purposes might be acceptable. The amendments made to the Policy in the Revised Deposit Plan go some way towards meeting the objection by Oldhams Transport Ltd.
- 5.4.7 Issue 4:** I see no legitimate reason to restrict use of the Sydenham Industrial Estate in the manner suggested. It has the benefit of planning permission and is an established employment area. Where existing occupiers wish to expand or vary their business activities and this requires planning permission, planning and environmental health powers are available to the District Council to control noise and other sources of pollution.

- 5.4.8 Issue 5:** The Council has accepted that the need for affordable housing in the District is so acute that it should be allowed as an exception to Policy SC2 and to the restriction placed by the Policy on market housing on existing employment land. Criterion c) has, in consequence, been added to the Revised Deposit Plan. I support that amendment and note that the West Midlands RSL Consortium has confirmed that its objection has been met.
- 5.4.9 Issue 6:** Kenilworth has fairly low levels of employment land in relation to its size. Policy SC2 is therefore of particular significance. There is concern that if affordable housing is allowed on employment land, this may result in losses leading to further imbalance between homes and jobs and therefore less sustainable communities. However, in view of the relative values of employment land and residential land, with many employment sites also having contamination issues and clean-up costs, I would not expect to see significant areas of employment lost to affordable housing either in Kenilworth or elsewhere in the District.
- 5.4.10 Issue 7:** Criterion b) was amended in the Revised Deposit Plan in the manner suggested by the objector. The objection has therefore been met.
- 5.4.11 Issue 8:** The District Council has again amended the First Deposit Plan. The objection has been satisfied by addition of the words ‘for employment purposes’ to Paragraph 5.8. I endorse that clarification.
- 5.4.12 Issue 9:** Paragraph 2.3A explains that Plan users should have regard to all relevant policies when considering development on a particular site. I see no conflict between Policy SC2 and the sequential test outlined in Policy UAP2. In assessing any scheme, an appropriate balance needs to be struck. While Policy SC2 seeks to protect existing employment land for employment uses, if these can be shown to be exhausted then other uses may be considered.
- 5.4.13 Issue 10:** The Environment Agency points out that much of the District’s employment land is located within a floodplain. There is concern that criterion c) introduced at Revised Deposit stage implies that affordable housing proposals, which are a more flood risk sensitive use, need only refer to Policy SC9. However, it is made quite clear in Paragraph 2.3A of the Plan that all relevant policies need to be read together. Any scheme would therefore also have to be considered in relation to Policy DP10 (Flooding). The District Council confirms that the Environment Agency would be consulted and sites that are deemed unsuitable for certain uses would be considered for alternative uses. I accept it is highly unlikely that residential development would be allowed to take place on a site that was liable to flood.
- 5.4.14 Issue 11:** Given the housing land supply position in the District, Policy SC2 has quite properly been drafted to preclude housing development (other than affordable housing) on employment land. This approach is, I believe, in accord with PPG3. Its primary purpose, though, is not to restrict housing growth but to provide protection for employment sites. There are other policies in the Plan as well as the SPD on Managing Housing Supply that seek to control, direct and restrict housing supply.
- 5.4.15 Issue 12:** I concur with the District Council that it is entirely appropriate for Policy SC2 to seek to protect existing employment land. This will ensure that a range of employment opportunities is provided close to where people live, will help provide a balanced portfolio of employment sites to meet a range of employment needs, and will

serve to maximise the use of previously developed land. The ‘Employment Land Reviews – Guidance Note’ encourages local planning authorities ‘to identify a robust and defensible portfolio of both strategic and locally important employment sites in their LDFs and, where appropriate, to safeguard both new and existing employment areas for employment rather than other uses’.

- 5.4.16 Issue 13:** I believe there is no need to refer here to transport issues. These are dealt with by Policies DP6, DP7, DP8, SC3 and SC4 and, as Paragraph 2.3A explains, all Plan policies need to be read together.

Recommendations

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

5.5 Paragraphs 5.12 - 5.17 Policy SC3 Supporting Public Transport Interchanges

Objections to First Deposit Version

6/AC	Chiltern Railways
66/AL	The Warwick Society
109/AS	Warwickshire County Council (Planning, Transport & Economic Strategy)
148/AN	Campaign to Protect Rural England (Warwickshire Branch)
187/AG	The Countryside Agency (West Midlands Region)
193/BG	Coten End and Emscote Residents’ Association
197/AC	Norton Lindsey Parish Council
199/BG	James Mackay
221/AO	Kenilworth Society

Objections to Revised Deposit Version

354/RAK	Roger Higgins
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Key Issues

- 5.5.1** (1) Whether the Policy should be more pro-active in encouraging the development of public transport interchanges.
- (2) Whether the Policy should support measures to improve access to public transport interchanges, including car parking at key railway stations like Leamington Spa and Warwick Parkway.
- (3) Whether reference should be made to the need for car drop off space and school bus termini.
- (4) Whether Policy SC3 should rule out all transport interchanges in the Green Belt.

- (5) Whether the Policy should make reference to the importance of interchanges for rural populations.
- (6) Whether, in the event of Kenilworth railway station being built, the public transport interchange at Abbey End should be relocated.
- (7) Whether there should be a clear distinction drawn in the Plan between Warwick Station and Warwick Parkway, with car interchange only at the parkway station to avoid further town centre traffic movements.

Inspector's Appraisal and Conclusions

- 5.5.2 Issue 1:** Coten End and Emscote Residents' Association and another objector argue that the second part of Policy SC3 should be amended to indicate that: 'Development of transport interchanges will be pursued, ensuring that their location and design avoids any adverse impact and maximises the use of sustainable means of transport.' While I see no objection to that wording it would not, in my opinion, significantly improve the Plan. To my mind, the Policy as it stands is sufficiently supportive of public transport interchanges. It protects those that already exist while permitting new facilities. I note that Paragraph 5.15 of the reasoned justification has been augmented at Revised Deposit stage to emphasise the opportunity for the development of existing and new interchanges to improve access between different forms of transport, particularly public transport such as bus to rail. I support that revised text but see no compelling argument for amending the Policy itself. I note that an objection along similar lines from Warwickshire County Council has been conditionally withdrawn in light of the District's Council response.
- 5.5.3 Issue 2:** The Warwickshire Local Transport Plan 2006 supports measures to improve access to public transport interchanges. The amended wording in Paragraph 5.15 of the Revised Deposit Plan reflects this. It refers specifically to the provision of adequate and appropriate levels of car parking. I endorse that additional text.
- 5.5.4 Issue 3:** The Local Transport Plan 2006 puts forward a substantial number of measures to improve interchanges. I agree with the District Council that it is not necessary to list them all in this Local Plan. Instead, the Council has included a general reference in Paragraph 5.13 of the Revised Deposit version to the role of the LTP in promoting ease of access to public transport interchanges. I consider that to be appropriate.
- 5.5.5 Issue 4:** It would not be appropriate to preclude transport interchanges in the Green Belt. This would be contrary to national planning policy guidance. I note that, in respect of park and ride proposals, Paragraph 5.16 quite properly refers to the criteria set out in Annex E of PPG13.
- 5.5.6 Issue 5:** The words 'both in urban and rural areas' were added to Paragraph 5.12 of the Revised Deposit Plan to acknowledge the importance of public transport interchanges for all sections of the District's population. I see no need to amend the Policy to give special emphasis to the rural dimension.
- 5.5.7 Issue 6:** Policy SSP4 sets out proposals for a new Kenilworth railway station. It will have to be accessible by bus. Whether this involves relocating the existing bus focal point from Abbey End or providing an additional interchange at the station is a matter to

be considered as the scheme evolves. The proposal is at too early a stage for such detail to be covered in this Plan.

- 5.5.8 Issue 7:** Like the District Council, I see no need to draw a distinction between the 2 railway stations serving Warwick. Policy SC3 is concerned with public transport interchange between rail and bus services and applies equally to both stations.

Recommendations

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

5.6 Paragraphs 5.18 - 5.22 Policy SC4 Supporting Cycle and Pedestrian Facilities

Objections to First Deposit Version

66/AO	The Warwick Society
69/AC	Linda Forbes
109/AQ	Warwickshire County Council (Planning, Transport & Economic Strategy)
135/AE	Bishops Tachbrook Parish Council
193/BH	Coten End and Emscote Residents' Association
199/BH	James Mackay
256/AC	T & N Limited
294/AE	British Waterways
296/AE	CLARA
296/AJ	CLARA

Objections to Revised Deposit Version

135/RAE	Bishops Tachbrook Parish Council
352/RAA	Jean Fawcett
354/RAL	Roger Higgins

Key Issues

- 5.6.1** (1) Whether all cycle and pedestrian routes should be shown on the Inset Maps.
- (2) Whether the Policy should be amended so that it does not just permit the development of cycling and walking routes but takes steps to positively achieve them - with first priority being given to continuous safe cycle routes to meet local journey needs between residential areas and employment sites, shopping centres, recreation venues and schools.
- (3) Whether the Plan should acknowledge the particular hazards experienced by pedestrians in central Leamington Spa.

- (4) Whether the Plan should contain an additional policy encouraging new routes and specifically a new footpath and cycle route between Radford Semele and Sydenham/Leamington Spa.
- (5) Whether the cycle parking facilities referred to in Paragraph 5.18 should be expanded to cover provision within existing properties and 'shop mobility' type scooters.
- (6) Whether the supporting text should refer to the need to provide for and protect existing pavements, footpaths and cycle ways in rural, as well as urban, areas.
- (7) Whether Paragraph 5.22 should indicate that cycle routes will not be allowed to impact adversely on established green areas and that both footpaths and cycleways should be well designed.
- (8) Whether the Policy should seek to link new cycle and pedestrian development to existing routes.
- (9) Whether the Policy should recognise canal tow paths as sustainable transport and recreation routes.

Inspector's Appraisal and Conclusions

- 5.6.2 Issue 1:** Bishops Tachbrook Parish Council argues that all proposed cycle and pedestrian routes should be indicated on the relevant Inset Maps to acknowledge the intent and commitment of Warwickshire County Council. Not to show such routes until they are finalised and implemented is, in the Parish Council's view, contradictory to the approach taken in Policy SSP5 in respect of the Warwick and Leamington Spa Park and Ride proposals. It is felt that information from the Warwickshire County Council drawing 'Warwick and Leamington Spa Cycle Route Network', made available to the Planning Forum on 16 February 2006, should either be incorporated into the Inset Maps or attached as an appendix to the Plan.
- 5.6.3** The advice from the County Council is that until the route of any proposed cycle and pedestrian corridor is finalised it would be inappropriate to include it either on the Proposals Map or as an appendix to the Plan. This is because it could blight the areas affected or prevent the take up of more suitable proposals. I have some sympathy with this view. I note that the Local Transport Plan 2006, which has only just been finalised, does not map the proposed new and improved links. The Cycle Network Plan referred to by the Parish Council is described in the Cycling Strategy (Annex 2 of the LTP) as a working document "likely to be amended in the light of further audits and reviews, new development opportunities and consultations". Clearly, these strategic future routes may be subject to change within the lifetime of the Local Plan following more detailed investigation. I note that the Inspector at the Stratford upon Avon Local Plan inquiry in 2004 commented that such routes cannot sensibly be safeguarded until they have been identified and at least some kind of preliminary appraisal carried out.
- 5.6.4** I consider that the Warwick and Leamington Spa Park and Ride proposals are of a dissimilar nature to the pedestrian and cycle links under discussion here, warranting a very different form of treatment. They involve a major allocation of land which needs to be considered through the Local Plan process and safeguarded from alternative

development. In contrast, proposed pedestrian and cycle links involve neither an allocation of land nor are they put at serious risk by other development.

- 5.6.5** I support the District Council's wish to bring Policy SC4 into line with the recently issued Local Transport Plan 2006. This involves removing references to 'Quality Cycle and Pedestrian Corridors' (used in the LTP 2000 but no longer current) and referring instead to the nature of the links to be supported and a list of specific measures. The revised wording of the Policy and reasoned justification put forward by the District Council does, I believe, go some way towards meeting the Parish Council's objection. In particular, it demonstrates a commitment to the cycle link between Bishops Tachbrook and Leamington Spa. This Safer Routes to School link is identified as a specific measure in the LTP 2006. It is required to connect the village and other development at Warwick Gates to the main urban centres where most people work and study.
- 5.6.6** In my opinion, there is no need to add new Paragraphs 5.21a and 5.21b suggested by the District Council. That information simply repeats the wording in the LTP 2006. I feel there is merit, though, in the further minor alterations discussed at the hearing whereby Parish/Town Councils would be added to the list of consultees and it is clarified that the new or improved links set out in the LTP 2006 also include those between the urban areas and neighbouring villages. I recommend accordingly.
- 5.6.7 Issue 2:** The initiative for developing continuous cycle and pedestrian routes rests with the County Council through the Local Transport Plan 2006. This sets out proposals for the County and establishes priorities for transport investment. The proposed change to the Revised Deposit Plan put forward by the District Council would ensure that the new or improved cycle and pedestrian routes identified in the LTP are suitably cross-referenced in the Local Plan. As regards the 'safety' aspect, the District Council acknowledges the importance of all routes being safe. I note that additional text was inserted in Paragraph 5.18 of the reasoned justification at Revised Deposit stage to indicate that "The provision of safe footpaths, cycleways and canal towpaths all have an important role as part of a sustainable transport strategy".
- 5.6.8 Issue 3:** The difficulties experienced by pedestrians in the centre of Leamington Spa are not unique. I agree with the District Council that it would be inappropriate to specifically refer to them within the Policy. Paragraph 5.18 of the reasoned justification emphasises the importance of protecting existing cycle and pedestrian routes, creating new ones and providing associated infrastructure. The latter includes such things as crossings and shelters.
- 5.6.9 Issue 4:** I am satisfied that the Local Plan does support the provision of new cycleways in the District. While PPG12 urges integration of the local transport plan and the development plan it also indicates that scheme proposals should only be included where there is a strong commitment from the relevant delivery agency - for instance, if the local transport authority has included the scheme as a priority in its LTP. The particular cycle/pedestrian route suggested in this objection, between Radford Semele and Sydenham/Leamington Spa (serving trips between Radford Semele and Campion School, Sydenham Industrial Estate and Leamington town centre), does not feature in the LTP 2006. Even if it was supported it would not be illustrated in the LTP nor would it be appropriate, in my opinion, to include it on the Proposals Map for reasons I have set out above.

- 5.6.10 Issue 5:** As the District Council points out, cycle parking provision within existing properties falls outside the remit of planning control, and the requirements of users of ‘shop mobility’ type scooters are considered elsewhere in the Plan through Policy DP14. That Policy ensures new development takes into account the needs of disabled vehicle users. It encourages new development to be designed so that it is accessible to all.
- 5.6.11 Issue 6:** Paragraph 5.18 of the reasoned justification addresses existing and new cycle and pedestrian routes in all areas. It does, though, place particular stress on urban areas and where journeys are likely to be less than 5km. Those emphases are appropriate in my view given the sustainability/accessibility gains of concentrating the population into urban centres.
- 5.6.12 Issue 7:** I consider that the statement made in Paragraph 5.22 of the supporting text that the Council will be mindful of any adverse impacts on the character and appearance of the area when considering new cycle and pedestrian facilities is sufficient to address this objection. As regards the need to ensure that footpaths and cycle ways are well designed, this point is adequately covered by Policies DP1 (Layout and Design) and DP6 (Access).
- 5.6.13 Issue 8:** I note that, on reflection, WCC is satisfied that the wording of Paragraph 5.21 which expects proposals to protect and where possible enhance existing cycle and pedestrian routes is sufficient to satisfy its concern.
- 5.6.14 Issue 9:** The Council accepts, and I concur, that canal tow paths are part of a sustainable transport strategy. To reflect this, Paragraph 5.18 of the reasoned justification was amended in the Revised Deposit version of the Plan. I note that British Waterways have, in consequence, withdrawn their objection.

Recommendations

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

(i) amend the first Paragraph of Policy SC4 to read:

“Development will not be permitted which would have an unacceptable adverse impact upon, or prejudice the implementation of, new or improved cycle and pedestrian routes identified in the Warwickshire Local Transport Plan 2006, or the continuity of any existing cycle and pedestrian routes.”

(ii) amend Paragraphs 5.19 and 5.20 to read:

“5.19 Government policy supports this approach and urges development and local transport plans to work together to deliver these objectives. For cycle route investment, the Warwickshire Local Transport Plan (LTP) 2006 focuses on further developing the cycle route networks within the main urban areas and working with Sustrans to complete the National Cycle Network. For pedestrians, the LTP focuses on the provision of safe and convenient crossing points to facilitate easy pedestrian movement and address safety issues.

5.20 The Council, in consultation with Parish and Town Councils, will work alongside the County Council to support the development of the cycle and pedestrian network. The following are identified as priorities:

- **National Cycle Network:** The Council is working in partnership to implement the National Cycle Network within Warwick District. Two routes run through the district: route 41 between Rugby and Stratford upon Avon (of which the completed sections are shown on the Proposals Maps) and the proposed line of route 52 between Derby and Stratford upon Avon. In addition to those sections already implemented, the County Council, together with Sustrans, has identified other sections to link up the route in its entirety. The Council will continue to help secure the sections of these routes which are yet to be implemented.
- **New or improved links within the urban areas, and between the urban areas and neighbouring villages, as set out in the Warwickshire Local Transport Plan 2006.”**

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

5.7 Paragraphs 5.23 - 5.27A Policy SC5 Protecting Open Spaces

Objections to First Deposit Version

66/AM	The Warwick Society
117/AG	Langstone Homes Ltd
120/AF	Miller Homes (West Midlands)
148/AP	Campaign to Protect Rural England (Warwickshire Branch)
189/AE	Warwickshire Gardens Trust
193/BJ	Coten End and Emscote Residents' Association
199/BJ	James Mackay
200/AJ	Taylor Woodrow Strategic Developments
210/AK	English Nature
221/AP	Kenilworth Society
303/AB	Racecourse Holdings Trust

Objections to Revised Deposit Version

66/RAT	The Warwick Society
154/RAF	National Farmers' Union
199/RAE	James Mackay
221/RAD	Kenilworth Society
283/RAJ	The Ancient Monuments Society
303/RAB	Racecourse Holdings Trust

Key Issues

- 5.7.1**
- (1) Whether open spaces should be listed in the text and shown on the Proposals Map.
 - (2) Whether impacts on visual amenity and wildlife should be included as criteria in the assessments that developers must make.
 - (3) Whether, for clarity, the first and last sentences of the Policy should be amended to refer to 'leisure' uses in addition to 'sport and recreation'.
 - (4) Whether criterion a) should be expanded in accordance with Paragraph 12 of PPG17 so that where an alternative open space is provided the overall aim should be to improve the quality of open space.
 - (5) Whether the Policy should recognise that it might be appropriate to make a contribution towards improving existing open space of limited value rather than providing an alternative open space area.
 - (6) Whether the definition of open space has been drawn too widely, capturing domestic gardens where there might be development potential.
 - (7) Whether the Policy should make reference to the importance of accessible green space to people's health and well being.
 - (8) Whether the Policy puts too much emphasis on organised sport and fails to recognise the importance of the passive recreational role of open space.
 - (9) Whether Sport England is afforded a disproportionate role in informing the District Council's decisions.
 - (10) Whether the Policy is sufficiently clear in terms of the role of visual amenity.
 - (11) Whether the reasoned justification should include an additional sentence to require the long term conservation and maintenance of open spaces.
 - (12) Whether the construction of buildings for indoor sporting activities is inconsistent with the objective of protecting open spaces.
 - (13) Whether there is inconsistency between Policy SC5 and the supporting text, and in particular between Paragraphs 5.27A and 5.23.
 - (14) Whether it is appropriate to refer in Paragraph 5.23 to 'river and canal corridors' when public rights of way may not exist.
 - (15) Whether the Policy should protect all existing sports grounds and new open spaces from the construction of new buildings or large structures.
 - (16) Whether applications for small buildings on open spaces should provide detailed proof of need at the time of application.

- (17) Whether the Policy should commit to enhancement schemes to reinstate railings removed from public open spaces.

Inspector's Appraisal and Conclusions

- 5.7.2 Issue 1:** The Kenilworth Society considers that all land in the District that meets the Plan definition of open space should be listed and marked on the Proposals Map, as per the 1995 Local Plan and the practice of other planning authorities including Rugby BC and North Warwickshire BC. Paragraph 5.24 of the Revised Deposit version of the Plan confirms that for the purposes of the Policy open space includes land in both public and private ownership. The Society believes that identification of such open spaces would give greater certainty as to which sites are subject to Policy SC5. It would avoid leaving a large number of blanks on the Proposals Map, with privately owned open spaces being particularly vulnerable to development pressures.
- 5.7.3** The Council is in the process of carrying out a District-wide audit, in accordance with PPG17: Planning for Open Space, Sport and Recreation, with the intention of preparing a supplementary planning document on open space that is scheduled for adoption in early 2008. I agree with the District Council that it would be inappropriate to identify which open spaces are protected by Policy SC5 prior to completion of that work. It is not simply a matter of updating information from the previous Local Plan given the changes that have occurred in national guidance since the last audit was carried out in 1992. In the interim, Policy SC5 protects all open spaces across the District. The work is being undertaken by the Council's Leisure Department. To date all publicly accessible open space in Warwick, Leamington Spa and Kenilworth has been surveyed, with the next phase being to extend the audit to the rural areas of the District. The District Council has indicated that the Local Plan will set out the most up-to-date position regarding the audit at the time of adoption. I note that other open spaces such as allotments and playing fields will be identified as part of the Council's Greenspace Strategy but since they do not fall under the definition of publicly accessible open space used for the purposes of the audit they will not be subject to the same assessment.
- 5.7.4 Issue 2:** As regards the potential impact of development of open space on visual amenity and wildlife, I consider that these matters are adequately addressed elsewhere in the Plan through Policies DP2 and DP3. I see no need for their inclusion in Policy SC5 which would only serve to duplicate those provisions.
- 5.7.5 Issue 3:** Concern regarding use of the terms 'recreation' and 'leisure' in the Policy has been recognised by the District Council. I note that in the Revised Deposit Plan an additional paragraph (5.27A) has been added to the reasoned justification making it clear that in the context of this Policy 'sports and recreation facilities' refers to facilities for indoor or outdoor sports as contained within Use Class D2.
- 5.7.6 Issue 4:** I agree with the District Council that this matter is already covered under criterion a) in that alternative open space should be at least equivalent to the existing open space in terms of size, quality, accessibility, usefulness and attractiveness. Paragraph 5.25 of the reasoned justification goes on to indicate that the expectation will be that replacement open space enhances provision in the local community. In my view, this accords with the advice in PPG17 that wherever possible the aim should be to achieve qualitative improvements.

- 5.7.7 Issue 5:** In advance of the findings of the District Council’s open space audit and the preparation of a supplementary planning document on open space, Policy SC5 seeks to protect all open spaces from development for non-sport and recreation uses. The District Council acknowledges that there could be circumstances where it might be appropriate to improve the quality of existing open space, either on the site or elsewhere, rather than providing an alternative site. I agree with the planning authority, though, that in seeking flexibility to accommodate such situations there is a risk that it could dilute or weaken the principle behind the Policy. Notwithstanding the desirability of a plan-led system, it is better in my view to deal with such occurrences on individual merit as and when they arise rather than adding a third policy criterion. The District Council has referred me to Policy SC11. I agree with the objector that this has limited relevance to the arguments before me. I conclude on this issue that the modifications sought by the objectors would not improve the Plan.
- 5.7.8 Issue 6:** Paragraphs 5.23 and 5.24 of the reasoned justification define open spaces for the purposes of Policy SC5 and explain that such areas include both public and private land with visual amenity. The objector contends that this definition is too broad making it difficult for parties to determine whether a site falls within the ambit of the Policy.
- 5.7.9** Policy SC5 is not without qualification. The Policy applies to any open space of public value that offers important opportunities for leisure, recreation and visual amenity. A number of specific examples are given. In my opinion, these qualifications set sufficiently close parameters to ensure that the Policy would not necessarily preclude development in normal domestic situations. Consequently, I see no reason to modify the Policy.
- 5.7.10 Issue 7:** Paragraph 5.24 has been amended in the Revised Deposit Plan to explain why it is important to maintain an adequate supply of open space, namely for the well being and quality of life of the local community. I agree that it is not necessary to replicate all of the planning objectives set out in PPG17. To do so would be contrary to Government guidance that directs against duplicating national planning advice.
- 5.7.11 Issue 8:** I do not accept the thrust of this objection. Policy SC5 recognises that open spaces offer “important opportunities for leisure, recreation and visual amenity”. Those opportunities include a passive recreational role. The Policy makes it clear that any development scheme coming forward for sport would have to be assessed as being of sufficient benefit to outweigh the loss of open space.
- 5.7.12 Issue 9:** This concern was recognised by the District Council. Paragraph 5.27 of the Revised Deposit Plan was amended to indicate that the advice of Sport England will be sought ‘where appropriate’.
- 5.7.13 Issue 10:** Visual amenity is one of the elements used to determine whether open space has public value and offers important opportunities for leisure and recreation. I see no reason to modify the Plan in this regard.
- 5.7.14 Issue 11:** Paragraph 13 of PPG17 requires that any new facilities be capable of being maintained adequately through management and maintenance agreements. The District Council recognises this and has put forward a proposed change to the Revised Deposit Plan. I support the insertion of an additional sentence in Paragraph 5.25 which

indicates that: “in addition applicants will be required to demonstrate that the long term management and maintenance of open space is assured.” This meets the objection.

5.7.15 Issue 12: I am satisfied that Paragraph 5.27A does not conflict with the overarching objective of Policy SC5. There could be situations where the benefits of new indoor sports or recreation facilities in Use Class D2 would outweigh the loss of open space. The District Council has cited the example of sports facilities to complement existing playing fields. In all cases the Policy ensures that full consideration would be given to the loss of open space before permission is granted.

5.7.16 Issue 13: I see no inconsistency. As the District Council points out in its response to this objection, Paragraph 5.23 outlines what is defined as open space for the purposes of Policy SC5, while Paragraph 5.27A sets out the types of sports and recreation facilities which might be acceptable in accordance with the second part of the Policy.

5.7.17 Issue 14: Paragraph 5.24 makes it clear that the Policy refers to land in both public and private ownership. It does not imply that all river and canal corridors are publicly accessible. I agree with the planning authority that even if there is no public right of way to a river or canal it can still provide valuable open space in terms of visual amenity that is deserving of protection.

5.7.18 Issue 15: Policy SC5 protects all open spaces from development, regardless of ownership, unless an equivalent open space can be provided or there is a robust assessment demonstrating a lack of need for the open space. The exception to this is the provision of complementary sports and recreation facilities where the benefit of such development outweighs the loss of open space. In my view, this approach is more appropriate than introducing a blanket prohibition on the erection of new buildings or large structures.

5.7.19 Issue 16: I consider that irrespective of whether the small buildings referred to by the objector are ancillary facilities (like changing rooms or storage buildings for grounds maintenance equipment), or unrelated to the open space use, Policy SC5 provides an appropriate basis for assessing acceptability. I see no advantage in introducing a separate requirement that planning applications be supported by detailed proof of need. That element would be addressed in consideration of the overall merits of the proposal.

5.7.20 Issue 17: While the District Council supports schemes to enhance the quality of open spaces, it indicates that it does not have the resources to commit to reinstatement of features like railings. In my view, it would not be appropriate to include this matter either in the Policy or reasoned justification when there is little prospect of fulfilment other than by grant funding in conservation areas. Any proposals for such works would, I note, be assessed against other Plan policies, in particular Policy DP1.

Recommendations

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

insert the following text in Paragraph 5.25, after ‘....in the local community’:

“In addition applicants will be required to demonstrate that the long term management and maintenance of open space is assured.”

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

5.8 Paragraphs 5.28 - 5.30A Policy SC6 Protecting Sport and Recreation Facilities

Objections to First Deposit Version

37/AD	Sport England
37/AM	Sport England
110/AD	Government Office for the West Midlands
117/AH	Langstone Homes Ltd
120/AG	Miller Homes (West Midlands)
200/AH	Taylor Woodrow Strategic Developments
218/AB	Antony Butcher
303/AC	Racecourse Holdings Trust

Objections to Revised Deposit Version

No objections

Key Issues

- 5.8.1**
- (1) Whether it is necessary for the methodology of an independent assessment carried out by an applicant to be agreed in advance by the District Council.
 - (2) Whether criterion a) should be amended so that where an alternative open space is provided, the overall aim should be to improve the quality of open space.
 - (3) Whether there should be a strategic view to increase the provision of leisure facilities in line with the increase in local population.
 - (4) Whether it might be more appropriate in some circumstances to make a financial contribution rather than provide alternative facilities.
 - (5) Whether the Policy criteria are appropriate and adequately worded.
 - (6) Whether the Policy would be more compliant with PPG17 if it referred to the local community and to the need for management plans to ensure long term viability.
 - (7) Whether Paragraph 5.30 should only refer to instances where facilities have been found to be redundant in light of the open space assessment, and require marketing for a period of 12 months, rather than 6 months.

Inspector's Appraisal and Conclusions

- 5.8.2 Issue 1:** PPG17 does not require an assessment methodology to be agreed in advance. Nevertheless, I concur with the District Council that it is reasonable to request

this to ensure compatibility with other assessments across the District and with the standards employed in the District Council's open space audit.

- 5.8.3 Issue 2:** Criterion a) indicates that alternative facilities should be provided 'which are at least equivalent in terms of size, quality, accessibility, usefulness and attractiveness' to existing provision. Notwithstanding this, the District Council took the opportunity at Revised Deposit stage to include an additional paragraph (5.30A) in the supporting text. This explains that in cases where an alternative facility is proposed the overall aim in accordance with PPG17 should be to improve the quality of the facility. I endorse that alteration to the Plan which satisfies the objection made by Racecourse Holdings Trust.
- 5.8.4 Issue 3:** The Local Plan provides, through Policy SC6, a framework to direct new sports and recreation facilities and to protect existing facilities. I agree with the District Council that strategic objectives are more appropriately addressed through the Council's Sport and Recreation Strategy⁴.
- 5.8.5 Issue 4:** The District Council accepts, and so do I, that there may be circumstances where improving the quality of existing sport and recreation facilities through financial contributions would be more appropriate than providing new or alternative facilities. The example is given of the improvement of sports pitches at St Nicholas Park, Warwick which was accepted in lieu of on-site provision at the South West Warwick housing allocation. Policy SC11 allows for such contributions to 'provide, improve and maintain appropriate open space, sport or recreational facilities to meet local needs'. These would be identified through the District Council's open space audit. Given these provisions, I see no need to modify the Plan. On this basis, Langstone Homes Ltd have conditionally withdrawn their objection.
- 5.8.6 Issue 5:** The accessibility of alternative facilities to current and potential future users is addressed through criterion a). This expects such facilities to be at least equivalent in terms of accessibility (amongst other matters). The second point of objection has been dealt with through alterations made at Revised Deposit stage. Criterion b) now refers to an assessment 'as defined by PPG17' and to the needs of the local community. Criterion c) was deleted in the Revised Deposit Plan in recognition that it could facilitate the loss of a redundant sport or recreation facility for which there is a need but where no organisation is willing to acquire or manage it. I support those alterations which improve the Policy. I note that the objections by GOWM and Sport England have been conditionally withdrawn.
- 5.8.7 Issue 6:** In response to this objection, and to accord more closely with PPG17, criterion a) was amended in the Revised Deposit Plan and an additional paragraph (5.30A) added to the reasoned justification. These require developers to submit a management plan to demonstrate how the proposed development would be maintained and managed. I endorse those alterations which satisfactorily address the issue of long-term sustainability/viability.
- 5.8.8 Issue 7:** Paragraph 5.30 of the supporting text was amended in the Revised Deposit Plan to reflect the deletion of Policy criterion c) and to require applicants to have actively marketed the facility for 12 months where the open space assessment shows that it is redundant. The objection has therefore been met.

⁴ CD702

Recommendations

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

5.9 Paragraphs 5.31 - 5.34B Policy SC7 Directing Community Facilities

Objections to First Deposit Version

37/AN	Sport England
109/AP	Warwickshire County Council (Planning, Transport & Economic Strategy)
126/AB	2nd Warwick Sea Scouts
195/AN	The Leamington Society
218/AC	Antony Butcher
228/AQ	West Midlands RSL Planning Consortium
303/AD	Racecourse Holdings Trust

Objections to Revised Deposit Version

256/RAA	T & N Limited
303/RAC	Racecourse Holdings Trust

Key Issues

- 5.9.1**
- (1) Whether the Policy should refer to ‘edge of town centre’ locations as suitable sites for community facilities.
 - (2) Whether it is appropriate to ‘require’ use to be made of previously developed land or buildings.
 - (3) Whether the Policy should recognise that affordable housing constitutes an appropriate use of former community buildings.
 - (4) Whether there should be a strategic objective to increase the provision of leisure facilities in line with the local increase in population.
 - (5) Whether the aims set out in Policy SSP2 (Stoneleigh Business Park) contradict the objectives of Policy SC7 in terms of accessibility.
 - (6) Whether the Policy should support proposals to improve the quality of existing community facilities in their existing location.
 - (7) Whether the Policy is sufficiently strong and detailed to protect community facilities.

- (8) Whether the exclusions from the definition of previously developed land mentioned in Paragraph 14 of PPG17 should be reflected in the Policy.
- (9) Whether Policy SC7 should be amended to take account of the lack of suitable sites in historic town centres like Warwick.
- (10) Whether the Policy: (a) should differentiate between large scale commercial facilities which meet a wider market and small scale community facilities that meet the needs of the local community in rural areas; and (b) should allow community facilities both within and adjacent to existing settlements to take account of competing land uses and values.

Inspector's Appraisal and Conclusions

- 5.9.2 Issue 1:** Adopting a sequential approach, Policy SC7 directs community facilities first and foremost to town centres which are the locations most likely to be accessible without the use of a car. Where no suitable sites are available, consideration is then given to sites adjacent to the town centre and finally, sites within or adjacent to local shopping centres. I consider this sequence to be appropriate. For the purposes of this Policy, I see no significant difference between the term 'edge of town centre' and 'adjacent to the town centre'.
- 5.9.3 Issue 2:** I note that the Policy has been amended in the Revised Deposit Plan by deleting criterion c) and adding a new sentence. Instead of requiring the use of previously developed land where a site is outside the sequentially preferred locations, Policy SC7 now indicates that: 'Facilities should be located *where possible* on previously developed land.' I support that amendment which makes the Policy more flexible.
- 5.9.4 Issue 3:** The need for, and provision of, affordable housing is addressed through Policy SC9. I believe it is not central to the matter of directing community facilities.
- 5.9.5 Issue 4:** I concur with the District Council that strategic objectives are more appropriately set out in other documents such as the Community Plan or Corporate Strategy.
- 5.9.6 Issue 5:** Redevelopment of Stoneleigh Business Park (Policy SSP2) involves employment/industrial floorspace rather than any of the uses subject of Policy SC7. The objection by the Leamington Society has been withdrawn.
- 5.9.7 Issue 6:** This objection has been addressed in the Revised Deposit Plan. A sentence has been added to Paragraph 5.31 to indicate that: 'The Council will support proposals to enhance the quality of existing facilities which meet a local need.' However, the 2nd Warwick Sea Scouts point out that the Policy itself still directs proposals to the town centres in preference. While this is accepted to be a sensible approach in general, it appears to preclude the provision of local facilities where there is a specific locational requirement. I agree that criterion b) of Policy SC7 could usefully be improved in this regard. I adopt the suggestions made by the objector with minor amendments. (NB A proposal by the 2nd Warwick Sea Scouts for a new site specific policy in respect of Charter Bridge Meeting Hall [Option 2] is considered later in my report.)

- 5.9.8 Issue 7:** Warwickshire County Council objected to Policy SC7 on the basis that it should be more strongly worded to clarify the evidence required to justify the change of use or redevelopment of a community facility to another purpose. In response, the District Council has added a new Paragraph 5.34A to the Revised Deposit Plan. This requires applicants to produce evidence that the facility has been actively marketed for a community use for a period of at least 12 months. On that basis, the objection has been conditionally withdrawn. I support that alteration.
- 5.9.9 Issue 8:** Policy SC7, as amended in the Revised Deposit Plan, indicates that community facilities should be located *where possible* on previously developed land. I note that Paragraph 14 of PPG17 excludes parks, recreation grounds, playing fields and allotments from the definition of previously developed land. Paragraph 5.34B explains that in cases proposing the development of greenfield land the Council will expect the applicant to demonstrate that all viable previously developed land options have been investigated. Even in those instances the proposal would need to meet the requirements of other Plan policies, including Policy SC5, to justify the loss of open space. The objection by Sport England has, I note, been withdrawn in light of the alterations made by the District Council to the First Deposit Plan.
- 5.9.10 Issue 9:** I see no need to amend the Policy to accommodate this objection. The sequential test means that if there are no suitable town centre sites available, the next most suitable location should be examined - that is, sites adjacent to the town centre, followed by sites within or adjacent to local shopping centres. The District Council confirms that in applying the sequential approach each case will be assessed on individual merit in order to ascertain the most appropriate location.
- 5.9.11 Issue 10:** T & N Ltd point out that national planning policy in PPS7 aims to improve the sustainability of rural areas to enhance the lives of their communities. This does not just mean that accessibility to the towns should be improved but, hand in hand with this, existing facilities and employment opportunities should be protected and new ones encouraged. Policy RA.1 of the Warwickshire Structure Plan reflects this advice, aiming to achieve a balance between protecting and enhancing rural life, meeting the needs of the local population, and supporting the wider rural community. Moreover, Structure Plan Policy I.8 supports the creation of jobs through the tourism and leisure sectors. The objector argues that Policy SC7 contradicts this policy stance by focusing community facilities within the larger urban areas and their town centres. While the Policy accepts development within the Limited Growth Villages, restricting this to the village boundaries creates a situation where community facilities are competing against housing and employment uses for scarce space within these settlements. In the objector's view, the sequential approach is relevant only to large scale leisure and retail proposals that serve a wider market in accordance with PPS6, and quite inappropriate for application to small scale community facilities serving a local need. T & N Ltd maintain that Policy SC7 should be more flexible, allowing community facilities to be located on the edge of settlements as well as within them. To that end, amended policy wording is suggested to offer a more supportive stance with regards to the provision of community facilities and meeting local needs in rural areas.
- 5.9.12** The sequential approach employed in Policy SC7 applies regardless of the size of project to ensure that development occurs in the most sustainable locations. In urban areas these are the town centres and in rural areas the Limited Growth Villages. The District Council recognises, though, in Paragraph 5.33 that community facilities may also serve a particular local need beyond these locations. The Policy allows for such development

where all other reasonable options have been considered provided it would be accessible by means other than the private car. It is clear, therefore, that community facilities in rural areas are not just confined to the Limited Growth Villages. Moreover, Paragraph 5.34B explains that there is also capacity for the development of greenfield sites where it can be shown that all other viable previously developed land options have been investigated. In these circumstances, I am satisfied that the sequential approach is relevant and appropriate and that the Policy is sufficiently flexible to accommodate developments of different scale and character.

5.9.13 I turn now to the suggestion that community facilities should be allowed on the edge of Limited Growth Villages, as well as within those settlements. As the District Council points out, in line with Government guidance the Plan takes a restrictive approach to rural housing and employment development. On the other hand, Policy RAP11 is supportive of new community facilities where they meet local retail or service needs. And the flexibility to develop community facilities on greenfield sites also represents a significant benefit not given to employment proposals or most new housing in rural areas. Consequently, I see no significant disadvantage in terms of competition with other land uses for scarce resources. In my opinion, the amended version of Policy SC7 put forward by the objector would be inappropriate and would not improve the Plan.

Recommendations

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

amend criterion b) of Policy SC7 to read:

“there is a need to enhance an existing facility or provide a new facility that has specific locational requirements that cannot be met in a town or local centre or village.”

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

5.10 Paragraphs 5.31 - 5.34B Policy SC7a Protecting Community Facilities

Objections to First Deposit Version

No objections

Objections to Revised Deposit Version

66/RAU The Warwick Society

Key Issue

5.10.1 Whether public houses should be included in the list of community facilities in Paragraph 5.33.

Inspector's Appraisal and Conclusion

5.10.2 Where community facilities are very limited, such as in small villages, public houses can play an important role as a focus for the community providing a meeting place and social facilities. In that kind of situation the loss of the village pub could be sorely felt and could lead to people having to travel further afield thereby harming social and community cohesion. On the other hand, I accept that there will be circumstances where it would be more difficult to make a case for retention - where, for example, there are other public houses in the locality, in town centres, or where a poorly managed public house leads to issues of noise nuisance and disturbance for residents. With this in mind, I concur with the District Council that it would not be appropriate to give general protection to all public houses through this Policy. However, in recognition that there could be particular cases where public houses should be protected, I note that the District Council has, in the Revised Deposit Plan, augmented Paragraph 5.33 with additional text. This indicates that: 'In exceptional circumstances, the Council may apply this Policy to other facilities that meet a community need where the grant of permission would result in a demonstrable shortfall in the locality.' It has the additional advantage of potentially including other uses not in Use Class D1 that nevertheless serve a community function. That seems to me to be an appropriate solution to this issue and preferable to the blanket approach of including public houses in a list of community facilities.

Recommendations

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

5.11 Paragraphs 5.35 - 5.38A Policy SC8 Telecommunications

Objections to First Deposit Version

2/AB	British Telecommunications plc
13/AA	G.H. Browton
14/AA	Mr & Mrs H Furber
15/AA	H.J.C. Weighell
16/AA	John Foley
17/AA	Simon Bridge
18/AA	M.J. Hobday
44/AB	P Lloyd
46/AA	GT and EJ Bardell
69/AD	Linda Forbes
106/AA	Mobile Operators Association
108/AA	Ian & Christine Squire
148/AQ	Campaign to Protect Rural England (Warwickshire Branch)
152/AF	Royal Leamington Spa Town Council
162/AA	Vivien Jones
251/AA	Dr G and Mrs M Delfas
302/AO	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

106/RAA Mobile Operators Association
283/RAM The Ancient Monuments Society

Key Issues

- 5.11.1** (1) Whether the Policy should take a precautionary approach to new masts.
- (2) Whether emphasis should properly be placed on approval of such development.
- (3) Whether criterion b) admits environmental harm.
- (4) Whether the Policy should make reference to broadband services.
- (5) Whether Paragraph 5.36 should be redrafted to clarify that the local planning authority can only question the need for a specific development and not the need for the telecommunications system that the development will support.
- (6) Whether the Policy conflicts with other Plan policies (such as DP2, DP3, DP9, DAP6, DAP 10, DAP13).
- (7) Whether criterion d) is inappropriate and contrary to Government advice.
- (8) Whether ICNIRP should be stated in full or explained in the Glossary.
- (9) Whether the Policy is sufficiently clear in relation to health considerations and public concern.
- (10) Whether the Plan should acknowledge the continuing debate about the safety of telecommunications masts.
- (11) Whether the Policy should protect more populated residential areas and give preference to rural locations.
- (12) Whether the Policy should be reversed and specifically preclude development affecting conservation areas, listed buildings, ancient monuments, registered parks and gardens, Green Belt etc.
- (13) Whether criterion a) should refer to occasions where mast sharing is not the most desirable environmental option.
- (14) Whether the Policy should indicate that applications must be accompanied by plans showing the position of all other masts, and masts that could be shared.
- (15) Whether criterion e) should refer to 'other' operators.
- (16) Whether Policy SC8 should state that all masts should be removed within a specified time period of becoming redundant.
- (17) Whether the Policy should require all masts to be located on the least harmful site.

- (18) Whether Paragraph 5.37 should also make reference to listed buildings, ancient monuments and registered parks and gardens.
- (19) Whether the supporting text at Paragraph 5.38 in respect of Green Belts is appropriately worded.

Inspector's Appraisal and Conclusions

- 5.11.2 Issue 1:** Paragraph 31 of PPG8: Telecommunications is unequivocal. It states that: 'In the Government's view, local planning authorities should not implement their own precautionary policies e.g. by way of imposing a ban or moratorium on new telecommunications development or insisting on minimum distances between new telecommunications development and existing development.' Policy SC8 accords with that advice.
- 5.11.3 Issue 2:** Policy SC8 is expressed in a positive manner. It indicates that new masts and antennae by telecommunications and code system operators will be permitted providing certain criteria are met. That is appropriate in light of Government policy which is to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum, and protecting public health.
- 5.11.4 Issue 3:** The District Council recognises that telecommunications development can cause environmental harm. The Policy seeks to minimise this by ensuring that less sensitive sites are considered first. I am satisfied that this approach is both realistic and apposite.
- 5.11.5 Issue 4:** The requirements for providing fixed-link broadband services are very different from telecommunications masts. Because most of the necessary hardware is in cables that are usually buried, the land-use planning implications are fairly minimal. Consequently, Policy SC8 deals only with masts and antennae. Ground based infrastructure to support broadband services can be addressed through other Plan policies such as DP1, DAP1, and DAP2.
- 5.11.6 Issue 5:** The District Council has accepted that the first bullet point of Paragraph 5.36 should be amended to clarify that the local authority can only question the need for a specific development as part of a wider network and not the need for the telecommunications system per se, in accordance with the advice given in Paragraph 5 of PPG8. I support the amendment made through the Revised Deposit Plan.
- 5.11.7 Issue 6:** Paragraph 2.3A explains that it is a key principle of this Plan that users should have regard to all relevant policies when considering development on a particular site. Where policies overlap, they need to be weighed in the balance. The criteria set out in Policy SC8, taken in conjunction with other Plan policies, should ensure that the most appropriate site is selected.
- 5.11.8 Issue 7:** The objector argues that the Policy should consider the impact upon schools, hospitals, nurseries, residential areas and individuals, and should properly reflect concerns over public health. Paragraphs 29-30 of PPG8 make it clear that health considerations and public concern can, in principle, be material considerations in determining applications for planning permission and prior approval. Whether such matters are material in a particular case is ultimately a matter for the courts. The guidance goes on to indicate that it is the Government's firm view that the planning

system is not the place for determining health safeguards, and that if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them. Planning case law has established that the perception of harm is a material consideration although the weight to be attached to health risks should be limited by the need to provide evidence of actual risk to health. With this in mind, I note that the District Council has added a sentence to Paragraph 5.36 of the Revised Deposit Plan to clarify the need to have regard to perception from local people about health risks. I support that amendment which improves the Plan.

5.11.9 Issue 8: ICNIRP is explained in the Glossary of the Revised Deposit Plan, thereby meeting this objection.

5.11.10 Issue 9: PPG8 states that it is for the decision maker (usually the local planning authority) to determine what weight to attach to health considerations and public concern. The District Council has indicated, though, that it would not wish to go beyond the ICNIRP standards. I am content that the additional text introduced into Paragraph 5.36 at Revised Deposit stage adequately sets out the District Council's position.

5.11.11 Issue 10: I see no need to specifically acknowledge in the Plan the continuing debate on health issues. Government policy is clearly stated. It follows from the results of a major study by the Stewart Group in 2000 which concluded that "the balance of evidence indicates that there is no general risk to the health of people living near base stations, on the basis that exposures are expected to be small fractions of the guidelines."

5.11.12 Issue 11: Many rural parts of the District have Green Belt status. To protect residential and other urban areas at the expense of the countryside would be contrary to PPG8 which makes specific reference at Paragraph 17 to protecting the openness of the Green Belt. Moreover, it is often less environmentally intrusive to site masts on buildings or disguised as street furniture rather than in open countryside. As the District Council points out, it is only able to respond to the needs of the industry and is not able to question the need for a mast to provide the service or the technical background to provision. In any event, many smaller masts constitute 'permitted development' not requiring planning permission and are subject only to a system of prior notification.

5.11.13 Issue 12: I see no need to alter the thrust of Policy SC8. I am satisfied that it adequately reflects Government policy which is to encourage telecommunications development, subject to environmental and other safeguards. Paragraph 5.37 indicates that applicants will be expected to demonstrate that every effort has been made to minimise the visual impact of the development. Furthermore, design principles should be fully taken into account when formulating proposals that would directly affect residential areas, and areas and buildings covered by a protective designation such as conservation areas, listed buildings, ancient monuments, registered parks and gardens, Areas of Restraint and Green Belt. While PPG8 requires English Heritage to be consulted where a listed building or ancient monument will be affected, it does not indicate that permission will necessarily be refused. The PPG points out that masts are subject to conservation area and listed building consent provisions in the same way as other development proposals.

5.11.14 Issue 13: In accordance with the advice in Paragraphs 66-73 of the Appendix to PPG8, the District Council acknowledges that a new mast should only be supported

where it represents the optimum environmental solution. Accordingly, criterion a) of the Policy has been amended in the Revised Deposit Plan to indicate that new masts will only be acceptable where mast sharing is not feasible and cannot be located on an existing building or structure where this represents the preferable environmental solution. I endorse that alteration.

5.11.15 Issue 14: There is no need, in my view, to specify that details of masts in the area, including those suitable for sharing, should accompany applications. The District Council confirms that as a matter of course it will ensure that all relevant information is provided to facilitate a full and proper assessment of the scheme.

5.11.16 Issue 15: The District Council has accepted through the Revised Deposit Plan that criterion e) ought to refer to 'other' operators. I support that alteration which improves the clarity of the Policy.

5.11.17 Issue 16: Paragraph 5.38A has been amended in the Revised Deposit Plan to indicate that: "in accordance with PPG8, all telecommunications apparatus should be removed from the land, buildings or other structure as soon as reasonably practicable after it is no longer required for telecommunications purposes. Such land, buildings or structure should be restored to its condition before the development took place." This mirrors the 'permitted development' provisions that apparatus be removed once it is no longer required and the land be restored to its previous condition. I endorse that alteration. There is no reason in my view to introduce a new policy making reference to planning guidelines, to removing 'permitted development' for telecommunications works by means of Article 4 Directions, or to a 14 day notification of intended works.

5.11.18 Issue 17: The aim of this Policy is to minimise the number of additional masts and to site them in the least harmful locations. With this in mind, I see no need to amend the Policy in the manner suggested. I do, though, support the change to Paragraph 5.37 put forward by the District Council. This confirms that if the proposal is to be sited on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact on the external appearance of the building.

5.11.19 Issue 18: The District Council has extended the list of protective designations in Paragraph 5.37 of the Revised Deposit Plan to include those identified by the objector. The objection has therefore been satisfied.

5.11.20 Issue 19: Paragraph 5.38 indicates that in Green Belt areas telecommunication development will be regarded as inappropriate development if it affects openness. Very special circumstances to outweigh this will only exist if it can be demonstrated that there is a lack of suitable alternative sites that would meet network coverage or capacity. This text accords substantially with the thrust of the advice set out in Paragraph 17 of PPG8. Paragraph 5.37 deals with the visual aspects of development and the possibility of employing camouflage techniques. The revised text suggested by the objector does not refer to 'inappropriateness' or 'very special circumstances' and does not, in my view, accord with either PPG8 or the parent guidance in respect of Green Belts set out in PPG2. I do not therefore support this objection. Having said this, I do feel that Paragraph 5.38 would benefit from some re-wording in order to more faithfully reflect established Green Belt policy. I recommend accordingly.

Recommendations

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

(i) amend Paragraph 5.38 to read:

“Within Green Belt areas, telecommunications development will be considered inappropriate development if it adversely affects openness. Very special circumstances to outweigh the harm by reason of inappropriateness will be considered to exist if it can be demonstrated that there is a lack of suitable alternative sites that would meet network coverage or capacity. Ideally, such sites should be outside of Green Belt areas, but if this is not possible, alternative sites that are within Green Belt but do not adversely affect its openness may be considered.”

(ii) amend Paragraph 5.37 by adding a further sentence at the end, to read:

“If the proposal is to be sited on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact on the external appearance of the building.”

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

5.12 Paragraphs 5.41A - 5.41B Policy SC8a (and Appendix 2) Managing Housing Supply

Objections to First Deposit Version

4/RAB	Arlington Planning Services LLP
66/RAV	The Warwick Society

Objections to Revised Deposit Version

118/RAB	Mr and Mrs G Bull
119/RAD*	Bloor Homes Ltd
120/RAG*	Miller Homes (West Midlands)
136/RAB	George Wimpey Strategic Land
137/RAB	Greyvayne Properties Ltd
138/RAB	Laing Homes Midlands
139/RAB	Coventry Diocesan Board of Finance Ltd
140/RAB	Court Developments Ltd.
141/RAB	Parkridge Homes Ltd.
142/RAB	A C Lloyd Ltd
143/RAB	Scottish Widows Investment Partnership
144/RAB	Project Solutions
167/RAB	Mrs E Brown
201/RAB*	Home Builders' Federation

208/RAB	Pettifer Estates Ltd
214/RAD	Mrs J Biles
222/RAB	John Burman & Family
228/RAE	West Midlands RSL Planning Consortium
229/RAA*	Gallagher Estates Limited
239/RAJ	Mr D Austin
266/RAE*	Warwick Town Council
283/RAL	The Ancient Monuments Society
288/RAA	Warwickshire Police Authority
322/RAD	J G Land and Estates
344/RAB	Greywell Property Ltd
345/RAC	Church Commissioners for England
348/RAG	Merrill Lynch Investment Managers
350/RAV	Tesco Stores Ltd

(* denotes consideration at RTS. See also objections marked with* at Paragraph 11.3 [Appendix 2].)

Key Issues discussed at the Round Table Session

- 5.12.1** (1) Whether the housing figures properly interpret the housing requirement set out in RSS Policy CF3 (Table 1).
- (2) The period for which the Plan should make provision for housing.
- (3) Whether calculation of the housing supply figures is appropriate in terms of:
- completions
 - commitments
 - windfalls
- (4) The adequacy of the Urban Capacity Study.
- (5) The need for the Plan to:
- allocate sites for housing
 - allow for flexibility in the event of a shortfall
- (6) Policy SC8a:
- the need for the Policy given that the SPD has already been agreed
 - whether the Policy should include the contents of the SPD
 - whether the Policy should include the housing figures in Appendix 2

Other Key Issues

- (7) Whether the Policy should be split into two parts.
- (8) Managing the oversupply of housing in terms of:
- regulating programmed and planned housing
 - including a percentage figure in the Policy
 - reflecting the provisions of the SPD in the Policy
- (9) Whether the Policy should include detailed criteria for the regulation of windfall developments.

Inspector's Appraisal and Conclusions

- 5.12.2 Issue 1:** Table 1 of RSS Policy CF3 sets the average annual housing requirement for Warwickshire for 3 periods (2001-07, 2007-11, and 2011-21). These annual average rates are to be applied as minima for the Major Urban Areas and maxima elsewhere (including Warwick District). The ODPM (Keith Hill) letter of 15 June 2004⁵, under cover of which RPG11 was issued, explains that the distribution of the County total amongst the Districts should be on the basis of the current Structure Plan proportions to 2011. It goes on to say that: "Beyond that, the proportions may not be appropriate. However, in the absence of any better information authorities should retain the Structure Plan proportions, and the PPG3 'plan, monitor and manage process' should address any issues which arise." Warwick District Council's share of the Warwickshire total is 25.7%.
- 5.12.3** Since the Revised Deposit version of the Local Plan was published, GOWM has issued guidance on interpretation of the RSS housing requirement figures in Table 1 of Policy CF3 (Ian Smith letter of 16 June 2005⁶). This clarifies that the housing allocation figures in the RSS apply from 2001, that given the change in strategy of the RSS it would not be appropriate to consider either allocations or provision before 2001, and that any previous under or over provision in relation to allocations prior to 2001 should not be taken into account in considering provision from 2001. In the light of that advice and monitoring information that has become available the District Council has amended the housing requirements for the District. I support those revised figures which more accurately reflect the intention of the RSS and establish the most up-to-date position. They are set out as 'Replacement Appendix 2' in both the 'Analysis of objections to Revised Deposit version and proposed changes to the Local Plan'⁷ and in 'Core Topic Paper 2: Housing'⁸.
- 5.12.4** Objectors consider the Local Plan to be inconsistent with the direction of travel of national planning guidance in terms of draft PPS3, the ODPM's response to the Barker Report which aims to secure a step-change in housing supply in England from around 150,000 to 200,000 net additions per annum and stresses the importance of identifying housing sites at an early stage, and the recently released household projections that propose an increase of 18.65% for the West Midlands. As a result of these factors it is expected that the RSS housing requirement in the West Midlands will increase substantially and that the District shares and County totals will change when the partial review of RSS is completed in 2008. Objectors argue that Plans should look to the longer term, allow for market considerations and support a mix of housing to foster sustainable communities. In their view, simply rolling forward the Structure Plan proportions beyond 2011 is inappropriate. It gives a false perception of need and ignores market trends. Warwick District is an area of high demand with high levels of need for affordable housing (7,072 affordable homes required 1996-2011, against 800 completed thus far). Restricting housing supply to the proportions used in the Structure Plan will, they say, accentuate the problem. Moreover, it is argued that the District Council has not properly applied the 'plan, monitor and manage' approach. Despite annual monitoring indicating oversupply the authority did nothing until 2005. The knee-jerk reaction to managing supply displayed in the Local Plan is, according to the HBF, far too late to work.

⁵ CD16 Appendix 1(2)

⁶ CD 16 Appendix 1(3)

⁷ CD28

⁸ CD16 Appendix II

5.12.5 Notwithstanding those concerns, I consider that the housing land supply in the District is more than adequate to meet requirements to 2011. At the present time there is a very significant oversupply which has led to fears that it would undermine the regional strategy if no action was taken. Following discussions with GOWM the District Council introduced in September 2005 a Supplementary Planning Document on ‘Managing Housing Supply’⁹. This SPD aims to severely restrict the level of urban windfall development to bring supply more into line with the strategic housing requirement between 1996 and 2011. Beyond 2011 there is currently no firm Government advice. The District Council’s intention is that housing and employment figures will be addressed by future Development Plan Documents. The Core Strategy DPD will take account of revised RSS (Phase Two Review) figures and the new household projections. Work will start on the Core Strategy DPD in 2007/08, after completion of the Local Plan, with a view to adoption in June 2010. Other DPD work, such as an Allocations DPD, will proceed in tandem. I am satisfied that this is the correct approach. I agree with Warwick Town Council that the District Council should adhere to the current Structure Plan proportions in the absence of clearer Government guidance on the shift to a market approach in assessing housing requirements.

5.12.6 Issue 2: This Local Plan was produced under the Town and Country Planning Act 1990, the Town and Country Planning (Development Plan) (England) Regulations 1999, and Planning Policy Guidance Note 12: Development Plans (published in 1999). It was prepared in the context of the Warwickshire Structure Plan 1996-2011 and covers the period to 2011. In June 2004 the First Secretary of State issued the West Midlands Regional Planning Guidance (RPG11) which became the West Midlands Regional Spatial Strategy (RSS) on commencement of the Planning and Compulsory Purchase Act 2004 in September 2004. The RSS looks to 2021.

5.12.7 Objectors point out that while PPG12 still applies to this Plan, Planning Policy Statement 12: Local Development Frameworks (PPS12) is a material consideration. Core Topic Paper 1¹⁰ confirms that in accordance with informal advice received from the ODPM and other bodies the Local Plan was prepared in a way that is LDF compatible. Paragraph 2.14 of PPS12 requires the core strategy DPD to have a time horizon of at least 10 years from the date of adoption and that it should aim to look ahead to any longer term time horizon which is set out in the relevant regional spatial strategy. Moreover, Keith Hill’s statement of 17 July 2003 requires local authorities to provide for at least 10 years potential supply of housing and indicates that the duration of a plan should be for a period of at least 10 years from the plan’s forecast adoption date. In a similar way, draft PPS3 requires a 15 year local plan time horizon in relation to the supply of housing land with sites specifically allocated to meet the first 5 years of the housing trajectory. While draft PPS3 is a consultation document the ODPM’s letter of 7 December 2005¹¹ indicates that regard should be had now to the direction of travel, and the ambition for a speedy turnaround in affordability. Finally, GOWM has commented that the Plan should set out the source of housing up until 2016 (or even 2021). As a bare minimum objectors argue that the Local Plan should allocate a supply of housing land for 10 years from its forecast adoption date to avoid a planning vacuum and ideally should look forward to 2021 to accord with the timescale of RSS if the thrust of the guidance in PPS12 is to be observed.

⁹ CD202

¹⁰ CD15

¹¹ CD16 Appendix 1(1)

5.12.8 At the RTS the District Council reiterated its view that 2011 is the appropriate plan period. I concur that beyond 2011 the housing requirement is still very uncertain. I am therefore inclined to accept the District Council's position. The 'transitional' arrangements under which the Local Plan is being prepared means that its Policies will have only a very short shelf life of just 3 years or so from the date it is adopted. I note that work will start on a Core Strategy DPD in 2007/08 immediately following adoption of the Local Plan, with adoption of the Core Strategy anticipated in 2010. That DPD and any subsequent Allocations DPD will be able to take into account emerging housing and employment requirements to 2026 (housing) and 2021 (employment) at District level resulting from the RSS Phase Two Review and the new housing projections.

5.12.9 Issue 3: There is no dispute regarding the housing completions figures which are monitored on an annual basis by the District Council and accepted by objectors as being comprehensive and accurate. Completions between 2001 and 2005 totalled 3,324 dwellings.

5.12.10 Commitments are sites where permission has been granted for housing or the principle of residential development has been formally agreed by the District Council. They include sites under construction, sites allocated in the adopted Local Plan, sites with permission (including those subject of a legal agreement) and sites subject of an approved development brief. Those dwelling numbers are then discounted by 10% to allow for the possibility that some dwellings may not proceed to completion.

5.12.11 Objectors are concerned that the Local Plan has high numbers of commitments which include some residual greenfield sites. These have contributed to the current oversupply and suggest to the HBF that the District Council has not managed its supply effectively. Another objector considers that there is significant double counting between windfall permissions and the windfall allowance. While the District Council has applied a 10% discount for non-implementation, no evidence is presented in the Plan to support this. It is argued that the figure could be greater.

5.12.12 Looking at the scale of commitments, I am satisfied that this is simply a reflection of large scale allocations made in the current Local Plan, some of which remain to be completed, and the rate at which brownfield urban windfalls have been coming forward in recent years prior to the SPD being put in place. To my mind it does not indicate mismanagement or any double counting. The District Council has conceded that there is no particular science behind the 10% discount. It is a figure commonly used by other local authorities and the development industry. Annual monitoring confirms that the number of planning permissions lapsing in the District is very low, with an average of just 18 units in 2004/05¹². It provides support for this level of discount.

5.12.13 Turning now to windfalls, these are the area where there is most disagreement. While accepting that the housing requirements of the RSS would be met to 2021, Miller Homes and Bloor Homes consider that if double counting is excluded and windfalls properly assessed then there is no need for the SPD and the moratorium on market housing. The District Council has placed a considerable reliance on windfalls and this becomes more important over a longer timeframe (beyond 2011). Most objectors believe that post-2011 the District Council's assumption that windfalls will immediately jump back up to the previous high levels encountered before the SPD was introduced is ill-founded. In their view it is unlikely that further large windfall sites will continue to emerge at the same

¹² CD303

rate or of the same character as before. Such sites are, they say, in diminishing supply with the best sites yielding the highest densities going first and saturation point reached in certain types of housing. Evidence of this is provided by the glut of apartments currently on the market.

5.12.14 The District Council's response is that its windfalls estimate is, if anything, conservative. It is based on data going back to 1996/97, which smooth out the effects of the 2 large high density sites that came forward in 2004/05. Furthermore, windfalls are discounted by one year. I note that densities achieved on urban brownfield windfall sites have in fact increased in the District since 2003/04 because of the 'PPG3 effect'. I am satisfied that there is no evidence of double counting, the District Council having examined past completion rates simply as a means of estimating planning permissions on new sites and demonstrating that it can meet its housing requirement. Like the planning authority, I am content that other large windfall sites will continue to come forward. This is confirmed by a number of sites having already fallen under the SPD policy. As the District Council points out, even if the supply of windfall sites dried up altogether, there would still be an oversupply of housing. In any event, the SPD could be relaxed to allow sites to be developed if annual monitoring reveals that the surplus has reduced to less than 20% or the RSS Phase Two Review indicates that it should be lifted. While I acknowledge that draft PPS3 is seeking to move away from windfall allowances in favour of specific allocations chosen on the basis of viability, suitability and deliverability, it is my opinion that the particular circumstances applying in Warwick District at this time justify the District Council's approach.

5.12.15 Issue 4: I am content that the Urban Capacity Study¹³, published in July 2002, was carried out substantially in accordance with Government guidance in 'Tapping the Potential'. It involved statutory consultees and the development industry and estimated that the total urban capacity for the period 2001-11 was 2,545, an average of 254 dwellings per year. Monitoring of housing completions for the period 2001-05 revealed an annual level of urban brownfield windfall completions of 348. Consequently, the First Deposit version of the Local Plan used the UCS as part of its evidence base for not making any housing allocations. Subsequent monitoring has shown this approach to be correct with an oversupply of housing in relation to the strategic requirement. Of the 18ha (approximately) of potential housing land identified in the UCS, much of the potential of the larger sites has now been taken up or is committed. 14.1ha (78%) has been given planning permission, yielding a total of 1,077 dwellings, and 1.9ha has been identified for employment. The UCS provided a snapshot in time and is now out of date. The figures presented in Appendix 2 of the Local Plan do not, though, rely heavily on its results. While there would be benefit in further work being undertaken the latest guidance in draft PPG3 calls for 'Sub-Regional Housing Market and Housing Land Availability Assessments' to inform the emerging LDF.

5.12.16 Issue 5: Looking first at the need to allocate sites for housing, Tables 4.3, 4.4 and 4.5 of 'Core Topic Paper 2: Housing' show how the District Council will be able to meet the strategic requirements up until 2011, 2016 and 2021. Tables 4.4 and 4.5 assume a reduced level of windfalls between 2005 and 2011 to take into account the policy for managing housing supply in the SPD. Even with that assumption there is still an oversupply of housing and no need to allocate sites.

¹³ CD403

- 5.12.17** Objectors accept the District Council's position to 2011 with the housing requirement more than met by completions and commitments. Beyond 2011 they suggest that broad areas of land for future growth should be identified as indicated in Paragraph 12(d) of draft PPS3 in order to deliver a step-change in housing provision. Government advice in 'Planning to Deliver' confirms that reserve sites are good practice in the event that windfall sites do not come forward as anticipated. Greater certainty would, they say, result if sites were to be identified. The Government response to the Barker Review recommends identifying 15 years housing supply with at least 5 years allocated.
- 5.12.18** I am mindful of the direction of travel of draft PPS3 and that the RSS Phase Two Review has commenced. Nevertheless, I concur with the District Council that DPDs are the appropriate vehicle for directing growth after 2011. Much more work needs to be done before allocations or areas of search can be drawn up and windfalls need to be brought under control. Tables 5 and 6 of proposed Replacement Appendix 2 show how the RSS housing requirement to 2021 could be met by completions, commitments and potential windfalls.
- 5.12.19** As regards flexibility in the event of a shortfall in housing supply, I acknowledge that this is important in the context of the changing regional position, Government guidance on moving away from a reliance upon windfalls, and the ever-worsening position regarding affordable housing provision. However, I do not believe there would be the vacuum between the Local Plan and the Core Strategy DPD feared by the HBF and other objectors. As the District Council points out, remnants of the 2 large sites at South-West Warwick and Sydenham will be available over the next 4 or 5 years and there is a generous bank of urban brownfield windfall sites to draw upon. The Core Strategy DPD, scheduled for adoption in 2010, will make provision for future needs with the housing requirement itself due to be reviewed by the Regional Planning Body in 2008. I consider that by 2011 developers should have a clear perception of where housing land will be allocated thereby providing the necessary degree of certainty. While sites can take a long time to come forward because of the delays involved in planning and providing essential infrastructure, as demonstrated by South-West Warwick which started in the early 1990s, brownfield land in urban areas can be developed first affording the necessary lead time for any subsequent greenfield development.
- 5.12.20** Warwick Town Council is concerned over the environmental implications of windfall sites and, in light of draft PPS3, is not content to see total reliance on windfalls to 2021. The Town Council supports the identification of housing sites or areas of search so long as they are planned. That, in my opinion, is a matter for subsequent DPDs which might well include an Allocations DPD.
- 5.12.21** There is, in any case, already an element of flexibility incorporated into the Plan. It is estimated that the SPD policy of restraint will reduce completions by about 254 dwellings per annum (90% of the annual urban windfall estimate of 282). Should a change of circumstances occur, the SPD will enable the District Council to respond quickly. Withdrawal of the SPD would allow a further supply of housing to come forward.
- 5.12.22 Issue 6:** The purpose of Policy SC8a, inserted into the Plan at Revised Deposit stage, is to provide the Local Plan policy context for the Managing Housing Supply SPD agreed by the District Council for development control purposes in September 2005. I accept that this 'parent policy' is necessary to accord with planning regulations that require SPD to supplement a policy in an adopted plan/DPD and to have a clear cross-reference to it. Indeed, this is the conclusion reached in a recent appeal decision for 22

flats at Whites Row, Kenilworth (Ref. APP/T37251/A/05/1193971), referred to by Warwick Town Council.

5.12.23 Miller Homes/Bloor Homes argue, after analysis of the housing figures, that there is no need for the SPD. I do not agree for reasons set out earlier in my report. The HBF consider that the SPD should not have been introduced prior to the Local Plan inquiry. In their view this inquiry would have been the appropriate vehicle for testing the soundness and merits of the SPD. They contend that the moratorium was only introduced as an emergency measure because the housing land supply had not been properly managed. By way of alternative, objectors say that the District Council could have undertaken an alteration to the current adopted Local Plan by inserting a phasing policy of the kind used by Harborough DC, Coventry CC and Nuneaton & Bedworth BC.

5.12.24 In response, the District Council has explained that its approach was determined after a meeting with GOWM. The problem of oversupply has arisen because the adopted Local Plan does not phase large urban brownfield sites. It was not feasible to amend that Local Plan because its housing figures have been superseded. I agree that it would not have been appropriate to wait until adoption of the replacement Local Plan. To have delayed a further 18 months for the outcome of this inquiry to be known would have meant an even greater oversupply of housing. The District Council points out that if annual completions continue to equate to around 700 dwellings per year then about 1000 extra dwellings could be built between September 2005 and adoption of the Local Plan putting the regional strategy at further risk. I agree with the District Council that production of the SPD was a faster and more appropriate means of tackling the problem.

5.12.25 Most objectors accept that if the District's housing supply is to be managed in the way proposed by the Council then the SPD should not be incorporated into Policy SC8a but kept separate. Policy SC8a will last for the life of the Plan whereas the SPD will only be needed while housing monitoring demonstrates a significant over-supply of housing. I agree that greater flexibility is provided by separating the detail of the SPD from the parent policy. I believe this is the way forward in preference to the suggestion made by Warwick Town Council. The Town Council supports the aims of the SPD but considers that Policy SC8a should incorporate some of its basic framework and mechanisms.

5.12.26 For similar reasons of flexibility I consider that Replacement Appendix 2 should be retained and the housing figures kept separate from the Policy. The information in Appendix 2 is time limited to the position at April 2005 and the RSS housing requirement is likely to be amended by 2008. Furthermore, Government advice is that local plans should be slimmed down and simplified. One way of achieving this is by placing supporting information in appendices to the Plan. I do not support the suggestion made by Warwick Town Council that Table 2 of Replacement Appendix 2 should be amended by reducing the urban brownfield windfalls estimate during the period 2005-11 to 10% of the trend. That is the purpose and function of the SPD. Nor do I favour the related amendment to the reasoned justification at Paragraph 5.41B. There is, however, a need to update that text to reflect the latest housing monitoring information.

5.12.27 Issue 7: I agree with the District Council that meeting the housing requirement and managing the supply of housing are intimately connected. Adding a greater number of policies to the Plan would not further the Government's aim of simplifying the planning system.

5.12.28 Issue 8: Where schemes already have the benefit of planning permission it is not possible to manage those ‘planned and programmed’ developments. I note that in the case of the 3 allocated sites of South West Warwick, South Sydenham and Whitnash Allotments, only the later phases of South West Warwick have not yet received consent. Even there an outline proposal has been agreed by the District Council, awaiting completion of a planning obligation.

5.12.29 The 20% oversupply figure specified in Paragraph 5.41B, above which SPD will be issued to regulate the supply of housing, is intended to be a guide only. It needs to be treated with some caution. I note that GOWM considers the figure to be too high. Given the complexity of some permissions not proceeding to completions, I accept that it should include an element of flexibility and only be employed as a rule of thumb. With this in mind it would not be appropriate, in my opinion, to include the figure in the Policy itself. It is better relegated to the supporting text. I note that a ‘significant’ oversupply of housing is qualified with the words ‘likely to be in the region of’ 20%. I consider that to be appropriate.

5.12.30 I do not believe Policy SC8a should reflect the provisions of the SPD. There is a separate role for each. While Policy SC8a establishes the context for managing the supply of housing in the District throughout the Plan period, the SPD sets out the criteria for managing housing supply only while there is an oversupply of housing in excess of 20% or thereabouts. Annual monitoring of housing supply and/or a review of regional housing requirements will determine whether the SPD should continue to operate. This may or may not be for the duration of the Plan. Future monitoring of the housing supply position needs to receive high priority/publicity. But in my opinion annual monitoring reports are sufficient, rather than the 6 month frequency suggested by the Warwick Society. In this regard, I see no need to amend the text of Paragraph 5.41B.

5.12.31 Issue 9: PPG3 indicates that local planning authorities should keep under regular review the housing requirement and the way in which it is to be met. Policy SC8a allows for a flexible approach whereby the housing requirement and the housing supply situation can be monitored. Where adjustments are needed to the supply position, SPD can be issued. As the District Council points out, inclusion of a set of criteria in the Policy to regulate windfall development would be inflexible. It would not allow, for instance, for a situation where a new housing requirement arising from a review of RSS would result in a different housing supply situation.

Recommendations

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

- (i) substitute Replacement Appendix 2 set out in Core Document 28.**
- (ii) amend the text of Paragraph 5.41B of the reasoned justification to reflect the latest housing monitoring information.**

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

5.13 Paragraphs 5.42 - 5.58 Policy SC9 Affordable Housing

Objections to First Deposit Version

2/AC	British Telecommunications plc
4/AA	Arlington Planning Services LLP
39/AB	NHS West Midlands Division
66/AN	The Warwick Society
72/AA	Saville Estates
109/AC	Warwickshire County Council (Planning, Transport & Economic Strategy)
109/AT	Warwickshire County Council (Planning, Transport & Economic Strategy)
109/AU	Warwickshire County Council (Planning, Transport & Economic Strategy)
110/AE	Government Office for the West Midlands
117/AJ	Langstone Homes Ltd
118/AC	Mr and Mrs G Bull
119/AD	Bloor Homes Ltd
120/AH	Miller Homes (West Midlands)
123/AC	Robin Hedger
137/AA	Greyvayne Properties Ltd
138/AB	Laing Homes Midlands
140/AA	Court Developments Ltd
141/AB	Parkridge Homes Ltd
142/AH	A C Lloyd Ltd
143/AB	Scottish Widows Investment Partnership
144/AA	Project Solutions
148/AR	Campaign to Protect Rural England (Warwickshire Branch)
155/AA	Punch Taverns
158/AA	Tyler-Parkes Partnership
170/AD	Mr Martin Wood
190/AA	Countrywide Homes Ltd
200/AQ	Taylor Woodrow Strategic Developments
201/AM	Home Builders' Federation
208/AE	Pettifer Estates Ltd
213/AP	Warwickshire Rural Community Council
217/AA	McCarthy and Stone (Developments) Ltd
220/AN	Cala Homes (Midlands) Ltd
221/AR	Kenilworth Society
228/AR	West Midlands RSL Planning Consortium
229/AD	Gallagher Estates Ltd
239/AH	Mr D Austin
240/AF	George Wimpey Strategic Land
256/AB	T & N Ltd
258/AD	Sainsburys Supermarkets Ltd
266/AC	Warwick Town Council
288/AE	Warwickshire Police Authority
291/AE	George Wimpey UK Ltd

Objections to Revised Deposit Version

52/RAB	Barford, Sherbourne & Wasperton Joint Parish Council
66/RAW	The Warwick Society
118/RAC	Mr and Mrs G Bull
119/RAE	Bloor Homes Ltd
148/RAL	Campaign to Protect Rural England (Warwickshire Branch)
167/RAC	Mrs E Brown
191/RAR	Robin A Richmond
195/RAS	The Leamington Society
214/RAE	Mrs J Biles
223/RAD	Kenilworth Town Council
228/RAF	West Midlands RSL Planning Consortium
239/RAH	Mr D Austin
283/RAN	The Ancient Monuments Society
322/RAE	J G Land and Estates
344/RAC	Greywell Property Ltd
345/RAA	Church Commissioners for England
349/RAR	Mr. D. G. Goodyear

Key Issues

- 5.13.1** (1) Whether Policy SC9 is unduly prescriptive in requiring affordable housing to be provided on qualifying sites.
- (2) Whether the definition of affordable housing is the most appropriate, up-to-date definition.
- (3) Whether the Policy relies upon an outdated needs assessment.
- (4) Whether the Plan's site size thresholds are appropriate.
- (5) Whether the minimum 40% requirement for affordable housing is appropriate.
- (6) Whether the provisions of the Policy in respect of tenure accord with Government policy.
- (7) Whether the Plan fails to properly explore alternative sources of affordable housing.
- (8) Whether the Policy adequately addresses off-site provision and commuted sums.
- (9) Whether there should be different affordable housing provisions for urban and rural areas.
- (10) Whether it is reasonable to require affordability 'in perpetuity' in all cases.
- (11) Whether the Plan should define, and provide for, key worker housing.
- (12) Whether design standards for social housing should be included in the Plan.
- (13) Whether joint commissioning arrangements are appropriate.

- (14) Whether there is commitment to the preparation of SPD on affordable housing.
- (15) Whether the Policy should encourage affordable houses with small gardens suitable for families and outside refuse areas.
- (16) Whether Policy SC9 and its reasoned justification are otherwise appropriately worded.

Inspector's Appraisal and Conclusions

5.13.2 Issue 1: Circular 6/98¹⁴ states that where there is evidence of need for affordable housing, local plans should include a policy for seeking an element of such housing on suitable sites. The Home Builders' Federation and a number of other objectors argue that to require affordable housing on qualifying sites is contrary to that advice.

5.13.3 Policy SC9 is expressed in a negative rather than a positive manner. It first indicates that residential development will not be permitted on certain sites unless provision is made for affordable housing to meet local needs. The Policy then goes on to say that the form of that provision, its location on the site and the means of delivery will be subject to negotiation at the time of a planning application. It continues by laying down a number of principles to ensure that satisfactory arrangements are made to secure affordable housing. While the wording of the Policy does not exactly follow that used in the Circular, I am content that the end result is not dissimilar. A necessary element of flexibility is introduced into Policy SC9, reflecting the spirit of Government guidance.

5.13.4 The last sentence of Paragraph 5.55 (Working with affordable housing providers) indicates that Section 106 agreements will usually be 'required'. This should, in my view, read 'sought' in order to comply with Government advice on planning obligations.

5.13.5 Issue 2: Paragraph 5.52 of the Revised Deposit Plan defines affordable housing as "both low cost market and subsidised housing (irrespective of tenure, ownership or financial arrangements) that will be available to people who cannot afford to rent or buy houses generally available on the open market." This reflects the definition in Circular 6/98. The definition in the Warwickshire Structure Plan is that agreed by the regional authorities in 1999. The Structure Plan EiP accepted that this was in accord with Circular 6/98. RPG11 (now RSS), adopted in June 2004, does not specifically define affordable housing other than in the glossary. This is expressed in similar terms to Circular 6/98.

5.13.6 When PPS3 is published in its final form it will supersede Circular 6/98. The definition of affordable housing in draft PPS3 has been amended from that in the Circular. It reads as follows:

"Non-market housing, provided to those whose needs are not met by the market for example homeless persons and key workers. It can include social rented housing and intermediate housing. Affordable housing should:

- meet the needs of eligible households, including availability at low enough cost for them to afford, determined with regard to local incomes and local house prices; and
- include provision for the home to remain at an affordable price for future eligible households, or if a home ceases to be affordable, any subsidy should generally be recycled for additional affordable housing provision."

¹⁴ CD1132 'Planning and Affordable Housing'

Intermediate housing is defined as:

“ Housing at prices or rents above those of social-rent but below market prices or rents. This can include shared equity products (for example HomeBuy) and intermediate rent (ie rents above social-rented level but below market rents). Intermediate housing differs from low cost market housing (which Government does not consider to be affordable housing - see definition of affordable housing above).”

5.13.7 I agree with the District Council that although PPS3 has not yet been published in its final form (at the time of writing), this new definition of affordable housing would improve the Plan. It represents latest Government thinking on the topic. Its substitution for the definition in the Revised Deposit Plan would provide greater support for the contents of Policy SC9. Similarly, I consider that the Glossary should be amended to include these definitions of affordable housing and intermediate housing. Such alterations to the Plan would also meet the objection that the definition of affordable housing set out in the Revised Deposit Plan does not reflect the need for affordability in perpetuity.

5.13.8 Issue 3: I note that since publication of the Revised Deposit Plan a Joint Housing Assessment has been carried out for Warwick and Stratford on Avon District Councils. This document entitled ‘Housing Assessment for South Warwickshire 2006’¹⁵ was published in draft form in March 2006. Its main findings in respect of Warwick District are set out in the Council’s response statement. They are worth repeating:

- The entry-level price of a dwelling in the District was £179,856;
- The gross annual income required to be able to afford to purchase an entry-level house would be £62,019 for a two (or more) earner household and £51,387 for a single earner household;
- The price of an entry-level house would be outside the affordability range of 90% of two (or more) earner households and 95% of single earner households;
- A total of 821 additional affordable dwellings would need to be provided each year in order to meet housing need over the next 5 years;
- Up to 20% of new affordable homes could be provided as shared ownership dwellings;
- The priorities for new affordable dwellings in terms of size and type are two- and three-bedroom houses and two-bed flats;
- The distribution of need across the District is proportionate to population.

I am satisfied that this very recent housing assessment provides a sound evidence base underpinning Policy SC9.

5.13.9 Criticism was made of the First Deposit Plan that the assessments of need were unclear and unjustified and there was a lack of relationship between targets and need. In response to that objection I note that Paragraph 5.46 was amended and augmented in the Revised Deposit Plan. In my opinion, those alterations to the reasoned justification address those shortcomings.

5.13.10 The draft Housing Assessment examined housing need in 5 areas - Warwick, Leamington Spa, Kenilworth, Whitnash and the rural area. The sample surveys undertaken did not cover areas as small as parishes. The District Council recognises the need for housing assessments at parish or village level undertaken with the support of the

¹⁵ CD307

communities themselves. I consider this to be appropriate. To this end, parish councils have been contacted inviting them to join with the District Council and the Warwickshire Rural Housing Association to carry out parish or village housing assessments. I note that the role of parish plans and surveys is referred to in Paragraph 8.7 of the Rural Area Policies chapter of the Plan.

5.13.11 Objectors point out that the onus should be on the local authority to prove need for affordable housing in the immediate locality. The District Council accepts this. I am content that the 2006 draft Housing Assessment has been carried out in accordance with the latest Government guidance. It provides evidence of need within the towns and rural area generally. More localised need will be demonstrated through parish or village assessments. While the latter should be carried out with direct community involvement, the Plan would not rule out some contribution to the process from private developers.

5.13.12 Issue 4: A number of objectors maintain that the site size thresholds are too low, that the levels are insufficiently justified, and that they are contrary to Government guidance in Circular 6/98. Generally, objectors support increased levels of 15 dwellings in the urban area and 10 in the rural area. The threshold in the rural area in particular is considered to be commercially unrealistic and likely to deter any form of development. Objectors believe that Policy SC9 is too prescriptive and should take greater account of site size, suitability and the economics of provision, and the need to achieve a successful housing development.

5.13.13 Paragraph 9 of Circular 6/98 sets a threshold for affordable housing provision of 25 dwellings or more or, in settlements with a population of less than 3,000, 15 dwellings or more. It indicates that while planning authorities may seek to justify thresholds below the recommended level of 25 dwellings, it would not be appropriate for this threshold to be lower than 15 dwellings. Lower thresholds may, however, be appropriate in settlements of less than 3,000 if this can be justified. Draft PPS3 sets a lower indicative national minimum threshold of 15 dwellings but again it goes on to say that local authorities may set a different threshold where this can be justified. When the final version of PPS3 is approved, the advice in Circular 6/98 will be formally superseded.

5.13.14 The Plan sets a threshold of 10 dwellings in the urban area (or 0.25ha) and 3 dwellings in the rural area. While quite low, these figures are justified, I believe, by the acute shortage of affordable housing in the District confirmed by the 2006 draft Housing Assessment; by sites below the 'normal' Circular threshold making a useful contribution to the overall housing supply; and by emerging national guidance promoting a more flexible approach, recognising the contribution from small sites, and not referring to the need to demonstrate exceptional local circumstances. As regards the rural threshold in particular, this reflects housing need and the size of sites coming forward for development under the policies that apply to the rural area. These are generally for single or small groups of dwellings.

5.13.15 RSS recognises that in rural areas generally across the region, reliance on relatively small windfall sites makes it difficult to secure affordable housing. Sub-section E of RSS Policy CF5 indicates that local planning authorities should consider whether there is a need for affordable housing to be sought on sites below the threshold set out in national guidance in areas where low income households have particular difficulty in affording local general market house prices. That is precisely the situation that applies in Warwick District. I do not consider the thresholds set out in the Revised Deposit Plan to be unnecessarily prescriptive. Government policy advocates the use of site size thresholds

and developers need to know with some degree of certainty whether the planning authority will be seeking affordable housing on any particular site. I am told by the District Council that Inspectors at Local Plan inquiries have recently supported thresholds of 10 dwellings at Oxford and 6 dwellings at Rugby.

5.13.16 Issue 5: Objectors argue that the percentage requirement for affordable housing should be a matter for negotiation on a site by site basis according to site characteristics and local need. I consider, though, that it is desirable for Policy SC9 to give developers baseline information as to the level of affordable housing that will normally be sought so that this can be factored in at site acquisition stage. The District Council accepts that there will sometimes be situations where unforeseen site development costs lead to additional constraints rendering a site commercially non-viable. In those exceptional circumstances the District Council indicates that it would be willing to negotiate for a reduced level of provision.

5.13.17 The figure of 40% minimum specified in Policy SC9 reflects the high level of affordable housing need in the District, as evidenced by the 2006 draft Housing Assessment. I see no conflict with Government guidance in this regard. Circular 6/98 simply indicates at Paragraph 10 that care is needed in determining the proportion of affordable housing in the overall numbers on the site, while PPG3 states in Paragraph 16 that decisions about the amount and types of affordable housing to be provided in individual proposals should reflect local housing need and individual site suitability.

5.13.18 Evidence of the recent take-up of sites on previously developed land demonstrates that the requirement for a minimum of 40% affordable housing has not generally affected the viability of sites in the District or stifled housing development. There continues to be a buoyant housing market and even constrained sites are coming forward. The District Council cites the example of the former Potterton site on Emscote Road where clearance of large scale industrial buildings and a new road bridge over the River Avon were necessary. I note that a figure of 40% has been endorsed in recent Local Plan inquiries at Solihull, North Warwickshire and Rugby. I consider that the figures of 20% or 30% suggested by some objectors are too low and inappropriate in the context of Warwick District.

5.13.19 Other objectors advocate a higher percentage. However, it seems to me that a figure of 50% minimum or more could be counter-productive. Rather than delivering more affordable housing it could potentially result in less as the commercial viability of any scheme becomes more marginal. No convincing evidence, other than the general level of affordable housing need in the District, has been submitted which would convince me otherwise. I note that at Revised Deposit stage the District Council simplified Policy SC9 in response to objections that it was too complicated. A single percentage of 40% minimum applicable to all sites was substituted for the two different percentages that applied to sites of different size. I endorse that amendment.

5.13.20 Issue 6: I do not believe that the Policy is biased in favour of social-rented tenure to the exclusion of other forms of affordable housing. Where the price of low cost housing is discounted and it can be shown to achieve weekly outgoings which are affordable to those in housing need, then the District Council has indicated that such housing will be accepted as affordable housing. I see no conflict with the PPG3 objective of achieving mixed communities with a balance of housing tenures and social mix.

- 5.13.21** As regards shared equity schemes, fixed equity leasehold schemes allow a form of shared equity where ‘staircasing’ is limited to a fixed percentage ensuring that the dwelling is retained as affordable in perpetuity. The District Council recognises the difficulties that exist because of market resistance from lenders to restricting the extent to which leaseholders can staircase out, but it says that it is working with partner registered social landlords to address this issue. The Policy was, I note, amended at Revised Deposit stage so that the requirement for such housing to be available in perpetuity is subject to the proviso ‘where practicable’.
- 5.13.22** I agree with the District Council that weekly outgoings that are only just below the maximum affordable to households in housing need will only meet the needs of a very small proportion of such households. The words ‘significantly below’ used in principle IV a) are, I feel, necessary and appropriate.
- 5.13.23 Issue 7:** The District Council maintains that it is continually exploring alternative ways to increase the supply of affordable housing. It cites the examples of the Empty Properties Fund which is currently being directed towards regeneration schemes in Old Town, Leamington Spa, and a Care and Repair Scheme which is utilised to bring older properties up to standard. Furthermore, a number of ‘Living Over The Shop’ schemes have been completed and a Single Regeneration Budget project in Old Town aims to bring back into use 20 dwellings over the next 3 years. I note that at Revised Deposit stage a further sentence was added to Paragraph 5.48 giving examples of alternative sources of affordable housing.
- 5.13.24** The suggestion has been made that smaller properties should be prevented from being extended. I concur with the District Council that this would not be appropriate. For some households this is the most affordable option to increasing the size of their home as family circumstances change. In rural areas, Policy RAP3 allows extensions providing they do not constitute disproportionate additions to the original dwelling. While primarily directed to preserving local identity, I can see that it also prevents the loss of many small and medium-sized dwellings.
- 5.13.25** The Council says that in Warwick District where there is high demand for affordable housing and high land values, it is not possible to identify sites that would be suitable and available to allocate for rural exception housing. It does, though, work with Parish Councils, the Warwickshire Rural Housing Enabler and the Warwickshire Rural Housing Association to bring forward sites wherever possible.
- 5.13.26 Issue 8:** I concur that off-site provision of affordable housing is unlikely to be practicable in either urban or rural situations because alternative sites are generally not available. In recognition of this, the Policy indicates that this option will only be considered in exceptional circumstances.
- 5.13.27** As regards commuted sums, the cost falling on the developer will be no different whether affordable housing is provided on site or a financial contribution made in lieu of that provision. It would not therefore push up the cost of market housing, as argued by one objector.
- 5.13.28** Where there is no demonstrable local need, then affordable housing or a commuted sum would not be sought. The District Council accepts that commuted sums would not necessarily be appropriate where a site is incapable of delivering affordable housing. Even where a commuted sum is considered appropriate, it would be necessary for both

the District Council and the developer to jointly agree this. I note that an addition was made to Paragraph 5.57 at Revised Deposit stage to confirm this.

5.13.29 Issue 9: Structure Plan Policy GD.3 steers most new housing development to towns with a population in excess of 8,000. Rural areas should only accommodate housing to meet local needs that are proportionate to population. This local needs housing to 2011 has already been exceeded in the District so that all new housing development is directed towards the urban areas, with the exception of affordable housing, rural workers' housing and housing to meet identified local needs in the Limited Growth Villages. Circular 6/98 allows for lower site size thresholds in rural areas to allow for the fact that most new developments will be on a small scale to meet local needs only. PPG3 also allows for 'exception housing' in rural areas where local planning authorities may grant planning permission for housing development on land within or adjoining existing villages which would not normally be released for housing in order to meet local needs in perpetuity. Policy RAP5 provides for this. Given the dissimilar planning policy approaches between the urban and rural areas, I am satisfied that it is necessary to reflect these differences in Policy SC9.

5.13.30 Issue 10: Paragraph 16 of Circular 6/98 states that both planning conditions and obligations may legitimately be used, where justified, to ensure that housing is occupied in perpetuity by those in genuine need of affordable housing. However, the District Council recognises that in most cases S106 agreements will need to include a clause exempting mortgagers in repossession in order to satisfy lenders. To accommodate this the words 'where practicable' were added to Policy SC9 principle IV b) in the Revised Deposit Plan. I support that pragmatism.

5.13.31 Social rented housing provided by a registered social landlord (housing association), is normally available in perpetuity subject to Right to Buy provisions. I agree with the District Council that it would not be appropriate to apply criterion IV b) to such cases. Paragraph 16 of Circular 6/98 indicates that "local planning authorities should not normally impose additional occupancy controls where a registered social landlord is to be responsible for the management of the affordable housing." In other circumstances I accept the importance of ensuring that affordable housing remains genuinely available to those in housing need for the foreseeable future, well beyond the timescale of the first occupier.

5.13.32 Issue 11: The need for key worker housing has been examined in the 2006 draft Housing Assessment. When that report has been finalised the District Council says that it will consider its findings in the context of the Housing Strategy and the Local Plan. A supplementary planning document on affordable housing is programmed for preparation in the near future. It is included in the Local Development Scheme 2006 and is due for completion in mid-2007. In my view, it would be appropriate to consider the definition of key worker housing, and what provision should be made in the District, in the context of that SPD.

5.13.33 Issue 12: I consider it unnecessary to include the District Council's design standards for social housing in an appendix to the Plan. The standards are, I am told, those adopted by the Housing Corporation and are liable to change over time. Likewise, I believe that guidance on integrating affordable homes into private development schemes is too detailed a matter for inclusion in this Local Plan. I concur with the District Council that it would be better taken on board in the affordable housing SPD or in the residential design SPD, both of which are included in the Local Development Scheme 2006.

5.13.34 Although houses for families are currently a priority in terms of affordable housing, needs and priorities do change over time. I consider that priorities are more appropriately set out in SPD.

5.13.35 Issue 13: The basis of the joint commissioning approach to selecting RSL partners on new development schemes is set out in Paragraph 5.55 of the Plan. I consider that no further explanation or detail is necessary. In my opinion, such arrangements are not in conflict with Circular 6/98 advice. While developers are free to choose to work with another RSL if they wish, the District Council encourages developers to work with the partnership as this ensures that resources are best targeted to meet the identified housing needs. Such partnership arrangements between local authorities and housing providers are supported by the National Audit Office and Audit Commission. In their December 2005 report on delivering more affordable housing in areas of high demand, the advantages of the preferred partner approach were identified. They included “better tracking of performance, improved housing management and more local commitment, as well as reduced risk and speedier negotiations for new contracts and new developments.”

5.13.36 Issue 14: SPD on Affordable Housing is included in the District Council’s Local Development Scheme 2006 and is due for completion in mid-2007.

5.13.37 Issue 15: The District Council says it will negotiate on a site by site basis to deliver the type of housing that is appropriate to a particular site and which meets the specific affordable housing need. In these circumstances, I consider it unnecessary and inappropriate to add to principle II of Policy SC9 the words “...in particular, such development must take into account demand for family houses with gardens and outside refuse areas.” - as suggested by the Leamington Society.

5.13.38 Issue 16: A number of miscellaneous criticisms have been made of the Policy and its supporting text. As previously indicated, the term ‘where practicable’ was inserted into sub-section IV b) of the Policy at Revised Deposit stage in recognition of the fact that it is not always possible to require occupation in perpetuity to form part of a planning condition or agreement.

5.13.39 As regards the links between Policy SC9 and Policy RAP2 (Directing New Housing in Rural Areas), I concur with the District Council that those connections are no stronger than with many other policies, including the Plan’s development policies. I note, however, that there is already a reference to Policy SC9 in Paragraph 8.13 of the reasoned justification to Policy RAP2.

5.13.40 An objector argues that in Paragraph 5.46 it should be stated that the District Council will seek affordable housing on allocations of land for new dwellings, in addition to existing allocated sites and windfall sites. I consider that such an amendment is not necessary for 2 reasons. Firstly, there are no new housing allocations in the Revised Deposit Plan; and secondly, Policy SC9 self-evidently relates to all sites over the thresholds.

5.13.41 I do not agree that Paragraph 5.57, amended in the Revised Deposit Plan to indicate that it will be for the Council and the developer jointly to agree where a commuted payment is appropriate, should be deleted. Paragraph 22 of Circular 6/98 indicates that financial contributions should only be considered where both the local planning authority and the

developer consider that such an arrangement is preferable to the provision of affordable housing on site.

5.13.42 Drawing together my conclusions on all of the issues in relation to Policy SC9, I consider that the Plan's supporting text at Paragraphs 5.45, 5.46 and 5.52, together with the definition of affordable housing in the Glossary, should be amended in accordance with the suggestions put forward by the District Council in its response statement. A new definition of intermediate housing should also be added to the Glossary.

Recommendations

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

(i) amend Paragraph 5.45 to read:

“Warwick District Council carried out a Housing Needs Assessment in 1998 and this identified need within the District up to 2006. In 2001 this was updated to take account of guidance in PPG3: Housing and to roll forward the figure for housing need to 2011. This study has quantified a need for 7,072 affordable houses between 1998 and 2011 if all housing needs are to be met. The Housing Assessment for South Warwickshire, carried out in 2006, estimated a need for an additional 821 affordable dwellings a year over the five years 2006-2011. Between 1996 and 2005, a total of 800 affordable dwellings were built in the District.”

(ii) amend Paragraph 5.46 to read:

“Clearly, in the context of the overall housing situation (set out in the Core Strategy (Objective 1D) and Appendix Two) the unmet housing needs, as identified in the 2006 Housing Assessment, are impossible to meet. Consequently, the Council must look at all available means to increase the amount of affordable housing which comes forward as part of any further new developments. The evidence of unmet housing need in the District is sufficient to justify an approach which seeks to maximise the amount of affordable housing which is sought on new sites coming forward as allocations from the previous Local Plan or as windfall sites. In applying this approach, the Council will aim to meet a target of at least 100 new affordable homes a year. This target is a realistic assessment of the potential to deliver affordable housing through planning policies taking into account the likely supply of committed and future windfall sites.”

(iii) amend Paragraph 5.52 to read:

“Affordable housing is defined by Government as ‘non-market housing, provided to those whose needs are not met by the market for example homeless persons and key workers. It can include social-rented housing and intermediate housing. Affordable housing should:

- meet the needs of eligible households, including availability at low enough cost for them to afford, determined with regard to local incomes and local house prices; and**

- include provision for the home to remain at an affordable price for future eligible households, or if a home ceases to be affordable, any subsidy should generally be recycled for additional affordable housing provision.’

This housing must also, by definition, be affordable to those in housing need. Following evidence provided by the Housing Assessment for South Warwickshire in 2006 the Council will require that to be affordable, housing for rent must be no more than Housing Corporation benchmark rents and be within the limits of those receiving housing benefit. The role for many forms of intermediate housing will be limited as it may be too expensive for many of those in housing need in the District. Where these intermediate tenures are allowed, the mortgage cost of this must be no more than 3.5 times the average household income of newly forming households in the District.”

- (iv) amend the Glossary by substituting a revised definition of affordable housing and inserting a new definition of intermediate housing, to read:

“Affordable Housing – non-market housing, provided to those whose needs are not met by the market for example homeless persons and key workers. It can include social-rented housing and intermediate housing. Affordable housing should:

- meet the needs of eligible households, including availability at low enough cost for them to afford, determined with regard to local incomes and local house prices; and
- include provision for the home to remain at an affordable price for future eligible households, or if a home ceases to be affordable, any subsidy should generally be recycled for additional affordable housing provision.”

“Intermediate Housing – housing at prices or rents above those of social-rent but below market prices or rents. This can include shared equity products (for example HomeBuy) and intermediate rent (ie rents above social-rented level but below market rents). Intermediate housing differs from low cost market housing (which Government does not consider to be affordable housing – see definition of affordable housing above).”

- (v) amend the last sentence of Paragraph 5.55 to read:

“Section 106 agreements will usually be sought in order to ensure certainty over the timing of the development and transfer arrangements for land.”

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

5.14 Paragraphs 5.59 - 5.64B Policy SC10 Sustainable Transport Improvements

Objections to First Deposit Version

117/AK	Langstone Homes Ltd
120/AJ	Miller Homes (West Midlands)
159/AA	Rail Property Ltd and Network Rail Infrastructure Ltd
187/AL	The Countryside Agency (West Midlands Region)
200/AG	Taylor Woodrow Strategic Developments
220/AJ	Cala Homes (Midlands) Ltd
228/AS	West Midlands RSL Planning Consortium

Objections to Revised Deposit Version

119/RAF	Bloor Homes Ltd
199/RAG	James Mackay
214/RAF	Mrs J Biles
228/RAG	West Midlands RSL Planning Consortium
239/RAG	Mr D Austin
321/RAK	West Midlands International Airport Ltd
322/RAF	J G Land and Estates
350/RAW	Tesco Stores Ltd

Key Issues

- 5.14.1** (1) Whether Policy SC10 should confirm that contributions towards sustainable transport improvements will be pursued only where they accord with Government guidance.
- (2) Whether planning obligations should be ‘sought’ rather than ‘required’.
- (3) Whether the phrase ‘material increase in traffic’ is imprecise and should be defined.
- (4) Whether the criteria used to assess the appropriateness of contributions are made sufficiently clear.
- (5) Whether the supporting text should refer to a wider range of sustainable rural transport initiatives.
- (6) Whether Policy SC10 should be relocated in the Plan to relate better to Policy DP6 (Access).
- (7) Whether RSLs should be exempt from having to make developer contributions.

Inspector's Appraisal and Conclusions

- 5.14.2 Issue 1:** The District Council acknowledges that any developer contributions sought should be in accordance with national advice set out in Circular 5/05 (Planning

Obligations)¹⁶. Amongst other matters, they should be reasonable in scale and kind, and directly related to the development in question. Paragraphs 5.39-5.41 introduce the section of the Plan entitled 'Building Communities'. They explain that the same principles apply to all of the planning obligation policies (SC9-SC13). I note that additional wording was included in Paragraph 5.39 of the Revised Deposit Plan to indicate that: 'All planning obligations sought under the policies in this chapter should comply with the criteria in the following paragraph'. Paragraph 5.40 then proceeds to summarise Government guidance. In the interests of simplicity and avoiding duplication, I see no need to replicate that information in the text supporting Policy SC10. Neither do I consider it necessary to amend the Policy to confirm that planning obligations will be sought only 'where appropriate' (ie where they satisfy Government guidance). The trigger of a material increase in traffic on the road network makes this implicit.

5.14.3 Paragraphs 5.40 and 5.64 refer to Circular 1/97. However, this document has now been superseded by Circular 5/05. The text of the Plan needs to be updated to reflect this more recent Government guidance.

5.14.4 Issue 2: The earlier version of Policy SC10 was amended in the Revised Deposit Plan to indicate that contributions towards sustainable transport improvements will be 'sought' rather than 'required'. I consider such alteration to be appropriate in the light of Government advice on planning obligations set out in Circular 5/05. This Circular continues to make it clear in Paragraph B5 that planning obligations may only be 'sought'. They are effectively private agreements. It follows that I do not support the counter-objection that the word 'required' should be reinstated. In my view, the Policy has not been weakened nor does it cease to reflect the 'polluter pays' principle. Policies SC11 and SC12 have, I note, also been amended in the Revised Deposit Plan in a similar fashion.

5.14.5 Issue 3: I agree with the District Council that it would be difficult, if not impossible, to define what is meant by a 'material increase' in traffic on the road network. What is considered to be significant will vary from situation to situation. It will depend upon such matters as the location of the development, the existing highway network and current traffic conditions. As the Council indicates, it is for the developer, the planning authority and the highway authority using whatever means are available, including traffic modelling, to make a case as to whether, in their opinion, there is a material impact.

5.14.6 Issue 4: I accept that the Warwickshire Local Transport Plan 2006 is the correct place for setting out the criteria that will be employed for assessing the appropriateness of any transportation contributions.

5.14.7 Issue 5: In response to this objection the District Council has added a further sentence to Paragraph 5.63 of the Revised Deposit Plan. This confirms that developments in rural areas may be asked to contribute towards a range of sustainable transport improvements such as community-based travel initiatives. I support that alteration.

5.14.8 Issue 6: Policy SC10 does relate to Policy DP6 but it also has a functional relationship with the other planning obligation policies (SC9-SC13). Given that the User

¹⁶ CD1143

Guide directs the reader to all relevant policies, I am satisfied that the necessary linkages will be made without the need to re-order the Plan.

5.14.9 Issue 7: No form of development should, in principle, be exempt from making developer contributions. The District Council gives the example of a large development of affordable housing. This could have a similar impact in terms of traffic generation as a market housing scheme of equivalent size. I consider that it would be quite wrong to require one scheme to contribute to sustainable transport improvements but not the other - simply on the grounds that RSL funds are earmarked for housing purposes.

Recommendations

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

(i) **amend the second sentence of Paragraph 5.40 to read:**

“The framework for this is set out in ODPM Circular 5/05 and elaborated on in other guidance such as Circular 6/98 (regarding affordable housing).”

(ii) **amend the second sentence of Paragraph 5.64 to read:**

“Contributions will be secured through a Grampian condition or planning obligation in accordance with Circular 5/05 or any subsequent revision.”

(any other references in the Plan to Circular 1/97 should be amended in a similar way)

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

5.15 Paragraphs 5.65 - 5.70 Policy SC11 Open Space and Recreation Improvements

Objections to First Deposit Version

37/AO	Sport England
69/AE	Linda Forbes
109/AJ	Warwickshire County Council (Planning, Transport & Economic Strategy)
117/AL	Langstone Homes Ltd
120/AK	Miller Homes (West Midlands)
159/AB	Rail Property Ltd and Network Rail Infrastructure Ltd
195/AF	The Leamington Society
200/AF	Taylor Woodrow Strategic Developments
201/AL	Home Builders' Federation
210/AL	English Nature
220/AK	Cala Homes (Midlands) Ltd

228/AT	West Midlands RSL Planning Consortium
294/AF	British Waterways

Objections to Revised Deposit Version

66/RAX	The Warwick Society
119/RAG	Bloor Homes Ltd
214/RAG	Mrs J Biles
228/RAH	West Midlands RSL Planning Consortium
239/RAF	Mr D Austin
283/RAX	The Ancient Monuments Society
321/RAL	West Midlands International Airport Ltd
322/RAG	J G Land and Estates
350/RAX	Tesco Stores Ltd

Key Issues

- 5.15.1** (1) Whether the Policy should address contributions towards waterway improvements and accessible natural greenspaces.
- (2) Whether RSLs should be exempted from having to spend funds earmarked for housing purposes on other public funded facilities and services.
- (3) Whether Policy SC11 accords with Government guidance or is unduly restrictive, particularly in regard to small sites.
- (4) Whether the Policy should make reference to the Jephson Gardens project and other environmental improvements.
- (5) Whether it is appropriate for the Policy to refer to open space contributions from commercial developments.
- (6) Whether the Policy should set a minimum standard for open space.
- (7) Whether the Policy should recognise the needs of young people.
- (8) Whether Policy SC11 should indicate that contributions ‘may’ (not ‘will’) be required.
- (9) Whether the Policy should also refer to sport, as well as open space and recreation facilities.
- (10) Whether the Policy should seek to protect all existing sports grounds and open spaces.
- (11) Whether the word ‘required’ should be reinstated in place of the word ‘sought’ in the second line of the Policy.

Inspector's Appraisal and Conclusions

- 5.15.2 Issue 1:** Waterway environments and accessible natural greenspaces are types of open space. They both therefore fall within the ambit of this Policy. However, I consider

it is not necessary to list all of the situations where this Policy could, potentially, be invoked. Open spaces are considered in broad terms in Policy SC5. They are defined in Paragraph 5.23. The list includes river and canal corridors, nature reserves and informal recreation areas. As the District Council indicates, the open space audit and subsequent SPD on open space will be able to examine potential improvements to waterways and natural greenspaces in greater detail. The objection by British Waterways has, I note, been withdrawn. It follows that I do not support the additional text put forward by English Nature in respect of natural greenspaces.

5.15.3 Issue 2: A similar objection has already been considered in relation to Policy SC10. In brief, I see no reason why any particular developer/form of development should be excused from having to make developer contributions where these are appropriate. I agree with the District Council that in fairness there needs to be a 'level playing field'.

5.15.4 Issue 3: The Plan makes it clear through the preface introducing the planning obligation policies (SC9-SC13) that contributions will be sought only where they are in accordance with Government guidance set out in Circular 5/05. That guidance is summarised in Paragraph 5.40 of the Plan. Policy SC11 specifically refers to meeting local needs. By indicating that provision should be made 'where appropriate', the Policy acknowledges that in some circumstances contributions may not be necessary. In other cases, it serves to prevent unreasonable requirements being made of small sites for a range of open space, recreation or sports facilities. In my opinion, the revised policy wording promoted by West Midlands International Airport Ltd is superfluous and would not improve the Plan.

5.15.5 Issue 4: I consider it inappropriate to set out details of Council or community aspirations in regard to particular sites or schemes where these are better addressed in other corporate documents. Policy SC11 applies to the whole of the District and should not, in my view, be burdened with site specific information or other excessive detail where this is not central to the policy provision. I note that the Jephson Gardens project referred to by the Leamington Society has now been completed.

5.15.6 Issue 5: I can see that there might be situations where it is appropriate for commercial developments to provide open space. The District Council has given examples of such planning obligations in its Employment Core Topic Paper¹⁷. Whether this will be required in any particular case will be informed by the open space audit currently in progress and the intended subsequent SPD on open space. To my mind no further clarification is necessary.

5.15.7 Issue 6: It is intended that minimum standards for open space will be established through the open space audit, as required by PPG17, in accordance with the framework set by Policy SC5. I agree with the District Council that to adopt standards in advance of that audit would be contrary to national planning policy guidance. The objection by Warwickshire County Council has been conditionally withdrawn.

5.15.8 Issue 7: While it is reasonable for the Policy to acknowledge the needs of young people for open space, sport and recreational facilities, I accept that it would not be practicable to list the range of facilities that could be contemplated. The amendment made to Paragraph 5.65 of the Revised Deposit Plan refers to meeting the demand for

¹⁷ CD21

facilities ‘from all sections of the community, including young people’. In my view, that reference is adequate.

5.15.9 Issue 8: The District Council amended Policy SC11 in the Revised Deposit Plan to indicate that contributions will be ‘sought’ rather than ‘required’, in order to reflect Government advice in Circular 5/05. As a result of this, Sport England has confirmed that its objection has been met. I endorse that alteration.

5.15.10 Issue 9: Again, Sport England has confirmed that the amendment made by the District Council in the Revised Deposit Plan, by addition of the word ‘sport’ in the fourth line of the Policy has satisfied its objection. I support that alteration which makes Policy SC11 more inclusive.

5.15.11 Issue 10: There are other Plan policies (SC5 in particular, but also DAP1 and DAP2) that seek to protect open spaces. They lay down criteria for assessing development proposals. In these circumstances, I see no need to make further reference here.

5.15.12 Issue 11: This matter has also been addressed in respect of Policy SC10. In short, I consider that the word ‘required’ does not meet the guidance in Circular 5/05. Planning obligations may only be ‘sought’. They are private legal agreements and those with an interest in the land cannot be forced to take part. There is therefore no place for reinstatement of any requirement in Policy SC11.

Recommendations

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

5.16 Paragraphs 5.71 - 5.72 Policy SC12 Community Facilities

Objections to First Deposit Version

39/AC	NHS West Midlands Division
69/AF	Linda Forbes
117/AM	Langstone Homes Ltd
120/AL	Miller Homes (West Midlands)
159/AC	Rail Property Ltd and Network Rail Infrastructure Ltd
187/AM	The Countryside Agency (West Midlands Region)
188/AA	Marks and Spencer PLC
197/AD	Norton Lindsey Parish Council
200/AE	Taylor Woodrow Strategic Developments
220/AL	Cala Homes (Midlands) Ltd
228/AU	West Midlands RSL Planning Consortium
239/AG	Mr D Austin

Objections to Revised Deposit Version

66/RAZ	The Warwick Society
119/RAH	Bloor Homes Ltd
214/RAH	Mrs J Biles
228/RAJ	West Midlands RSL Planning Consortium
322/RAH	J G Land and Estates
341/RAD	South Warwickshire Primary Care Trust
350/RAY	Tesco Stores Ltd

Key Issues

- 5.16.1** (1) Whether the Policy accords with Government guidance.
- (2) Whether RSLs should be excused from having to expend resources earmarked for housing purposes on other public funded services and facilities.
- (3) Whether the Policy should be aimed at meeting local needs.
- (4) Whether Policy SC12 should be more closely linked with Policy SC7 (Directing Community Facilities).
- (5) Whether the Policy should cover the provision of new public conveniences as part of appropriate new development.
- (6) Whether the word 'required' employed in the First Deposit Plan should be reinstated in place of the word 'sought' used in the Revised Deposit version, and the words 'where appropriate' omitted.
- (7) Whether the Policy should refer directly to ODPM Circular 5/05.
- (8) Whether health care facilities should be specifically identified as falling within the scope of Policy SC12.

Inspector's Appraisal and Conclusions

5.16.2 Issue 1: Similar objections have been addressed earlier in my report in respect of Policy SC10 (Issue 1) and Policy SC11 (Issue 3). The same general considerations apply. I am satisfied that the preface to the suite of planning obligation policies (SC9-SC13) makes it clear that all planning obligations should comply with the criteria set out in Government guidance, summarised in Paragraph 5.40. The District Council acknowledges that any contributions sought should be reasonable in scale and kind, directly related to the development in question and supported by evidence of local need.

5.16.3 Issue 2: Again, this objection is similar to others made in respect of Policy SC10 (see Issue 7) and SC11 (see Issue 2), and the same considerations are applicable. In order to ensure fairness and equity, I believe that no developer/development should be exempt from the principle that the local planning authority will seek developer contributions where these are deemed appropriate and supported by evidence of local need.

5.16.4 Issue 3: The basis on which planning obligations should be sought is set out in Paragraph 5.40 of the Plan. This confirms that Policy SC12 and other related policies will be directed to meeting local circumstances. This is made even clearer by the sentence added to Paragraph 5.39 in the Revised Deposit Plan.

5.16.5 Issue 4: This objection is similar to Issue 6 raised in respect of Policy SC10. I acknowledge that there is sense in co-locating policies SC7 and SC12, but equally there is logic in grouping together the various planning obligation policies (SC9-SC13). The User Guide refers readers to all relevant Plan policies enabling links to be established. In these circumstances I see no particular benefit in re-ordering the Plan.

5.16.6 Issue 5: I accept that public conveniences could be sought under Policy SC12 as part of a new development. As the District Council says, the relevant tests are those set out in Paragraph 5.40. In my view, there is no need to amend the Plan to accommodate this or other specialist types of community facility.

5.16.7 Issue 6: Once again, this matter has also been raised in respect of Policies SC10 (Issue 2) and SC11 (Issue 8). Government guidance indicates that planning obligations should only be sought and cannot be required. This is because they are private legal agreements voluntarily entered into. With that in mind it would not be appropriate to reintroduce a policy 'requirement' for contributions towards community facilities in conjunction with new development. As regards the words 'where appropriate' added at Revised Deposit stage, these provide a degree of flexibility recognising that not all schemes will warrant contributions. I consider that in this instance they make the Policy more robust rather than weakening it as feared by the Warwick Society.

5.16.8 Issue 7: DoE Circular 1/97 has been superseded by ODPM Circular 5/05 which was issued after the Revised Deposit Plan was prepared. The District Council has put forward a proposed change to address the matter. I support this updating of the reasoned justification. I see no need, though, to include the words '...and in accordance with ODPM Circular 05/2005' in the Policy itself as suggested by Tesco Stores Ltd.

5.16.9 Issue 8: While it is impracticable to list all potential community facilities that could be the subject of Policy SC12, I consider that health care is a major sector that should be recognised as falling within the scope of this Policy. I put forward an amendment to Paragraph 5.72 which substantially addresses the concern of NHS West Midlands Division.

Recommendations

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

(i) amend the second sentence of Paragraph 5.72 to read:

“The approach that the Council will take in seeking obligations will be in line with Government policy, as set out in Circular 5/05.”

(any other references in the Plan to Circular 1/97 should be amended in a similar way)

(ii) amend the first sentence of Paragraph 5.72 to read:

“Within the scope of this policy are contributions towards libraries, education provision, health care facilities and other local community facilities.”

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

5.17 Paragraphs 5.73 - 5.75 Policy SC13 Public Art

Objections to First Deposit Version

66/RAY	The Warwick Society
117/AB	Langstone Homes Ltd
120/AA	Miller Homes (West Midlands)
188/AB	Marks and Spencer plc
200/AO	Taylor Woodrow Strategic Developments
201/AA	Home Builders' Federation
228/AV	West Midlands RSL Planning Consortium
239/AF	Mr D Austin

Objections to Revised Deposit Version

217/RAA	McCarthy and Stone (Developments) Ltd
228/RAK	West Midlands RSL Planning Consortium
321/RAM	West Midlands International Airport Ltd

Key Issues

- 5.17.1** (1) Whether the Policy accords with Government guidance.
- (2) Whether RSLs should be exempted from having to use funds earmarked for housing purposes for other public funded facilities and services.
- (3) Whether public art is inappropriate in residential areas and should be excluded from the provisions of the Policy.
- (4) Whether the Policy should refer to the need to involve urban designers and landscape architects as well as artists.
- (5) Whether the Policy should make clear the types of development where a public art contribution may be sought.

Inspector's Appraisal and Conclusions

- 5.17.2 Issue 1:** The District Council accepts that contributions of this nature should only be sought where they are reasonable in scale and kind and directly related to be proposed development. Paragraph 5.40 of the introduction to the family of planning obligation policies (SC9-SC13) summarises Government policy in this regard, identifying a number of criteria. A further sentence added to Paragraph 5.39 at Revised Deposit stage confirms that all planning obligations sought under the policies of this chapter should comply with those criteria. In these circumstances, I am satisfied that there is no conflict with national

planning advice. [see also Issue 1, Policy SC10; Issue 3, Policy SC11; and Issue 1, Policy SC12 where similar matters are raised]

5.17.3 Paragraph 5.74 of the supporting text explains that the District Council is keen to secure contributions from developers ‘on appropriate schemes and in appropriate locations’. This makes it clear that not all developments will be expected to contribute. It goes some way towards meeting the concerns of Marks and Spencer plc, West Midlands International Airport Ltd and the Home Builders’ Federation. I see no need to include in the Policy itself the words ‘where appropriate’.

5.17.4 Issue 2: Again, similar objections were made in respect of Policies SC10-SC12. I concur with the District Council that to maintain a level playing field no developer/development should, as a matter of principle, be excused from making developer contributions towards public art.

5.17.5 Issue 3: There are examples of public art having been provided as part of residential developments where, for example, public open space has been incorporated. It would not be right, in my opinion, to exclude such development from the provisions of this Policy. The ‘sense of place’ and ‘character’ sought by the District Council should not have to rely entirely on design policies and planning conditions. Paragraphs 5.39-5.41 explain that all contributions sought should be appropriate in scale and kind. This provides a necessary safeguard. Guidance produced by CABI entitled ‘Delivering Great Places to Live’ (Nov 2005) stresses the need to create character, identity, distinctiveness, and a sense of place. This does not, to my mind, suggest that public art has no role to play in the design of residential areas. I do not therefore support the objection from the Home Builders’ Federation.

5.17.6 Issue 4: I accept that the success of any public art may well depend upon a multi-disciplinary approach to its provision. The mix of professions involved in any design team will vary from case to case according to the characteristics of the project and its location. Landscape architects and urban designers will almost certainly have some input. The Policy derives from the Warwick District Public Arts Strategy ‘Imagine it Differently’ (2001)¹⁸ which aims to involve public artists at the earliest stages when opportunities arise for public art to contribute to regeneration and improvement or development projects. Public art has a wider definition than simply an item of sculpture placed in the middle of a development. Paragraph 5.57 gives the examples of a paving scheme, wrought iron railings and brick detailing. This in itself acknowledges the role of other professionals and I see no need to augment the supporting text in this regard.

5.17.7 Issue 5: McCarthy and Stone (Developments) Ltd maintain that the principal objective of the ‘UK Percent for Art’ movement is to provide works of art in public places, in large scale commercial projects and in schemes where the public have access rather than in private residential developments. I agree that the small scale and nature of many developments might preclude a contribution towards public art, but I see no reason in principle to exclude any particular form of development. That includes sheltered housing schemes, even where there is ‘hallmark’ quality landscape treatment. Whether a contribution is actually sought will be determined on a case by case basis. I do not find Policy SC13 to be unduly onerous. It would not be feasible, in my view, to specify within the Policy the particular types of development where a contribution towards public art will be sought.

¹⁸ CD705

Recommendations

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

5.18 Chapter 5 – Policy omissions

Objections to First Deposit Version

125/AB	Ian Hunter
199/BX	James Mackay
202/AA	H M Prison Service
284/AA	Mr C J Edgerton
294/AG	British Waterways

Objections to Revised Deposit Version

202/RAA	H M Prison Service
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Key Issues

- 5.18.1** (1) Whether the Plan should include a policy protecting canals.
- (2) Whether the Plan should include a policy protecting allotments.
- (3) Whether the Plan should include a policy for the provision of a new prison.
- (4) Whether the Plan should include a policy relating to nursing/care homes.

Inspector's Appraisal and Conclusions

5.18.2 I acknowledge the District Council's general approach in preparing this Local Plan of seeking to keep the number of policies to a minimum, simplifying them and avoiding duplication. This accords with the Government's latest advice and best practice. Accordingly, I accept that the key questions in addressing the following issues are whether the policies of the Revised Deposit Plan are adequate and, if not, whether a bespoke policy is required.

5.18.3 Issue 1: There is no policy in this Plan that corresponds with Policy ENV30 of the current adopted Local Plan. However, protection is given to the canals and their towpaths as open space features, as part of the natural and historic environment, and as footpath routes. This is achieved through a range of policies. Policy DP1 is a general development policy. It indicates that development will only be permitted which contributes positively to the character and quality of the environment through good layout and design. Many of its 12 criteria are applicable to the character and setting of canals, views to and from them, and their multi-functional nature. Further protection for canals is given through Policy DP3 (Natural and Historic Environment and Landscape),

Policy SC4 (Supporting Cycle and Pedestrian Facilities), Policy SP5 (Protecting Open Spaces) and Policy DAP1 (Protecting the Green Belt). I note that the references made in Paragraph 5.18 to protection of canal towpaths and in Paragraph 5.23 to canal corridors were added at Revised Deposit stage in response to concerns that the Grand Union and Stratford on Avon Canals should be specifically addressed in the Local Plan. I believe that in light of this policy coverage there is no need to add a bespoke policy in respect of canals.

5.18.4 Issue 2: The adopted Local Plan contains Policy (DW) RL6. Apart from 3 sites identified for development, this Policy resists development on allotments unless alternative provision can be made in the locality. A revised approach is taken in the emerging Local Plan. Policy SC5 seeks to protect open spaces generally unless either an alternative open space can be found that is equivalent in terms of size, quality, accessibility, usefulness and attractiveness, or there is a robust assessment demonstrating a lack of need. In accordance with PPG17, Paragraph 5.23 includes allotments in the definition of open spaces of public value. I am told that there are 22 allotment sites in the District, many located on the edge of the urban area in open countryside. Such sites are protected by the Rural Area Policies of the Plan and in many cases also by Green Belt designation (Policy DAP1) or Area of Restraint designation (Policy DAP2). The District Council says that it has a good record of working corporately to protect and promote the use of allotments. It cites work done by Action 21, Warwick District's Local Agenda 21 initiative.

5.18.5 I am satisfied that Policy SC5, augmented by other relevant Plan policies, affords sufficient protection to allotment sites without warranting a separate policy. In coming to this conclusion I note that, unlike the previous Local Plan, the emerging Plan strongly resists the use of greenfield sites for development. Since allotments do not fall within the definition of previously developed land (Annex C of PPG3), the whole thrust of the Plan serves to protect allotments from development.

5.18.6 Issue 3: The National Offender Management Service (formerly HM Prison Service) points to the increasing prison population and identifies the South and West Midlands, which includes Warwick District, as a priority area of search for a new prison. But it has not identified a specific site in the District nor has it provided information on the scale and nature of such a prison. The objector requests 'that the Plan should acknowledge the Prison Service's requirements and establish a clear policy framework to enable such a proposal to come forward without undue delay should a suitable site be identified'.

5.18.7 PPG12 refers specifically to the provision of prisons through the development plan process, while Circular 3/98 sets out Government advice on planning policies for prisons. The latter establishes a number of general criteria to inform the selection of sites. It seems to me that there is no conflict between these requirements and policies contained in the Revised Deposit Plan. As the District Council points out, both the Circular and the Plan seek to avoid Green Belt, to focus development on brownfield land, and to locate development not too far from a centre of population where there is good accessibility to public transport services. In my view, the Revised Deposit Plan provides an adequate framework for considering any specific proposal for a new prison that might emerge in due course. I see no need to include a specific policy or further guidance in this Plan, bearing in mind that no formal request has yet been made by the National Offender Management Service to locate a new prison in Warwick District.

- 5.18.8 Issue 4:** The objector is concerned that with the closure of some nursing/residential care homes in the District, people are being displaced with impacts on both residents and their families. It is pointed out that there is a shortage of nursing/residential care beds in the District. A specific policy is sought to address the matter which should also ensure that fees are regulated.
- 5.18.9** The District Council points out that the situation is complex in that: (a) nursing and residential care homes are provided both by public agencies (County Council Social Services Department) and the private sector, (b) the types of care provided range from residential care through to full permanent nursing care, and (c) many existing nursing/residential care homes in the District are accommodated within older properties, some of which were once large dwellings. These are frequently situated in conservation areas, with a particular concentration in Leamington Spa. The District Council confirms that in areas of high housing demand like Warwick District there is pressure on existing nursing/residential care homes to convert to other uses.
- 5.18.10** Warwickshire County Council has been consulted. It indicates that there is a shortage of bed spaces in certain sectors - namely, residential EMI (elderly mentally infirm), and both permanent and short-stay nursing care. Nevertheless, it is the view of the County Council that protecting existing bed spaces may not be the best way of meeting needs. I am told that nursing/residential care services in the District are in the process of being reshaped by developing a new commissioning strategy for delivering services. Once that is done, the County Council believes the most appropriate way forward will be to incentivise the development required rather than by incorporating a policy that seeks to protect existing nursing/residential care homes.
- 5.18.11** The District Council is undecided about the desirability of including a policy in the Plan to protect existing nursing/residential care homes. In its view, any such policy should (a) recognise that changes in regulations may require existing nursing/residential care homes to be adapted, (b) require a suitable period for marketing if a case is made that there is no demand for the building as a nursing/residential care home, and (c) only apply where there is a shortfall in provision. My attention has been drawn to the SPD 'Managing Housing Supply',¹⁹ approved by the District Council for development control purposes in September 2005. This document has the effect of significantly reducing the likelihood of planning permission being granted for change of use of a nursing/residential care home to residential use. On the other hand, Paragraph 5.22 of the SPD specifically excludes the creation of new nursing/residential care homes. I note that since this SPD was introduced the District Council has had a number of approaches from private companies interested in providing new nursing/residential care homes in the District although none, as yet, has led to a planning application.
- 5.18.12** Bearing in mind the County Council's stance on this matter, the ambivalence of the District Council, and the SPD which is likely to remain in force for most if not all of the Plan period, I see no compelling argument for introducing a new policy to protect existing nursing/residential care homes from other uses. As regards ensuring that fees charged by nursing/residential care homes are affordable, I accept that this is not a matter within the control of the local planning authority.

Recommendations

¹⁹ CD202

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

CHAPTER 6: URBAN AREA POLICIES

6.1 Overview

- 6.1.1** The policies in this chapter of the Plan apply throughout the urban areas. I support those provisions, subject in most cases to relatively minor modifications. I consider that Policy UAP3 (Directing New Retail Development) and its supporting text should be amended to more accurately reflect the sequential approach to site selection set out in PPS6. I am satisfied that in the particular context of Leamington Spa the District Council has planned positively to meet the forecast need for additional retail floorspace. In light of this, the out-of-centre Shires Retail Park should not be identified as a preferred location for further retail development. In my view, an appropriate policy framework has been provided for assessing planning applications for retail development.

6.2 Paragraphs 6.1 - 6.7 Introduction to Chapter 6

Objection to First Deposit Version

303/AE Racecourse Holdings Trust

Objections to Revised Deposit Version

66/RBA	The Warwick Society
191/RAS	Robin A Richmond
195/RAT	The Leamington Society
199/RAH	James Mackay
349/RAS	Mr. D. G. Goodyear
226/AK	Environment Agency

Key Issues

- 6.2.1** (1) Whether the introduction should indicate that policies in this chapter should be read alongside policies in other chapters.
- (2) Whether the introductory text in respect of Warwick should contain a reference to Warwick Racecourse.
- (3) Whether the reference in Paragraph 6.5 to ‘Conoco’ should be amended.
- (4) Whether reference should be made in Paragraph 6.1 to the fact that for some people there is no alternative to the private car and therefore provision for off-street parking should be made.

Inspector’s Appraisal and Conclusions

- 6.2.2 Issue 1:** A new Paragraph 2.3A was added to the User Guide at Revised Deposit stage to make it clear that Plan users should have regard to all relevant policies when considering development on a particular site. The Environment Agency has confirmed that this amendment overcomes the objection.
- 6.2.3 Issue 2:** A reference to Warwick Racecourse was added to the text of the Revised Deposit Plan, thereby meeting the objection of Racecourse Holdings Trust.
- 6.2.4 Issue 3:** The District Council has put forward a proposed change to amend the name ‘Conoco’ to ‘National Grid Transco’. I support that correction/updating.
- 6.2.5 Issue 4:** The purpose of the introductory section to Chapter 6 is to set the scene for the Urban Area Policies. Elsewhere in the Plan it is indicated that maximum parking standards will be set out in SPD. The supporting text to Policy DP8 (Parking) was amended in the Revised Deposit Plan (and is recommended for further modification in my report) to confirm that these maximum figures will apply unless the applicant can demonstrate that a lower or, exceptionally, a higher level of parking provision is appropriate - in accordance with PPG13. I see no need to duplicate this information here.

Recommendations

- 6.2.6 (a) That the Revised Deposit Plan be modified as follows:**
- substitute the words “National Grid Transco” for ‘Conoco’ in the penultimate sentence of Paragraph 6.5.**
- (b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.**

6.3 Paragraphs 6.8 - 6.11 Policy UAP1 Directing New Housing

Objections to First Deposit Version

5/AA	Mrs Christa Knight-Adams
47/AA	Brenda Meatyard
50/AA	Iris Dickson
62/AA	L.C. Lim
66/AP	The Warwick Society
69/AG	Linda Forbes
75/AA	John Trevor & Lois Betty Godfrey
76/AA	Mr and Mrs Parsons
77/AA	Dr V.F Weinstein
78/AA	Mrs P.M Pemberton
84/AA	Mr J.C Rogers
85/AA	J.H Hardy
86/AA	G.M Allan
87/AA	Kenneth Henry Heppel

109/AZ	Warwickshire County Council (Planning, Transport & Economic Strategy)
111/AE	The Chamber of Commerce
117/AN	Langstone Homes Ltd
120/AM	Miller Homes (West Midlands)
132/AB	KB Benfield Group Holdings Ltd
142/AD	A C Lloyd Ltd
150/AD	Warwickshire County Council (Museum Field Services - Ecology)
158/AB	Tyler-Parkes Partnership
163/AA	Roger Copping
170/AB	Mr Martin Wood
191/AE	Robin A Richmond
193/AS	Coten End and Emscote Residents' Association
193/BK	Coten End and Emscote Residents' Association
199/AS	James Mackay
199/BK	James Mackay
200/AD	Taylor Woodrow Strategic Developments
201/AB	Home Builders' Federation
208/AA	Pettifer Estates Ltd
210/AM	English Nature
220/AP	Cala Homes (Midlands) Ltd
222/AA	John Burman & Family
227/AA	David Wilson Homes (East Midlands) Ltd.
232/AA	Mrs J K Binks
239/AE	Mr D Austin
240/AB	George Wimpey Strategic Land
241/AA	Mr & Mrs Ewell
256/AL	T & N Ltd
259/AA	Anthony N & Christine M Duke
288/AA	Warwickshire Police Authority
290/AC	H E Johnson
291/AF	George Wimpey UK Ltd
296/AF	CLARA

Objections to Revised Deposit Version

4/RAA	Arlington Planning Services LLP
66/RBB	The Warwick Society
119/RAJ	Bloor Homes Ltd
120/RAF	Miller Homes (West Midlands)
191/RAT	Robin A Richmond
195/RAU	The Leamington Society
214/RAJ	Mrs J Biles
222/RAA	John Burman & Family
227/RAA	David Wilson Homes (East Midlands) Ltd.
239/RAE	Mr D Austin
322/RAJ	J G Land and Estates
349/RAT	Mr. D. G. Goodyear

Key Issues

- 6.3.1** (1) Whether Policy UAP1 should preclude redevelopment of existing housing at a higher density.
- (2) Whether the Policy should refer to standards of development and protection of character and amenity.
- (3) Whether the Policy should allow affordable housing only on greenfield sites in the urban area.
- (4) Whether more land should be released for affordable housing.
- (5) Whether Policy UAP1 should include: (a) a housing target, (b) detailed housing figures, (c) housing land set aside and safeguarded for the next Plan period, and (d) justification for restricting market housing to brownfield sites only.
- (6) Whether the Policy should be more flexible and allow for the development of greenfield sites in appropriate locations on the edge of the urban areas.
- (7) Whether Policy UAP1 should allocate sites for housing.
- (8) Whether housing development should be restricted to 8,000 dwellings.
- (9) Whether the wording of the Policy is misleading.
- (10) Whether the cross-reference to Policy SC8a should be deleted.
- (11) Whether the word ‘minimise’ in the second line of Paragraph 6.8 should be replaced with the word ‘prevent’.
- (12) Whether major development should be subject to scrutiny in terms of infrastructure, amenity and transport.

Inspector’s Appraisal and Conclusions

- 6.3.2 Issue 1:** Policy UAP1 does not seek to prevent, in principle, the redevelopment of existing housing to a higher density either in North Leamington Spa or elsewhere in the urban areas of the District. Such a prohibition would be contrary to national planning policy guidance. PPG3 encourages densities of between 30 and 50 dwellings per hectare net to promote more efficient use of land. It gives priority to the re-use of previously developed urban land, the definition of which includes domestic curtilages. However, in spite of the findings of the 2002 Urban Capacity Study, any specific proposal coming forward would need to be assessed against criteria set out in a range of other Plan policies. These include development policies DP1 (Layout and Design), DP2 (Amenity), DP5 (Density), and DP7 (Traffic Generation). Where the site is in or close to a designated area, such as a conservation area, the relevant policies in Chapter 9 would also apply. In this way, I believe that adequate protection is afforded against ‘town cramming’, loss of existing residential character, and excessive traffic generation - which are matters that have been raised by many objectors. But I see no need to refer in Policy UAP1 to the generic Development Policies of the Plan. Paragraph 2.3 of the User Guide makes it clear that a key principle of this Local Plan is that users should have regard to all relevant policies when considering development on a particular site.

- 6.3.3 Issue 2:** Policies DP1-DP3 and DP5-DP8 are concerned with ensuring that satisfactory standards of development are achieved in all cases. There is no place for these in Policy UAP1 which only applies to housing in urban areas.
- 6.3.4 Issue 3:** Policy UAP1 directs development to previously developed urban land and buildings. But it does not preclude affordable housing to meet local needs on greenfield sites in the urban area. Such sites include parks, recreation grounds and allotments, even when they contain built structures. These fall outside the definition of previously developed land given in Annex C of PPG3. This concession is made because of the high level of need for affordable housing and the limited opportunities for provision. Nevertheless, I accept that few of these greenfield sites are likely to come forward given the need to address other Plan policies that seek to protect important areas of open space.
- 6.3.5 Issue 4:** Because affordable housing requires an element of subsidy and the commitment of a social housing provider, I believe the Plan should only allocate land for affordable housing where there is a degree of certainty that it will actually be developed for that purpose. Government policy is that affordable housing should be delivered as part of private developments to ensure that communities are mixed and balanced. Local Plan Policy SC9 seeks an element of affordable housing on sites of 10 or more dwellings (or 0.25ha or more) in towns. Exceptions are made for affordable housing in circumstances where market housing would not normally be accepted. They include greenfield land (Policy UAP1) and employment land (Policy SC2). Moreover, the SPD on Managing Housing Supply, which restricts windfall development in urban areas, excludes development of solely affordable housing. It would not be feasible in my view to make additional policy concessions.
- 6.3.6 Issue 5:** The county-wide housing requirement in the RSS has not yet been disaggregated into District figures. Consequently, the Plan refers to a ‘strategic housing requirement’ rather than to a specific target. Policy UAP1 only applies to the urban areas. With this in mind, I agree with the District Council that it is more appropriate to include a reference to the strategic housing requirement in Policy SC8a. In order to secure a more streamlined Plan, detailed housing figures are set out in Appendix 2. In my opinion, that is the correct approach. I am content that these figures, taken alongside national, regional and sub-regional policy, provide adequate justification for not allowing further market housing on greenfield sites. I see no need to identify potential housing allocations for the next Plan period. Work will commence shortly on a Core Strategy DPD. This, together with an Allocations DPD arising from the Phase Two Review of RSS, will address longer term development needs.
- 6.3.7 Issue 6:** PPG13 refers to the need to accommodate housing in locations that are highly accessible to jobs, shops and services by modes other than the private car. The urban areas of Warwick, Leamington Spa (including Whitnash) and Kenilworth are the most sustainable locations in the District. These are tight-knit settlements with a range of shops and services well served by public transport. I am satisfied that the capacity for brownfield windfall development in these urban areas, taken alongside existing commitments, is sufficient to meet the strategic housing requirement. Indeed, Revised Appendix 2 shows that completions and commitments alone at 2005 exceed the housing requirement for the period to 2011.
- 6.3.8** PPG3 sets a presumption that previously developed sites should be developed before greenfield sites. It goes on to say that local plans should only seek to identify sufficient land to meet the housing requirement set as a result of RPG or the strategic planning

process. Even if it was necessary to allocate housing sites in this Plan, and I do not believe that to be the case, I am sure the District Council would be seeking to identify urban brownfield land that is viable, suitable and available before looking to greenfield sites. I conclude on this issue that, given the situation prevailing in Warwick District, there is no need to make the Policy more flexible either by amending the Policy or by identifying greenfield sites for market housing on the edge of the urban areas.

6.3.9 Issue 7: This matter has already been considered in respect of Issue 6 above. It is examined in greater depth when assessing objections to Policy SC8a.

6.3.10 Issue 8: The Warwickshire Structure Plan allows for the provision of 8,000 dwellings in Warwick District between 1996 and 2011. In June 2004 RPG11 was adopted and this now has the status of RSS. Government advice is that for the period 2001-2011 at least, the housing requirement set out in the RSS should be apportioned between Districts in accordance with the Structure Plan housing allocations, and that the requirement should not be significantly exceeded. In order to address this matter, the District Council amended the Local Plan by inserting new Policy SC8a at Revised Deposit stage. At the same time Policy UAP1 was altered to include a cross-reference to Policy SC8a. Subsequently, in September 2005 the District Council agreed the SPD 'Managing Housing Supply'. This restricts new housing to that which meets the District Council's priorities - such as increasing the amount of affordable housing and promoting the vitality and viability of town centres. In these changed circumstances, the Structure Plan figure of 8,000 dwellings ceases to have relevance.

6.3.11 Issue 9: I do not believe that the wording of Policy UAP1 is misleading or otherwise inappropriate. The second section of the Policy starts off with the phrase: 'In all other circumstances...'. This clarifies and augments what is said in the first section.

6.3.12 Issue 10: The SPD 'Managing Housing Supply' was introduced in September 2005 following advice from GOWM, the West Midlands Regional Assembly and Warwickshire County Council - all of whom recognised that the issue of oversupply of housing in the District needed to be addressed urgently and that SPD supported by a 'parent' policy in the Revised Deposit Plan was an appropriate mechanism. I agree with the District Council that to have simply relied upon a policy in the emerging Plan would have led to unacceptable delay. By the time the Local Plan was adopted, the oversupply situation would have worsened considerably. In my view, the cross-reference to Policy SC8a in Policy UAP1 is entirely appropriate given that the accompanying SPD, which may not remain in force for the duration of the Plan, relates specifically to urban windfall sites. Suspension of the SPD will depend upon a number of factors including the rate of implementation of existing commitments revealed by annual monitoring, and the outcome of the Phase Two Review of RSS expected in 2008.

6.3.13 Issue 11: Bearing in mind that there are a number of committed housing sites on greenfield land, and Policy UAP1 allows affordable housing to meet local needs on greenfield land, it would be inaccurate to say that directing residential development to previously developed land will prevent such development. In my view, the word 'minimise', used by the District Council in Paragraph 6.8 of the Plan, is appropriate.

6.3.14 Issue 12: Chapter 5 (Sustaining Communities) is largely concerned with ensuring that new development is accompanied by the necessary infrastructure, services and facilities. This will be achieved through consultations with service providers and negotiations with developers. Where development is likely to have a significant impact, I

note that appropriate facilities or financial contributions will be sought as part of the development and secured through S106 planning obligations. The District Council cites previous examples of Hatton Hospital, Heathcote (Warwick Gates) and South West Warwick. Relevant Plan Policies include SC9 (Affordable Housing), SC10 (Transport Improvements), SC11 (Open Space and Recreation), SC12 (Community Facilities) and SC13 (Public Art). I see no need to duplicate such provisions in Policy UAP1.

Recommendations

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

6.4 Paragraphs 6.12 - 6.14A Policy UAP2 Directing New Employment Development

Objections to First Deposit Version

109/AY	Warwickshire County Council (Planning, Transport & Economic Strategy)
205/AA	Ford Motor Company Ltd
212/AB	IBM United Kingdom Ltd
223/AM	Kenilworth Town Council
228/AY	West Midlands RSL Planning Consortium
256/AM	T & N Ltd
266/AE	Warwick Town Council
291/AG	George Wimpey UK Ltd

Objections to Revised Deposit Version

168/RAP	Advantage West Midlands
348/RAA	Merrill Lynch Investment Managers

Key Issues

- 6.4.1**
- (1) Whether criterion e) should be amended to refer also to walking and cycling.
 - (2) Whether Policy UAP2 should make reference to employment uses that fall outside the 'B' Use Class.
 - (3) Whether the Policy should clarify what is meant by 'adjacent to public transport corridors'.
 - (4) Whether sites allocated for employment use should be reviewed for their potential for housing development.
 - (5) Whether the Policy should take account of the need for new mixed use allocations to meet strategic requirements.

- (6) Whether increased parking demand arising from office use of upper floors in local shopping centres should be addressed by means of commuted sums.
- (7) Whether land at Stratford Road, Warwick should be allocated for employment use under this Policy.
- (8) Whether the Policy should be amended in the light of Policies SSP2 (Major Developed Sites in the Green Belt) and SSP3 (Stoneleigh Park), which do not fit readily into the sequential approach.
- (9) Whether it is appropriate to have a floorspace threshold distinguishing major office development from small scale offices and limiting development according to location.
- (10) Whether the definition of urban areas should be clarified and Policy UAP2 cross-referenced to Policy RAP7 in order to make small scale developments in rural areas more acceptable to support the rural economy.
- (11) Whether Radford Semele should be recognised as a location where Urban Area Policies apply.
- (12) Whether (a) the Policy is unduly restrictive in relation to employment development in Kenilworth, and (b) the reference in criterion e) to public transport corridors should be replaced by a more general reference to locations well served by public transport.
- (13) Whether criterion c) should be amended to allow B1 development on the ground floors of existing units in local centres.

Inspector's Appraisal and Conclusions

- 6.4.2 Issue 1:** I note that a reference to walking and cycling was added to criterion e) at Revised Deposit stage, thereby satisfying the objection from Warwickshire County Council. I support that alteration.
- 6.4.3 Issue 2:** Policy UAP2 seeks to direct activities that fall within Use Classes B1, B2 and B8 only. Other employment generating uses such as retail, motor vehicle sales, tourism and leisure will be treated on their merits in the light of other relevant Plan policies - including UAP3, UAP6, UAP7 and UAP9. Given the strategic significance afforded to Class B employment activities, I see no case for referring to other uses in Policy UAP2.
- 6.4.4 Issue 3:** The District Council acknowledged that Policy UAP2 could be improved to ensure that office development takes place in accessible locations, more closely reflecting Government advice in PPGs 4 and 13 and PPS6. I note that the Policy was redrafted in the Revised Deposit Plan to make a distinction between major office schemes likely to generate a significant number of jobs which should be directed towards town centres, and smaller scale office developments.
- 6.4.5** Criterion e) addresses accessibility, but has been overtaken by events with publication of the Warwickshire Local Transport Plan 2006 which supercedes the 'public transport corridors' concept. I recommend elsewhere in my report that such corridors should be

deleted from the Proposals Map. In light of this, I consider that criterion e) should be amended in favour of a more general accessibility criterion, similar to that employed in Policies UAP3 and UAP9. The supporting text should also be altered. I recommend accordingly.

- 6.4.6 Issue 4:** Policy UAP2 addresses the location of new employment development. It does not make employment allocations. These are provided through Policy SSP1. The review of land allocated for industrial or commercial use for its potential to accommodate housing required by Paragraph 42 of PPG3, and the favourable treatment of planning applications required by Paragraph 42(a) where no longer needed for such use, is not directly relevant here. The issue of whether existing employment land should be considered for alternative uses is dealt with in relation to Policy SC2.
- 6.4.7 Issue 5:** I accept that this Policy would not prevent mixed use developments which incorporate employment elements from coming forward, providing the other land use components (housing, retail, leisure for example) accord with other relevant Plan policies.
- 6.4.8 Issue 6:** As the District Council indicates, any car parking issues arising from individual developments would be considered on a case by case basis in light of Policy DP8 and the forthcoming SPD on parking. As regards commuted sums, PPG13 makes it clear that because there should be no minimum parking requirements it is inappropriate for a local authority to seek commuted payments based purely around the lack of parking on a site. – although it may be appropriate to negotiate for contributions towards the provision of a park and ride scheme where this will improve accessibility to the site by public transport, or towards the cost of introducing on-street parking controls in the vicinity of a site.
- 6.4.9 Issue 7:** This site specific objection by George Wimpey UK Ltd is addressed elsewhere in my report in conjunction with other objections (see Chapter 10 Policy omissions, Issue 20). My overall conclusion is that in order to meet strategic requirements to 2011 there is no need to find further employment sites beyond those allocated through Policy SSP1. Appendix 1 of the Plan sets out the employment land supply position.
- 6.4.10 Issue 8:** Policy UAP2 applies to the urban areas only. In contrast, those sites covered by Policies SSP2 and SSP3 are all in the Green Belt, being locations that would not normally be acceptable as employment sites were it not for a long history of use and occupation. This calls for special consideration and separate policy provisions. I concur with the District Council that it would not be appropriate to address such sites through Policy UAP2.
- 6.4.11 Issue 9:** The District Council accepted that Policy UAP2 was too restrictive in the First Deposit Plan. Responding to comments from GOWM, the redrafted version set out in the Revised Deposit Plan is more flexible. That flexibility is enhanced by further changes proposed to criterion e) following publication of the Warwickshire Local Transport Plan 2006. Policy UAP2 indicates that major office development (defined as more than 2,500 sq m gross floorspace) should be located in the town centres. If no such sites are available, then a sequential assessment should be applied as outlined in Paragraph 6.14 of the supporting text. As the District Council points out, this does not preclude smaller sites in town centres being developed for office purposes, nor does it prevent larger office developments outside town centres. What it does is to ensure that

larger office schemes are located in town centres first, wherever suitable sites exist. PPS6 makes it clear that local centres should not be included in the sequential search for large scale developments because they are unlikely to be appropriate. It advises local planning authorities to consider setting an indicative upper limit for different scales of development in different types of centre. This is what the District Council has done. I support that approach.

6.4.12 Issue 10: T&N Ltd argue that the Plan's presentation of policies relating to topics such as employment is confusing in relation to urban and rural areas. In their view, topics should be presented in separate chapters. If this is not feasible at this late stage of Plan preparation, then the policies should clearly state to which area they are referring and be cross-referenced to the other area.

6.4.13 The District Council says that cross-references have been deliberately minimised to simplify the Plan and reduce its bulk. Paragraph 6.1 makes it clear that the policies in Chapter 6 apply only to the urban areas of the District defined on the Proposals Map. In these circumstances, I see no reason to cross-reference Policy UAP2 with Policy RAP7. I note that while the latter also supports employment development, it restricts this to local needs only in the rural areas.

6.4.14 Issue 11: T&N Ltd contend that Policy UAP2 is too restrictive. By focusing employment development on the town centres and established employment locations in urban areas it is seen as failing to meet the needs of smaller settlements. Furthermore, it reinforces existing commuting patterns with car journeys to the major employment areas in Warwick and Leamington Spa adding to congestion already experienced. The objector considers that the Plan should take a more supportive stance in relation to the rural economy.

6.4.15 I see no sound argument for including the settlement of Radford Semele (identified in the Plan as a Limited Growth Village) within the urban area where the Plan's Urban Area Policies apply. Although the village is situated close to Leamington Spa, it is separated by open land designated as an Area of Restraint. Moreover, it has been classed as a village in previous Plans, and retains a village identity notwithstanding the lack of a distinct centre. I consider that it is quite unlike Cubbington which forms a physical extension of the built-up area of Leamington Spa. Moreover, Cubbington has a dissimilar demographic profile with a larger population and a greater number of households. I accept the District Council's response that the DoE's National Land Use Classification has limited relevance here. That Classification has been devised to fulfil a specific purpose, distinguishing between land use and land cover. I conclude that there is no compelling reason for including Radford Semele in the urban area definition, and no need to amend Policy UAP2 or Paragraph 6.3 in this regard.

6.4.16 Issue 12: I acknowledge that there have been losses of Class B employment in Kenilworth in recent years, and there is little opportunity to provide new employment land in the centre of Kenilworth with no allocations proposed under Policy SSP1. The sequential test will be applied in these circumstances if it can be demonstrated that no suitable sites are available. I have already concluded in relation to Issue 3 above that the reference to public transport corridors in criterion e) of the Revised Deposit Plan should be replaced by a more general accessibility criterion. This will serve to make the Policy less restrictive and help to protect the town's future employment position.

6.4.17 Issue 13: Kenilworth Town Council considers that because some ground floor units in Kenilworth High Street local centre are already in B1 use, it would be logical to extend criterion c) to cover ground floor accommodation as well as the upper floors. However, Policy UAP4 is the principal policy addressing local shopping centres. It seeks to resist the loss of Class A uses in general and Class A1 shops in particular. This is very important to the majority of local shopping centres across the District where most if not all uses fall within Class A. The District Council points out that Kenilworth High Street, and Coten End, Warwick, are rather different animals in that a wider range of uses co-exist in these local centres. It seems to me that the most appropriate way of addressing this matter is to treat proposals for ground floor B1 uses within local shopping centres on their merits in the light of Policies UAP2 and UAP4. In this way, there is no risk of contradiction or inconsistency.

Recommendations

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

(i) substitute the following for criterion e) of Policy UAP2:

“adjacent to public transport interchanges or in other locations which are genuinely accessible and well served by a choice of means of transport, especially public transport, walking and cycling.”

(ii) substitute the following text for the seventh and eighth sentences of Paragraph 6.14:

“The policy takes a more flexible approach to small scale B1 uses than to B2 and B8 uses by permitting such uses within the local shopping parades and in other locations that are accessible and well served by a choice of means of transport.”

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

6.5 Paragraphs 6.15 - 6.19 Policy UAP3 Directing New Retail Development

Objections to First Deposit Version

54/AJ	Conservative Group of Councillors
109/AM	Warwickshire County Council (Planning, Transport & Economic Strategy)
161/AB	Morley Fund Management
188/AC	Marks and Spencer plc
193/BL	Coten End and Emscote Residents' Association
199/BL	James Mackay
219/AC	Deeley Properties Ltd
221/AT	Kenilworth Society
225/AA	WM Morrisons Supermarkets PLC

228/AZ	West Midlands RSL Planning Consortium
258/AE	Sainsburys Supermarkets Ltd
265/AC	The Crown Estate
295/AB	B&Q plc

Objections to Revised Deposit Version

321/RAN	West Midlands International Airport Ltd
321/RAP	West Midlands International Airport Ltd
350/RAZ	Tesco Stores Ltd
354/RAA	Roger Higgins

Key Issues

- 6.5.1** (1) Whether ancillary retail uses outside town centres should be supported where they help sustain other major uses.
- (2) Whether a further criterion should be added to the Policy requiring retail developments to demonstrate that there would be no significant adverse impact on the vitality and viability of town centres, district centres and local centres or on the development plan retail strategy.
- (3) Whether sites earmarked as commercial allocations should be reviewed for their potential to accommodate housing development.
- (4) Whether it should be clarified where local centres fit into the Policy, and whether the size thresholds are gross or net figures.
- (5) Whether (a) the Policy is too restrictive in respect of small scale retail developments, and (b) the same policy criteria should apply to retail proposals of less than 1000 sq m floorspace as to larger schemes.
- (6) Whether, given the physical constraints of Warwick town centre for food retailing, small scale developments should be directed to the centre of housing estates as an alternative strategy.
- (7) Whether the Policy is inconsistent with national planning guidance in that need should be determined in relation to both qualitative and quantitative factors.
- (8) Whether the Policy should be reworded to more closely reflect Government guidance.
- (9) Whether (a) the District Council has failed to plan positively by not providing a sufficient range of sites to meet the forecast need for more retail floorspace in Leamington Spa, (b) the Shires Retail Park should be recognised in the Plan as a preferred location for further retail development, (c) the District Council has provided an appropriate policy framework for considering planning applications for retail development, and (d) the amendments to policies and supporting text promoted by this objector (the Crown Estate) would improve the Plan.
- (10) Whether (a) the 1,000 sq m (gross) floorspace threshold for retail impact assessment of schemes outside town centres is appropriate, (b) the District

Council's retail policies properly reflect the Government's sequential approach to site selection, and (c) the need to reduce the number and length of car journeys associated with shopping trips is an appropriate criterion for Policy UAP3.

Inspector's Appraisal and Conclusions

- 6.5.2 Issue 1:** I consider it unnecessary to make an explicit reference to ancillary uses in Policy UAP3 or in the supporting text. Referring to the acceptability of shops as an ancillary element of other forms of development would only serve to confuse and could even undermine the retail objectives of the Plan in conflict with PPS6. Any such proposal would need to be considered on its merits against the advice in Paragraph 3.30 of PPS6 that it is genuinely ancillary and limited in scale. This will depend upon, amongst other matters, the range of goods sold and the proportion of turnover derived from goods sold which are not directly related to the main use.
- 6.5.3 Issue 2:** The main thrust of Policy UAP3 is to direct new retail development to town centre locations in order to maintain and enhance the vitality and viability of the District's town centres. The Policy's primary objective is clearly stated in Paragraph 6.15 of the supporting text. Nevertheless, Paragraphs 3.20-3.23 of PPS6 do refer to the need to assess the impact of applications for main town centre uses which are in edge-of-centre or out-of-centre locations and which are not in accordance with an up-to-date development plan strategy. With this in mind, I consider that the objector's suggested amendment would improve the Policy.
- 6.5.4 Issue 3:** I do not believe any reference is required to the review of commercial sites for housing within Policy UAP3. The Plan has not made any retail allocations. Consequently, Paragraphs 42 and 42(a) of PPG3 do not bear on this matter.
- 6.5.5 Issue 4:** There is no need, in my view, to explain where local centres stand in relation to Policy UAP3. The Policy allows retail development within the towns centres. It provides that in all other circumstances retail development will only be permitted where certain criteria are met, including 'no sequentially preferable sites or buildings'. Policy UAP4 goes on to protect local centres by restricting changes of use that could compromise their ability to provide for local day-to-day shopping needs. Although the Plan has been amended at Revised Deposit stage to indicate that the floorspace figures quoted are generally gross figures, there is no such clarity in respect of the broad upper limit of 2,500 sq m set for Warwick and Kenilworth. In my opinion, the Plan would benefit from this further clarification.
- 6.5.6 Issue 5:** Paragraph 6.19 of the reasoned justification acknowledges that in appropriate locations neighbourhood shops can support communities and reduce reliance on the private car by providing day-to-day shopping facilities. In my opinion, Policy UAP3 is not unduly restrictive in its treatment of small-scale retail developments. I consider it reasonable to assess all proposals for new retail floorspace against Policy UAP3 regardless of scale - although proposals of less than 1000 sq m floorspace will not normally be required to provide a formal Retail Impact Assessment. In this way, it is possible to ensure that the retail objectives of the Plan are not compromised.
- 6.5.7 Issue 6:** I am satisfied that the thrust of Policy UAP3 is the correct approach. The 'town centres first' strategy is consistent with Government policy promoted through PPS6. While opportunities to realise substantive levels of new retail floorspace in Warwick town centre may be limited, the stance taken by Policy UAP3 requires

developers to fully assess town centre availability before alternative less central locations are considered.

- 6.5.8 Issue 7:** Criterion a) of Policy UAP3 refers to a proven ‘quantitative need’ for the proposal. This is expanded upon in Paragraph 6.18 of the supporting text which explains that in relation to proving need, greater weight will be given to need expressed in quantitative rather than qualitative terms. It goes on to say that proposals should demonstrate that expenditure is available, that there is clear retailer demand, that there are gaps in current provision which need to be met, and that there is evidence of inadequacy of existing floorspace in terms of problems of ‘over trading’. I am content that appropriate references are made to both quantitative and qualitative factors in this text. However, to ensure consistency between the Policy and its reasoned justification I consider that the word ‘quantitative’ should be replaced with the word ‘retail’ in criterion a). This would allow an assessment of all factors that constitute retail need.
- 6.5.9 Issue 8:** The overarching aim of PPS6 is to promote town centres as the preferred location for new retail development. This strategy is echoed in RSS Policy PA11 and in Structure Plan Policies TC.1 and TC.2. Local Plan Policy UAP3 has a similar focus. It directs retail development to town centres first. Only after that does it set out those factors that will be taken into account when considering retail schemes in other sequentially less preferable locations outside town centres. To my mind, this approach is consistent with the thrust of national planning policy advice.
- 6.5.10 Issue 9:** (*The Shires, Leamington Spa*) The objection made by the Crown Estate in respect of Policy UAP3 is one of a suite of objections considered at a formal hearing session. Other objections relate to Chapter 7 (Town Centre Policies), in particular Policies TCP2 (Directing Retail Development) and TCP3 (Providing for Shopping Growth in Leamington Town Centre). For convenience, and to maintain coherence of the objections, I deal with them together in this section of the report. All of my recommendations for modification are set out below. However, where they relate to Policies TCP2 and TCP3 the recommendations are duplicated in Chapter 7.
- 6.5.11** Retail work has been undertaken by consultants DTZ for the District Council in two separate tranches to inform local plan preparation. The studies identify quantitative and qualitative shortfalls of retail provision in Leamington Spa. They indicate that in the period to 2011 there is a quantitative need, on scenario 1(b), for 21,900 sq m of comparison goods floorspace and 16,000 sq m of retail warehouse floorspace. PPS6 promotes a positive, plan-led approach to planning for town centres, with the guidance summarised at Paragraph 2.16. The objector maintains that having assessed need the District Council has not ‘planned positively’ by identifying sufficient sites to meet that need in accordance with the sequential approach to site selection. Government advice is that to ensure the future vitality and viability of town centres local planning authorities should do more than simply use development control powers to approve or refuse individual planning applications for retail and mixed-use town centre development. PPS6 advises planning authorities to allocate adequate sites to meet the identified need for at least the first 5 years from adoption of the Plan, with allocation taking place according to a ‘town centres first’ policy approach. In following such a sequence the possibility should be considered of extending the town centre boundary to meet retail need.
- 6.5.12** The objector feels that the District Council’s failure to follow the advice in PPS6 is not justified by local circumstances. There is agreement between the parties that the DTZ

studies identify a substantial unmet need. The Crown Estate considers that the deficiencies in the Plan should be rectified by either making allocations or by making some other changes to the Plan to allow the need to be met during the Plan period. The main potential retail site relied upon by the District Council is the Chandos Street car park which is proposed for redevelopment to provide additional comparison goods floorspace. However, CBRE's assessment that this site will not come forward until September 2012 at the earliest was agreed by the District Council's representative at the hearing to be "not unduly out of order". There are also doubts as to whether 20,000 sq m of comparison goods floorspace can be accommodated on the site given the constraints to which it is subject, including the need to replace existing car parking provision. Other possible retail sites have been identified by the District Council in the GVA Grimley sequential assessment, carried out to assist assessment of proposals for extensions to out-of-centre food stores (Sainsburys – Shires Retail Park, Leamington Spa; and Tesco – Emscote Road, Warwick). However, few of these sites are likely to become available during the Plan period and they are not suitable to accommodate the need for retail warehouse floorspace.

6.5.13 As there are no town centre or edge-of-centre sites available, the objector argues that it is necessary to look to out-of-centre sites. The third bullet point of Paragraph 2.44 of PPS6 indicates that preference will be given to sites which are, or will be, well served by a choice of means of transport and which are close to the centre and have a high likelihood of forming links with the centre. No site is closer to Leamington Spa town centre than the Shires Retail Park. This is an established focus for retail development within the District. It is identified in the 2002 and 2004 DTZ reports as a significant retail destination within the Leamington Spa catchment. Although out-of-centre, the Shires is genuinely accessible by a choice of means of transport and a destination where opportunities for linked trips can be maximised for both comparison goods and retail warehousing. It affords an opportunity to accommodate some of the District's retail need through extension, greater intensification of use, or utilisation of adjacent land. Additional floorspace can be provided here without having an unduly adverse effect on car use, traffic and congestion. This is confirmed by the Motion Transport Planning report on the transport sustainability of the site. The objector seeks an indication in the Plan that co-location of retail uses with established out-of-centre retail destinations, facilitating opportunities for linked trips, is to be given preference over less sustainable options, and that the Shires Retail Park is a preferred location for additional retail development to meet the forecast needs for Leamington Spa. If no action is taken the Crown Estate considers there is a real risk that the danger identified by DTZ will arise - namely that "...the District Council will find itself fighting an increasingly rearguard battle to prevent new out-of-centre retailing in more sensitive policy locations."

6.5.14 I do not believe that the District Council has failed to plan positively for its town centres. Paragraph 2.16 of PPS6 describes the key tasks that local planning authorities should undertake, working in conjunction with stakeholders. Table 1 of the Council's hearing statement provides a summary of the work being carried out in the District. It confirms that the majority of those tasks are being, or have already been, addressed. In 2001 the District Council commissioned DTZ to prepare a retail study for the District. The report, published in 2002, made 5 key recommendations. These are summarised in Core Topic Paper 8¹. A key finding was capacity for significant further retail floorspace in Leamington Spa town centre for the period to 2008. In 2004 further work was commissioned to assess likely future capacity for both comparison and convenience retail

¹ CD22

floorspace. It identified further capacity across the District to 2016. The District Council acknowledges that those floorspace estimates present a challenge. However, I agree that they should only be used as a guide and not be set in stone. The impact of changes like internet shopping, for instance, remains very uncertain. The more recent 'Regional Centres Study', commissioned by the West Midlands Regional Assembly, forecasts significantly lower floorspace capacity in Leamington town centre up to 2021. I consider that the DTZ figures should therefore be treated with a degree of caution and not as a target that the District must strive to attain under all circumstances.

6.5.15 The District Council has identified on the Proposals Map (Leamington Town Centre Inset) an 'area of search' under Policy TCP3 where, subject to various criteria being met, proposals for large scale shopping development will be permitted. That area of search adjoins and surrounds the main retail area in the town centre. It includes the Chandos Street car park site which the District Council is promoting for further retail development. I concur with the planning authority that the site is well related to shops on Warwick Street and those at the Royal Priors Shopping Centre. I note that in 2004 the District Council appointed consultants CBRE to undertake a commercial appraisal of the development opportunities of the site. It was considered to be commercially viable and likely to attract a range of potential retailers. I am told that its viability has improved further since that time. Preliminary assessments have indicated that the site could deliver up to 20,000 sq m of new retail floorspace, including a new anchor department store, and a net increase in car parking. Alone, this would be nearly sufficient to meet the requirement for Leamington Spa town centre to 2021, as identified by the Regional Centres Study. The District Council acknowledges that it might have to invoke its compulsory purchase order powers in order to link through to the existing retail area. However, it has successfully used such tools in the past on a number of occasions. Here, the District Council already owns most of the land making it easier to deliver the project. It is accepted that there could be some delay. For that reason and because of the early stage reached in assessing the proposal when the Revised Deposit Plan was drafted, the land was not formally allocated as a retail site. I believe that the District Council's decision not to do so was the correct one. To make such an allocation now would preclude public consultation. I favour the alternative approach of identifying an area of search. This gives greater flexibility for allowing schemes to come forward. It is particularly important in a town like Leamington Spa where the historic fabric and many listed buildings make retail development particularly difficult to achieve. While it does not meet the PPS6 requirement to allocate at least a 5 year supply of retail sites, it does represent in my view an appropriate pragmatic response to local needs and circumstances.

6.5.16 The Government's objective is to promote and enhance existing town centres first. I am satisfied that the District Council is pursuing a pro-active and plan-led approach. In accordance with PPS6, the Plan includes policies that seek to protect existing retail uses in the District's town centres, promote new retail developments in those locations, and provide a basis for evaluating out-of-centre proposals. In my opinion, the planning authority is right to be concerned about including any reference in the Plan that might suggest early consideration would be given to specific sites outside the town centres. In this regard, I note that much of the Shires Retail Park has an open Class A1 consent. I agree with the District Council that identification of the Shires as a preferred location for additional retail development could present a potential threat to market confidence in the town centre and could prejudice delivery of the Council-backed Chandos Street site.

- 6.5.17** I turn now to the detailed criticisms made of Policies UAP3, TCP2 and TCP3 and the supporting text. The Crown Estate seeks to clarify the preferred location for siting retail development within Leamington Spa in accordance with the sequential approach set out in PPS6, and to make Policies TCP2 and TCP3 consistent with Policy UAP3.
- 6.5.18** Looking first at Policy UAP3, I agree that the initial sentence should be qualified by adding the further words “....in accordance with those policies set out in the Town Centres section of the Plan.” I consider that criterion b) should be expanded to more accurately reflect national planning guidance. It should say: “b) there are no available, suitable and viable sequentially preferable sites or buildings.” As regards criteria c) and d), I believe these are relevant aspects of national planning policy to which regard should be had. In my view, they should not be relegated to the supporting text. The reasoned justification makes it clear that the primary objective of Policy UAP3 is to maintain and enhance the vitality and viability of existing town centres through new development. However, where development is considered appropriate outside of the town centres, it will ensure that it is directed to locations which maximise opportunities to reduce reliance on the private car. Nevertheless, I feel there is scope for improving upon criterion c). I favour the wording discussed at a subsequent hearing when other objections were examined. This wording no longer refers to reducing the number and length of car journeys but refers instead to reducing the need to travel by private car. I recommend accordingly. Next, in my view the sequential approach referred to in criterion b) should be clearly set out in the Policy itself. I support the wording discussed at the hearing, namely: “The sequential approach to be followed requires that locations are considered in the following order. First, sites and buildings within the town centres, and then in the case of Leamington Spa the area of search set out in Policy TCP3 and in the case of Warwick the mixed use area set out in Policy TCP8, followed by edge-of-centre sites, and then out-of-centre sites.” The footnote to Table 2 in Annex A of PPS6 explains that the ‘centre’ for purposes of the policy statement constitutes the primary shopping area. Consequently, I accept that the primary shopping area and the area of search (Leamington Spa)/town centre mixed use area (Warwick) represent two discrete steps in the sequence, not one. The District Council acknowledges this. Finally, while I note that the objector is only seeking a ‘leg up from the bottom rung of the ladder’ in terms of the sequential approach, I do not believe it is necessary or appropriate to give preference to certain out-of-centre sites compared with others. Bearing in mind the retention of criteria c) and d), I do not support inclusion within the Policy of the objector’s suggested text. Nor do I favour designation of the Shires on the Proposals Map as a ‘retail warehouse park (UAP3)’.
- 6.5.19** Turning to Policy TCP2, I support in principle the amendments suggested by the objector. However, I consider that the policy wording agreed between the District Council and Tesco Stores Ltd in response to other objections is more appropriate, subject to minor modifications. It clarifies the status and role of the Warwick town centre mixed use area and the District Council’s application of the sequential approach enshrined in PPS6.
- 6.5.20** As regards the supporting text, I consider that reference should also be made in Paragraph 7.12 to the Warwick town centre mixed use area covered by Policy TCP8. I see no need, though, to further amend Paragraph 7.12 in the manner promoted by the Crown Estate. In my view, it would not be appropriate to indicate that once town centre and edge-of-centre options have been discounted, the preference is to combine out-of-centre development with existing retail development accessible by a choice of means of

transport, such as the Shires, to maximise the opportunities for linked trips and reduce overall car usage.

6.5.21 Finally, in respect of Policy TCP3 and Paragraph 7.18, I endorse some of the amendments put forward by the objector. I consider that criterion a) of Policy TCP3 should be amended to read: “they are within (i) the retail areas of the town centre; and then (ii) the area of search defined on the Proposals Map”. Moreover, the 3rd and 4th sentences of Paragraph 7.18 should say: “An updated Retail Study, received in June 2004, identified convenience, comparison and retail warehousing floorspace capacity to 2011 which further grows to 2016. The 2004 study identified the fact that Leamington town centre could support a maximum of 37,700 sq m (gross) comparison floorspace.” Both of these changes would ensure greater accuracy. I see no need, though, to add the words: “in Leamington Spa town centre” to the first sentence of Policy TCP3. This would simply reiterate what is already in the title.

6.5.22 Issue 10: A number of objections have been made by Tesco Stores Ltd to the Plan’s retail policies. For convenience, and to reflect the way in which they were dealt with at a single informal hearing, I address them together in this section of my report. My recommendations follow. Where those recommendations relate to Policies other than UAP3 I replicate them under the relevant Chapter/Policy.

6.5.23 Tesco Stores Ltd considers that Policy UAP3 is inflexible and unduly onerous in relation to PPS6 in regarding retail schemes with a gross floorspace in excess of 1,000 sq m as being ‘major’ proposals warranting the preparation of a comprehensive retail impact assessment. In the objector’s view there is little justification for such a threshold which goes beyond setting an upper limit for the scale of development that the planning authority is likely to find acceptable in particular centres.

6.5.24 Paragraph 3.20 of PPS6 indicates that a retail impact assessment should be undertaken for any application for a main town centre use which would be in an edge-of-centre or out-of-centre location and which is not in accordance with an up-to-date development plan strategy. The implication is that all schemes will require assessment but not all will need the same degree of analysis. Paragraph 3.23 goes on to say that the level of detail and type of evidence should be proportionate to the scale and nature of the proposal. While any development of over 2,500 sq m should have an assessment that covers all of the factors listed in Paragraph 3.22, it may also occasionally be necessary for smaller developments. No minimum size threshold is set.

6.5.25 The District Council’s approach is based upon Structure Plan Policy TC.2. This identifies a hierarchy of retail centres, classifying Leamington Spa as a ‘main town centre’, and Warwick and Kenilworth as ‘other town centres’. The Policy indicates that all shopping, leisure and entertainment developments of 1,000 sq m or over should be located within these centres, with schemes of 2,500 sq m or more situated in the main town centre of Leamington Spa. It recognises that proposals greater than 1,000 sq m, if not within a town centre, could have a damaging effect on existing centres. Paragraph 7.22 of the Local Plan confirms that in the context of Warwick District (and specifically Policy TCP3) large scale or major retail proposals are considered to be those with a floorspace of over 1,000 sq m. I consider that in the light of Structure Plan TC.2 a threshold of 1,000 sq m floorspace above which a retail impact assessment is required is not unreasonable. It reflects local circumstances, as allowed for by PPS6. I see little merit in the argument that Structure Plan Policy TC.2 was drawn up prior to PPS6, nor that the 2,500 sq m threshold is a standard one should expect to be universally adopted to

ensure consistency for the development industry. In any event, I note that the list of factors in Paragraph 6.18 of the Local Plan that need to be examined in an impact assessment is not as exhaustive as that in Paragraph 3.22 of PPS6. It focuses on the key issues of need, sequential assessment and reducing the number and length of car journeys. Clearly, any proposal greater than 2,500 sq m gross floorspace would need to be accompanied by a broader retail impact assessment embracing all of the matters identified in PPS6. However, I agree with the objector that the reference in Paragraph 7.22 of the Local Plan to ‘major’ retail proposals is confusing in relation to Structure Plan Policy TC.2. In my view, it should be deleted, relying instead on the words ‘large scale’.

6.5.26 Turning to the sequential approach to site selection, the objector is concerned on a number of counts. Firstly, the wording of Policies TCP2 and TCP8 appear to suggest that an embargo is being placed on the development of all sites for retail purposes unless previously identified or allocated in the Plan. The first paragraph of Policy TCP2 which reads ‘new retail development will only be permitted’ is considered to be unnecessarily restrictive and out of keeping with the flexibility and stepped approach of PPS6. Secondly, it is felt that excessive weight is given to the Leamington Spa ‘area of search’ and the Warwick ‘town centre mixed-use area’, rather than to the principal relationship to the ‘primary shopping area’. In particular, Policy TCP8 should confirm that the mixed use area of Warwick is not an extension of the primary shopping area. Sites within it should be categorised as edge-of-centre in retail policy terms. Thirdly, the relationship between Policies UAP3 and TCP2 needs to be clarified. Whereas Policy UAP3 relates to the urban areas and applies the sequential approach in a conventional manner, Policy TCP2 implies that any development outside of town centres will be precluded without further consideration. Finally, with regard to Paragraph 6.18, the Plan should adopt the definition of edge-of-centre included in Annex A of PPS6 - ‘within easy walking distance (ie up to 300m) of the primary shopping area’, rather than that specified of 200-300m of the defined retail area.

6.5.27 Looking first at the question of consistency between Policies UAP3 and TCP2, the Plan’s User Guide and Paragraph 7.2 make it clear that policies within the Town Centres Chapter apply only to town centres. Nevertheless, the District Council has accepted in response to other objections that a suitable reference in Policy TCP2 would clarify the point. I endorse that alteration. Turning to the role of the Warwick mixed-use area, the District Council has again conceded in addressing other objections at the inquiry that the status and role of the Warwick mixed-use area should be made clearer. The area links the two primary shopping areas where it is important to encourage pedestrian movement. In terms of PPS6 guidance, I agree that the focus for new retail development should firstly be upon the two retail areas that form the primary shopping area within the town centre. The mixed-use area should be considered after that. The various alterations I recommend to Policy TCP2 would, I believe, make this sequential approach explicit. As regards what is meant by edge-of-centre, the District Council has no objection to the reference in Paragraph 6.18 being changed to 300m to accord with PPS6. I agree that this reference is not only more accurate but it is more precise. However, I accept that the words ‘primary shopping area’ should not be substituted for ‘defined retail area’. The former is not a term used elsewhere in the Plan and would only serve to confuse the Plan user.

6.5.28 Tesco Stores Ltd (and other objectors) contend that the requirement in Policy UAP3c) for all new retail schemes outside town centres to demonstrate that the proposal would reduce the number and length of car journeys is not in accordance with either over-arching Policy T.1 of the Structure Plan or PPG13, and is unduly onerous. In the objectors’ view, if acceptable when measured against other criteria in the Plan, the

development should be regarded as being in a sustainable location and accessible by other modes of transport. I do not accept these arguments. I note that in setting this as a policy criterion the District Council was guided by the advice in Paragraphs 2.49 and 3.27 of PPS6. This indicates that in selecting appropriate sites for allocation local authorities should have regard to the impact on car use, traffic and congestion, and in assessing new developments to whether the proposal would have an impact on the overall distance travelled by car. It is also one of the key objectives of PPG13.

6.5.29 Finally, the objector has suggested a number of other amendments to the Plan's retail policies and supporting text. The District Council has no objection to inserting a reference in Paragraph 6.17 to Government guidance. I agree that this would be beneficial. Like the planning authority, I favour its inclusion in the reasoned justification rather than in Policy UAP3 itself in order to keep the Policy concise. I think it would be better not to name a specific PPS or PPG to ensure that the Plan does not date as quickly as it might otherwise do. As regards criterion d) of Policy UAP3, I support the District Council's proposed change. This will ensure that it accords more closely with the approach taken in PPS6. The District Council also has no objection to adding a reference to consumer choice in the first bullet point of Paragraph 6.18. I concur that this would be appropriate, responding to the advice on qualitative need in Paragraph 2.35 of PPS6. In terms of Policies TCP2 and TCP8, I accept that the former would benefit from further clarification. However, I consider that the wording suggested by Tesco Stores Ltd is not the most effective. The new wording I support clarifies the sequential approach and the position within it of the area of search in Leamington Spa and the mixed-use area in Warwick town centre. In light of these recommendations, I see no need to modify Policy TCP8 in the manner suggested.

Recommendations

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

(i) substitute the following wording for Policy UAP3:

“Retail development will be permitted within the town centres in accordance with those policies set out in the Town Centres section of the Plan. In all other circumstances retail development will not be permitted unless:-

- a) there is a proven retail need for the proposal;**
- b) there are no available, suitable and viable sequentially preferable sites or buildings;**
- c) it would reduce the need to travel by private car;**
- d) the development is, or can be made, genuinely accessible and well served by a choice of means of transport, especially public transport, walking and cycling as well as by car;**
- e) it can be demonstrated that the proposal would not have a significant adverse impact on the vitality and viability of town centres, district centres and local centres nor on the development plan retail strategy.**

The sequential approach to be followed requires that locations are considered in the following order. First, sites and buildings within the retail areas of the town centres, and then in the case of Leamington

Spa the area of search set out in Policy TCP3 and in the case of Warwick the mixed use area set out in Policy TCP8, followed by edge-of-centre sites, and then out-of-centre sites.

Development proposals of over 1000 sq. metres (gross floorspace) outside of the town centres will be required to demonstrate how they comply with this policy by way of a Retail Impact Assessment.”

- (ii) amend the fourth sentence of Paragraph 6.16 to read:**

“This distinction seeks to focus all new shopping development compatible with their scale, nature and character within town centres with a broad upper limit of 2,500 sq. metres (gross floorspace) in Warwick and Kenilworth.”

- (iii) amend the first sentence of Paragraph 6.17 to read:**

“This policy is applicable to all proposals for new retail development including new build, redevelopments, changes of use, intensifications and extensions in accordance with Government guidance.”

- (iv) amend the second sentence of the first bullet point of Paragraph 6.18 to read:**

“Proposals should demonstrate that expenditure is available, that there is clear retailer demand, that there are gaps in current provision which need to be met, that there is evidence of inadequacy of existing floorspace in terms of problems of ‘over trading’, and that the development will provide for consumer choice.”

- (v) amend the third bullet point of Paragraph 6.18 to read:**

“In relation to proving there are no suitable sites within or adjacent (300m of the defined retail area) to town centres,”

- (vi) substitute the following wording for Policy TCP2:**

“Within the town centres of Leamington Spa, Warwick and Kenilworth, new retail development will be primarily directed to the retail areas defined on the Proposals Map. In accordance with Government guidance, where suitable opportunities cannot be found within the retail areas, retail development will be supported in the following locations. These are firstly:

- a) the area of search for major retail development in Leamington Spa town centre defined on the Proposals Map in accordance with policy TCP3, and**
- b) the mixed use area of Warwick town centre defined on the Proposals Map in accordance with policy TCP8**

and then other sequential sites in edge-of-centre locations which are in accordance with Government guidance and other policies within this

Plan. Retail development outside of town centres will be considered in accordance with policy UAP3 of the Plan.

Within the retail areas, changes of use from general shops (Class A1), financial and professional services (Class A2), restaurants and cafes (Class A3), drinking establishments (Class A4) and hot food take-aways (Class A5) to other uses outside of Class A will not be permitted.”

(vii) amend the first part of Policy TCP3 to read:

“Proposals for large scale shopping development will be permitted provided:-

a) they are within (i) the retail areas of the town centre, and then (ii) the area of search defined on the Proposals Map;”

(viii) amend the third and fourth sentences of Paragraph 7.18 to read:

“An updated Retail Study, received in June 2004, identified convenience, comparison and retail warehousing floorspace capacity to 2011 which further grows to 2016. The 2004 study identified the fact that Leamington town centre could support a maximum of 37,700 sq. metres (gross) comparison floorspace.”

(ix) amend Paragraph 7.22 to read:

“For the operation of this policy, ‘large scale’ retail proposals refers to proposals with a floorspace of over 1,000 sq m.”

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

6.6 Paragraphs 6.20 - 6.24 Policy UAP4 Protecting Local Shopping Centres

Objections to First Deposit Version

66/AQ	The Warwick Society
116/AA	Midland Assured Homes (1990) Ltd
193/BM	Coten End and Emscote Residents’ Association
199/BM	James Mackay
220/AQ	Cala Homes (Midlands) Ltd
221/AU	Kenilworth Society
223/AQ	Kenilworth Town Council
266/AK	Warwick Town Council

Objections to Revised Deposit Version

Key Issues

- 6.6.1** (1) Whether it is appropriate to include Leyes Lane Shopping Centre, Kenilworth, in Policy UAP4.
- (2) Whether the shops along Emscote Road, Warwick, between Humphris Street and Bridge Street, should be identified as a local shopping centre.
- (3) Whether the Lower Cape Road area, Warwick, should be added to the list of local centres in Paragraph 6.22 of the Plan.
- (4) Whether the shopping facilities proposed to be developed as part of the South West Warwick allocation (Narrow Hall Meadow, Warwick) should be included in the list of local centres.
- (5) Whether it is appropriate to list High Street, Kenilworth as a local shopping centre given that it is a significant retail/commercial centre for tourists.
- (6) Whether Policy UAP4 should also protect other groups of shops in Kenilworth at Albion Street, Common Lane and Whitemoor Road.
- (7) Whether the Policy should be amended to allow the change of use of accommodation over shops to residential use.
- (8) Whether Policy UAP4, in seeking to restrict changes of use, is out of alignment with Government policy and market requirements.

Inspector's Appraisal and Conclusions

- 6.6.2** The District Council explains that the purpose of Policy UAP4 is to protect the most valuable non town centre shopping facilities in the urban areas. These local centres are seen as playing an important role in meeting day to day needs. They have been identified on the basis of the following conditions:

- 6 or more units in a continuous elevation or cluster
- purpose built
- serve a range of day to day needs
- located at least 0.5km (and usually 1km) from town centre or major out-of-centre store
- have potential to offer a range of local shops/services

- 6.6.3 Issue 1:** Leyes Lane Local Shopping Centre, Kenilworth meets the above conditions. This parade of shops and adjacent pub was purpose built during the 1980s to serve the Eastern Kenilworth Estate. I note that its designation as a local centre has been carried forward from the adopted Local Plan where protection is afforded under Policy (DW) S7. However, Policy UAP4 goes further. Criteria a) – c) set out tests that have to be met before changes of use are allowed resulting in the loss of Class A1 units to uses within Classes A2-A5. The District Council says that such criteria have been

incorporated as a positive response to pressure to allow a wider range of services in local centres and to avoid problems arising from long term vacancies. It seems to me that this policy approach is well thought out and appropriate. While Midland Assured Homes (1990) Ltd argue that inclusion of this local shopping centre in Policy UAP4 would unduly restrict the types of use that can operate from the site and have an unacceptable detrimental effect on its management and value, I do not believe that would be the case. Concentrating on the length of vacancy/active marketing, pedestrian footfall/local need, and the predominance of A1 uses remaining in the centre, serves to add flexibility to the Policy. In my opinion, these criteria would be most helpful in assessing the appropriateness of alternative uses.

- 6.6.4 Issue 2:** I concur with the District Council that the shops in question do not meet the conditions set out in Paragraph 6.6.2 above. They were not purpose built and they are not tightly defined in a continuous elevation but are separated by residential uses. Being situated only 100m or so from a Tesco Supermarket they are not a readily defensible local centre.
- 6.6.5 Issue 3:** Again, the scatter of shops in the Lower Cape Road area of Warwick do not meet the conditions set out above. The shops are dispersed and in my view do not form an appropriately defined and defensible local shopping facility.
- 6.6.6 Issue 4:** The Warwick Society's objection has been met. The Revised Deposit Plan states: "It is envisaged that the provision of a local centre on the South West Warwick housing allocation will occur during this Plan period (Narrow Hall Meadow Road), and this will also be afforded protection by this policy in due course." I endorse that alteration.
- 6.6.7 Issue 5:** I am satisfied that High Street, Kenilworth has been correctly identified as a local shopping centre in this Local Plan. It is located some distance from Kenilworth town centre retail core where the most valuable primary and secondary retail frontages occur. In addition to meeting the needs of tourists it also serves a local catchment. In my view, it would not be appropriate to extend Kenilworth town centre to include High Street nor to reinstate it as a second town centre, as suggested by the Kenilworth Society. Kenilworth Town Council has not explained why or in what manner the boundary of the centre shown on the information plan in Chapter 13 need to be reviewed. Consequently, I have no evidence on which to question the appropriateness of those limits.
- 6.6.8 Issue 6:** The District Council has put forward proposed changes, recognising that Albion Street, Kenilworth meets the requirements of Policy UAP4 for recognition as a local centre. I support that amendment (together with minor changes to the text of Paragraph 6.22). However, as regards Whitemoor Road and Common Lane, the objector (Kenilworth Town Council) accepts that here the criteria are not satisfied. I agree with the District Council that these facilities are more appropriately afforded consideration under Policy UAP5 which relates to small shopping frontages and isolated shops. That Policy seeks to protect Class A1 premises (general shops) in order to maintain access to day to day shopping needs and resist the spread of financial/professional services and food/drink outlets.
- 6.6.9 Issue 7:** Paragraph 6.22 makes it clear that the Policy only applies to ground floor accommodation within the defined local centres. This would not preclude residential use of the upper floors, subject to other Plan policies.

- 6.6.10 Issue 8:** I am content that Policy UAP4 is consistent with national planning policy guidance and not out of step with market conditions. Moreover, the Policy is adequately justified in the supporting text. PPS6 indicates that the mix of uses in local centres should be carefully managed and recognises that a network of local centres is essential to provide easily accessible shopping to meet people's day to day needs. In my view, the approach adopted here is not overly restrictive. Paragraph 6.24 of the supporting text sets out the circumstances where non Class A1 alternatives may be acceptable to secure the long term future and viability of local centres.

Recommendations

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

- (i) **add Albion Street, Kenilworth to the list of local centres identified in Paragraph 6.22.**
- (ii) **add Albion Street Local Shopping Centre, Kenilworth to the Proposals Map (Part 5: Kenilworth Inset).**
- (iii) **include an Information Plan in Chapter 13 showing the boundaries of Albion Street Local Shopping Centre, Kenilworth.**
- (iv) **amend the second sentence of Paragraph 6.22 to read:**

“For the purposes of this policy, local centres are defined as a small group of shops consisting of a cluster of six or more units (normally in a continuous elevation), usually comprising a newsagent, general grocery store, post office, and other small shops of a local nature.”

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

6.7 Paragraphs 6.26 - 6.29 Policy UAP6 Motor Vehicle Sales

Objection to First Deposit Version

205/AC Ford Motor Company Ltd

Objection to Revised Deposit Version

350/RBA Tesco Stores Ltd

Key Issues

- 6.7.1 (1) Whether the Policy applies to both existing and allocated employment sites.**

- (2) Whether it is appropriate to remove by planning condition ‘permitted development’ rights in relation to changes of use from motor vehicle showroom to Class A1 (general shops) within existing centres.

Inspector's Appraisal and Conclusions

- 6.7.2 Issue 1:** The Policy clearly states that it applies to existing employment areas. It should not be applied to sites allocated for employment use in this Plan. Motor vehicle sales are sui generis. I agree with the District Council that while vehicle sales centres may contain vehicle preparation/repair/servicing/MOT facilities, the activity as a whole is unlikely to qualify as a Class B use. Consequently, allowing a non Class B use would not achieve the objective of the Plan’s employment policies which is to provide a sufficient quantity of Class B employment land to meet the Structure Plan requirements.
- 6.7.3 Issue 2:** I accept that it is not the purpose of this Policy to restrict changes of use within existing retail centres. The District Council has put forward a proposed change to Paragraph 6.29 to address the matter. I endorse that change subject to deletion of the words ‘or allocated’ which contradicts what the Council has said in relation to Issue 1. I believe this change meets the objection by Tesco Sores Ltd.

Recommendations

- 6.7.4 (a) That the Revised Deposit Plan be modified by amending Paragraph 6.29 to read:**
- “This policy only applies to proposals to locate motor showrooms and repair centres within existing employment areas. In these locations, and in all other locations outside of defined retail areas, it should be noted that the showroom or retail element of the proposed use will be controlled through a planning condition to remove permitted development rights in relation to changes of use to A1 (general shops)”**
- (b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.**

6.8 Paragraphs 6.30 - 6.32A Policy UAP7 Directing New Tourism Development

Objections to First Deposit Version

122/AB	Warwick Castle
195/AG	The Leamington Society
205/AD	Ford Motor Company Ltd
302/AP	English Heritage (West Midlands Region)
303/AF	Racecourse Holdings Trust

Objections to Revised Deposit Version

122/RAC	Warwick Castle
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Key Issues

- 6.8.1** (1) Whether the term ‘highly’ accessible should be deleted from the Policy to be consistent with PPG3.
- (2) Whether the Policy should be reworded to refer to the historic environment.
- (3) Whether Policy UAP7 fails to attach sufficient importance to the employment generating potential of new tourism developments.
- (4) Whether existing hotels in town centre locations should be protected from changes of use.
- (5) Whether the Policy should distinguish between existing tourist facilities and new tourism development.
- (6) Whether Paragraph 6.32A should make clear those instances where a travel plan may be required.
- (7) Whether there should be a reference in the reasoned justification to the Regional Visitor Economy Strategy.

Inspector's Appraisal and Conclusions

- 6.8.2 Issue 1:** PPG3 relates to housing rather than tourism. PPG13, though, indicates that new tourist development should be well served by public transport. The District Council recognises that national policy no longer uses the word ‘highly’ when addressing accessibility. It has therefore removed this word from the Policy in the Revised Deposit Plan. I endorse that amendment.
- 6.8.3 Issue 2:** I believe that the term ‘the built and natural environment’ also embraces the historic environment. Nevertheless, the District Council has augmented the reasoned justification at Paragraph 6.30 of the Revised Deposit Plan to make it clear that tourism development should not harm the quality of the historic environment. On this basis English Heritage has confirmed that its objection has been satisfied.
- 6.8.4 Issue 3:** The supporting text at Paragraph 6.30 has been amended in the Revised Deposit Plan to acknowledge that tourism makes a significant contribution to the local economy, ‘particularly in terms of job creation’. In my view, this effectively meets the objection.
- 6.8.5 Issue 4:** The District Council says that over the last decade there has been a decline in demand for smaller hotels, reflecting national market trends. Given the lack of evidence of need for additional visitor bed spaces in the District, I consider it would be inappropriate to seek to protect town centre hotels from changes of use to residential or other types of accommodation. I note that the objection from the Leamington Society has been withdrawn.

- 6.8.6 Issue 5:** In response to this objection the District Council introduced a new Paragraph 6.32A into the Revised Deposit Plan. This recognises that existing tourist facilities may be constrained by their location and surroundings, and generally adopts a more flexible approach to their development. I believe that to be appropriate. I note that Warwick Castle has indicated that its objection is satisfied.
- 6.8.7 Issue 6:** The District Council has accepted that the final sentence of Paragraph 6.32A would benefit from amendment to indicate that ‘in all other locations’, outside town centres, the submission of a travel plan ‘may’ be required to minimise the impact of development on accessibility. I endorse the wording suggested in the Council’s proposed change which clarifies the intent of the Policy and brings the supporting text into line with the Policy itself. This alteration meets the objections by Racecourse Holdings Trust and Warwick Castle. In addition, I believe that the word ‘not’ may be missing from the preceding sentence in the Revised Deposit Plan. The District Council should satisfy itself as to whether there is, in fact, a typographical error.
- 6.8.8 Issue 7:** I concur with the District Council that in order to ensure a slimmed down Plan consistent with the new style planning framework it is not necessary to refer to every single document that may have informed its preparation. What is more important is to reflect, as in this case, the objectives of relevant strategies.

Recommendations

- 6.8.9 (a) That the Revised Deposit Plan be modified as follows:**
- (i) amend the final sentence of Paragraph 6.32A to read:**

“In all other locations the Council may require the submission of a travel plan to ensure the impact of development on accessibility is minimised.”
 - (ii) insert the word “not” in the penultimate sentence of Paragraph 6.32A before the word ‘present’ (*but only if this is a typographical error*).**
- (b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.**

6.9 Paragraphs 6.33 - 6.35 Policy UAP8 Directing New Visitor Accommodation

Objections to First Deposit Version

66/AR	The Warwick Society
147/AA	Sundial Conference and Training Group
205/AE	Ford Motor Company Ltd
223/AS	Kenilworth Town Council
303/AG	Racecourse Holdings Trust

Objections to Revised Deposit Version

223/RAF Kenilworth Town Council
354/RAG Roger Higgins

Key Issue

- 6.9.1** (1) Whether locations for new visitor accommodation (Policy UAP8) and new employment development (Policy UAP2) are unnecessarily restricted by the requirement to be located adjacent to a public transport corridor.
- (2) Whether the Policy should include a caveat to allow new visitor accommodation for Warwick Racecourse.
- (3) Whether the Policy is unduly restrictive in respect of development in urban areas.
- (4) Whether the Policy fails to recognise the importance of new visitor accommodation in terms of employment generation.
- (5) Whether the Policy should acknowledge that visitor accommodation may also be acceptable outside the urban areas, as per Policy RAP16.
- (6) Whether the Plan should include a policy to protect hotels from change of use and loss of visitor accommodation.
- (7) Whether 3 specific sites in Warwick should be considered for hotel development.

Inspector's Appraisal and Conclusion

- 6.9.2 Issue 1:** The intention of the public transport corridors illustrated on the Proposals Map is to ensure that new visitor accommodation and new employment development is made accessible by public transport in accordance with the objectives of PPG13. They reflect the 'Quality Bus Corridors' identified in the Local Transport Plan 2000, one of which passes through Kenilworth.
- 6.9.3** Kenilworth Town Council contends that these public transport corridors are irrelevant to Kenilworth. The route shown through the town does not relate to the main bus services. Moreover, the area near to the Castle where a number of hotels are situated meets neither of the criteria in Policy UAP8. It is not within or adjacent to the town centre nor adjacent to a public transport corridor.
- 6.9.4** Circumstances have altered since the Revised Deposit Plan was published. The final version of the Warwickshire Local Transport Plan 2006² does not show 'Quality Bus Corridors' although it still makes reference in the text to such corridors within Warwick, Leamington Spa and Whitnash. Instead, the latest LTP shows a broad North/South Corridor linking the urban areas of Nuneaton, Bedworth, Kenilworth, Leamington Spa, Whitnash and Warwick where there is a need for a step change in public transport provision.

² CD904

- 6.9.5** Clearly, the debate surrounding this topic has been overtaken by the more up-to-date policy document. The District Council concedes that the basis upon which Policies UAP2 and UAP8 included a criterion on the matter has now changed. The transport corridors shown on the Proposals Map no longer have significance. I accept that they should be deleted. But in order to satisfy the general thrust of PPG13 I agree with the District Council that a fresh criterion should be added to each Policy requiring locations to be genuinely accessible and well served by a choice of means of transport - similar to the requirements in Policies UAP3 and UAP9.
- 6.9.6 Issue 2:** I concur with the District Council that this matter is best addressed in conjunction with a related objection by Racecourse Holdings Trust who are seeking a site specific policy in respect of Warwick Racecourse (see Chapter 10, Policy omissions, Issue 27).
- 6.9.7 Issue 3:** As a consequence of the background policy changes set out in Paragraph 6.9.4 above, the District Council accepts that a more flexible approach to the development of visitor accommodation is appropriate in urban situations. I support the amendments proposed whereby the reference to public transport corridors would be removed and replaced with a more general criterion that developments need to be accessible and well served by a choice of means of transport. I believe Kenilworth Town Council to be broadly supportive of those changes. They serve to make the Policy less restrictive, generally, than the equivalent Policy RAP16 that applies to the rural areas.
- 6.9.8 Issue 4:** The District Council recognises the employment potential of new visitor accommodation. As with Policy UAP7, the supporting text was augmented in the Revised Deposit Plan. Paragraph 6.33 specifically acknowledges its role in promoting employment creation. I endorse that amendment.
- 6.9.9 Issue 5:** The circumstances where visitor accommodation will be allowed in rural areas are clearly set out in Policy RAP16. I see no need to duplicate that information in Policy UAP8 or its supporting text.
- 6.9.10 Issue 6:** A similar objection has been made by the Warwick Society to Policy UAP7. Over the last 10 years or so there has been a decline in the demand for smaller hotel accommodation in the District, reflecting national experience. Given a lack of evidence to show that there is a need for additional visitor accommodation, it would be inappropriate, in my view, to protect such accommodation from changes of use to residential or other purposes.
- 6.9.11 Issue 7:** Three sites/premises have been identified in Warwick as suitable for conversion to hotel use - the County Council offices in Barrack Street; houses in Northgate Street; and the northern part of the County Council offices that were originally the old prison and later barracks block. All of these sites/premises are protected through Policy TCP9 which seeks to resist the redevelopment or change of use of existing employment land and buildings for other uses within the Town Centre Employment Areas. Nevertheless, the District Council recognises that if an appropriate scheme was submitted it is possible that it could be viewed favourably since the Plan directs new visitor accommodation to the town centres. Such a proposal could, for example, form part of a mixed use development that meets the objectives of Policy TCP9 and other relevant policies including those relating to the historic environment.

6.9.12 However, there is no information before me to show that additional visitor bed spaces are required in the District. In the absence of such evidence, I believe it would be inappropriate to allocate any of these sites/premises for hotel use. This would only serve to preclude their use for other purposes.

Recommendations

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

- (i) delete the public transport corridors shown on the Proposals Map.**
 - (ii) substitute the following for criterion e) of Policy UAP2:**
 - “e) adjacent to public transport interchanges or in other locations which are genuinely accessible and well served by a choice of means of transport, especially public transport, walking and cycling.”**
 - (iii) delete the following text in Paragraph 6.14: ‘...or corridors as defined on the Proposals Map’, and substitute:**
 - “...or where there is otherwise a choice of modes of transport.”**
 - (iv) substitute the following for criterion b) of Policy UAP8:**
 - “b) it is adjacent to a public transport interchange or otherwise genuinely accessible and well served by a choice of means of transport, especially public transport, walking and cycling.”**
 - (v) delete the following text in the final sentence of Paragraph 6.33:**
 - ‘and public transport corridors.’**
 - (vi) delete the following text in the final sentence of Paragraph 6.35:**
 - ‘Transport corridors are defined on the Proposals Map and’**
- (b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.**

6.10 Paragraphs 6.36 - 6.40 Policy UAP9 Directing New Leisure Development

Objections to First Deposit Version

37/AP	Sport England
205/AF	Ford Motor Company Ltd
303/AH	Racecourse Holdings Trust

Objections to Revised Deposit Version

265/RAA	The Crown Estate
303/RAE	Racecourse Holdings Trust
350/RBB	Tesco Stores Ltd

Key Issues

- 6.10.1** (1) Whether the first sentence of the Policy should be amended to refer both to sites within the town centres and those adjacent to the town centres.
- (2) Whether use of the word ‘highly’ accessible in criterion c) and Paragraph 6.39 is consistent with national planning policy.
- (3) Whether the Policy should recognise the employment potential of new leisure development.
- (4) Whether the Policy should allow development with a regional or national catchment located away from the town centres to be considered on its merits.
- (5) Whether the sequential approach outlined in Paragraph 6.36A accords with PPS6.
- (6) Whether criterion b) should refer to ‘edge of centre’ sites.

Inspector's Appraisal and Conclusions

- 6.10.2 Issue 1:** Policy UAP9 requires major leisure development to follow a sequential approach to site selection, reflecting the guidance set out in Paragraph 2.44 of PPS6. First preference should be given to the town centres. All potential town centre options should be thoroughly assessed before less central sites are considered. I note that criterion b) was re-drafted in the Revised Deposit Plan to make the sequential approach clearer and more complete. It indicates that major leisure development will not be permitted outside the town centres unless there are no sequentially preferable sites or buildings. I support that amendment to the Plan and see no need to alter the first sentence of the Policy.
- 6.10.3 Issue 2:** Although the District Council used the term ‘highly’ accessible in the Revised Deposit Plan to accord with the then extant PPG6, a different approach/wording is employed in the more recently published PPS6. I agree with the District Council that it would be appropriate to amend the wording to make it more compliant with the latest Government advice. I endorse the proposed change put forward which requires alternative locations to be ‘well served by a choice of means of transport (including public transport, cycling and walking)’.
- 6.10.4 Issue 3:** A reference to the employment generation potential of new visitor accommodation has been included in Paragraph 6.36 of the Revised Deposit Plan. While I support that amendment, I can see no justification for indicating that existing and allocated employment sites would be suitable locations for such uses.
- 6.10.5 Issue 4:** I acknowledge that there could be instances where it might be appropriate to locate leisure activities with a national or regional significance outside town centres. These would be treated as exceptional cases to be determined on their own merits. In my

view, it would not be appropriate to make specific provision within Policy UAP9. To do so would weaken the Policy. I note that Sport England is satisfied with the District Council's response.

6.10.6 Issue 5: The District Council accepts that the PPS6 sequential approach does not regard 'local centres' as appropriate locations for large scale leisure development. A proposed change has been put forward to omit the reference to local centres from Paragraph 6.36A. Once again, I support the Council's revised wording.

6.10.7 Issue 6: Amended criterion b) requires that a sequential approach be followed in respect of the location of major leisure development, in accordance with PPS6. Paragraph 6.36A, as proposed to be changed, explains that first preference should be given to the town centres, followed by 'edge of centre' locations. While acknowledging that historic centres may not be suitable for major leisure development, I see no need to refer in the Policy itself to 'edge of centre' sites.

Recommendations

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

- (i) **amend criterion c) of Policy UAP9 by omitting the word 'highly'.**
- (ii) **substitute the following for the final sentence of Paragraph 6.39:**

"Alternative locations should be well served by a choice of means of transport (including public transport, cycling and walking) and may include sites adjacent to public transport corridors."

- (iii) **substitute the following for the final sentence of Paragraph 6.36A:**

"First preference should be given to the town centre followed by edge of centre locations."

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

6.11 Chapter 6 – Policy omissions

Objections to First Deposit Version

66/AD	The Warwick Society
109/AN	Warwickshire County Council (Planning, Transport & Economic Strategy)
109/BA	Warwickshire County Council (Planning, Transport & Economic Strategy)
111/AB	The Chamber of Commerce
117/AO	Langstone Homes Ltd
120/AN	Miller Homes (West Midlands)

200/AC	Taylor Woodrow Strategic Developments
228/AW	West Midlands RSL Planning Consortium
262/AF	Warwick & Leamington Spa Green Party
296/AC	CLARA

Objections to Revised Deposit Version

No objections

Key Issues

- 6.11.1** (1) Whether the Plan should contain a policy to limit housing growth to the Structure Plan target only, with the exception of affordable housing.
- (2) Whether the Plan should include a policy to reduce the number of vacant dwellings, business premises and retail units.
- (3) Whether the Plan should incorporate a policy which recognises and maximises visitor attractions and their links with other towns.
- (4) Whether the Plan should include a policy that allows for the redevelopment of employment land in urban areas, in line with PPG3.
- (5) Whether the Plan should allocate a site for, or otherwise encourage, a hotel development in Leamington Spa town centre and seek to protect existing hotels.
- (6) Whether the Plan should explain the situation in Warwick District concerning the housing needs of key workers.
- (7) Whether the Plan should include a policy to protect mature gardens in the urban area from development.

Inspector's Appraisal and Conclusions

6.11.2 Issue 1: This objection was addressed at Revised Deposit stage by the introduction of Policy SC8a. The Policy provides that where there is a risk of substantially exceeding the strategic target for new housing, the District Council will regulate the further supply of windfall sites through the introduction of a Supplementary Planning Document. An exception is made for affordable housing to meet local needs by virtue of Policy UAP1.

6.11.3 Issue 2: I am told that the vacancy rate for dwellings in the District (vacant for more than 6 months) was just 2.2% in April 2005. I accept that this is a level that would be expected in normal circumstances, allowing for delays in the turnover of properties, probate and the like. While there are some longer term vacant dwellings in Old Town, Leamington Spa, the District Council points out that the Single Regeneration Budget programme aims to bring back into use 20 vacant dwellings between 2004/5 and 2006/7. As regards vacancies in commercial and industrial premises, the Plan contains a range of policies directed towards stimulating investment. They include the Site Specific policies and the Town Centre policies. Other policies seek to improve the quality of the environment, adding to its attractiveness. I agree with the planning authority that in the circumstances prevailing in Warwick District where property values are high and

accommodation is at a premium, an aspirational policy to bring back into use vacant properties would not improve the Plan or affect its outcomes.

6.11.4 Issue 3: Objective 1F of this Local Plan seeks to promote sustainable tourism where it protects the particular character of the area and is accessible by various transport modes. Existing major tourist attractions like Warwick Castle, the town of Warwick, Kenilworth Castle and Hatton Country World are all protected. The Plan's tourism policies (UAP7, UAP8, RAP15 and RAP16) make provision for new tourism development together with visitor accommodation in both the urban and rural areas. Other policies are also relevant. They include TCP1 aimed at protecting and enhancing town centres, TCP3 providing for shopping growth in Leamington town centre, and TCP6 promoting a café quarter in Warwick town centre. Having regard to the number and range of Plan policies that can be brought to bear, I do not believe that a further policy is necessary to maximise the District's tourism potential and links with other towns.

6.11.5 Issue 4: Paragraph 42 of PPG3 states that local planning authorities should review their non-housing allocations and consider whether some of that land might better be used for housing or mixed use development. Given that Warwick District currently has an oversupply of housing land in relation to the strategic requirement, I consider that to allow employment allocations to be developed for market housing would undermine the housing strategy.

6.11.6 There is, though, a serious shortage of affordable housing in the District. I note that at Revised Deposit stage, Policy SC2 (Protecting Employment Land and Buildings) was amended to make an exception for affordable housing. Likewise, the SPD 'Managing Housing Supply' agreed by the District Council in September 2005 includes a similar exception. Those exemptions are, in my view, appropriate.

6.11.7 Issue 5: Policy UAP8 encourages the provision of visitor accommodation in town centres where it would contribute to vitality and viability and where it would be accessible by means other than the private car. The Regent Hotel development in Leamington Spa has recently been completed. It provides quality accommodation for both business people and tourists. I am told that at present there are no sites available in Leamington Spa town centre suitable for allocation for hotel use.

6.11.8 As regards existing hotel accommodation, I am assured that there is no shortage of hotel bedspaces in the District. In these circumstances, I do not consider it would be appropriate to include a policy to protect existing hotel uses. Market forces will determine whether or not they prosper.

6.11.9 Issue 6: Policy SC9 is a general policy relating to affordable housing on private development sites. It does not address key worker housing which is a very specific issue. I note that the South Warwickshire Housing Assessment³ included an appraisal of the housing needs of key workers. The District Council says that it will consider ways in which those needs can be met in consultation with the Joint Commissioning Partnership and include proposals in its Housing Strategy. In my view, this detailed issue is one which needs to be addressed outside the Local Plan process.

³ CD307

6.11.10 Issue 7: I agree with the planning authority that it is not possible to protect mature gardens for their own sake without full survey and justification. PPG3 includes gardens in the definition of previously developed land which should be taken for development before greenfield sites. In some circumstances their development can secure greater efficiency in the use of land.

6.11.11 Nevertheless, I recognise that other gardens do contribute to the character and appearance of an area. In those instances, amenity is protected through Development Policies DP1, DP2 and DP5. Policy DAP10 specifically protects the appearance and setting of conservation areas. The District Council has put forward a proposed change to the reasoned justification of that Policy referring to those gardens and open spaces that add to the historic appearance and interest of conservation areas. I support that proposed change.

Recommendations

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

add Paragraph 9.39A to read:

“Gardens and open spaces that add to the historic appearance and interest of conservation areas should be protected from development.”

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

CHAPTER 7: TOWN CENTRE POLICIES

7.1 Overview

- 7.1.1** Local Plan policies aim to maintain the shopping function of the town centres and support proposals which enhance their respective role in the Structure Plan town centre hierarchy. Again, objections to those policies are diverse. I put forward modifications to Policies TCP1-3, TCP5 and TCP7, and to their reasoned justifications. In respect of Policy TCP7 Site A and Policy SSP1 Site A (Station Area, Leamington Spa), I conclude that these should not be replaced by a composite policy for the area.

7.2 Paragraphs 7.1 - 7.8A Introduction

Objections to First Deposit Version

66/AS	The Warwick Society
66/AT	The Warwick Society
192/AE	Chamber of Trade
193/BN	Coten End and Emscote Residents' Association
193/BO	Coten End and Emscote Residents' Association
199/BN	James Mackay
199/BO	James Mackay
221/AW	Kenilworth Society
223/AT	Kenilworth Town Council
225/AF	WM Morrisons Supermarkets plc
226/AM	The Environment Agency
242/AG	Coventry City Council (Planning & Transportation)
266/AO	Warwick Town Council

Objections to Revised Deposit Version

195/RBE	The Leamington Society
223/RAG	Kenilworth Town Council
225/RAA	WM Morrisons Supermarkets plc
265/RAB	The Crown Estate
266/RAD	Warwick Town Council
283/RAP	The Ancient Monuments Society
312/RAA	Mrs Cherry Dodd
312/RAC	Mrs Cherry Dodd
350/RBC	Tesco Stores Ltd
354/RAE	Roger Higgins

Key Issues

- 7.2.1** (1) Whether the characterisation of Warwick in Paragraph 7.5 as a centre for antiques could potentially damage the town centre retail economy.
- (2) Whether St John's Museum, Warwick, should be used as a base for the County Museum as a means of creating visitor interest and more footfall in the Smith Street retail area.
- (3) Whether Paragraph 7.4 should identify Leamington Spa as a strategic centre, reflecting RSS Policy PA11, and make reference to the Regional Centres Study commissioned by the RPB.
- (4) Whether the Chandos Street car park retail scheme in Leamington Spa is sufficiently advanced to warrant a reference in the introductory section of the town centres chapter.
- (5) Whether the supporting text should make it clear that any retail development at Chandos Street, Leamington Spa will need to incorporate sufficient parking for the new development as well as compensating for that displaced from the existing surface car park.
- (6) Whether the supporting text should recognise the weaknesses in relation to Kenilworth town centre that were raised in the 2002 DTZ study.
- (7) Whether the wording of Paragraph 7.2 should be amended to indicate that the town centre policies should be read alongside all other relevant Plan policies.
- (8) Whether reference in the second bullet point of Paragraph 7.8 to pressure on car parking in Leamington Spa and Warwick hampering efforts to improve the quality of the towns implies a lack of commitment to promoting sustainable transport choices.
- (9) Whether reference should be made to improvements required to access, signage and parking, as recommended by the DTZ Retail Study.
- (10) Whether specific policies should be incorporated in the Plan to protect small independent retailers.
- (11) Whether there should be a reference to the amount of convenience floorspace required in the District, as identified by the DTZ Retail Study of 2004.
- (12) Whether Plan policies are unduly focused on retail provision in the 'main town centre' of Leamington Spa.
- (13) Whether (a) the District Council has failed to plan positively by not providing a sufficient range of sites to meet the forecast need for more retail floorspace in Leamington Spa, (b) the Shires Retail Park should be recognised in the Plan as a preferred location for further retail development, (c) the District Council has provided an appropriate policy framework for considering planning applications for retail development, and (d) the amendments to policies and supporting text promoted by the objector would improve the Plan.

Inspector's Appraisal and Conclusions

- 7.2.2 Issue 1:** Warwick town centre is referred to in the introduction to Chapter 7 as fulfilling a dual role - a local shopping centre for the people of Warwick and serving a tourist market attracted in large part by the castle. The text goes on to say that building on its tourism potential, the town has an established reputation as a centre for shopping for antiques. While this may not be its primary function, it is recognised in the DTZ Retail Study commissioned by the District Council. I am content that the reference to antiques is factually correct. I do not regard it as being in any way disparaging of, or detrimental to, the town centre retail economy.
- 7.2.3 Issue 2:** In my view it would not be appropriate to include this suggestion in the introduction to Chapter 7. The purpose of this section is largely descriptive to give context and set the scene for the town centre policies that follow. I note that the District Council has forwarded this proposal to the Warwick town centre manager for consideration as part of the ongoing town centre management initiative.
- 7.2.4 Issue 3:** The District Council has amended Paragraph 7.4 of the Revised Deposit Plan to identify Leamington Spa as a strategic town centre, reflecting RSS Policy PA11. As regards the suggestion by Coventry City Council that reference should be made to the Regional Centres study, I take the District Council's point that it is not feasible to refer to all studies that have a bearing on the Local Plan. But more importantly, that Study represents the independent advice of consultants to inform the Phase II Review of the RSS. Those findings have not yet been formally endorsed by the West Midlands Regional Assembly. I see no case for giving prominence to that work at this stage.
- 7.2.5 Issue 4:** I recognise that proposals for a retail-led redevelopment of the Chandos Street car park are potentially of considerable significance for future retailing in the District. In my opinion, it is desirable to raise awareness of the feasibility work in progress. I consider that the additional Paragraph 7.8A included in the Revised Deposit Plan gives a clear, if rather brief, explanation of the current position. I endorse that alteration.
- 7.2.6 Issue 5:** The District Council has put forward a proposed change to Paragraph 7.8A confirming the importance of adequate parking in relation to the Chandos Street feasibility scheme and the need for car parking to maintain the retail attractiveness of the town centre as a whole. I consider that this substantially meets the objection by the Leamington Society. I support that alteration, subject to some minor redrafting. I note that the District Council's parking strategy for Leamington Spa town centre includes redevelopment of the Covent Garden surface car park to provide a net increase of 266 spaces. It is anticipated that redevelopment of the Chandos Street site would yield a further 150 spaces over those currently available. The total increase in parking provision in the town centre would therefore be in the order of 416 spaces.
- 7.2.7 Issue 6:** The introductory paragraphs of Chapter 7 provide an overview of the background to, and issues faced by, the District's town centres - including the most important matters identified by the DTZ studies which the Plan seeks to address. I accept the District Council's argument that it is neither practical nor necessary to give details of all of the findings of the SWOT analysis. I do, though, endorse the alterations made to the Revised Deposit Plan through Paragraphs 7.8 and 7.8A, and the subsequent proposed change to Paragraph 7.8A which sets out the latest position regarding improvements to Kenilworth town centre.

- 7.2.8 Issue 7:** Paragraph 7.2 informs the reader that the town centre policies should be read in conjunction with the relevant urban area policies in Chapter 6. The Environment Agency considers that this cross-referencing should be extended to apply to all relevant Plan policies - in particular, to the generic development policies. I do not consider this to be appropriate for 2 reasons. Firstly, Paragraph 2.3A of the User Guide makes it clear that it is a key principle of this Local Plan that users should have regard to all relevant policies when considering development on a particular site. It is not therefore necessary to repeat such advice in the introduction to Chapter 7. Secondly, I note that cross references in this Plan have been minimised to make the document succinct. The reason why a specific cross-reference is made here in Paragraph 7.2 is revealed by the subsequent text. This explains that policies in the town centre chapter will be given greater weight than the urban area policies when determining development proposals within the town centre boundaries of Leamington Spa, Warwick and Kenilworth as defined on the Proposals Map. With these points in mind, I see no argument for amending the text in the manner suggested by the Environment Agency.
- 7.2.9 Issue 8:** Paragraph 7.8 simply outlines the important issues identified by the DTZ study for each of the District's town centres. Central to the potential for growth in Leamington Spa and Warwick is the need to ensure that essential infrastructure is in place, including an appropriate level of car parking provision - both quantitatively and qualitatively. In my view, it does not send out a message that the District Council is unwilling to address sustainable transport considerations. There is no need, in my view, to alter the wording of that Paragraph.
- 7.2.10 Issue 9:** I consider that the objector's concerns are already covered by the second bullet point of Paragraph 7.8. That text addresses the relationship between car parking and future town centre growth. The qualitative considerations referred to would include signage and access improvements. I note that the action plan developed in conjunction with the town centre management initiatives is likely to address many of the findings of the DTZ study.
- 7.2.11 Issue 10:** Like the District Council, I recognise the value of small independent retailers in town centres. They add variety and distinctiveness, and attract visitors. Nevertheless, it would be contrary to national planning advice to introduce policies aimed specifically at preserving such outlets. Such controls would serve to restrict competition between businesses beyond the parameters set by PPS6. I am satisfied that the Plan's policy framework is sufficient to protect the retail integrity of the town centres. The Plan incorporates policies designed to defend the retail character and function of both primary and secondary retail frontages. Policies TCP4 and TCP5 ensure that core shopping areas are protected from the introduction of an unacceptable level of non-retail uses. By this means, opportunities are maintained for a wide variety of general shops including the smaller, independent retailers.
- 7.2.12 Issue 11:** The District Council commissioned an assessment of the need for convenience floorspace. The results are set out in the DTZ Retail Study 2004¹ and in the Revised Convenience Goods Retail Capacity Study 2005². I am told that the Council has chosen not to make a specific reference to the convenience goods forecast because it is relatively modest in floorspace terms. There is also concern that floorspace requirements can be misinterpreted as 'targets' that ought to be attained rather than general indicators

¹ CD504

² CD505

of levels of need. The much greater challenge is seen as the requirement to provide further comparison goods floorspace in Leamington Spa. This is reflected in inclusion of a maximum gross floorspace figure for comparison goods to 2016 in Paragraph 7.18. I accept this reasoning and see no particular benefit in referring to the quantum of convenience floorspace required in the District.

7.2.13 Issue 12: Leamington Spa town centre is identified in the DTZ Study as an important retail destination. It is the only sub-regional shopping centre in the District and, as such, performs a different role from Warwick and Kenilworth in the retail hierarchy. This function is marked by a specific Local Plan policy (TCP3) which provides for shopping growth through large scale development proposals. Nonetheless, the Plan does not ignore the District's other town centres. I believe that the policy framework of the Revised Deposit Plan will ensure that the more limited retail functions of Warwick and Kenilworth are also afforded proper consideration.

7.2.14 The introduction to Chapter 7 is not just focused on Leamington Spa. It reviews all of the District's town centres, providing an assessment of the challenges facing them during the Plan period. I conclude on this issue that the Plan's town centre retail policies are balanced and appropriate.

7.2.15 Issue 13: This matter has been addressed elsewhere in my report in response to related objections (see Chapter 6, Policy UAP3, Issue 9).

Recommendations

7.2.16 (a) That the Revised Deposit Plan be modified by substituting the following text for Paragraph 7.8A:

"Following from the work undertaken by DTZ the Council is presently undertaking further work to address some of the key issues within the town centres. Within Leamington town centre it has commissioned work to assess the feasibility and opportunities for a retail-led redevelopment of Chandos Street car park. This work will also take account of the future need for car parking in maintaining the retail attractiveness of the town centre overall. In Kenilworth the Council, alongside Warwickshire County Council and Kenilworth Town Council, has developed traffic management measures, which have not yet been agreed and will be subject to public consultation as part of the consideration of a wider framework of improvements to the town centre. That framework also includes environmental improvements and the possible redevelopment of a number of sites and in particular of a Public Service Centre at Smalley Place."

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

7.3 Paragraphs 7.9 - 7.11 Policy TCP1 Protecting and Enhancing the Town Centres

Objections to First Deposit Version

195/AH	The Leamington Society
221/AZ	Kenilworth Society
223/AV	Kenilworth Town Council
225/AD	Wm Morrison Supermarkets plc
302/AQ	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

195/RBF	The Leamington Society
283/RAQ	The Ancient Monuments Society
312/RAD	Mrs Cherry Dodd
350/RBD	Tesco Stores Ltd
354/RAB	Roger Higgins

Key Issues

- 7.3.1** (1) Whether ‘design’ should be a consideration as well as ‘scale’ when considering the compatibility of development proposals within town centres.
- (2) Whether Policy TCP1 is unduly restrictive and likely to inhibit competition between centres by failing to recognise that shopping centres can change their position in the retail hierarchy over time.
- (3) Whether Paragraph 7.11 contradicts Structure Plan Policy TC.2 (Hierarchy of Centres).
- (4) Whether an alternative strategy should be devised because it is physically impossible to locate development of the scale required within Warwick town centre.
- (5) Whether Policy TCP1 should relate the scale of development proposed to the role and function of the centre and its catchment.
- (6) Whether a specific reference should be made in the supporting text to the site and surroundings of the Magistrates’ Court in Newbold Terrace, Leamington Spa.
- (7) Whether (a) the Policy should contain additional text requiring the District Council to prepare enhancement schemes for the main shopping areas, including Old Town in Leamington Spa, as well as for a number of important residential areas in Leamington Spa, Warwick and Kenilworth, (b) Paragraph 7.8 should refer to the need for adequate car parking, and (c) Paragraph 7.11 should be amended by replacing the word ‘support’ with ‘consider’ and by replacing the reference to 2,500 sq m gross floorspace with a lower figure.

Inspector’s Appraisal and Conclusions

- 7.3.2 Issue 1:** The main thrust of Policy TCP1 is to ensure that the District’s town centres remain the focus for new development. ‘Scale’ is of primary importance in ensuring that schemes are compatible with the function of that centre and its position in the retail hierarchy. ‘Design’ is also of significance but it is not the main concern of the Policy. I note that a reference to design quality is included in Paragraph 7.11 of the

reasoned justification. In response to a related objection the District Council has put forward a proposed change to the supporting text requiring applicants to address criteria b) to e) of Policy TCP3 (Providing for Shopping Growth in Leamington Town Centre) when drawing up proposals for Warwick and Kenilworth town centres. Amongst other matters, these require proposals to satisfy the development principles set out in Policy DP1 (Layout and Design). As a result of the proposed change, English Heritage and Kenilworth Town Council have both conditionally withdrawn their objections. I endorse that change.

- 7.3.3 Issue 2:** I do not consider Policy TCP1 to be unreasonably restrictive. It reflects Structure Plan Policy TC.2 which seeks to maintain a County-wide hierarchy of centres in which development is compatible with the scale, nature and character of the centre. The Structure Plan refers to ‘broadly’ restricting development in ‘other town centres’ (such as Warwick and Kenilworth) to 2,500 sq m gross floorspace. The reasoned justification to Policy TCP1 makes it clear that a degree of flexibility will be applied in respect of this upper limit where schemes have merit - for example, by introducing convenience shopping likely to have a positive effect on a town centre’s vitality and viability. I see no reason to add, by way of exception, the words ‘where the competitiveness of the centre would be impaired’ as suggested by Wm Morrison Supermarkets plc.
- 7.3.4 Issue 3:** I see no contradiction between Structure Plan Policy TC.2 and the text supporting Local Plan Policy TCP1. As indicated above, the Structure Plan refers to ‘broad’ floorspace limits. Paragraph 7.11 of the Local Plan recognises that exceptions may be appropriate where particular benefits would ensue, providing there are no adverse impacts on neighbouring town centres. I note that Warwickshire County Council did not raise this matter as an issue of general conformity nor has a specific objection been lodged by that Council.
- 7.3.5 Issue 4:** In my view, Policy TCP1 provides an appropriate framework for considering future development proposals in the District’s town centres. While there may be no sites currently available in Warwick town centre, land and buildings may become available for redevelopment during the lifetime of the Plan. I agree with the planning authority that the alternative strategy suggested of scattering new small convenience stores throughout the urban area would be at odds with PPS6 which adopts a ‘town centres first’ approach in respect of retailing and other town centre uses.
- 7.3.6 Issue 5:** The DTZ Retail Study has examined catchments and given an indication of potential retail capacity across the District, disaggregated between the town centres. The District Council argues that Policy TCP1 serves to ensure that the current hierarchy is not prejudiced and that the scale of development proposed does not undermine the particular environmental characteristics of each town centre. While the Policy certainly does the latter, I consider that it would benefit from some amendment, along the lines suggested by the objector, to refer also to the role and function of the centres and their catchments. I recommend accordingly.
- 7.3.7 Issue 6:** The Magistrates’ Court in Leamington Spa lies within the ‘area of search’ defined on the Proposals Map for major retail development. Any scheme in that location would be considered in relation to the requirements of Policy TCP3, and design would be assessed against the criteria of Policy DP1. I see no compelling reason for referring to this specific site in the reasoned justification supporting Policy TCP1. I note that

following discussion and clarification, the Leamington Society has conditionally withdrawn this objection.

- 7.3.8 Issue 7:** I agree with the District Council that it is not the purpose of Policy TCP1 to identify potential enhancement schemes. As regards car parking, this is addressed by criterion d) of Policy TCP3, and by the second of the proposed changes to Paragraph 7.11 (supporting Policy TCP1), set out below. I note that the word ‘support’ has been replaced by the word ‘consider’ through the first of the Council’s proposed changes. Finally, I believe that the reference in Paragraph 7.11 to development proposals greater than 2,500 sq m (gross floorspace) in Warwick or Kenilworth is appropriate. This figure reflects the Structure Plan hierarchy of town centres in Policy TC.2.

Recommendations

- 7.3.9 (a) That the Revised Deposit Plan be modified as follows:**
- (i) amend Policy TCP1 to read:**

“Proposals for retail, entertainment and leisure development will be permitted where they are of an appropriate scale in relation to the role and function of the town centre and its catchment, and reflect the character and form of the town centre.”
 - (ii) substitute the following text for the second sentence of Paragraph 7.11:**

“It will however consider, in principle, proposals for schemes of greater than 2,500 sq m (gross floorspace) in Warwick or Kenilworth which have merit, particularly where these introduce convenience shopping into these centres.”
 - (iii) further amend Paragraph 7.11 by inserting between the penultimate and last sentences the following additional text:**

“For the purposes of considering proposals within Warwick and Kenilworth town centres, the Council will expect applicants to meet the requirements contained in criteria b) to e) of policy TCP3.”
- (b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.**

7.4 Paragraphs 7.12 - 7.15 Policy TCP2 Directing Retail Development

Objections to First Deposit Version

39/AD	NHS West Midlands Division
258/AB	Sainsburys Supermarkets Ltd
265/AB	The Crown Estate

Objections to Revised Deposit Version

224/RAC	Mr and Mrs R M Orr
321/RAQ	West Midlands International Airport Ltd
350/RBE	Tesco Stores Ltd

Key Issues

- 7.4.1** (1) Whether Policy TCP2 should be cross-referenced to Policy UAP3.
- (2) Whether (a) the Plan should include policies supporting the provision of primary healthcare facilities within town centres, and (b) Policy TCP2 should indicate where Class D1 uses will be permitted within town centres.
- (3) Whether it is appropriate to have a blanket policy restricting all development in shopping centres to Class A uses only.
- (4) Whether support should be given to ancillary retail development supporting major uses outside town centres.
- (5) Whether (a) the District Council has failed to plan positively by not providing a sufficient range of sites to meet the forecast need for more retail floorspace in Leamington Spa, (b) the Shires Retail Park should be recognised in the Plan as a preferred location for further retail development, (c) the District Council has provided an appropriate policy framework for considering planning applications for retail development, and (d) the amendments to policies and supporting text promoted by the objector would improve the Plan.

Inspector's Appraisal and Conclusions

- 7.4.2 Issue 1:** The objector is concerned that if read in isolation Policy TCP2 (as drafted in the Revised Deposit Plan) suggests that retail development will only be permitted in town centres, whereas Policy UAP3 applies outside town centres. The User Guide makes it clear that Plan users should have regard to all relevant policies when considering development on a particular site. Consequently, there is no technical reason for including a cross-reference in Policy TCP2. Cross-references should, I feel, generally be avoided in the interests of securing a succinct Plan. Nevertheless, I recognise that here there is scope for confusion, not least because Policies UAP3 and TCP2 bear similar titles. At the inquiry, it was agreed between the District Council and the Crown Estate that a cross reference should be inserted and a form of words was agreed. I support that approach and reflect it in my recommendations.
- 7.4.3 Issue 2:** Policy SC7 states that community facilities, which include primary health care services, will be permitted within town centres. Where no suitable sites are available, a sequential approach should be followed. Outside of these locations, facilities that can be demonstrated to meet a particular local need will be permitted subject to certain criteria being met. The Plan does therefore address primary health care needs and supports provision first in the town centres. While the retail areas defined on the Proposals Map occupy a significant proportion of the three town centres, there is other land available there to meet a variety of needs. I am satisfied that the Plan achieves a proper balance between protecting the retail core, which is essential in defending the

vitality and viability of each town centre, and accommodating other land use requirements that benefit from an accessible location. I see no need to amend Policy TCP2 in response to this objection nor to identify specific town centre locations where Class D1 activities will be permitted.

7.4.4 Issue 3: By restricting changes of use from Class A to other uses within the defined retail areas Policy TCP2 serves to maintain overall shopping floorspace levels within a tightly focused core and encourages the re-use/recycling of premises for retail purposes. I agree with the planning authority that preserving the retail offer is of paramount importance in supporting the vitality and viability of the District's town centres and ensuring their success as retail destinations. I see no conflict with PPS6 in this regard. Because the Policy only protects existing Class A uses, other non-Class A uses are excluded. In my view, this maintains an appropriate degree of flexibility.

7.4.5 Issue 4: I acknowledge that ancillary retail uses might be appropriate in certain circumstances in support of a major development. In such cases, Paragraph 3.30 of PPS6 advises that the retail element should be limited in scale and genuinely ancillary to the main development. The range of goods to be sold will also be relevant. I agree with the planning authority, though, that it is not necessary to add a specific reference to either Policy TCP2 or Policy UAP3. To do so could be misconstrued as general support for such proposals which could undermine the Plan's retail strategy and the 'town centres first' approach endorsed by Government guidance. It is my opinion that any planning application for such development should be assessed on its own merits.

7.4.6 Issue 5: This matter has been addressed elsewhere in my report in response to related objections (see Chapter 6, Policy UAP3, Issue 9).

Recommendations

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

substitute the following wording for Policy TCP2:

“Within the town centres of Leamington Spa, Warwick and Kenilworth, new retail development will be primarily directed to the retail areas defined on the Proposals Map. In accordance with Government guidance, where suitable opportunities cannot be found within the retail areas, retail development will be supported in the following locations. These are firstly:

- a) the area of search for major retail development in Leamington Spa town centre defined on the Proposals Map in accordance with policy TCP3, and**
- b) the mixed use area of Warwick town centre defined on the Proposals Map in accordance with policy TCP8**

and then other sequential sites in edge-of-centre locations which are in accordance with Government guidance and other policies within this Plan. Retail development outside of town centres will be considered in accordance with policy UAP3 of the Plan.

Within the retail areas, changes of use from general shops (Class A1), financial and professional services (Class A2), restaurants and cafes (Class

A3), drinking establishments (Class A4) and hot food take-aways (Class A5) to other uses outside of Class A will not be permitted.”

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

7.5 Paragraphs 7.16 - 7.22 Policy TCP3 Providing for Shopping Growth in Leamington Town Centre

Objections to First Deposit Version

2/AD	British Telecommunications plc
161/AA	Morley Fund Management
188/AD	Marks and Spencer plc
203/AA	Warwick Chamber of Trade and Commerce
225/AE	WM Morrisons Supermarkets plc
265/AA	The Crown Estate
302/AR	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

225/RAB	WM Morrisons Supermarkets plc
265/RAC	The Crown Estate
350/RBF	Tesco Stores Ltd

Key Issues

- 7.5.1** (1) Whether Leamington Spa town centre is suitable and there is a need for further large scale shopping development.
- (2) Whether the reference to ‘scale’ in criterion b) of the Policy should be subject to an exception where the competitiveness of the centre is impaired.
- (3) Whether the potential growth of Leamington Spa’s shopping floorspace beyond committed levels would constitute a threat to Warwick town centre.
- (4) Whether the maximum floorspace figure of 25,000 sq m given in Paragraph 7.18 of the First Deposit Plan is appropriate for inclusion in the supporting text.
- (5) Whether the Policy should allow for alternative non-retail redevelopment opportunities in the town centre.
- (6) Whether the Plan should also confirm the quantitative need in the District for convenience goods floorspace.
- (7) Whether the Plan should commit to keeping retail floorspace requirements under review.

- (8) Whether (a) the District Council has failed to plan positively by not providing a sufficient range of sites to meet the forecast need for more retail floorspace in Leamington Spa, (b) the Shires Retail Park should be recognised in the Plan as a preferred location for further retail development, (c) the District Council has provided an appropriate policy framework for considering planning applications for retail development, and (d) the amendments to policies and supporting text promoted by the objector would improve the Plan.

Inspector's Appraisal and Conclusions

- 7.5.2 Issue 1:** English Heritage questions the overall need for, and suitability of, major shopping development in Leamington Spa town centre. Whilst recognising that a successful retail sector is a key factor in the vitality and viability of a town centre, the objector points out that RSS emphasises the complementary nature of town centres rather than their competitive status. In its view, Leamington Spa should aim to retain and build on its existing character of a diverse range of smaller scale retail operations. This would, it is argued, offer a distinctive retail experience, better respect the essential character of the historic townscape and offer potential for integrating tourism and retail activities.
- 7.5.3** Work has been undertaken to assess the physical capacity of Leamington Spa town centre to accommodate the growth envisaged in the DTZ Retail Study. This confirms that there is potential for further large scale retail development. In these circumstances, I do not consider it premature to identify an area of search through the Local Plan process. I note that in light of the District Council's response to this objection and changes made to the Revised Deposit Plan, English Heritage has conditionally withdrawn its objection.
- 7.5.4 Issue 2:** I accept the planning authority's contention that criterion b) does not seek to unduly restrict the scale of new retail development. Its purpose is simply to ensure that the scale of any proposals does not prejudice the character and form of the town centre. The environmental quality of Leamington's historic core is, of course, at the very heart of the town's draw as a high quality retail destination. There is no evidence that the criterion, as drafted, would prevent the shopping centre from changing its position in the retail hierarchy. In my opinion, the additional wording suggested by the objector would not improve the Policy.
- 7.5.5 Issue 3:** Leamington Spa is recognised as a 'main town centre' in the Structure Plan hierarchy and is a sub-regional shopping destination. It is appropriate that it should be the focus for most new development. Retail studies undertaken for the District Council conclude that the 3 town centres should develop complementary strategies based on their relative size and importance. The 2004 DTZ report identifies the volume of convenience and comparison goods floorspace that each of the town centres might provide to maintain their market position. I concur with the planning authority that the major challenge is to see how such development can be accommodated. I am satisfied that this Local Plan, while giving prominence to development of the retail function of Leamington Spa town centre, does not seek to achieve this at the expense of, or by marginalising, the role of Warwick town centre.
- 7.5.6 Issue 4:** The maximum gross floorspace figure for new comparison goods of 25,000 sq m set out in the First Deposit Plan was derived from the 2002 DTZ retail study. Although not made explicit, it was based on a projection to 2008. The figure was

amended in the Revised Deposit Plan to 37,300³ sq m by looking forward to 2016. While it extends beyond 2011, it serves to show that on current estimates the growth of Leamington Spa town centre as a comparison goods retail destination is likely to continue beyond the Plan period. I support this and other alterations made to Paragraph 7.18 which serve to clarify the District Council's position.

7.5.7 Issue 5: The purpose of the 'area of search' defined on the Proposals Map is to indicate possible future locations for retail growth. It does not preclude alternative acceptable forms of development in the town centre.

7.5.8 Issue 6: This matter has been addressed elsewhere in my report in response to other objections. In brief, I acknowledge that the additional convenience goods floorspace required is relatively modest. In light of this, the District Council has chosen to concentrate through Policy TCP3 on comparison goods. This is seen as the major retail challenge for the District. In such circumstances I see no need to burden the Plan with non-essential information.

7.5.9 Issue 7: Paragraph 7.18 of the Revised Deposit Plan states that the District Council is committed to periodically reviewing its retail data to ensure that changing conditions are considered. The planning authority confirms that re-appraisal of retail capacity will be carried out in due course. The objection by Marks and Spencer plc is therefore met.

7.5.10 Issue 8: This issue is addressed elsewhere in the report in response to related objections (see Chapter 6, Policy UAP3, Issue 9).

Recommendations

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

(i) amend the first part of Policy TCP3 to read:

"Proposals for large scale shopping development will be permitted provided:-

a) they are within (i) the retail areas of the town centre, and then (ii) the area of search defined on the Proposals Map;"

(ii) amend the third and fourth sentences of Paragraph 7.18 to read:

"An updated Retail Study, received in June 2004, identified convenience, comparison and retail warehousing floorspace capacity to 2011 which further grows to 2016. The 2004 study identified the fact that Leamington town centre could support a maximum of 37,700 sq. metres (gross) comparison floorspace."

(iii) amend Paragraph 7.22 to read:

"For the operation of this policy, 'large scale' retail proposals refers to proposals with a floorspace of over 1,000 sq m."

³This figure is incorrect and should have been 37,700 sq m

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

7.6 Paragraphs 7.23 - 7.26 Policy TCP4 Primary Retail Frontages

Objections to First Deposit Version

38/AB	Dr Andrew Cave
171/AA	Portland Place Residents' Association
192/AC	Chamber of Trade
296/AD	CLARA

Objection to Revised Deposit Version

354/RAC	Roger Higgins
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Key Issues

- 7.6.1** (1) Whether (a) the Policy should distinguish between restaurants/cafes and pubs/clubs, and (b) Paragraph 7.25 should be worded more strongly to recognise the anti-social behaviour associated with some patrons of licensed premises in Leamington Spa town centre.
- (2) Whether the remainder of Warwick Street, Park Street and Regent Street, Leamington Spa should be designated as Primary Retail Frontages and the acceptable level of non-retail uses reduced from 25% to 15%.
- (3) Whether the Policy should limit or preclude altogether licensed premises within a 50m radius of designated residential and retail areas.
- (4) Whether criterion b) of Policy TCP4 should be strengthened by restricting the creation of a continuous non-A1 frontage of more than 12m.
- (5) Whether further limitations are necessary in respect of the concentration of A3 and A5 uses and their balance in relation to the number of A1 units.

Inspector's Appraisal and Conclusions

- 7.6.2 Issue 1:** Both the Policy and the reasoned justification were amended at Revised Deposit stage to take account of the changes made by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005. They now differentiate between restaurants and cafes (Class A3), drinking establishments (Class A4), and hot food take-aways (Class A5). Moreover, additional wording was introduced into Paragraph 7.25 to explain that in accordance with the Licensing Act 2003 the District Council is now responsible for granting licenses.

- 7.6.3** As regards the matter of anti-social behaviour, the Plan acknowledges that an excessive concentration of A3 and A4 licensed premises has raised concerns, particularly in Leamington Spa, with regard to community safety issues. Policy TCP4 has the effect of maintaining an element of control over the number and location of A3, A4 and A5 uses (which include licensed premises), in addition to protecting the integrity of the retail function. Paragraph 7.25 goes on to confirm that the District Council will work actively with the police, local community groups and residents to ensure licensing issues are correctly considered and that the amenity of residents and other interests is protected. Given these provisions and assurances, I consider it unnecessary to strengthen the wording of Paragraph 7.25.
- 7.6.4 Issue 2:** I am advised that the 25% restriction on the proportion of non-A1 frontage in Primary Retail Frontages represents a considerable strengthening of policy in relation to the adopted Local Plan. A significant number of frontages in Leamington Spa town centre are already at or exceed that threshold. This will severely limit the scope for further losses of Class A1 uses. Like the District Council, I believe that reducing the threshold to 15% would be overly restrictive in relation to Government advice in PPS6. That guidance seeks to encourage a mix of uses within town centres and to support the evening economy. In light of this, I see no compelling argument for extending the Primary Retail Frontages in Leamington Spa beyond those already identified on the Leamington Town Centre Inset Map.
- 7.6.5 Issue 3:** As the District Council points out, it would prove impracticable from an operational viewpoint to provide an A3/A4/A5 limitation or exclusion zone of 50m radius around the town centre primary retail frontages and residential areas - if only because many town centre properties are in mixed use and have dwelling units on their upper floors. In any event, the effect of any non-A1 proposals on neighbouring residential development would fall to be assessed under Policy DP2 (Amenity).
- 7.6.6 Issue 4:** Again, the 16m criterion of Policy TCP4 represents a considerable strengthening of the policy position in relation to the current adopted Local Plan. The District Council says it has set a figure of 16m to be the equivalent of 2 or 3 traditional independent retailer shop frontages. There is no compelling evidence before me to suggest that a lower figure of 12m would be more appropriate. The criteria approach taken by Policy TCP4 is, in my view, preferable to the embargo suggested for certain uses in specified locations. Such suggestions include no further A3 outlets in Augusta Place, Leamington Spa.
- 7.6.7 Issue 5:** Policy TCP4 is already restrictive in relation to the proportion and length of non-A1 frontage allowed within the Primary Retail Frontages. It seems to me that market forces will determine how many of those non-retail uses are occupied as restaurants/cafes, hot food take-aways, and drinking establishments. There is no need, in my view, to introduce further criteria into Policy TCP4. As regards drinking establishments, a separate control regime falls upon the District Council following introduction of the 2003 Licensing Act.

Recommendations

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

7.7 Paragraphs 7.27 - 7.28 Policy TCP5 Secondary Retail Areas

Objections to First Deposit Version

38/AF	Dr Andrew Cave
66/AV	The Warwick Society
193/BP	Coten End and Emscote Residents' Association
199/BP	James Mackay

Objections to Revised Deposit Version

224/RAD	Mr and Mrs R M Orr
354/RAD	Roger Higgins

Key Issues

- 7.7.1** (1) Whether the threshold for non-A1 frontage should be changed from 50% to 25% or 20%, and the proportion of continuous non-A1 frontage amended from 16m to 14m.
- (2) Whether 'white land' shown on the Leamington Spa Town Centre Inset Map should be subject to the same thresholds as Policy TCP5.
- (3) Whether the last sentence of Paragraph 7.28 (exempting the café quarters from the controls set by Policy TCP5) should be deleted.
- (4) Whether there should be a ban on further A3 outlets in Augusta Place, Leamington Spa.
- (5) Whether the qualifications set out in criteria a) and b) are arbitrary and without reasoned justification.
- (6) Whether further restrictions are necessary in respect of the concentration of A3 and A5 uses and their balance in relation to the number of A1 units.

Inspector's Appraisal and Conclusions

- 7.7.2 Issue 1:** Paragraph 2.17 of PPS6 defines secondary retail areas as locations that are appropriate for the introduction of a more mixed and diverse range of Class A uses. While it is important that such areas do not lose their predominant retail function and character, I believe a threshold of 25% or 20% would be unduly restrictive. It would not allow enough flexibility to ensure a successful blend of uses and would not be distinguishable from the primary retail frontages where Policy TCP4 sets a 25% limit for non-A1 uses. As regards the restriction on the length of continuous non-A1 frontage, I note that this represents a considerable strengthening from the approach taken in the current adopted Local Plan. Many frontages are already at or exceed that threshold. I see no argument for amending the figure from 16m to 14m.

- 7.7.3 Issue 2:** Policy TCP5 relates solely to the secondary retail areas. These comprise all of the retail areas shown on the Proposals Map that are not otherwise defined as primary retail frontage. They are still essentially shopping locations where it is important to retain the predominantly retail character while encouraging an appropriate mix of uses to maintain and enhance the vitality of the town centres. The same policy consideration does not apply to the unannotated (white land) areas of the town centre. It would not therefore be appropriate, in my view, to extend the criteria/thresholds of Policy TCP5 across a broader geographical spread. Issues of amenity arising from a concentration of A3, A4 and A5 uses in such areas can be addressed through generic Development Policy DP2.
- 7.7.4 Issue 3:** I see no reason to remove the exception made in respect of the café quarters defined in Policy TCP6. The merits of introducing café quarters were identified in the DTZ Retail Studies. Although non-retail uses, they serve to maintain retail character in its broadest sense.
- 7.7.5 Issue 4:** I agree with the District Council that it would be inappropriate to place a specific embargo on further A3 uses in Augusta Place given the restrictive policy framework that already applies in respect of A3, A4 and A5 uses. I note that while sections of Augusta Place lie within the defined retail area, other parts fall within the area intended to be primarily in residential use with the majority left unannotated on the Proposals Map.
- 7.7.6 Issue 5:** I do not regard the criteria set out in Policy TCP5 as arbitrary and inadequately justified. They have been drawn up following appeal decisions where adopted Local Plan policy has been challenged. I concur with colleague Inspectors that it is more meaningful to consider the percentage of the street elevation as a linear measurement (frontage) rather than as a percentage of the overall number of units by usage. It is important to distinguish between primary and secondary retail areas. The clearest way to do this is by numerical thresholds. I am advised by the District Council that many Inspectors have applied a 50% threshold to secondary retail areas. I am satisfied that the Plan properly differentiates between primary and secondary retail areas and that both Policies TCP4 and TCP5 provide readily measurable thresholds against which proposals can be assessed. Policy TCP5 provides for a greater degree of flexibility. It indicates that in exceptional cases, proposals which do not fulfil the second criterion may be accepted where they would not have a prominence in the streetscape that would affect the predominantly retail character of the area. I consider that to be appropriate.
- 7.7.7 Issue 6:** A similar objection has been made in respect of Policy TCP4. Policy TCP5 is already restrictive in relation to the proportion of non-A1 uses (by frontage) allowed in secondary retail areas. Market forces will determine how many of those non-retail uses are occupied as restaurants/cafes, hot food take-aways, and drinking establishments. There is no need, in my view, to introduce further criteria into Policy TCP5. In terms of drinking establishments, a separate control regime is administered by the District Council under the 2003 Licensing Act.
- 7.7.8** While I recommend no changes to Policy TCP5 specifically in response to objections, I believe the Policy would benefit from some minor drafting changes/corrections to make the wording consistent with that employed in Policy TCP4. I recommend accordingly.

Recommendations

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

substitute the following wording for Policy TCP5:

“Changes of use from shops (Class A1) to financial and professional services (Class A2) or restaurants and cafes (Class A3) or drinking establishments (Class A4) or hot food take-aways (Class A5) within the secondary retail areas will be permitted unless:-

- a) more than 50% of the total length of the street frontage is in non A1 use: or**
- b) the proposal consists of, or would contribute to creating, a continuous non A1 frontage of more than 16m.**

In exceptional cases, proposals which do not fulfil the second criterion may be accepted where they would not have a prominence in the streetscape that would affect the predominantly retail character of the area.”

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

7.8 Paragraphs 7.29 - 7.30 Policy TCP6 Café Quarters

Objections to First Deposit Version

66/AU	The Warwick Society
193/BQ	Coten End and Emscote Residents' Association
199/BQ	James Mackay
266/AG	Warwick Town Council
302/AT	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

266/RAB	Warwick Town Council
312/RAE	Mrs Cherry Dodd
354/RAF	Roger Higgins

Key Issues

- 7.8.1 (1) Whether the Policy serves an appropriate planning function.**
- (2) Whether the Policy is at odds with maintaining the shopping focus of the town centre, encouraging residential occupation, and discouraging use of the private car.**

- (3) Whether (a) the term ‘café quarter’ is misleading, and (b) Market Place has become biased in favour of the evening economy, leaving a square that is a bleak void during the daytime winter months.

Inspector's Appraisal and Conclusions

- 7.8.2 Issue 1:** English Heritage questions the purpose of this Policy and considers that, as a minimum, the café quarter extension along Old Square should be omitted. The quarter is seen by the District Council as a means of attracting more visitors to Warwick town centre, creating stronger links with Warwick Castle and fully utilising the space created in Market Square. I support that concept which will serve to enhance the vitality and viability of the town centre by taking advantage of spin off from the major tourist attraction of Warwick Castle. I note that the café quarter has been extended along Old Square to identify and encourage a potential pedestrian circuit. Again, I endorse that principle. I recognise the particular concerns of English Heritage in relation to maintaining the integrity of the setting of St Mary's Church. Any planning application for A3 or A4 use would need to be sensitively handled to minimise visual intrusion and any loss of amenity. Nevertheless, I consider the objectives of the Policy to be sound.
- 7.8.3 Issue 2:** This Policy is being promoted by the District Council as a response to a need/opportunity identified in the 2002 DTZ Retail Study. By creating a policy environment where further A3 and A4 uses (but not A5 - hot food take-aways) would be encouraged, it seeks to create a new destination and interest that will attract visitors to Warwick Castle as well as local residents. The intention is to complement the town's shopping role and provide a focus for leisure use and promotion of the evening economy. It capitalises on the improvements made to Market Place in 1999 which removed traffic conflicts and created an open pedestrian-friendly area for public events. I note that care has been taken to defend Warwick's retail offer. Both Smith Street and Swan Street have been identified as primary retail frontages where the more restrictive Policy TCP4 applies. Residential amenity would need to be safeguarded. The District Council says that all development proposals for A3 or A4 use would be carefully scrutinised and consideration given to sound insulation and extraction of cooking fumes. As regards use of the private car, I note that there is public car parking available in addition to existing public transport services. The District Council recognises that these could be improved as part of a linked marketing and signposting strategy. I conclude on this issue that there is no conflict, in principle, with other Plan objectives. A defined café quarter here would complement the town centre shopping function, need not give rise to serious amenity problems, and would not necessarily encourage car-borne visitors from a wider area.
- 7.8.4 Issue 3:** I do not consider the ‘café quarter’ terminology used in Policy TCP6 to be ambiguous or confusing. The Policy sets out clearly the uses that will be permitted in the locations defined on the Proposals Map. The District Council's intention is that this part of the town centre should provide an attractive environment that will offer interest for visitors and local residents throughout the year. Its success will ultimately depend upon strengthening the links between the Castle and this part of the town centre, and securing private sector investment and confidence. I support this policy approach.

Recommendations

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

7.9 Paragraphs 7.31 - 7.34 Policy TCP7. Opportunity Sites in Old Town, Leamington Spa.

Objections to First Deposit Version

6/AB	Chiltern Railways
120/AO	Miller Homes (West Midlands)
148/AS	Campaign to Protect Rural England (Warwickshire Branch)
159/AD	Rail Property Ltd and Network Rail Infrastructure Ltd
233/AA	Tanya Newby
294/AA	British Waterways

Objections to Revised Deposit Version

148/RBA	Campaign to Protect Rural England (Warwickshire Branch)
195/RBG	The Leamington Society
350/RBG	Tesco Stores Ltd

Key Issues

- 7.9.1** (1) Whether Policies TCP7 (Site A) and SSP1 (Site A) should be replaced by a composite policy for the area.
- (2) Whether the composite policy referred to above should include:
- a town-side entrance to Leamington railway station
 - a bus/rail interchange
 - secure cycle accommodation
 - safe walking and cycling routes between the station and the town centre
 - retention of the Stagecoach bus depot
 - car parking for the station
 - a focus on commercial and office uses, with housing subsidiary and directed at social needs
- (3) Whether the reasoned justification should refer to the extensive frontage to the Grand Union Canal shared by Opportunity Sites A, B and C and the possibility of integrating the waterway in any regeneration scheme.
- (4) Whether Policy TCP7 (Site A) should require regeneration proposals to take into account the need for additional car parking for rail users and pedestrian accessibility.
- (5) Whether the Policy should be more specific about the types and mix of uses that should be provided.
- (6) Whether Paragraph 7.33A of the supporting text should be deleted and addressed via a supplementary planning document.

Inspector's Appraisal and Conclusions

- 7.9.2 Issue 1:** (*Railway Station area, Leamington Spa*) The objection site is the former LNWR (later LMS) station and goods yard. This linear site of 5.7ha extends from Lower Avenue in the east to the Ford Foundry in the west. Since closure of the LMS station and removal of all tracks the land has been in forms of employment use. The now redundant and derelict Quicks Garage awaiting redevelopment was built in the late 1970s; the Stagecoach Bus Garage was constructed in the 1980s; and the Target van hire compound is the modern successor to former coal yards and rail sidings. Vehicular access to the land is obtained from Station Approach loop road to the north. A footpath/cycleway crosses the site from north to south linking Avenue Road with the railway station (a Grade II listed building) located on the south side of the tracks. A pedestrian underpass at the eastern end of the site gives access to the station buildings. The northern boundary of the site abuts a Conservation Area which wraps around the site to include the railway station.
- 7.9.3** The land is subject of 2 allocations in the Revised Deposit Plan. The eastern section is within Opportunity Site A identified in Policy TCP7 while the western area is allocated under Policy SSP1 (Site A). The part of the objection site not covered by a specific allocation on the Proposals Map is the bus depot. Appeals in respect of housing development (apartments) on the former Quicks Garage site were dismissed following a public inquiry heard in April/May 2006. A planning application by Chiltern Railways for station parking on the eastern area of the land has recently been refused by the District Council.
- 7.9.4** In November 1996 the District Council engaged consultants to undertake an Urban Design and Environmental Study of the area around the railway station. This was published in due course as the Leamington Station Area Enhancement Study. The same consultants were again commissioned in 1998 to assist with regeneration proposals for Leamington Old Town. Four documents were prepared to support what was to be a successful bid for funding under the Single Regeneration Bid 5 programme. These documents, including 'Development Principles for the Station Area' (DPSA) were eventually adopted by the District Council as supplementary planning guidance ('saved', and now SPD, under the provisions of the 2004 Act). When the District Council approved the First Deposit Version of the Local Plan in 2003 the opportunity was taken to translate these development principles into Local Plan policy. Policy SC3 seeks to protect public transport interchanges from development that would have a harmful impact on their operational efficiency. Policy TCP7 identifies opportunity sites within which regeneration will be supported. The objection site includes the section of Opportunity Site A north of the railway station where 'housing/ commercial and business use (B1, B2, B8)/ improved access to the railway station/ improvements to rail related car parking/ pedestrian accessibility' will be supported. The reference to 'improvements to rail related car parking/ pedestrian accessibility' was added at Revised Deposit stage, in response to objections. And the further reference to 'improved access to the railway station' has been suggested by the District Council following consultation on the Revised Deposit Plan. Policy SSP1 allocates the 2.1ha Station Goods Yard for Class B employment use.
- 7.9.5** This site is seen by CPRE (Warwickshire Branch) as a key location for redevelopment in the town. The objector contends that the DPSA is out-of-date. It was completed during rail privatisation (1998/99) when rail development proved near impossible and precluded a corporate view, and the delivery of housing land was a key feature. The Local Plan now offers the opportunity to set out a policy for the whole of the area north of the

railway station that can incorporate proposals for all transport related facilities required. In 2002 the Leamington Society drafted a concept for a bus/rail interchange on land north of the railway station, extending the main subway northwards and constructing a new entrance and interchange. This was developed in more detail by CPRE (Warwickshire Branch). It would use the eastern third of the Quick's site and land currently in railway ownership further to the east. I note that those proposals were submitted to the County Council, the District Council, Chiltern Railways and the local MP. The objector says that since 2003 the local authorities have not brought about any significant changes except for some improvements to the existing south-side car park and access to the railway station. For a time bus services were routed in front of the station entrance but this has not endured and provision for cycle parking has deteriorated. CPRE (Warwickshire Branch) argues that there is currently no effective bus/rail interchange at Leamington railway station, with bus stops and services widely scattered in a confused manner along a number of highways north and south of the station. Enhancement of Leamington railway station, provision of a bus/rail interchange, and improvement of access by foot and cycle would, it is argued, all contribute to Structure Plan Policy T1 objectives of achieving a modal shift and growth in public transport usage, reducing reliance on the private car.

- 7.9.6** I do not accept there is a need for a clearer and more extensive policy. I consider that, taken together, Policies TCP7 and SSP1 (as amended at Revised Deposit stage, and as subsequently proposed to be further changed by the District Council) provide satisfactory coverage both spatially and in terms of their policy content to direct investment towards regenerating the area. They establish, in my opinion, an appropriate basis for considering and assessing planning applications. In reaching this view, I have borne in mind that there are no proposals to relocate the Stagecoach bus depot that separates much of Site A of Policy SSP1 from Opportunity Site A of Policy TCP7. Indeed, the objector and the District Council are at one in supporting retention of this major facility that has been the subject of relatively recent investment. Apart from the absence of a specific bus/rail interchange on the town-side of the railway tracks, the objector supports the broad mix of land uses proposed for this locality - housing, commercial and business, and rail-related car parking - although not the disposition of land uses and detailed schemes that have so far been forthcoming in the Miller Homes appeals and the Chiltern Railways application.
- 7.9.7** The Proposals Map places the site where housing development has been sought in the Old Town regeneration area and therefore outside the control afforded by the District Council's 'Managing Housing Supply' SPD. CPRE (Warwickshire Branch) maintains that this land is not actually in Old Town and can contribute nothing to its regeneration but is more closely related to the low density Conservation Area to the north which includes Avenue Road, Adelaide Road, the Pump Room Gardens and Victoria Park. The objector argues that Opportunity Site A should exclude land north of the railway station and west of Lower Avenue. I do not agree. I accept the District Council's argument that the physical extent of Old Town is not defined. The land in question lies at the interface of areas of different character, one of which is likely to change significantly in the near future. I see no reason to question the role of this section of Opportunity Site A in contributing positively to regeneration of the locality.
- 7.9.8 Issue 2:** I turn now to the various elements put forward by the objector as components of a more comprehensive policy. Looking first at the provision of a town-side entrance to Leamington station, this proposal is also supported by other objectors (The Leamington Society and Tanya Newby). For historic reasons Leamington station is located on the south side of the tracks. Facing towards Old Warwick Road, it turns its back on the town. There is an existing pedestrian link to the town centre via an

underpass but to access that route one has to first exit the station. The present path and subway is perceived as unpleasant and unsafe. The District Council recognises this and, together with the objectors, supports a more direct link to the town centre through the station itself thereby opening up the station from the north side of the tracks. This aspiration has been acknowledged through proposed changes to the Revised Deposit Plan which add the words ‘improved access to the railway station’ to Policy TCP7 and incorporate a new paragraph in the reasoned justification. The final version of the Warwickshire Local Transport Plan 2006 reflects this. I endorse those changes. I agree with the District Council that it would be inappropriate for Policy TCP7 to go any further. Such a project would necessitate significant engineering works. It would be complex and costly, and would involve land not in public ownership but controlled by Chiltern Railways under their existing franchise. Moreover, Leamington station is a Grade II listed building in a conservation area. It is important that the building remains in active use by keeping other rail facilities on the north side of the tracks secondary in nature. I note that although CPRE (Warwickshire Branch) did not support the planning application by Chiltern Railways for additional station car parking at the eastern end of the objection site (which proposals included improved access for pedestrians and cyclists to and from the existing subway), those works would not have precluded a new tunnel link

- 7.9.9** The LTP 2006 makes mention of a new bus terminal on the northern side of the railway station, subject to funding as part of the £14.8m SPARK Major Bid scheme. That funding has now been secured (WCC News Release dated 6 July 2006). The terminal would be provided on land at the eastern end of Avenue Road, rather than within the objection site. It is envisaged that this would be a ‘superbus’ station with shelters, raised kerbs and real time information. The bus interchange would be served by a new bus service to be introduced as part of the proposed Warwick and Leamington park and ride scheme. I concur with the District Council that in view of this reference in the LTP, other references in the Local Plan and the terms of Policy SC3, there is an adequate framework already in place to ensure support for a new bus interchange to the north of the station without the need for its inclusion in Policy TCP7 or a specific allocation. Although the County Council’s park and ride proposal has not been subject to public debate or detailed consultation, and is only a bid for Government funding at this stage, the objector’s vision of a much more elaborate bus/rail interchange with possible waiting room/ticket office/shop/cafe, bus turning area and taxi rank etc within the objection site appears to be out of step with current County Council thinking on the subject. I note that the proposals were drawn up before the station building was listed in 2004.
- 7.9.10** As regards secure cycle parking, this is already provided on the station forecourt and there is a proposal in the LTP to extend this. Support for the development of cycle and pedestrian facilities is given by Local Plan Policy SC4.
- 7.9.11** The railway station is served by existing pedestrian and cycle routes. Route 41 is shown on the Proposals Map and forms part of the National Cycle Network. It links the station with the town centre and Warwick. The LTP 2006 includes a number of specific proposals for new footpaths and cycleways in the District. I have concluded elsewhere in my report that Paragraph 5.20 of the Local Plan should be amended to include a cross-reference to those measures listed in the LTP.
- 7.9.12** As I have recorded earlier, there are no proposals to relocate the Stagecoach bus depot. I see no need to include it within a broader Policy.

- 7.9.13** CPRE (Warwickshire Branch) indicated at the hearing that it would prefer additional car parking provision for the railway station to be made on land to the west and north of the bus depot (as in Omission Site 20, proposed by BR Residuary Ltd), rather than on the recent application site west of Lower Avenue. This suggestion is not, in my view, a compelling reason either on its own or in combination with other arguments, for amending or deleting employment allocation SSP1 (Site A) in favour of a much more extensive composite policy embracing all of the land as far east as Lower Avenue. The District Council is confident that allocation SSP1 (Site A) will come forward for development during the Plan period.
- 7.9.14** The objector considers that the primary land use focus of the wider objection site should be commercial and office uses to ensure viability of a public transport interchange and associated buildings, and to be compatible in terms of size, bulk and activity with the adjoining residential area to the north. It is the objector's opinion that, despite approaches made to the District Council, it is most unlikely that the employment allocation would be developed as a traditional estate of industrial workshops and warehouses. Whereas the SPG was housing-led, today there is a situation of housing land oversupply. Any housing component should, it is argued, be subsidiary and directed at social needs. I see no need for this. The driver is regeneration rather than housing and Policy TCP7 covers a range of land uses. To my mind there is a greater likelihood of successful regeneration and compatibility with adjacent uses being achieved by maintaining flexibility. I consider that the broad specifications of acceptable land uses set out in Policies TCP7 (Opportunity Site A) and SSP1 (Site A) are sufficient and appropriate in the circumstances. As and when particular schemes come forward they stand to be assessed against those policies and all other relevant policies of the Plan.
- 7.9.15** I conclude on these 2 related issues that a composite policy covering a larger site extending beyond the town centre would not improve the Plan. I am satisfied that the changes made to the Revised Deposit Plan, supplemented by the further changes suggested by the Council, will ensure that a proper planning framework is in place to secure regeneration of the area and provide a sound basis for assessing the merits of any scheme.
- 7.9.16 Issue 3:** Additional text was added to the reasoned justification at Revised Deposit stage in response to this objection. Paragraph 7.33 now indicates that Sites A to C have a considerable frontage to the Grand Union Canal and any regeneration schemes may have the ability to address, and integrate with, the waterway. I support that alteration and note that the objection by British Waterways has been conditionally withdrawn.
- 7.9.17 Issue 4:** The Plan was amended at Revised Deposit stage to include, in respect of Site A (Station Area), the following additional text: "improvements to rail related car parking/pedestrian accessibility". The District Council also seeks, through a proposed change, to introduce a new Paragraph 7.33B. This emphasises the potential to improve linkages with the Station and includes consideration of further rail related car parking. These objections have therefore been substantially met.
- 7.9.18 Issue 5:** Policy TCP7 gives a broad indication of the uses that would be acceptable for each of the 4 opportunity sites. I agree with the District Council that the precise mix of uses is a matter that should be the subject of discussions on an individual site basis. In my opinion, it would not be appropriate for the Policy to descend to that level of detail. Being part of a wider regeneration strategy for the Old Town area of Leamington Spa an element of flexibility is necessary.

7.9.19 Issue 6: The range of acceptable uses for Site C (Court Street Area) is set out in Policy TCP7. Paragraph 7.33A, added at Revised Deposit stage, provides the development industry and other interested parties with relevant information in respect of a planning brief prepared in 2003. This text also outlines the subsequent District Council decision to seek a partner to consider opportunities for the development of a wider area of Old Town focusing on the canal. I consider it appropriate that this be included in the supporting text rather than as SPD.

Recommendations

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

- (i) amend Policy TCP7 (Site A Station Area) by inserting after ‘(B1, B2, B8)’ the additional wording:**

“/improved access to the railway station/”

- (ii) insert a new Paragraph 7.33B⁴ to read:**

“Leamington railway station lies immediately to the south of the railway line within site A. This site also includes land to the north of the railway line and opportunities may exist here to improve rail related car parking and create a northern pedestrian access to the station to improve links between the station and the rest of the town centre. The Council will support proposals to achieve these aims where they would enhance the overall attractiveness of the station and accord with Policy SC3.”

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

7.10 Paragraph 7.35 Policy TCP8 Warwick Town Centre Mixed Use Area

Objection to First Deposit Version

204/AA Asda Stores Ltd

Objections to Revised Deposit Version

350/RBH Tesco Stores Ltd

354/RAJ Roger Higgins

Key Issues

⁴ It is assumed that the reference in CD28 to Paragraph 7.33A is an error and should read 7.33B.

- 7.10.1** (1) Whether a foodstore should be identified as an acceptable use in this mixed use area.
- (2) Whether encouragement of B1 offices is at odds with providing every day and specialist shops for residents and visitors.
- (3) Whether the retail element of the mixed use area should be subject to the sequential approach.

Inspector's Appraisal and Conclusions

7.10.2 Issue 1: As the District Council points out, the area covered by Policy TCP8 fulfils a unique function in Warwick District. Linking 2 primary shopping areas in the same town it is one where no single use predominates. In order to encourage pedestrian movement between these 2 areas and support traders on Smith Street in particular, the Policy identifies a range of uses that might be acceptable including Class A1 shops. Nonetheless, I consider that an explicit reference to a new foodstore in this location would not be appropriate. Any such proposal of any scale would need to be assessed against a range of issues, including Policy TCP1, to determine the effect upon the town centre as a whole.

7.10.3 Issue 2: This is an area of transition between the defined retail areas of Swan Street/Market Place and Smith Street. Policy TCP8 reflects the fact that no single land use stands out by establishing a policy framework that allows a wide variety of new uses to be introduced. In these circumstances, B1 and A2 uses would be just as acceptable as every day and specialist shops. I see no inconsistency in this regard.

7.10.4 Issue 3: In light of my recommendations in respect of Policy TCP2 and the clear placing of the Warwick mixed-use area within the sequential approach, I see no requirement for amendments to Policy TCP8.

Recommendations

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

7.11 Paragraphs 7.36 - 7.38 Policy TCP9 Protecting Employment Land and Buildings

Objections to First Deposit Version

104/AB	Warwickshire County Council (Property Services Dept)
117/AP	Langstone Homes Ltd
120/AP	Miller Homes (West Midlands)
158/AE	Tyler-Parkes Partnership
200/AB	Taylor Woodrow Strategic Developments
223/AW	Kenilworth Town Council
226/AQ	Environment Agency
228/BC	West Midlands RSL Planning Consortium

274/AA Regenesis
295/AA B&Q plc

Objections to Revised Deposit Version

104/RAC Warwickshire County Council (Property Services Dept)
119/RAK Bloor Homes Ltd
120/RAE Miller Homes (West Midlands)
214/RAK Mrs J Biles
239/RAD Mr D Austin
312/RAF Mrs Cherry Dodd
322/RAK J G Land and Estates
350/RBJ Tesco Stores Ltd
354/RAH Roger Higgins

Key Issues

- 7.11.1** (1) Whether Policy TCP9 is inconsistent with Policy SC2 in its approach to protecting employment land.
- (2) Whether (a) the Policy is at odds with Policy TCP7 in respect of the Althorpe Street/Court Street area of Leamington Spa, and (b) a more flexible approach is required to support the regeneration of Old Town.
- (3) Whether the Policy should refer to affordable housing.
- (4) Whether proposals for the use of employment land/buildings for residential purposes within high risk flood zones should have to demonstrate that safe pedestrian access can be provided.
- (5) Whether the Policy ought to be applied across the whole of the urban areas and not just the town centres.
- (6) Whether Policy TCP9 is too prescriptive.
- (7) Whether the Warwick Town Centre Employment Area should exclude 2-22 Northgate Street, and parts of The Butts and Barrack Street.
- (8) Whether the Policy reflects the advice in Paragraph 42a of PPG3.
- (9) Whether the protected employment areas will inhibit retail and residential opportunities in the town centres.
- (10) Whether Paragraph 7.37 is sufficiently clear in explaining the relationship between Policies TCP9 and SC2.
- (11) Whether Paragraph 7.37A is too vague and aspirational and conflicts with Paragraph 7.38 in respect of the protection of employment sites.
- (12) Whether over-development of apartment blocks in and around the town centre has blighted opportunities to expand the employment sector.

Inspector's Appraisal and Conclusions

- 7.11.2 Issue 1:** Policy TCP9 recognises the importance of supporting a successful employment sector within town centres while offering the necessary flexibility. It identifies the most significant town centre employment areas, affording them protection from changes of use. Elsewhere in the town centres, in accordance with PPS6, changes of use are allowed to provide the development opportunities required in a dynamic commercial environment that are essential to vital and viable town centres. Policy TCP9 is more flexible than Policy SC2. The latter protects all employment land/buildings outside of town centres in order to ensure an adequate employment land supply across the District. I support this structured approach and see no inconsistency in regard to the Plan's policy provisions. Nor do I regard as inappropriate the different ways in which Policies TCP9 and SC2 have been framed.
- 7.11.3 Issue 2:** The District Council accepted that there was an inconsistency between designation of the entire Althorpe Street/Court Street area as a protected town centre employment area and Policy TCP7 which identifies this location as Opportunity Site C suitable for a range of uses that include retail, housing and community facilities. In order to address the matter, the protected employment area was reduced in the Revised Deposit Plan to accord with the Court Street Planning Brief⁵. An additional Paragraph 7.37A was also added to the supporting text to afford flexibility. This indicates that the District Council may consider the introduction of a wider range of uses here if they can positively contribute to the wider regeneration aspirations of this section of Old Town. I endorse these alterations which I believe meet the concerns of the objector, Regenesis.
- 7.11.4 Issue 3:** Affordable housing would be considered as a possible alternative use to existing employment land/buildings under this Policy in town centre locations outside the Town Centre Employment Areas. However, the same applies to many other types of development, including other forms of residential use. In the circumstances I see no need to make specific reference to affordable housing either in the Policy or the reasoned justification.
- 7.11.5 Issue 4:** Any development scheme proposed would also have to comply with Policy DP10 (Flooding). Criterion g) requires in the case of dwellings proposed in high risk areas that safe, dry pedestrian access should be available to land subject to lesser risk. In light of this, I consider it unnecessary to duplicate such provision in Policy TCP9.
- 7.11.6 Issue 5:** I do not accept this argument. I consider that Policies TCP9 and SC2, taken together, provide an appropriate framework that protects the District's employment land portfolio. They cater for a wide range of employment needs while permitting a greater degree of flexibility in the town centres outside the most valuable areas of employment land. Applying a more flexible approach to alternative uses throughout the urban areas of the District would undermine that carefully thought out approach to the detriment of the District's employment base.
- 7.11.7 Issue 6:** The objector maintains that Policy TCP9 is unduly prescriptive. Concern is raised that the Town Centre Employment Areas (where changes of use to non-employment uses will not be permitted) include many listed buildings some of which may not be able to accommodate new employment activities. It seems to me, though,

⁵ CD203

that there will always be exceptions to any policy. It is impossible to cover all circumstances. In cases like this it would be open to the applicant to show that an employment use is not viable and that an alternative use is acceptable in accordance with Policy DAP7 (Changes of Use of Listed Buildings) and PPG15. I agree with the District Council that such proposals should be considered on a case by case basis. This does not mean that Policy TCP9 has insufficient flexibility.

7.11.8 Issue 7: (2-22 Northgate Street, premises at Northgate Street/The Butts, and Barrack Street, Warwick) The Warwick town centre employment area consists for the main part of County Council offices, Crown Court, public library and other buildings in community use. This commercial area lies within Warwick Conservation Area and contains many listed buildings. Its designation as an employment area has been carried forward from the adopted Local Plan. Warwickshire County Council (Property Services Dept) would like 2-22 Northgate Street, premises between Northgate Street and The Butts, and properties in Barrack Street excluded from the application of Policy TCP9 by amending the boundary of the protected area on the Proposals Map or by amending the terms of the Policy itself. The County Council's intention is to dispose of 2-22 Northgate Street for residential use. It is committed to occupying new offices pre-let at Saltisford, Warwick. As regards the Barrack Street office block, the objector points out that this building erected in the late '60s has long been recognised as a mistake. It dominates views towards the historic centre of the town from several approaches, detracting from St Mary's Church in particular. It should be replaced by redevelopment more sympathetic to its location.

7.11.9 Policy TCP9 recognises the importance of maintaining a successful employment sector. In order to ensure a continuing supply of employment opportunities and an appropriate mix of town centre uses it has identified the most significant town centre employment areas and afforded them protection from changes of use. It is clearly essential to maintain a balance of uses and a supply of employment premises to ensure the vitality, viability and diversity of Warwick town centre. This is a very sustainable location well served by public transport links which has residential areas close at hand. It serves as the hub of the office area and is important to Warwick as an administrative centre.

7.11.10 On the other hand, the County Council has a duty to adapt to changing needs and to seek the most efficient and cost-effective accommodation for staff. 2-22 Northgate Street and premises in The Butts have been occupied by the County Council as offices for many years and extensions have been erected behind the main façade. But they were not originally constructed as offices. Having been built as dwellings, they are relatively inefficient in terms of usage and maintenance costs. Paragraph 9.33 of the Revised Deposit Plan echoes the advice in PPG15 that the best use of a listed building will often be the use for which it was originally designed. Re-use for residential purposes, including demolition of the more inappropriate additions behind the Northgate Street frontage, would accord with the concept of mixed-use development in town centres promoted by PPS6. The objector argues that there is a right to expect the plan-led system to give a degree of certainty and predictability. Prior to committing to the expense of preparing a detailed scheme, an applicant ought to be informed through the Local Plan whether the principle of the land use proposed is acceptable.

7.11.11 This employment area provides the office element that is vital to the economic health of the town. I believe it would not be appropriate at this time to consider the future use of the listed buildings at 2-22 Northgate Street and the other premises and sites identified by the County Council. To amend the boundaries of the employment area in the absence of

more specific proposals would be premature. Those boundaries have been drawn tightly to exclude only the designated employment areas from the more flexible approach envisaged by PPS6 within town centres. Other town centre locations are not subject to the same policy restrictions. As regards the wording of Policy TCP9, I see no case for amending it to allow one or more listed buildings to be used for their original purpose and/or to facilitate development where there would be material benefit to the setting of one or more listed buildings and/or the character and appearance of a conservation area. Such matters are already covered by other Plan policies and would be weighed in the balance alongside Policy TCP9 as and when any planning application is considered. Since most of the buildings in question are listed, to amend Policy TCP9 in this way would destroy the integrity of the employment area. In my opinion, the premises at 2-22 Northgate Street are a crucial part of the employment area's matrix of uses. I conclude that Policy TCP9 should not be altered to accommodate these objections, and that the boundaries of the Warwick town centre employment area should be maintained.

7.11.12 Issue 8: Paragraph 42(a) of PPG3 indicates that local planning authorities should consider favourably planning applications for housing or mixed use developments which concern land allocated for industrial or commercial use in saved policies and development plan documents or redundant land or buildings in industrial or commercial use, but which is no longer needed for such use. A number of exceptions are given. One of these is where the housing development would undermine the planning for housing strategy set out in the regional spatial strategy or the development plan document where this is up-to-date, in particular if it would lead to over-provision of new housing and this would exacerbate the problems of, or lead to, low demand.

7.11.13 In Warwick District there is evidence of an oversupply of housing in relation to strategic requirements. This has resulted in the SPD 'Managing Housing Supply' which seeks to severely limit urban windfalls. Given that further housing development would clearly undermine the RSS housing strategy, I believe that the first sentence of Paragraph 42(a) should not be applied here. In my view, a more flexible approach to employment land should pertain to the town centres only, to ensure that the District can offer a balanced portfolio of sites.

7.11.14 Issue 9: I do not believe that designation of the Town Centre Employment Areas imposes significant constraints on delivering retail and residential opportunities in the town centres as a whole. The extent of the protected areas is limited and offset by the explicit support given to the provision of a wide range of alternative uses in other parts of the town centres.

7.11.15 Issue 10: I note that the words '(outside of town centres)' were added at the end of the first sentence of Paragraph 7.37 at Revised Deposit stage. This assists comprehension. In my view the text, as amended, clearly sets out the relationship between Policy TCP9 (which applies in the town centres) and Policy SC2 (which applies elsewhere in the District). It also sets out the objective of the Policy and defines the protected areas (that is, the Town Centre Employment Areas). I consider that no further clarification or re-drafting of the supporting text is called for.

7.11.16 Issue 11: Paragraph 7.37A was introduced at Revised Deposit stage to resolve a conflict between policies TCP9 and TCP7 (Opportunity Sites in Old Town, Leamington Spa). It indicates that the District Council may consider the introduction of a wider range of uses in the Court Street/Althorpe Street protected employment area, provided such uses positively contribute to the wider regeneration aspirations of this area of Old Town.

I consider this to be neither vague nor inappropriate. I see no inconsistency with Paragraph 7.38.

7.11.17 Issue 12: I do not believe that the construction of apartment blocks has blighted, or will blight in the future, opportunities for employment development in the town centres. The Town Centre Employment Areas defined under Policy TCP9 where a concentration of employment activity will be protected and maintained are substantial enough. Moreover, Policy UAP2 allows for new employment opportunities to be created in town centres.

Recommendations

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

7.12 Paragraphs 7.39 - 7.41 Policy TCP10 Protecting the Residential Role of Town Centres

Objection to First Deposit Version

191/AA Robin A Richmond

Objections to Revised Deposit Version

191/RAU Robin A Richmond
195/RAV The Leamington Society
312/RAG Mrs Cherry Dodd
349/RAU Mr. D. G. Goodyear

Key Issues

- 7.12.1** (1) Whether the Plan, and Policy TCP10 in particular, fails to address safety and fairness and understates the detrimental effects that past planning decisions have had on town centre residential communities.
- (2) Whether the mix of housing allowed in town centres, particularly in Warwick, is insufficiently diverse with a preponderance of one and two bedroom apartments unsuitable for families.

Inspector's Appraisal and Conclusions

7.12.2 Issue 1: The objective of Policy TCP10 is to resist the loss of residential uses in the predominantly residential areas of the town centres, defined on the Proposals Map, and to protect the character of those areas. To assess the effects on residential character, development proposals need to be considered against the criteria set out in the Plan's generic development policies - notably DP1 (Layout and Design), DP2 (Amenity) and DP8 (Parking). Paragraph 7.40 makes it clear that to maintain residential character the District Council will have regard to cumulative impacts.

7.12.3 By identifying the predominantly residential areas of the town centres and ensuring that their character is not prejudiced by the introduction of other uses, I believe that the Plan has set an appropriate planning framework. In my view, the Plan strives to achieve safety and fairness, building upon the experience of past planning decisions. I see no need to clarify the nature of the pressures experienced as different land uses seek to co-exist in town centres, nor to single out car parking as a specific issue.

7.12.4 Issue 2: The recent trend towards apartments in town centres is driven by market forces and the fact that many schemes involve sites and conversions of upper floors of buildings that do not lend themselves to the provision of more generous-size family accommodation. Such intensive town centre apartment developments in sustainable locations help to underpin the vitality and viability of town centres. Nevertheless, there is a wide range of other residential accommodation currently available in the District's town centres to provide diversity. This includes larger family housing. On the evidence before me, I do not believe that there is a serious imbalance in supply.

Recommendations

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

7.13 Paragraph 7.42 Policy TCP11 Protecting Residential Uses on Upper Floors

Objection to First Deposit Version

226/AR Environment Agency

Objections to Revised Deposit Version

191/RAV Robin A Richmond

195/RAW The Leamington Society

349/RAV Mr. D. G. Goodyear

Key Issues

- 7.13.1** (1) Whether Paragraph 7.42 should acknowledge that not all town centre locations are suitable for increased residential use.
- (2) Whether the Policy should be amended to require additional parking where flats are introduced.

Inspector's Appraisal and Conclusions

7.13.2 Issue 1: In response to an objection from the Environment Agency that town centre locations in the floodplain can put occupants' safety at risk, the last sentence of Paragraph 7.42 was amended at Revised Deposit stage. The supporting text now indicates that further residential use is encouraged only in 'suitable' town centres. I

endorse that alteration subject to minor drafting improvements and note that on this basis the objection has been conditionally withdrawn.

7.13.3 Issue 2: Objectors are fearful regarding the parking implications of high density flat developments taking place in town centres. The District Council says it is well aware of those concerns and that new residential development will be assessed in relation to Policy DP8 (Parking) as and when specific proposals are submitted for approval.

7.13.4 Policy TCP11, though, has a strictly limited remit. Its purpose is simply to protect existing residential uses on upper floors in town centres. Here, the parking requirement will previously have been addressed when planning permission was originally granted. With this in mind, I see no reason to amend either the Policy itself or the reasoned justification. .

Recommendations

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

amend the final sentence of Paragraph 7.42 to read:

“Encouraging greater living in suitable town centre locations can also enhance personal safety by increasing natural surveillance.”

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

7.14 Paragraphs 7.43 - 7.45 Policy TCP12 Upper Floors within Town Centres

Objections to First Deposit Version

191/AB Robin A Richmond
226/AS Environment Agency

Objections to Revised Deposit Version

191/RAW Robin A Richmond
195/RAX The Leamington Society
283/RAR The Ancient Monuments Society
349/RAW Mr. D. G. Goodyear

Key Issues

- 7.14.1** (1) Whether proposals for new residential uses on upper floors should have regard to safe pedestrian access arrangements when located in high flood risk zones.
- (2) Whether (a) ‘living over the shop’ should be better defined, (b) only small extensions should be allowed, (c) entrance to upper floors should not require open

external staircases, (d) the amenities of neighbouring occupiers should be protected.

- (3) Whether the supporting text offers sufficient protection for existing town centre residential communities in terms of parking and vehicular access.

Inspector's Appraisal and Conclusions

7.14.2 Issue 1: I agree with the District Council that while the Environment Agency's comments are valid, the main purpose of this Policy is to ensure that where proposals are submitted for ground floor uses only, applicants also consider how access to the upper floors can be achieved to facilitate full usage of the premises at some stage in the future. Floodplain issues do not apply to all town centre uses. Where they are relevant, appropriate consideration can be given under Policy DP10 (Flooding). Consequently, I see no reason to amend the Policy or the supporting text.

7.14.3 Issue 2: The detailed matters subject of this objection are, in my opinion, more properly addressed under the Plan's generic development policies. The purpose of Policy TCP12 is simply to ensure that the potential to use upper floors is not sterilised by poorly considered ground floor proposals. Again, I see no need to amend the Policy or the reasoned justification.

7.14.4 Issue 3: Making full use of buildings for commercial or residential use in town centres is consistent with Government guidance. Furthermore, town centre developments are expected to take advantage of public transport opportunities. The concerns raised by objectors in relation to off-street parking provision for upper floor uses and any difficulties in relation to vehicular access would be addressed through the Plan's development policies - in particular, Policy DP6 (Access) and DP8 (Parking). In my view, the additional wording suggested for Paragraphs 7.43 and 7.44, requiring that development must take account of social and environmental considerations, particularly those of enhancing the quality of the environment for residents, and meet maximum parking standards unless it can be demonstrated that lower levels of parking would not prove detrimental, add little of substance.

7.14.5 Finally, although not raised by objectors, I consider that the title of Policy TCP12 is not sufficiently clear as to its purpose and would benefit from clarification. I recommend accordingly.

Recommendations

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

amend the title of Policy TCP12 to read:

"Access to Upper Floors within Town Centres."

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

7.15 Paragraphs 7.46 - 7.47 Policy TCP13 Design of Shopfronts

Objection to First Deposit Version

302/AW English Heritage (West Midlands Region)

Objection to Revised Deposit Version

283/RAS The Ancient Monuments Society

Key Issues

- 7.15.1** (1) Whether Paragraph 7.46 should include a cross reference to listed buildings and conservation areas.
- (2) Whether the Policy should require adherence to Council-approved design guidelines in all major shopping streets, avoiding the standard shopfronts favoured by national retailers.

Inspector's Appraisal and Conclusions

7.15.2 Issue 1: Such a cross-reference was added at Revised Deposit stage, emphasising the importance of installing quality replacement shopfronts where buildings are listed or located within conservation areas. I endorse that alteration and note that the objection by English Heritage has been conditionally withdrawn.

7.15.3 Issue 2: The various suggestions made by the Ancient Monuments Society for strengthening the Policy are, in my view, unduly prescriptive. There is already reference in Paragraph 7.47 of the supporting text to detailed design guidance on shopfronts in Warwick and Leamington Spa published by the District Council and to SPG on design issues involved in increasing security for retail premises. I consider those references to be sufficient.

Recommendations

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

7.16 Chapter 7 – Policy omissions

Objections to First Deposit Version

38/AA Dr Andrew Cave
38/AC Dr Andrew Cave
38/AD Dr Andrew Cave
38/AE Dr Andrew Cave
38/AG Dr Andrew Cave

38/AH	Dr Andrew Cave
38/AJ	Dr Andrew Cave
38/AK	Dr Andrew Cave
38/AL	Dr Andrew Cave
109/AB	Warwickshire County Council (Planning, Transport & Economic Strategy)
152/AE	Royal Leamington Spa Town Council
221/AX	Kenilworth Society
302/AS	English Heritage (West Midlands Region)

Objection to Revised Deposit Version

223/RAH Kenilworth Town Council

Key Issues

- 7.16.1** (1) Whether Policy TCP3 should be deleted and replaced by a policy that refers to the preparation of a town centre strategy leading ultimately to an area action plan.
- (2) Whether Paragraph 7.8 properly identifies the issues relating to Kenilworth town centre.
- (3) Whether the Plan should contain a specific policy to shape further proposals for Kenilworth town centre.
- (4) Whether the Plan should incorporate a policy to encourage the 24 hour economy.
- (5) Whether there should be a specific policy to encourage growth of the tourist industry in Leamington Spa.
- (6) Whether the development of a new Public Service Centre should be encouraged at Smalley Place, Kenilworth.
- (7) Whether the Plan adequately addresses the issues associated with A3, A4 and A5 uses in terms of noise nuisance and anti-social behaviour and their impact on the living conditions of town centre residents.
- (8) Whether a policy should be included in the Plan that requires A3, A4 and A5 uses to provide fully and clearly signed toilet facilities for their customers within properties located in the primary and secondary retail areas and areas coloured white on the Proposals Map.

Inspector's Appraisal and Conclusions

- 7.16.2 Issue 1:** (A related objection has been made by English Heritage in respect of Policy TCP3.) Since the First Deposit Plan was published in November 2003, the DTZ Retail Study has been updated. The 2004 version of that Study has provided the Council with shopping growth forecasts for the District. In these circumstances the Plan needs to be pro-active. I accept the planning authority's approach of identifying an area of search in Leamington Spa where town centre growth options can be considered in advance of less sustainable out-of-centre locations. Paragraphs 7.8 and 7.8A of the supporting text were amended/introduced at Revised Deposit stage, and further proposed changes have

subsequently been put forward by the District Council in respect of Paragraph 7.8A. Amongst other matters they refer to the ongoing work commissioned by the District Council to underpin Policy TCP3, including the Chandos Street feasibility study. Given Leamington Spa's potential for further large scale retail development I do not regard Policy TCP3 as premature or otherwise inappropriate. I note that in light of the alterations made at Revised Deposit stage, English Heritage has conditionally withdrawn its objection.

7.16.3 Issue 2: The ways in which Kenilworth town centre might strengthen its current role have been amended in the Revised Deposit Plan. Emphasis is now placed on its convenience goods function and the need to create greater unity between the town centre and its significant tourist attractions. I note that the reference to Kenilworth town centre being a major tourist destination has been omitted and the term 'convenience goods' is now explained in the glossary. In my opinion, the points of objection have been substantially addressed.

7.16.4 Issue 3: I see no need for a policy of this sort. The Plan sets out a town centre framework based on size thresholds for new development (Policy TCP1), the most sequentially acceptable locations for new development (Policy TCP2), and changes of use in primary retail frontages and secondary retail areas (Policies TCP4 and TCP5 respectively). Together, these should lead to an appropriate mix of town centre uses in compliance with Government policy. The District Council has drawn attention to ongoing work to develop an agreed framework for the future of Kenilworth town centre. This work is referred to in the proposed changes to Paragraph 7.8A which I support (subject to minor redrafting) and which are set out in my recommendations below.

7.16.5 Issue 4: I consider that such a policy would be inappropriate. It could increase tension and lead to friction between all-night business operations and town centre residents. The Plan seeks to maintain the vitality and viability of the District's town centres. It does this by fostering a diverse range of land uses, as advocated by PPS6. In my opinion, that is the more appropriate way of securing the future of town centres rather than by specifically encouraging 24 hour business. I note that following discussions, Warwickshire County Council has conditionally withdrawn this objection.

7.16.6 Issue 5: I consider that Policy UAP7 (Directing New Tourism Development) provides sufficient encouragement of tourism-related development throughout the urban areas. The supporting text recognises the significant contribution that tourism makes to the local economy, particularly in terms of job creation. In my view, there is no reason to introduce a specific tourism policy for Leamington Spa in the Town Centres Chapter of the Plan.

7.16.7 Issue 6: This objection has been addressed through proposed changes to Paragraph 7.8A of the Revised Deposit Plan which refers to a framework for improvements to Kenilworth town centre including the possible redevelopment of a Public Service Centre at Smalley Place. I support that amendment.

7.16.8 Issue 7: I believe that the Plan adequately controls the number and distribution of A3, A4 and A5 uses in the town centres. It does this, in relation to the provisions of the current adopted Local Plan, by increasing the proportion of A1 uses that must be retained in the primary shopping frontages and setting more appropriate limits on non-A1 uses within the secondary retail areas. It also quantifies the maximum amount of non-A1 frontage that should be present along any parade. While these controls are aimed

primarily at retaining retail function they also have the effect of protecting residential amenity. I note that monitoring by the District Council shows that a significant number of locations within the town centres have already reached their capacity under Policies TCP4 or TCP5.

7.16.9 The District Council has recently taken over responsibility for licensing under the Licensing Act 2003. It has, I am told, adopted a licensing policy which identifies ‘hotspots’ within parts of Leamington Spa town centre. In the designated ‘saturation areas’ where there is known to be a problem of crime and disorder and a history of anti-social behaviour there is a presumption that no more licenses will be granted unless the prospective licensee can demonstrate the steps that will be taken to prevent nuisance, reduce crime and disorder, and promote public safety. Given that the powers available to the licensing authority are strong and wide ranging, I consider that these matters are more appropriately left to the licensing regime rather than being addressed under the planning acts through the medium of this Local Plan.

7.16.10 In expressing concern regarding the excessive concentration of licensed premises, objectors have put forward a range of additional policies to strictly control the location of any further A3 and A4 uses in the town centres, but particularly in Leamington Spa. While the wording varies between objectors and objections, the District Council has set out in its response statement a sample policy which echoes the sentiments of all of the objectors. This reads as follows: “Within the primary and secondary retail frontages and within the areas of the Plan with no specific designation, no A3 use (*now split into A3, A4 and A5 uses as a result of changes to The Town and Country Planning (Use Classes) (Amendment) (England) Order 2005*)) should be permitted within a 50m radius of residential areas if there is the slightest risk of any form of nuisance resulting to those in such residential areas.” Another objector has suggested a new policy to the effect that all proposals within the Inset Area Boundary on the Leamington Town Plan must comply completely with the regulations, aims and objectives of the Government Response to the ODPM Report on the Evening Economy and Urban Renaissance, and the Licensing Act 2003.

7.16.11 I do not support such policies for several reasons. Firstly, as outlined above, the primary and secondary retail frontages have been afforded greater protection from the introduction of non-A1 uses than previously through the provisions of Policies TCP4 and TCP5. Secondly, in accordance with the PPS6 sequential approach the unannotated (or ‘white’) areas of the town centre fall within the definition of ‘edge-of-centre’. First preference for the location of further Class A proposals would be the identified retail areas. Edge-of-centre sites would be considered only when options within the defined retail areas have been discounted. Thirdly, it would be very difficult to exclude all such new uses within 50m of residential areas given the close proximity of town centre activities. Finally, and again as discussed above, the District Council can more effectively control licensed premises through licensing rather than planning powers. I conclude on this issue that further policy provisions along the lines suggested would not improve the Plan.

7.16.12 Issue 8: I agree with the District Council that this is not a land use issue. It goes beyond the range of matters that can and should be addressed in a development plan.

Recommendations

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

substitute the following text for Paragraph 7.8A:

“Following from the work undertaken by DTZ the Council is presently undertaking further work to address some of the key issues within the town centres. Within Leamington town centre it has commissioned work to assess the feasibility and opportunities for a retail-led redevelopment of Chandos Street car park. This work will also take account of the future need for car parking in maintaining the retail attractiveness of the town centre overall. In Kenilworth the Council, alongside Warwickshire County Council and Kenilworth Town Council, has developed traffic management measures which have not yet been agreed. They will be subject to public consultation as part of the consideration of a wider framework of improvements to the town centre that will also include environmental improvements and the possible redevelopment of a number of sites, in particular a Public Service Centre at Smalley Place.”

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

CHAPTER 8: RURAL AREA POLICIES

8.1 Overview

- 8.1.1** These policies apply throughout the rural areas. They aim to support diversification of the rural economy while at the same time enhancing the character of the countryside. I recommend that Policy RAP1 be deleted, and that Policies RAP2, RAP5, RAP6, RAP8, RAP8a, RAP9, RAP11 and RAP13, and their supporting text, be modified. I support the strategy of concentrating most new housing development into the main towns of the District through the application of Policy UAP1 and limiting housing development in the rural areas to meet local needs only, directing such development to the larger and more sustainable villages with a basic level of shops and services and frequent accessibility to the towns by public transport. In my opinion, there is no need for separate policies on protecting the ‘best and most versatile’ agricultural land, agricultural development or development near motorways.

8.2 Paragraphs 8.1 - 8.6A Introduction

Objection to First Deposit Version

226/AO Environment Agency

Objections to Revised Deposit Version

191/RAX Robin A Richmond
195/RAY The Leamington Society
349/RAX Mr. D. G. Goodyear

Key Issues

- 8.2.1** (1) Whether the text should make it clear that this Chapter must be read alongside other relevant Plan policies.
- (2) Whether a sentence should be included in Paragraph 8.1 indicating that some greenfield development would provide an environmental benefit by assisting in reducing car travel to work.

Inspector’s Appraisal and Conclusions

- 8.2.2 Issue 1:** Paragraph 2.3A introduced into the User Guide at Revised Deposit stage emphasises that it is a key principle of this Local Plan that users should have regard to all relevant policies when considering development on a particular site. In light of this statement I consider it unnecessary to repeat the same message in the introduction to each chapter.

8.2.3 Issue 2: National planning policy in PPG3, regional policy in the West Midlands RSS (Policy CF2), and strategic policy in the Warwickshire Structure Plan (Policies GD.3, GD.5 and H.1) all provide for the development of brownfield land before greenfield. There is an adequate supply of such previously developed land in the urban areas. Consequently, like the District Council, I do not accept the need to release greenfield sites in rural locations for housing development, with the exception of affordable housing under Policy RAP5. Moreover, since the majority of employment (as well as shops, schools and other services) is located in the urban areas, the development of greenfield sites would not serve to reduce car travel to work.

Recommendations

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

8.3 Paragraphs 8.7 - 8.8 Policy RAP1 Development within Rural Areas

Objections to First Deposit Version

4/AB	Arlington Planning Services LLP
115/AB	Alan Roberts
117/AQ	Langstone Homes Ltd
142/AG	A C Lloyd Ltd
187/AN	The Countryside Agency (West Midlands Region)
208/AB	Pettifer Estates Ltd
214/AC	Mrs J Biles
227/AD	David Wilson Homes (East Midlands) Ltd.
228/BG	West Midlands RSL Planning Consortium
229/AF	Gallagher Estates Ltd
239/AD	Mr D Austin
250/AE	Andrew & Julie Day
256/AJ	T & N Ltd
288/AB	Warwickshire Police Authority

Objections to Revised Deposit Version

115/RAA	Alan Roberts
119/RAL	Bloor Homes Ltd
120/RAD	Miller Homes (West Midlands)
148/RAY	Campaign to Protect Rural England (Warwickshire Branch)
191/RAY	Robin A Richmond
195/RAZ	The Leamington Society
214/RAL	Mrs J Biles
227/RAB	David Wilson Homes (East Midlands) Ltd.
321/RAR	West Midlands International Airport Ltd
322/RAL	J G Land and Estates
349/RAY	Mr. D. G. Goodyear

Key Issues

- 8.3.1**
- (1) Whether the Policy is superfluous.
 - (2) Whether Radford Semele should be included within the urban area.
 - (3) Whether land at Golf Lane, Leamington Spa should be included in the urban area.
 - (4) Whether the rural area policies would prevent Bishops Tachbrook and other villages from evolving over time to meet the changing needs of the community - particularly in terms of affordable housing and changes of use.
 - (5) Whether the rural area policies would put more pressure on those rural areas outside the Green Belt.
 - (6) Whether Paragraph 8.7 should indicate that Parish Plans will be independently monitored and open to public scrutiny.
 - (7) Whether Paragraph 8.7 should refer to the acute need for affordable housing in the rural area.
 - (8) Whether the rural area policies are based on flawed housing figures.
 - (9) Whether the supporting text should recognise the importance of employment opportunities in the rural area.
 - (10) Whether Paragraph 8.7 should indicate that development will be allowed if it reduces car travel to work.
 - (11) Whether the Policy is unduly negative and restrictive.

Inspector's Appraisal and Conclusions

- 8.3.2 Issue 1:** A number of objectors argue that Policy RAP1 is not a proper land use policy but merely a statement. In their view it is unnecessary because its message is covered by other Plan policies. I agree with those sentiments. The supporting text explains that within the rural area development will be permitted only where it meets the needs of the local population and supports communities, thereby reflecting the provisions of Structure Plan Policy RA.1. The circumstances where this will be achieved are clearly set out in Policies RAP2-RAP16. In contrast, Policy RAP1 adds nothing of substance and ignores the fact that other material considerations may be relevant to determination of a planning application. I consider therefore that Policy RAP1 should be omitted and the reasoned justification at Paragraphs 8.7 and 8.8 added to the preceding section entitled 'context'.
- 8.3.3 Issue 2:** This matter is addressed elsewhere in my report in response to other related objections (see Chapter 6, Policy UAP2, Issue 11; and Chapter 8, Policy RAP2, Issue 24). I conclude that Radford Semele is properly identified as part of the rural area.
- 8.3.4 Issue 3:** Again, this matter is covered elsewhere in the report when addressing related objections (see Chapter 9, Policy DAP2, Issue 8).

- 8.3.5 Issue 4:** Policy RAP2 directs new housing in rural areas. It was amended at Revised Deposit stage to allow market housing in the Limited Growth Villages (including Bishops Tachbrook) where it meets a local need as identified by the community in an appraisal or assessment. This is in addition to affordable housing, conversions and housing for rural workers. Consequently, the Plan provides for a certain amount of growth to meet the needs of the community over time. A less restrictive policy approach would, I feel, conflict with Structure Plan Policy GD.3 which steers most new development to urban areas.
- 8.3.6 Issue 5:** The Green Belt is designated at regional level. In order to preserve openness and prevent settlements from merging it follows that such areas will receive a high level of protection from development. Nevertheless, RSS Policy RR1 indicates that throughout rural areas like Warwick District where there are strong influences from the major urban areas a priority will be to manage the rate and nature of further development to that required to meet local needs, whilst ensuring that local character is protected and enhanced. So even outside the Green Belt there will be only limited scope for development. Local Plan Policy RAP2 (Directing New Housing) is particularly restrictive in the rural area because the level of housing allowed for in the Structure Plan since 1996 has already been exceeded. In my view, it is significant that Policy RAP2 applies equally to all 5 Limited Growth Villages even though 2 are situated in the Green Belt.
- 8.3.7** Turning to employment, Policy RAP7 sets out the circumstances where new employment development will be permitted. Both within and outside the Green Belt generally only small scale schemes to meet local needs will be allowed. The lack of significant difference is due to the restrictive nature of the rural area policies. The presence of the Green Belt in certain parts of the District should not therefore put undue pressure on other rural areas not so designated.
- 8.3.8 Issue 6:** A parish plan is defined by the Countryside Agency as a community-led plan that enables local people to identify the social, economic and environmental issues which affect their quality of life and how it can be improved. Although it has no legal status a local planning authority may take it into account in making planning decisions and developing local plan policies, particularly where the whole community has been involved. By working with the District Council it may be translated into planning proposals through a supplementary planning document. In that case it would undergo public scrutiny as part of the development plan system. The District Council confirms that parish plans will be examined by officers for soundness in the same way as other supporting information. The reasoned justification states that parish plans, appraisals and surveys, carried out by the local community, will be taken into account when considering the need for the development and the extent to which it supports a community. I consider this to be sufficient without going into detail concerning public scrutiny and monitoring. Clearly, the weight given to such a document will vary according to the circumstances surrounding its production.
- 8.3.9 Issue 7:** An additional paragraph (8.6A) was included in the Revised Deposit Plan in response to this objection. It refers to house prices and incomes in the District and incorporates cross-references to Policy SC9 (Affordable Housing) and its supporting text. I endorse that alteration.
- 8.3.10 Issue 8:** RSS Policy RR1 indicates that in rural areas like those in Warwick District the main priority will be to satisfy local needs. The Structure Plan directs most

new housing development to towns with a population of more than 8,000 in 1996. 'Most' is defined as being a level based upon the proportion of the population residing in towns in 1991 plus all in-migration. This equates to 2,380 dwellings between 1996 and 2011 with the remaining 420 to serve the needs of the rural communities. By 2005, though, 1,113 dwellings had already been completed in the rural area. Consequently, the Local Plan seeks to severely restrict further development in such locations to that which meets just local needs rather than the needs of migrants. I do not consider these statistics to be flawed and I am satisfied that adequate numerical provision has been made for housing in the rural parts of the District.

8.3.11 Issue 9: The supporting text is primarily concerned with explaining the basic principle underpinning the rural area policies which is to meet the needs of the local population. It recognises the importance of maintaining a vibrant countryside for the benefit of those living, working and visiting there. The text addresses employment as well as housing in its support of rural communities.

8.3.12 The introduction to Chapter 8 acknowledges the importance of rural employment, especially in relation to diversification and Major Developed Sites in the Green Belt. In terms of the latter, the Plan's spatial strategy accepts that employment development in those locations covered by site specific policies will go beyond meeting the needs of the local population and supporting rural communities. In light of this coverage, I consider that no further reference to rural employment is necessary here.

8.3.13 Issue 10: I agree with the District Council that development should not be allowed in a rural location just because it reduces car travel to work. There are many other facilities that need to be accessed by a typical family that would, overall, lead to increased journeys by car. Urban locations are by far the most sustainable. They are more readily accessible by public transport and other non-car modes. Policy RAP2 therefore allows only affordable housing, market housing to meet local needs, replacement dwellings and rural workers' dwellings.

8.3.14 Issue 11: Gallagher Estates Ltd contends that Policy RAP1 is unduly negative. It could be construed, or misinterpreted, as being more onerous than national planning policy in respect of Green Belts. In the objector's view, it should be less restrictive than Policies DAP1 (Protecting the Green Belt) and DAP2 (Protecting the Areas of Restraint). More positive wording is suggested which, it is argued, would still provide the necessary level of protection for the District's rural areas. While I prefer the wording put forward by the objector, I believe that Policy RAP1 in whatever guise adds little, if anything, to the Plan's suite of rural area policies.

Recommendations

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

- (i) delete Policy RAP1.**
- (ii) include Paragraphs 8.7 and 8.8 in the preceding section of the supporting text entitled 'context'.**

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

8.4 Paragraphs 8.9 - 8.19 Policy RAP2 Directing New Housing

Objections to First Deposit Version

5/AB	Mrs Christa Knight-Adams
10/AC	Bubbenhall Parish Council
34/AC	Peter Hitchin
25/AA	M.J. Maguire
52/AF	Barford, Sherbourne & Wasperton Joint Parish Council
54/AK	Conservative Group of Councillors
57/AA	Shirley Estates (Developments) Ltd
68/AB	D Eggby
72/AB	Saville Estates
99/AA	Mr & Mrs M Evans
112/AC	Jeffery Masters
117/AR	Langstone Homes Ltd
118/AD	Mr and Mrs G Bull
119/AA	Bloor Homes Ltd
121/AA	Rowington Parish Council
123/AA	Robin Hedger
132/AD	KB Benfield Group Holdings Ltd
134/AA	David A Ellwood
135/AC	Bishops Tachbrook Parish Council
142/AF	A C Lloyd Ltd
148/AW	Campaign to Protect Rural England (Warwickshire Branch)
155/AB	Punch Taverns
155/AF	Punch Taverns
158/AF	Tyler-Parkes Partnership
167/AA	Mrs E Brown
170/AG	Mr Martin Wood
187/AO	The Countryside Agency (West Midlands Region)
191/AD	Robin A Richmond
208/AC	Warwickshire Rural Community Council
214/AD	Mrs J Biles
220/AG	Cala Homes (Midlands) Ltd
224/AA	Mr and Mrs R M Orr
228/BH	West Midlands RSL Planning Consortium
237/AA	Mr J R Reeves
239/AC	Mr D Austin
239/AO	Mr D Austin
250/AB	Andrew & Julie Day
256/AK	T & N Limited
278/AA	Shirley Estates (Developments) Ltd
286/AA	Earlplace Limited
288/AD	Warwickshire Police Authority
289/AD	Taylor Woodrow Developments Ltd ¹

¹ This objection is addressed jointly with related objections (Chapter 10, Section 10.11, Issue 1)
Warwick District Local Plan 1996-2011 Inquiry – Inspector’s Report
Chapter 8

293/AD Oldhams Transport Ltd²

Objections to Revised Deposit Version

115/RAB	Alan Roberts
119/RAA	Bloor Homes Ltd
119/RAM	Bloor Homes Ltd
120/RAC	Miller Homes (West Midlands)
135/RAC	Bishops Tachbrook Parish Council
148/RAM	Campaign to Protect Rural England (Warwickshire Branch)
191/RAZ	Robin A Richmond
195/RBA	The Leamington Society
214/RAA	Mrs J Biles
214/RAM	Mrs J Biles
222/RAE	John Burman & Family
237/RAA	Mr J R Reeves
239/RAC	Mr D Austin
256/RAB	T & N Limited
289/RAB	Taylor Woodrow Developments Ltd ³
294/RAC	British Waterways
322/RAA	J G Land and Estates
322/RAM	J G Land and Estates
331/RAA	Gregory Dyson
339/RAA	Malcolm Hawkesford and Co
342/RAC	Pamela Smith
349/RAZ	Mr. D. G. Goodyear

Key Issues

- 8.4.1** (1) Whether the Policy is unduly restrictive and should allow market housing (a) within the built-up areas of Limited Growth Villages to meet local needs for a range of housing, to support and improve local services, and to cross-subsidise affordable housing, or (b) in all villages.
- (2) Whether Bishops Tachbrook should be omitted from the list of Limited Growth Villages.
- (3) Whether assessment of local housing needs should be limited to parish councils and/or other local village groups and be a pre-requisite for all types of housing and not just market housing.
- (4) Whether an additional criterion should address replacement dwellings in accordance with Policy RAP4.
- (5) Whether the village envelopes defined in the adopted Local Plan should be carried forward into the emerging Plan.
- (6) Whether Policy RAP2 should be less restrictive in terms of conversions to residential use of buildings in other uses or those that are redundant.

² This objection is addressed jointly with related objections (Chapter 10, Section 10.11, Issue 1)

³ This objection is addressed jointly with related objections (Chapter 10, Section 10.11, Issue 1)

- (7) Whether the Plan should be more pro-active and allocate sites to meet local needs.
- (8) Whether there should be a cap on the number of affordable homes provided.
- (9) Whether new development should be confined to small groups of dwellings in order to successfully integrate with a village.
- (10) Whether affordable housing might be provided at the expense of other considerations such as conservation interests.
- (11) Whether it is appropriate to rely upon a local needs assessment carried out by the community when such an appraisal is not subject to public consultation nor rigorous scrutiny in the same way as the Local Plan itself.
- (12) Whether it is appropriate to allow for the conversion of a building adjacent to (as well as within) a village.
- (13) Whether the Policy should include an additional criterion which would allow new housing where the applicant can demonstrate that the development would reduce car travel to work.
- (14) Whether Paragraph 8.10 should acknowledge that the policy of directing growth to the urban area may starve the rural area of developer contributions for affordable housing.
- (15) Whether the Policy is sufficiently clear.
- (16) Whether the Policy should recognise the opportunities that may exist in Limited Growth Villages for mixed use schemes including market and affordable housing and village scale employment.
- (17) Whether recognition should be given to the sustainability of residential moorings in rural and Green Belt areas.
- (18) Whether the Policy fails to allow the wishes of the community to be heard.
- (19) Whether, in circumstances where there is an insufficient supply of previously developed land, Policy RAP2 should facilitate (a) market housing on greenfield sites in the Limited Growth Villages where local need has been demonstrated; and (b) affordable housing on other suitable land.
- (20) Whether Eathorpe should be identified as a Limited Growth Village.
- (21) Whether land adjacent to the Plough Inn, Eathorpe should be included within a village envelope and allocated for affordable housing.
- (22) Whether land to the north of The Manor House, Bubbenhall should be included within a village envelope.
- (23) Whether provision should be made in Rowington and Lapworth for more homes suitable for the elderly.

- (24) Whether Radford Semele should be included in the urban area rather than the rural area.
- (25) Whether (a) land at Leigh Foss, The Valley, Radford Semele should be included within the Limited Growth Village boundary, and (b) Policy RAP2 amended to allow a choice of open market housing, including development on greenfield sites, with sites allocated to meet needs within and beyond the Local Plan period.
- (26) Whether land adjoining Clover Hill, off Brome Hall Lane, Kingswood should be included within the village envelope and allocated for residential development.
- (27) Whether land adjoining Rose Cottage, Rose Farm Cottage and Clover Hill, off Brome Hall Lane, Kingswood should be included within the village envelope and allocated for residential development.
- (28) Whether a further criterion should be added to Policy RAP2, namely: 'It is an allocated site to meet the strategic housing requirement.'
- (29) Whether (a) the Policy should allow housing on previously developed land adjacent to, as well as within, the Limited Growth Villages, and (b) there should be an additional policy distinguishing between development in the open countryside and development in/around villages.
- (30) Whether (a) Baddesley Clinton should be identified as a Limited Growth Village and the village envelope of the adopted Local Plan reinstated, and (b) land adjoining Oak Gable Cottage, Rising Lane, Baddesley Clinton should be included within a village envelope.

Inspector's Appraisal and Conclusions

- 8.4.2 Issue 1:** Local Plan Policy RAP2 is necessarily restrictive to accord with the principles underpinning Structure Plan Policies GD.3 and RA.3. Reflecting national planning policy advice, these direct most new development to the urban areas, relate it to a hierarchy of settlements determined by the level of service provision (that is, job opportunities, the availability of public transport, and basic social/community facilities including at least a shop and a school), and aim to meet the needs of local people.
- 8.4.3** The District Council accepted at Revised Deposit stage that the First Deposit version of Policy RAP2 had been drawn too tightly. It would not allow for the development of market housing in the larger villages even when this had been identified in a local appraisal or assessment. I agree that a limited amount of market housing would assist in meeting local needs in the rural area - particularly where settlements like Bishops Tachbrook do not currently have a wide range or choice of housing. Moreover, it would help support existing shops, schools and public transport. I endorse the amendment made to Policy RAP2 in the Revised Deposit Plan to allow market housing on previously developed land within the 5 Limited Growth Villages where it would meet a proven local need and satisfy environmental considerations. But I do not believe it would be appropriate to allow market housing elsewhere in the rural area since general needs housing has already been provided to a greater extent than planned for in the Structure Plan and because villages outside the hierarchy do not possess a basic level of services

and facilities. Development in those locations would lead to greater dependence on private transport and increased commuting. I agree with the District Council that the Policy would not have a detrimental effect on the vitality of small villages causing them to stagnate because most have strong links with the urban areas upon which they depend for employment and services.

- 8.4.4** As regards affordable housing, Policies RAP2 and RAP5 read together allow for the development of affordable housing on ‘rural exception’ sites to meet the local needs of any village or parish. Bishops Tachbrook Parish Council confirms that this clarification satisfies its concern that not all rural affordable housing would be directed towards the Limited Growth Villages.
- 8.4.5 Issue 2:** Paragraph 8.14 of the supporting text explains that the hierarchy of settlements has been determined with reference to criteria set out in Policy RA.3 of the Structure Plan and is based on a list of services and facilities within reasonable walking distance that existed in 2003. Paragraph 8.15 acknowledges that services and facilities can change over time and that this may affect the list of settlements in the Policy. Bishops Tachbrook no longer has a village post office, the nearest being two and a half kilometres away at Whitnash beyond reasonable walking distance of the elderly. On that basis the Parish Council argues that Bishops Tachbrook should be removed from the list of Limited Growth Villages; alternatively the post office requirement should be dropped from the criteria, in which case other villages meeting the requirements should be added to the schedule of Limited Growth Villages. The Parish Council sees the list of services and facilities as a contrivance to differentiate between the District’s 22 settlements. In its view the concept of Limited Growth Villages should be dropped and Policies RAP2 and RAP5 combined and simplified to facilitate a more even spread of development throughout the rural area to meet local needs.
- 8.4.6** I note that other post offices have also closed in Barford and Lapworth. This is part of a national trend that is not peculiar to Warwick District. It simply reflects the way in which modern post office services are delivered. In my opinion, settlements need to be assessed in the round in terms of their population size, their overall level of service provision, and their ability to accommodate further limited development in a sustainable manner. I concur with the District Council that the loss of a post office is not, in itself, a sufficiently compelling reason to initiate a review of the Limited Growth Villages. Bishops Tachbrook is a large settlement with a range of other services and facilities. Even allowing for gaps in bus services in the early morning and evening periods and restrictions on the use of certain community buildings, I believe this previously much-expanded settlement still warrants identification as a Limited Growth Village. Moreover, I endorse the concept of a rural settlement hierarchy. I believe the strategy of concentrating development in the District’s larger and more sustainable settlements to be sound. It follows that Policies RAP2 and RAP5 are both necessary and I see no scope for simplification.
- 8.4.7 Issue 3:** In assessing local housing needs, Paragraph 8.12 refers to a parish plan, appraisal or assessment. Paragraph 8.7 confirms that such surveys will be taken into account when considering the need for a development and the extent to which it supports a community. The Plan does not indicate who can undertake such appraisals or assessments nor their form. Bishops Tachbrook Parish Council considers that they should be limited to the Parish Council or to other local village groups and that they should be a pre-requisite of all housing types and not just market housing. At the hearing into this matter the District Council explained that local needs housing appraisals have

not been specified in any detail in order to allow a degree of freedom to reflect local circumstances and avoid prescription. Policy RAP2 refers simply to a specific local need ‘as identified by the community’ in an appraisal or assessment. Although I accept that in practice parish councils are likely to have the principal role, I consider the District Council’s stance to be reasonable.

8.4.8 As regards the necessity for parish plans, appraisals or assessments, these are required under Policy RAP2 in respect of market housing in Limited Growth Villages, and under Policies RAP2 and RAP5 for affordable housing on rural exception sites. They are not required for affordable housing proposals within Limited Growth Villages. I consider this to be appropriate given the Council’s rural housing strategy.

8.4.9 Issue 4: The District Council accepts that for the sake of consistency and fullness reference should also be made in Policy RAP2 to replacement dwellings in accordance with Policy RAP4. I endorse the Council’s proposed change to the Revised Deposit Plan in this regard.

8.4.10 Issue 5: The adopted Local Plan was prepared in the context of the previous Structure Plan and national planning policy guidance for housing that has since been superseded. It identified 17 Limited Infill Villages with their built-up areas shown by a village envelope. I agree with the District Council that this earlier approach, which focused on environmental considerations at the expense of sustainability and utilising previously developed land, is no longer appropriate. The smaller number of Limited Growth Villages identified for infill development in the latest Plan subject of this inquiry is, I believe, justified by the reduced level of housing to be accommodated in the rural area and the small number of villages with a basic level of services and facilities. Policy RAP2 allows for windfall development in only 5 Limited Growth Villages and only where any market housing meets a local need. Given that PPG3 does not allow for greenfield windfalls (except in the case of rural exception sites), the boundaries of those settlements have been more tightly drawn around the existing built up areas. That is appropriate. I conclude that the Limited Infill Village boundaries of the adopted Local Plan should not be carried forward into the emerging Plan.

8.4.11 Issue 6: The Plan supports the re-use for housing of vacant or redundant buildings in rural areas in certain circumstances. Policy RAP2 sets out criteria to ensure that any such building is located within or adjacent to a village and that the housing meets an identified local need. Outside the Limited Growth Villages it must also be demonstrated that other uses or a mixed use are not appropriate or viable. This is to ensure that new residential development does not take place in unsustainable locations in the open countryside and that a building which could accommodate a local employment or service use is not lost. I consider these criteria to be reasonable and not unduly restrictive in terms of national advice in PPS7.

8.4.12 Issue 7: I believe that local housing need should be identified by the community itself through an appraisal. In the absence of such evidence it would, in my view, be inappropriate to allocate sites. Of the 5 Limited Growth Villages in the District, I am told that only Barford has so far carried out such an assessment. That assessment has not been subject to full public consultation, is not SPG and does not look at the demographic requirements of local need. Moreover, it is only a snapshot in time. Nevertheless, I note that planning permission has recently been granted by the Secretary of State on a ‘call-in’ application for mixed use development at the Oldhams Transport Ltd site in the village.

If and when implemented, that scheme will meet the settlement's current needs for both affordable housing and market housing - as identified in that appraisal.

8.4.13 As regards affordable housing, the District Council works in partnership with the Rural Housing Enabler for Warwickshire who works with communities to assist in carrying out housing needs assessments/parish plans and identifying suitable sites. I recognise the importance of carrying out both elements of that process concurrently. I accept that the mechanics of allocating sites in a local plan does not normally suit that timescale.

8.4.14 Issue 8: There are limited opportunities for affordable housing in the rural area. This is because the boundaries of the Limited Growth Villages have been tightly drawn, because Government policy for exception housing only allows for small groups of dwellings outside the Limited Growth Villages and in other settlements, and because of the difficulties involved in identifying suitable sites where an owner is willing to sell at a price below market value to facilitate such a scheme. Given the overall level of need for affordable housing, I see no need to impose a ceiling on the number of affordable homes.

8.4.15 Issue 9: This objection has been met in the sense that Plan policies are likely to result in only small groups of dwellings within existing settlements. The District Council identifies 3 reasons for this, with which I concur. Firstly, in the Limited Growth Villages settlement boundaries have been tightly drawn and any new development must be confined to previously developed land. Secondly, outside those settlements and in other villages Government policy for exception housing provides for only for small clusters of dwellings. And finally, all housing must meet a local need identified by the community in an appraisal. Such appraisals tend to identify small numbers of households in need. Consequently, there is no compelling reason, in my view, to amend the Policy to restrict development to very small groups of houses only.

8.4.16 Issue 10: Development affecting the historic environment, whether conservation area or listed building, falls to be assessed in relation to Policies DAP6-DAP11 as well as RAP2. This ensures adequate protection of other interests.

8.4.17 Issue 11: This matter has already been addressed in response to other similar objections (Chapter 8, Policy RAP1, Issue 6). Another objector says that because need turns on demographic considerations it is inappropriate to rely on the local community. I disagree with this line of argument for 2 reasons. Firstly, in the case of small settlements local needs assessments are most effectively carried out by survey. Population and household projections are notoriously unreliable for small area data. Secondly, Structure Plan Policy RA.3 indicates that development in rural areas should meet local needs as identified by the community in an appraisal or assessment set in the context of the local plan process. That is precisely what Policy RAP2 requires. I do not believe it to be unnecessarily restrictive when applied to wholly residential or mixed use schemes.

8.4.18 Issue 12: Paragraph 18 of PPS7 advises that: "Local planning authorities should be particularly supportive of the re-use of existing buildings that are adjacent or closely related to country towns and villages, for economic or community uses, or to provide housing in accordance with the policies in PPG3, and subject to the policies in Paragraph 7 of this PPS in relation to the retention of local services." Given the close match with national policy I see no need to amend Policy RAP2 in this regard.

8.4.19 Issue 13: The additional criterion proposed is inappropriate and unnecessary. The Plan's aim for the rural area is to restrict new housing to the minimum required to meet

local needs. This reflects the fact that the Structure Plan target for rural housing has already been exceeded. It also recognises that development in rural areas is generally less sustainable than in urban locations.

8.4.20 Issue 14 Structure Plan Policy GD.3 directs most new development to urban areas with a population of over 8,000. That is the basic strategy. The consequential impact on developer contributions towards affordable housing in the rural area is a separate and secondary matter. It cannot be allowed to undermine the primary consideration.

8.4.21 Issue 15: I see no need for further references in the Plan to community appraisals or assessments. I consider sub-clause iii of the Policy to be reasonably clear when read in conjunction with the whole of clause d). In my opinion, the cross-references to other policies are desirable. They set out clearly and comprehensively the circumstances where permission will be granted for new housing in the rural area.

8.4.22 Issue 16: The Policy does not preclude housing in the Limited Growth Villages as part of a mixed use scheme and, in respect of conversions supports consideration of a mix of uses.

8.4.23 Issue 17: I agree with the planning authority that residential moorings in the open countryside do not represent a sustainable form of development. Occupiers would need to travel some distance to access essential services including shops, schools, employment and public transport.

8.4.24 Issue 18: I do not accept this criticism of Policy RAP2. By allowing market housing where it meets a specific local need as identified by the community in an appraisal or assessment, the Revised Deposit Plan gives particular prominence to the wishes of the community. In this way the village would, overall, be sustained and/or enhanced.

8.4.25 Issue 19: The national and sub-regional planning framework does not encourage the release of greenfield sites in the rural area, other than for 'exception housing'. Structure Plan Policy GD.5 establishes development location priorities. It indicates that where there are no appropriate sources of previously developed land and buildings, or they have become exhausted, local plans should then provide for the release of greenfield sites that meet the policy criteria. These are (in order of priority): firstly, locations within existing towns of 8,000 or more people; secondly, identified broad locations that lie outside Warwick District; and thirdly, locations adjacent to existing towns of 8,000 population which meet certain other criteria. Local Plan core strategy objectives include, amongst other things, promoting and enhancing vibrant rural communities, meeting housing needs of the whole community, reducing the need to travel, and making housing affordable and available to everyone. Nonetheless, given Structure Plan priorities and the Local Plan housing strategy, I see no reason to amend criterion a) of Policy RAP2 by deleting the words 'on previously developed land'. In my opinion, any local need for market housing that can only be met on greenfield land should be dealt with on merit rather than being addressed through Policy RAP2. Specific coverage would, I believe, weaken the Policy. With this in mind I support the village envelopes of the Limited Growth Villages that have been tightly defined to minimise greenfield opportunities. As regards affordable housing, criterion b) of Policy RAP2, and Policy RAP5, allow for such schemes in greenfield locations in exceptional circumstances where residential development would not otherwise normally be appropriate.

8.4.26 Issue 20: Structure Plan Policy RA.3 directs development in the rural area according to a hierarchy of settlements where growth is related to the level of services/facilities. Eathorpe is a small settlement with only 100 or so people on the electoral roll occupying about 45 dwellings. This is approximately 7 times smaller than the smallest of the 5 Limited Growth Villages (Barford). Its main facilities are a modern village hall and public house. It does not have the range of services identified in Paragraph 8.14 of the Local Plan as being necessary to ensure a reasonable quality of life for all sectors of the community. There is no shop, no employment opportunities and no regular/frequent bus service. Consequently, it is not on a par with the 5 Limited Growth Villages identified in the District and does not, in my opinion, qualify for similar status. Although previously identified as a Limited Infill Village in the adopted Local Plan, the policy context has changed. The RSS and Structure Plan are now much more restrictive towards new development in rural areas, except where this satisfies local community needs.

8.4.27 Issue 21: (*Land adjacent to the Plough Inn, Eathorpe*) Village envelopes are only relevant in the case of the Limited Growth Villages where modest development will be allowed to meet local needs. Some new residential development has taken place in Eathorpe in recent years, in compliance with the adopted Local Plan. This has been described by the objector. But it remains a small settlement with a restricted range of community facilities/services. Since it does not meet the relevant criteria for identification as a Limited Growth Village, there is no reason to define a settlement boundary. In such locations, only rural exception housing, agricultural workers' dwellings, conversions, and replacement dwellings are permissible under Policy RAP2.

8.4.28 The small field of 0.22ha on the north side of the Plough Inn became redundant in agricultural terms following construction of the B4455 Fosse Way/Eathorpe by-pass in the 1970s. It is flanked by roadways and other existing development. Being situated on the opposite side of the large square field (Village Field or Green's Close) that adjoins the centre of the village, the site is related to the form and layout of the settlement but is not located within the main group of houses at its heart. The objector argues that there is a requirement for small, affordable cottages in Eathorpe to enable young people to remain in the village, with most of the existing cottages having been extended. However, no evidence has been provided through any local needs assessment. Indeed, this assertion appears to contradict many of the 31 representations made in respect of the 'omission sites consultation' and the outcome of the public meeting held in the village hall attended by approximately 35% of the village electorate. Clearly, the need for and suitability of this site for affordable housing will depend upon whether the specific criteria of Policy RAP5 can be met. To sum up, I see no need to identify a village envelope for Eathorpe and no reason for amending Policy RAP2 to accommodate an affordable housing allocation on this site.

8.4.29 Issue 22: (*Land north of The Manor House, Bubbenhall*) The objection site adjoining The Manor House was included in the village envelope in the adopted Local Plan. However, Bubbenhall is not identified as a Limited Growth Village in the emerging Local Plan. It therefore no longer has a defined settlement boundary. This reflects the changes in both national planning policy and Structure Plan policy which apply greater restraint to housing development in the rural areas and seek to concentrate new development onto previously developed land within the urban areas.

8.4.30 Bubbenhall is a relatively small village with a population in 2001 of less than 700 which comes well down the settlement hierarchy. It possesses a post office, 2 pubs and a village hall, but has no primary school. Market housing here would not be allowed under

Policy RAP2 of the Revised Deposit Plan. I endorse that approach given the characteristics of the settlement. However, affordable housing would be permissible in this Green Belt location under Policy RAP5 as a rural exception scheme. PPG3 allows for small developments of affordable homes within or adjacent to settlements on land that would not otherwise be released for general market housing. I note that there were 146 responses to the omission site consultation suggestion that a village envelope be reinstated and 152 to the suggestion that the objection site be included within such a boundary. Many of those representations were objections, confirming support for such a restrictive approach to development.

8.4.31 Issue 23: Lapworth (Kingswood) is one of the 5 Limited Growth Villages in the District. Here, a limited amount of market housing, which would include smaller homes for the elderly wishing to downsize, is allowed under Policy RAP2 subject to evidence of local need as identified by the community in an appraisal or assessment. Needs arising in Rowington and elsewhere will be directed into this and other more sustainable locations.

8.4.32 Issue 24: This issue has also been addressed elsewhere in my report (Chapter 6, Policy UAP2, Issue 11). Radford Semele is physically separated from the main urban area of Leamington Spa by a tract of open land, with the western parish boundary following the line of Whitnash Brook running north/south along the eastern edge of Sydenham. That open area, together with the Ricardo industrial complex on the south side of Radford Road, lies within an Area of Restraint identified on the Proposals Map. Such AoR designation seeks to maintain existing character. Although not Green Belt, it also prevents surrounding villages from merging into towns and contributing to urban sprawl. The built up area of Radford Semele is fairly compact and presents itself as a village community located close to but distinct from Leamington Spa. Travelling along Radford Road/Southam Road this separation is clearly visible. I agree with the District Council that one has the impression of leaving the town and entering a more rural environment.

8.4.33 The objector, T&N Ltd (in administration), argues that the village is similar in character to Cubbington to the north which, unlike Radford Semele, has been included in the urban area of Leamington Spa along with Whitnash. However, I consider that Cubbington is a rather different case. New Cubbington is an extension of the built-up area of Leamington Spa. It has physically joined with Cubbington village, albeit this connection is limited to a fairly narrow band of ribbon development. Travelling along Cubbington Road/Rugby Road from Leamington Spa to Cubbington there are now no physical breaks in the built environment to provide a demarcation.

8.4.34 I find that the village of Radford Semele is properly identified as part of the rural area where RAP policies apply. In my opinion, it should not be treated as part of the urban area of Leamington Spa.

8.4.35 Issue 25: (*Land at Leigh Foss, The Valley, Radford Semele*) Leigh Foss is a greenfield site of 1.6ha on the south-eastern edge of the built-up area of Radford Semele, accessed off a road known as The Valley. The land slopes gently to the south and east and is laid to grass. Here the village envelope has been tightly drawn to exclude a ribbon of lower density housing along The Valley. It also excludes greenfield land like the objection site. This has been done because national, regional and Structure Plan policies all require that previously developed land should be taken before greenfield sites to satisfy growth needs.

- 8.4.36** Policy RAP2 allows for windfall development of market housing on previously developed land within the built-up area of the Limited Growth Villages but only where a local need is demonstrated. A restricted level of infilling is, in my view, appropriate given the overall housing supply position in the District that led the Council in 1995 to produce the 'Managing Housing Supply' SPD to reduce the future supply of urban windfall housing. In light of this I consider that there is no reason to amend Policy RAP2 to accommodate open market housing on greenfield land or to specifically allocate such sites for residential development either within the Local Plan period or to meet longer-term needs. As regards the latter, I believe it would be premature to safeguard land for housing beyond 2011 because housing requirements are uncertain pending completion of the partial review of the RSS and current indications are that housing needs beyond 2011 can be met through the release of urban brownfield sites. Moreover, any future release of greenfield sites should be done through an allocations DPD where a comparative analysis of all development opportunities can be made following sustainability appraisal and public consultation.
- 8.4.37** I accept that unlike the other more sensitive objection site on the south-western side of the village, development of this land would not lead to coalescence of Radford Semele and Leamington Spa. For this reason, it has not been included within an Area of Restraint. It did, however, attract a huge response to the omission sites consultation with some 520 representations against the proposals. In conclusion, I see no justification for extending the village envelope to incorporate Leigh Foss, nor for excluding this land from the area where rural policies apply.
- 8.4.38** In its response to this objection the District Council has accepted that the circled acronym 'LI' on the key to Proposals Map Part 2 and on the Map itself should be removed. This notation refers to the adopted Local Plan's 'Limited Infill' policy. It has been carried through into this new Plan in error. I endorse that alteration and recommend accordingly.
- 8.4.39 Issue 26:** (*Land adjoining Clover Hill, off Brome Hall Lane, Kingswood*) The objection site is approximately 0.56ha and L-shaped. It is used as a paddock. The land is flanked on 3 sides by existing development fronting Brome Hall Lane to the east and St Chad's Mews to the north, with Clover Hill and 3 new properties to the west. The southern boundary is formed by a narrow track leading to Rose Cottage Farm and Rose Cottage, with further pasture beyond. The land adjoins, but lies outside, the southern boundary of the Lapworth/Kingswood village envelope defined in both the adopted Local Plan and the Revised Deposit Local plan. The entire settlement is washed over by the Green Belt. The objector argues that housing development in this location would help support the existing wide range of facilities in the village and assist the viability of Lapworth railway station which, served by both Chiltern and Centro trains, provides a regular service to Birmingham, London, Solihull, Warwick and Leamington Spa. In the objector's view, this site represents the best opportunity for a partnership between the private sector and public bodies to provide affordable and local needs housing on a negotiated basis. Moreover, it is argued that development here would represent a logical rounding-off of the village form and would not set a precedent for further development.
- 8.4.40** Lapworth/Kingswood is acknowledged by the District Council to be a sustainable settlement. Nevertheless, the objection site is greenfield land. It has been excluded from the village envelope of this Limited Growth Village for that reason, with national, regional and Structure Plan policies all seeking to accommodate development needs first on previously developed land. The District Council confirms that 3 main factors have guided the level and location of housing development in the rural areas. Firstly, most

new development is directed towards the urban areas; secondly, it is related to a hierarchy of settlements; and thirdly, it meets the needs of local people. In light of these key principles, and the fact that the strategic requirement for housing in the RSS has already been met and the quota of housing for the rural area exceeded, Policy RAP2 is necessarily restrictive. I consider that there is no need to look to greenfield sites to satisfy local needs for market housing nor to extend the settlement limits of Lapworth/Kingswood to accommodate such sites. This is not modest infill development but a fairly large site rounding off the settlement. At a density of 30dph, it is capable of accommodating around 19 dwellings. Development on such a scale would, in my opinion, adversely affect the openness of the Green Belt and the character of this section of the village, much of which is undeveloped or low density. I consider that any further housing should meet local needs only, as identified by the community in an appraisal or assessment. No evidence has been provided of local need in Lapworth/Kingswood. As regards affordable housing, this is not the only site capable of providing such homes. Policy RAP2 allows for development in exceptional circumstances throughout the rural area, providing the strict criteria of Policy RAP5 can be met.

8.4.41 Issue 27: (*Land adjacent to Rose Cottage, Rose Cottage Farm and Clover Hill, off Brome Hall Lane, Kingswood*) [NB This site embraces the smaller site at Clover Hill – see Issue 26 above] The site consists of 3 parcels of grazing land lying to the north, south and west of an unadopted track which runs westwards off Brome Hall Lane, Kingswood to serve Rose Cottage and Rose Cottage Farm. The northerly section comprises a 0.64ha paddock adjacent to Clover Hill. To the south is a 1.29ha parcel east of Rose Cottage Farm, while to the west of Rose Cottage is a small rectangular enclosure of 0.3ha. The objector wishes to have these areas of land, together with Rose Cottage Farm and Rose Cottage, included within the Lapworth/Kingswood village envelope and allocated for residential development. It is argued that housing development here would reflect advice in PPG3, PPS7, RSS and the Structure Plan and would support existing services and facilities in Lapworth/Kingswood. Moreover, it would be well related to the existing village form, adequately screened and has the benefit of satisfactory access, drainage and other services.

8.4.42 I do not accept that residential development in the location and on the scale proposed would be appropriate. National, regional and Structure Plan policies require priority to be given to the recycling of previously developed sites in the urban areas. In the context of Warwick District, the strategy in the rural areas is that new housing should accommodate local needs only that have been identified by the community in an appraisal or assessment. No evidence has been submitted that without larger scale growth the viability of the village's schools, shops, public house and railway station would be prejudiced. As well as conflict with PPG3 and PPS7, I consider that such development would be contrary to the advice in PPG2. Only modest infilling is envisaged within Limited Growth Villages like Lapworth/Kingswood. Consequently, the Green Belt designation washes over the entire settlement. Proposals on the scale anticipated by this objection would, in my view, represent inappropriate development in the Green Belt.

8.4.43 The site is screened by an existing belt of trees along Harborough Bank when viewed from a southerly direction. This would help to enclose the land with other development in this part of the village. Nevertheless, this is a greenfield site in the Green Belt. It is of such a size that its development could not be described as limited infilling to meet an identified local need. With an area of 2.23ha it would be capable of accommodating

around 66 dwellings at 30dph. Development on that scale would, I believe, have an adverse effect on the openness of the Green Belt.

8.4.44 No comparison of this site has been made against other land that could potentially be released for housing in Lapworth/Kingswood, nor has the sustainability of this site been assessed in relation to the criteria in the Local Plan Sustainability Appraisal. Furthermore, I note that a number of objections were received to allocation of this land for housing through the Omission Sites Consultation exercise. I have borne these matters in mind, alongside the fact that the strategic requirement for housing in the RSS has been met and the quota of housing for the rural area already exceeded. I conclude that there are insufficient reasons to incorporate this greenfield site within the Lapworth/Kingswood village envelope and therefore the land should not be allocated for residential development.

8.4.45 Issue 28: I do not accept, for reasons set out elsewhere in my report, that there is a need for additional land to be allocated for housing development to meet the strategic housing requirement to 2011, nor that the site south-west of Radford Semele is suitable for that purpose. Consequently I do not support the additional policy criterion put forward on behalf of T&N Ltd (in administration).

8.4.46 Issue 29: T&N Ltd (in administration) point out that PPG3 and PPS7 both refer to development within or adjoining existing villages to meet the needs of local people and contribute to the delivery of sustainable communities. In my view, Policy RAP2 fully reflects this advice. It does this in 2 parts - by making provision under criterion a) for market housing on previously developed land within the village envelopes of the 5 Limited Growth Villages (subject to meeting a specific local need identified by the community); and by making provision under criterion b) for affordable housing only, under the rural exceptions Policy RAP5 within or adjoining an existing settlement on either greenfield or previously developed land.

8.4.47 I see no requirement for a separate policy to address development needs in the open countryside away from existing settlements. Those needs are likely to be much less than in the case of villages. I consider that criteria b) (affordable housing in accordance with Policy RAP5) and c) (housing for rural workers in accordance with Policy RAP6), when taken together, make adequate provision thereby ensuring that the viability of rural communities is not prejudiced. It follows that I not support the detailed drafting suggestions made by the objector.

8.4.48 Issue 30: (*Land adjacent to Oak Gable Cottage, Rising Lane, Baddesley Clinton*) The objector argues that there has been no material change in the form or sustainability of Baddesley Clinton since 1995 sufficient to warrant a change of policy. The adopted Local Plan incorporated a village policy boundary which should be reinstated in the new Local Plan and extended to reflect the pattern of development on the ground today. It should include Ivy Cottage, the garden land between Ivy Cottage and Rising Lane, Oak Gable Cottage and its curtilage, and adjacent infill land. In the objector's view, the specific objection site identified should be allocated for a mix of housing types including affordable housing to meet local needs.

8.4.49 While Baddesley Clinton may not have changed drastically since 1995, the planning policy context has moved on. The much smaller number of settlements which the emerging Local Plan has identified for limited infill development is justified, in my opinion, by the reduced level of housing to be accommodated in the rural area and the

small number of villages with a basic level of facilities. I note that the parish of Baddesley Clinton had a population of only 190 in 2001 compared with a population of 1,171 in Barford parish which is the smallest of the 5 Limited Village Growth Villages. And the same applies in respect of services and facilities. The village has a bus service, 2 churches, a restaurant/shop and tourism employment (at the nearby 15th century Baddesley Clinton Hall), together with other facilities located at nearby Chadwick End, but these compare unfavourably with a much enhanced level of provision in the most sustainable settlements. In summary, I believe it would be inappropriate to carry forward/extend the earlier Limited Infill Village boundary from the adopted Local Plan since current national, regional and Structure Plan policy limits rural housing to that which meets local needs or supports communities in sustainable settlements.

8.4.50 Turning to the objection site, this land is bounded on 3 sides by existing development. It is well screened and would not be prominent in the landscape or when viewed from the A4141. It has logical defensible boundaries and there are 2 potential alternative means of access. Nevertheless, this is greenfield land outside any Limited Growth Village. Its development for market housing is not supported by Policy RAP2. Any scheme for affordable housing would have to comply with the detailed criteria of the ‘rural exception’ Policy RAP5. Taking into account also the over-provision of housing generally in the District in relation to strategic requirements, I see no case for allocating the objection site for infill housing to include an element of affordable housing to meet local needs.

Recommendations

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

(i) add the additional criterion:

“e) it is a replacement dwelling in accordance with Policy RAP4.”

(ii) delete the circled acronym ‘LI’ on the key to Proposals Map 2 (Limited Growth Village Envelope) and on the Map (Radford Semele).

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

8.5 Paragraphs 8.20 - 8.26 Policy RAP3 Extensions to Dwellings

Objections to First Deposit Version

4/AF	Arlington Planning Services LLP
28/AA	Hatton Parish Council
115/AD	Alan Roberts
148/AX	Campaign to Protect Rural England (Warwickshire Branch)
214/AB	Mrs J Biles
236/AB	Graham Jones

Objections to Revised Deposit Version

No objections

Key Issues

- 8.5.1**
- (1) Whether the guideline proportions for acceptable increases to dwelling floorspace set out in Paragraph 8.24 are appropriate or should be omitted.
 - (2) Whether the Policy should recognise that extensions to dwellings are appropriate as a matter of principle in the Limited Growth Villages.
 - (3) Whether the Policy should indicate that there may be circumstances where even small extensions are unacceptable due to appearance or to the loss of an affordable unit of accommodation.
 - (4) Whether the Policy discriminates against those living in rural areas.
 - (5) Whether Paragraph 8.25 should indicate that there will be strict control over extensions to barn conversions rather than prohibiting them.

Inspector's Appraisal and Conclusions

8.5.2 Issue 1: In its response statement the District Council has set out the background to this Policy. Recognising that the rural areas of the District are sensitive and under considerable development pressure, the Policy seeks to ensure that extensions to dwellings are of an appropriate scale to protect the character of the original dwelling and that of the wider countryside. In order to avoid the inflexible '50% policy' of the adopted Local Plan ((DW) H14), which has been used as the yardstick by which to judge acceptability rather than whether the extension substantially alters the scale and character of the dwelling, the District Council has relegated such guidelines to the supporting text and made it clear that each case will be considered on its merits. The reasoned justification states that extensions which exceed the floorspaces indicated (30% in Green Belt areas and 40% elsewhere) are likely to be considered disproportionate. It does, however, remain open to an applicant for a larger extension to demonstrate whether the 3 criteria of Policy RAP3 can be met. I consider this to be a better policy approach. It maintains a degree of flexibility while offering guidance. I note that the figures of 30% and 40%, together with the Policy criteria, have been derived by Council officers experienced in dealing with domestic extensions in the rural area in the light of operation of the earlier policy in the adopted Local Plan and its shortcomings. To my mind, such an empirical approach is the best way to address this matter. I accept that the difference between the guideline figures for Green Belt and non-Green Belt areas reflects the advice in PPG2 on the importance of maintaining openness in the Green Belt. It follows that I support these guideline proportions. I see no justification for a standard 50% throughout the rural area nor any case for removal of such guideline figures which would create an information vacuum.

8.5.3 Issue 2: I see no need for this. Paragraph 8.3 and the inset maps for the Limited Growth Villages make it clear that the Rural Area Policies apply throughout the rural areas of the District defined on the Proposals Map.

8.5.4 Issue 3: Paragraph 8.26 states that in addition to Policy RAP3 the District Council will also have regard to other relevant policies, notably DP1 (Layout and Design) and DP2 (Amenity). This addresses the concern that even very small additions might prove unacceptable for other reasons. As regards the loss of small units of affordable accommodation, the District Council does not consider it appropriate, as a matter of principle, to prevent dwellings from being enlarged and increasing in value and size. I take a similar line because extending a dwelling might enable a growing family to continue living in a rural area rather than having to relocate elsewhere.

8.5.5 Issue 4: I do not believe that Policy RAP3 unreasonably discriminates against those persons residing in the rural area. PPS12 recognises the considerable historic and architectural value of country towns and villages and the contribution they make to the character of the countryside. The Policy seeks to retain and respect these qualities. It is widely accepted that the countryside should be protected for its own sake.

8.5.6 Issue 5: The supporting text indicates at Paragraph 8.25 that the Council is extremely unlikely to grant approval for extensions to barn conversions, in order to protect their integrity. This is a strong statement but it stops short of precluding such development. I therefore see no conflict with Paragraph 3.8 of PPG2 which requires that 'strict control is exercised' over the extension of re-used buildings. I note that Policy RAP8 provides specific and detailed criteria for converting rural buildings. In my opinion, the amended wording suggested by the objector at Paragraph 8.25 would not improve the Plan but would serve to weaken it.

Recommendations

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

8.6 Paragraphs 8.27 - 8.30 Policy RAP4 Replacement Dwellings

Objections to First Deposit Version

4/AC	Arlington Planning Services LLP
121/AB	Rowington Parish Council
201/AC	Home Builders' Federation
220/AH	Cala Homes (Midlands) Ltd
236/AA	Graham Jones
287/AB	Framptons

Objections to Revised Deposit Version

115/RAC	Alan Roberts
148/RAZ	Campaign to Protect Rural England (Warwickshire Branch)

Key Issues

- 8.6.1** (1) Whether the Policy accords with Government guidance.
- (2) Whether the Policy should recognise the need for modernisation or replacement of low quality dwellings to raise the standard of residential property.
- (3) Whether poor architectural design should be a relevant factor.
- (4) Whether the Policy is unduly negative and prescriptive towards development.
- (5) Whether the Policy should recognise that it may be possible to construct a dwelling of superior quality to the one it replaces.
- (6) Whether (a) replacement dwellings should be treated as new housing development in the countryside, and (b) the opportunity should be taken to enhance the landscape by less intrusive design.

Inspector's Appraisal and Conclusions

8.6.2 Issue 1: Policy RAP4 establishes 2 criteria. To qualify for replacement the existing dwelling must be structurally unsafe and beyond reasonable repair, or of poor architectural design and does not add to the rural character of the area. I see no conflict with Government advice in Paragraph 3.6 of PPG2. This indicates that the replacement of existing dwellings (in the Green Belt) need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces. It goes on to say that development plans should make clear the approach local planning authorities will take, including the circumstances (if any) under which replacement dwellings are acceptable. Policy RAP4 does just this. It acknowledges the contribution that existing dwellings make to the character and appearance of the rural environment and seeks to retain that character. PPS7 offers further guidance. Paragraph 19 states: “....The replacement of buildings should be favoured where this would result in a more acceptable and sustainable development than might be achieved through conversion, for example, where the replacement building would bring about an environmental improvement in terms of the impact of the development on its surroundings and the landscape. Local planning authorities should set out in their LDDs the criteria they will apply to the replacement of countryside buildings.....Authorities should also set out the circumstances where replacement would not be acceptable and clarify the permissible scale of replacement buildings.” In my view Policy RAP4 complies with this advice.

8.6.3 Issue 2: The Policy allows for replacement in circumstances where a dwelling cannot be brought up to standard without demolition, or where it is of poor quality design and does not contribute positively to the rural character of the area. I consider those criteria to be appropriate. I see no need for the Policy to address modernisation as such.

8.6.4 Issue 3: In my view, design is a legitimate factor when assessing proposals for replacement dwellings in the rural area. PPS7 confirms that the impact a building has on its surroundings and the landscape is a relevant consideration, as is the potential for environmental improvement. Paragraph 12 of PPS7 highlights the importance of good design. This is supplemented by further advice on design in PPS1.

8.6.5 Issue 4: Although presented in a negative form I do not feel that Policy RAP4 is unduly harsh or prescriptive. It recognises the cumulative harm that the loss of existing dwellings and their replacement with modern equivalents could have on the character and

appearance of the rural area. The Policy sets out the criteria that have to be met and makes it clear that any replacement dwelling must not be materially larger and have no greater impact on the character and openness of its surroundings. I believe that all of those considerations are of relevance to Warwick District. Policy RAP4 does not preclude development nor does it descend to an unreasonable level of detail. In my opinion, the alternative policy wording suggested by Framptons is bland and insufficient to guide and control development.

8.6.6 Issue 5: This Policy, augmented by other Plan policies particularly DP1 (Layout and Design), supports the principle that any replacement dwelling should be of a design and appearance that is superior to the one to be demolished. In my view, it requires no alteration.

8.6.7 Issue 6: There is a distinction to be drawn between replacement dwellings and the replacement of non-residential buildings with housing development in the countryside. In the former case, the principle of residential development has already been established whereas in the latter, Paragraph 20 of PPS7 advises that this should be treated as new housing development in accordance with PPG3. Bearing in mind this differentiation, I believe it is essential to have a separate policy in respect of replacement dwellings in the rural area.

8.6.8 Paragraph 8.29 of the supporting text confirms that in determining planning applications for replacement dwellings, particular regard will be had to retaining and enhancing the appearance and character of the rural area. In that way the opportunity can be seized to achieve a less intrusive design in landscape terms to ensure that replacement dwellings fit into their surroundings.

Recommendations

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

8.7 Paragraphs 8.31 - 8.38 Policy RAP5 Providing Rural Affordable Housing

Objections to First Deposit Version

5/AD	Mrs Christa Knight-Adams
10/AD	Bubbenhall Parish Council
34/AA	Peter Hitchin
109/AA	Warwickshire County Council (Planning, Transport & Economic Strategy)
115/AE	Alan Roberts
117/AS	Langstone Homes Ltd
123/AB	Robin Hedger
135/AF	Bishops Tachbrook Parish Council
142/AE	A C Lloyd Ltd
148/AY	Campaign to Protect Rural England (Warwickshire Branch)
155/AC	Punch Taverns

187/AP	The Countryside Agency (West Midlands Region)
197/AE	Norton Lindsey Parish Council
201/AD	Home Builders' Federation
208/AD	Pettifer Estates Ltd
213/AV	Warwickshire Rural Community Council
216/AA	A E Cox
228/BJ	West Midlands RSL Planning Consortium
239/AB	Mr D Austin
240/AG	George Wimpey Strategic Land

Objections to Revised Deposit Version

115/RAD	Alan Roberts
119/RAN	Bloor Homes Ltd
120/RAB	Miller Homes (West Midlands)
135/RAD	Bishops Tachbrook Parish Council
214/RAN	Mrs J Biles
322/RAN	J G Land and Estates
331/RAB	Gregory Dyson

Key Issues

- 8.7.1** (1) Whether the Policy should exclude Bishops Tachbrook.
- (2) Whether it is appropriate that criterion b) of the Policy makes reference to sites 'adjoining' an existing settlement.
- (3) Whether clarification is required of the application of the Policy to villages within and outside the Green Belt.
- (4) Whether the Policy is effectively redundant given the time horizon of the Plan.
- (5) Whether affordable housing should only be provided within the village envelopes of the Limited Growth Villages.
- (6) Whether (a) discounted sale/low cost market housing can meet a local need, or (b) only dwellings which are rented in perpetuity should be allowed under this Policy.
- (7) Whether (a) outline planning applications should be accepted, (b) the requirement for development to commence within 12 months is reasonable, (c) the requirement for applicants to enter into a S106 agreement is contrary to Government guidance and ultra vires, and (d) permission for affordable housing should be linked to improvements in local facilities and infrastructure.
- (8) Whether (a) the Policy should clarify who can commission a local needs survey, (b) evidence of local need should be independently monitored, (c) identification of local need should not be restricted to a parish or village survey, and (d) Paragraph 8.35 should state that affordable housing should only be located in areas where a need has been identified.
- (9) Whether the wording of Policy RAP5 and its supporting text is appropriate.

(10) Whether the Policy should be more pro-active.

(11) Whether Policy RAP5 conflicts with the Regional Spatial Strategy.

Inspector's Appraisal and Conclusions

- 8.7.2 Issue 1:** Bishops Tachbrook is a large settlement consisting predominantly of 2 and 3 bedroom market and affordable housing. The Parish Council points out that the bias in the housing stock is at odds with Policy SC1 (Sustaining Communities – Securing a Greater Choice of Housing). In its view the village would benefit from additional larger house types. It does not need further small affordable homes and for that reason should be excluded from the operation of Policy RAP5.
- 8.7.3** The District Council recognises that 4 bedroom market housing would secure a better mix of housing provision in Bishops Tachbrook. Responding in part to this concern and acknowledging the potential for infill development, Policy RAP2 was amended at Revised Deposit stage to allow an element of market housing in Limited Growth Villages where a community need is identified. This Policy is supplemented by the ‘rural exception’ Policy RAP5. Finding sites for exception housing is very difficult in areas like this where land values are high. I am assured that Policy RAP5 is unlikely to lead to a substantial number of new affordable homes. In any event, such sites could come forward anywhere in the rural area. I consider that it would be unfair and inappropriate to exclude an individual community from this Policy. As the District Council points out, while there may be no compelling need for affordable housing in Bishops Tachbrook at the present time, there is no certainty that a need will not arise in the parish in the future.
- 8.7.4 Issue 2:** Bishops Tachbrook Parish Council maintains that references under Policy RAP5 to sites ‘adjoining an existing settlement’, ‘rural exceptions’ and proposals that ‘abut the village envelope’ will encourage speculative development thereby discouraging farming and proper maintenance of land. In its view any affordable housing should be restricted to previously developed sites within the village envelope under the provisions of Policy RAP2.
- 8.7.5** Annex B of PPG3 indicates that all local planning authorities with a rural area should include a ‘rural exception site’ policy in the relevant development plan document. This enables the authority to allocate or release small sites within and adjoining existing small communities. The purpose of such a policy is to meet specific local housing needs in perpetuity in or adjacent to existing settlements on sites that would not normally be released for housing. I note that since 2001 only 2 rural exception schemes have been completed in the District, at Baginton and Hatton Station, each consisting of 6 dwellings. Both were located on brownfield sites within existing villages. Because only affordable housing that meets the terms of the Policy would be allowed, and this is usually carried out by registered social landlords, speculative land purchases are unlikely. I do not accept that the very limited amount of development facilitated by this Policy would significantly enlarge the built up area of settlements. Although Bishops Tachbrook is one of the larger villages in the District with approximately 800 dwellings it is still relatively small when seen in a national context. I believe it comes within the ambit of an ‘existing small community’ in PPG3 terms. In my view, there is no justification for omitting the reference to land ‘adjoining’ or ‘abutting’ a settlement or for deleting Policy RAP5 in its entirety.

- 8.7.6 Issue 3:** It is argued that Green Belt restrictions elsewhere put additional pressures on Limited Growth Villages like Bishops Tachbrook to accommodate affordable housing. However, Paragraph 3.4 of PPG2 includes rural affordable housing in the definition of ‘appropriate development’, and the ‘rural exception’ sites provisions of PPG3 apply equally to land within and outside the Green Belt. Policy RAP5 allows for rural affordable housing throughout the District although Paragraph 8.37 of the supporting text indicates that particular controls will need to be applied in the Green Belt to ensure that the objectives of the Green Belt are not undermined. I note that 2 of the Limited Growth Villages lie in the Green Belt (Lapworth/Kingswood and Hampton Magna) and that both of the rural exception schemes carried out since 2001 (Baginton and Hatton Station) also occupy Green Belt locations. With these points in mind I do not believe that Policy RAP5 will lead to greater pressures for affordable housing in and adjoining settlements that fall outside the Green Belt. I consider that no additional explanation or clarification is required beyond that already set out in the Plan at Paragraph 8.37.
- 8.7.7 Issue 4:** The Plan will have a life of at least 3 years from its likely date of adoption. I do not accept that the Policy is redundant. Even though the strategic housing requirement for the District has been met, there is a necessity for additional affordable housing in the rural areas to meet local needs that were not identified at the outset of the Local Plan.
- 8.7.8 Issue 5:** National planning policy guidance does not restrict affordable housing provision in rural areas to land, whether previously developed or not, within settlements identified for infill housing in a settlement hierarchy (in Warwick District, the 5 Limited Growth Villages). ‘Rural exception housing’ can be provided on greenfield sites wherever there is evidence of local need. Paragraph 1 of Annex B to PPG3 allows for the release of “small sites within and adjoining existing small rural communities, which may be subject to policies of restraint, such as Green Belt, and which would not otherwise be released for housing, but only to provide affordable housing to meet local needs in perpetuity.” I am satisfied that Policy RAP5 follows that advice, allowing affordable housing throughout the rural area providing it satisfies the strict Policy criteria.
- 8.7.9 Issue 6:** Annex B of PPG3 makes it clear that general market housing or market housing for local needs only is inappropriate on exception sites.
- 8.7.10** Criterion c) III of Policy RAP5 indicates that forms of tenure other than social rented housing will be considered provided they achieve weekly outgoings significantly below the maximum affordable to households in housing need. I consider that to be appropriate. In practice, though, exception housing will usually be rented in perpetuity or shared ownership. This is because of the substantial gap between property prices and household incomes in the District. I note that the 2006 Housing Assessment estimated that the price of an entry-level house was £179,856 requiring a minimum monthly household income of £4,551. However, 87% of households in the rural areas of the District had an income below that level. The District Council’s Guidance for Developers indicates that in December 2004 the maximum affordable price of a dwelling for newly forming households in the District was just £90,000.
- 8.7.11 Issue 7:** I agree with the District Council that outline planning applications are inappropriate in respect of rural exception housing schemes. By definition, these take place on land not normally considered acceptable for housing development. In such circumstances it is important that development integrates with the form of the existing settlement. The necessary consultation with the local community can, in my opinion,

best be achieved by presenting a fully detailed scheme supported by full information in respect of need and with a social housing provider committed to bringing the scheme forward.

- 8.7.12** Policy RAP5 of the Revised Deposit Plan indicates that detailed permission will be valid for 12 months from the date of the decision and will expire if development has not commenced within this period. It is intended to encourage early implementation of any scheme and reflects the fact that needs and opportunities to satisfy them change over time. I note that since the Policy was drafted the Housing Corporation has moved towards grant rounds every 2 years with the result that a 12 month permission may prove inadequate time to apply for and receive approval of grant funding. The District Council has therefore put forward changes to Policy RAP5 and to the supporting text to the effect that detailed permissions will be granted for a period of 2 years. I support those proposed changes.
- 8.7.13** The District Council accepted that the requirement in criterion c) of the First Deposit Draft of Policy RAP5 for an applicant to enter into a Section 106 planning agreement was contrary to Government guidance. Such planning obligations may only be sought. In the Revised Deposit Plan criterion c) simply provides that certain principles be established concerning the housing to be provided on an exception site. This amendment to the Policy, which I endorse, satisfies the objection.
- 8.7.14** Criterion b) of Policy RAP5 requires any proposed development to be small in scale. With this in mind, and noting that the 2 most recent rural exception housing schemes in the District have generated just 6 dwellings each, I do not feel that such development is likely to place significant demands on local facilities and services.
- 8.7.15 Issue 8:** Parish Councils will often be the vehicle for carrying out a parish or village survey of housing need. But not all Parish Councils are able to fund such a study and I note that in some circumstances the Warwickshire Rural Housing Association has carried out needs surveys on behalf of the community. For this reason, I believe it would be wrong to specify in the Policy which organisation should be responsible for carrying out such surveys. What matters is that the information is comprehensive, detailed and up-to-date - as required by criterion a).
- 8.7.16** The planning authority says that evidence of local need will be treated in the same way as other surveys and studies provided in support of planning applications. I note that the District Council will normally take expert advice from the Warwickshire Rural Housing Enabler to assess the soundness of any local needs study. I see no need to formalise such independent monitoring.
- 8.7.17** I consider that anecdotal evidence of need is not sufficient to provide the necessary detailed analysis.
- 8.7.18** Paragraph 8.35 was amended at Revised Deposit stage to clarify that rural exception housing should be located in areas where a need has been identified. The supporting text now states that the area which the housing needs survey covers should normally be the parish within which the proposal is to be located, but may also include neighbouring parishes where relevant. I endorse that alteration.
- 8.7.19 Issue 9:** The District Council accepted that the phrase ‘very exceptional circumstances’ used in Policy RAP5 was overly restrictive and deleted the word ‘very’ in

the Revised Deposit Plan. It also substituted the term ‘affordable housing’ for ‘residential development’ to address a comment made by GOWM. Finally, to ensure conformity with the Policy, the word ‘normally’ was omitted from the final sentence of Paragraph 8.36. I support all 3 of those minor amendments.

8.7.20 A suggestion has been made that the affordability criteria employed should be more robust. However, such matters will change over time and need to be updated regularly. I note that the District Council has produced a document entitled ‘Guidance for Developers’ (December 2004). This updates the affordability criteria in terms of house prices, rents and incomes.

8.7.21 Issue 10: Paragraph 18 and Appendix B of PPG3 allow local planning authorities to release rural exception sites. However, this has to be supported by evidence in the form of a local needs housing survey and specific sites have to be identified. Few parish councils in the District have so far done this. I am told that the District Council is working with Warwickshire Rural Housing Association to encourage parish councils to carry out needs surveys and to promote suitable sites for rural exception housing. In these circumstances, I do not believe that Policy RAP5 can be made more pro-active.

8.7.22 Issue 11: Policy RAP5 is the rural exception policy that allows affordable housing in circumstances where land would not normally be released for housing. It is compliant with Government policy in PPG3. Policy RAP2 is the general rural housing policy. It is consistent with Structure Plan Policy RA.3 in that it permits some market housing in the Limited Growth Villages where an assessment or appraisal carried out by the community provides evidence of local need. Taken together, I believe that Local Plan Policies RAP2 and RAP5 accord with RSS Policy CF2 which states that in rural areas new housing should principally be directed towards meeting local housing needs and/or supporting services. I see no conflict with the Regional Spatial Strategy.

Recommendations

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

(i) delete the final sentence of Policy RAP5 and substitute the following:

“Detailed permission will be valid for two years from the date of the decision and will expire if development has not commenced within this period.”

(ii) delete the last 2 sentences of Paragraph 8.38 and substitute the following text:

“For this reason, where proposals are approved under this policy the Council will grant permission for two years only. If development has not commenced within the two year period, the approval will lapse and a fresh application will be required if the applicant wishes to develop the site.”

(iii) delete criterion c) III of Policy RAP5 and substitute the following:

“III forms of tenure other than social rented housing will be considered provided that they achieve weekly outgoings significantly below the maximum affordable to households in housing need”.

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

8.8 Paragraphs 8.39 - 8.43 Policy RAP6 Housing for Rural Workers

Objections to First Deposit Version

110/AF	Government Office for the West Midlands
148/AZ	Campaign to Protect Rural England (Warwickshire Branch)
154/AJ	National Farmers' Union

Objection to Revised Deposit Version

115/RAE	Alan Roberts
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Key Issues

- 8.8.1** (1) Whether the Policy should clarify what is meant by ‘rural workers’.
- (2) Whether the Policy should relate instead to ‘agricultural workers’.
- (3) Whether the last sentence of Paragraph 8.43 should be incorporated in the Policy itself, or be deleted.
- (4) Whether the specified size limit of 140 sq m for a dwelling is unnecessary in light of Policy criterion d) and may need to be exceeded in certain circumstances.
- (5) Whether (a) the Policy criteria should be stricter to ensure sustainability, and (b) the size of the dwelling should be related to the needs of the business rather than residential factors.

Inspector's Appraisal and Conclusions

- 8.8.2 Issue 1:** At Revised Deposit stage the District Council amended the term ‘farm workers’ to ‘rural workers’, and added a definition of the latter to Paragraph 8.40 - namely, ‘workers engaged full-time in farming, forestry or any other rural-based enterprise’. That definition would, I believe, cover equestrian activities. I support those alterations to the Policy and the reasoned justification. Together, they provide clarity and consistency with other parts of the Plan (including the Policy title).

- 8.8.3 Issue 2:** I agree with the District Council that a wider interpretation than just ‘agricultural workers’ is called for in Policy RAP6. PPS7 Annex A indicates that a justification for allowing an isolated new house in the countryside might be where accommodation is required for ‘agricultural, forestry and certain other full-time workers’.

The collective term 'rural workers' is, in my opinion, reasonable shorthand particularly where, as indicated above, it is supported by a definition.

- 8.8.4 Issue 3:** The sentence in question states that: "The granting of any worker's dwelling solely on the grounds of providing security for crops or livestock will not be permitted." Although a useful message for inclusion in the supporting text to avoid misunderstandings, I do not believe that it is central to the Policy - the purpose of which is to set out the circumstances where permanent residential accommodation for rural workers will be allowed. It does not therefore, in my judgement, warrant inclusion in Policy RAP6.
- 8.8.5** Annex A of PPS7 indicates that: "the protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for a new agricultural dwelling, although it will not by itself be sufficient to justify one." Bearing in mind this guidance, I see no reason to delete the last sentence of Paragraph 8.43. I note that at Revised Deposit stage the District Council substituted the word 'solely' for 'primarily'. I support that alteration which adds clarity and precision, reflecting more accurately the advice in PPS7.
- 8.8.6 Issue 4:** The District Council accepted at Revised Deposit stage that a reference to 140 sq m in Policy RAP6 is unnecessary. This is because the size of any dwelling would be addressed through criterion d). I endorse that deletion which satisfies both objections.
- 8.8.7 Issue 5:** I consider that the criteria of Policy RAP6 are sufficiently robust to ensure that only bona fide rural workers' dwellings are constructed in the open countryside. Those criteria require evidence of a functional need for a dwelling, evidence that the business is on a sound financial footing, and evidence that the intended occupier is fully or primarily employed on the land to which the proposal relates. They are rigorous tests that reflect Government guidance set out in Annex A of PPS7.
- 8.8.8** As regards Policy criterion d), the District Council has recognised in its response statement that the size of any new dwelling ought to be commensurate with the 'established functional requirement' rather than 'with the need for it'. I agree that this proposed further change, by putting emphasis on business needs rather than living conditions, would accord more closely with the guidance in Annex A of PPS7. I therefore endorse such alteration.

Recommendations

- 8.8.9 (a) That the Revised Deposit Plan be modified as follows:**
- amend criterion d) of Policy RAP6 to read:**
- "d) the dwelling sought is of an appropriate size commensurate with the established functional requirement."**
- (b) That no further modifications be made to the Revised Deposit Plan in respect of these objections.**

8.9 Paragraphs 8.44 - 8.51 Policy RAP7 Directing New Employment

Objections to First Deposit Version

118/AA	Mr and Mrs G Bull
119/AC	Bloor Homes Ltd
147/AD	Sundial Conference and Training Group
148/BA	Campaign to Protect Rural England (Warwickshire Branch)
213/AX	Warwickshire Rural Community Council
234/AL	Parish Councillor (Sherbourne)

Objection to Revised Deposit Version

321/RAS	West Midlands International Airport Ltd
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Key Issues

- 8.9.1**
- (1) Whether the Policy should give greater support to schemes that meet the needs of local people.
 - (2) Whether the Policy should allow other, non Class B, employment uses in rural areas.
 - (3) Whether the Policy should allow the limited expansion of existing lawful uses where this would support the local economy.
 - (4) Whether the Policy should support the development of small rural sites on previously developed land within or adjacent to the Limited Growth Villages.
 - (5) Whether the first sentence of Paragraph 8.49 is sufficiently clear.
 - (6) Whether criterion a) should require that proposals have no detrimental effect on the local environment.
 - (7) Whether the former Alvis test track site at Baginton should be added to criterion f) of Policy RAP7.
 - (8) Whether Policies UAP2 and RAP7 are contradictory.
 - (9) Whether the Policy should be amended to allow (a) development within or adjacent to settlements other than the Limited Growth Villages, and (b) small scale businesses within specific sectors.

Inspector's Appraisal and Conclusions

- 8.9.2 Issue 1:** I note that criterion a) was amended and criterion d) added at Revised Deposit stage to make additional reference in the Policy to meeting a local need, as required by Structure Plan Policy RA.3 c). I endorse those alterations which meet the objection.

- 8.9.3 Issue 2:** There is no preclusion of other employment uses (non Class B) in Policy RAP7. Such uses are subject to other Rural Area policies and might include, for example, farm diversification schemes, conversion of rural buildings, and proposals on major developed sites.
- 8.9.4 Issue 3:** Policy RAP7 does allow limited expansion in non-Green Belt locations where this would support the local economy. In Green Belt, though, expansion or redevelopment would be inappropriate development, unless the land is identified as a major developed site. This accords with national and strategic planning policy.
- 8.9.5 Issue 4:** This objection has, to some extent, been addressed by criterion d) added at Revised Deposit stage. I agree with the District Council that it would not be appropriate to extend such provisions to land adjacent to the Limited Growth Villages.
- 8.9.6 Issue 5:** The District Council has substituted a new sentence at the start of Paragraph 8.49 in the Revised Deposit Plan. This states that: “Proposals to redevelop or expand existing rural employment areas need to be carefully controlled.” I agree that this text is much clearer.
- 8.9.7 Issue 6:** Employment development in rural areas is subject to other relevant Plan policies, in addition to Policy RAP7. General development Policies DP1-14 cover effects on the local environment as well as other issues. In these circumstances, I see no need to augment Policy RAP7 in the manner suggested.
- 8.9.8 Issue 7:** This matter is addressed elsewhere in my report in response to related objections (see Chapter 9, Policy DAP1, Issue 17). Since I conclude that the former Alvis test track site at Baginton should not be allocated for employment use, it follows that it would be inappropriate to include it in criterion f) of Policy RAP7.
- 8.9.9 Issue 8:** I see no inconsistency between the 2 policies. Policy UAP2 relates to urban areas. There, employment development is directed to town centres and existing employment areas in accordance with Structure Plan Policies GD.3 and GD.5. This is required to maximise sustainability in terms of access to public transport. In rural areas, different policy criteria apply based on local need and economy. These considerations reflect Structure Plan Policies RA.1 and RA.3. In my view, no cross-referencing is required between Policies UAP2 and RAP7.
- 8.9.10 Issue 9:** Structure Plan Policy RA.3 requires a hierarchy of rural settlements to be determined by local plans. At its top are the villages with existing infrastructure capable of supporting limited growth. Policy RAP7 directs new employment development to those locations. In my opinion, it would not be sustainable to adopt a scatter gun approach and allow employment development to take place in or adjacent to all settlements, nor would it be appropriate or feasible to make allowances for small scale businesses within specific sectors.

Recommendations

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

8.10 Paragraphs 8.52- 8.57A Policy RAP8 Converting Rural Buildings

Objections to First Deposit Version

7/AA	The Ramblers' Association
115/AF	Alan Roberts
148/BB	Campaign to Protect Rural England (Warwickshire Branch)
150/AE	Warwickshire County Council (Museum Field Services - Ecology)
154/AK	National Farmers' Union
187/AR	The Countryside Agency (West Midlands Region)
210/AN	English Nature
228/BL	West Midlands RSL Planning Consortium
302/AX	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

115/RAF	Alan Roberts
150/RAC	Warwickshire County Council (Museum Field Services - Ecology)

Key Issues

- 8.10.1** (1) Whether there should be a further policy criterion to protect the historic and/or architectural interest of listed buildings and other traditional rural buildings.
- (2) Whether the ability to provide affordable housing should be an additional criterion.
- (3) Whether the Policy should make reference to the protection of bats and barn owls.
- (4) Whether the final sentence of Paragraph 8.56 is unnecessary in that it simply repeats criterion c) of the Policy.
- (5) Whether the Policy should exclude isolated buildings in the countryside.
- (6) Whether there should be a definition of rural buildings in order to exclude modern structures.
- (7) Whether a clearer definition should be given of what is regarded as being 'permanent and substantial' to exclude prefabricated buildings and those with profiled or other cladding.

Inspector's Appraisal and Conclusions

- 8.10.2 Issue 1:** In recognition of the significant number of historic and traditional rural buildings in the District, a further criterion (d) was added to Policy RAP8 at Revised Deposit stage. I agree that this criterion is necessary. It satisfies the concern of English Heritage and has led to that particular objection being conditionally withdrawn. A balance has to be struck, though, between retaining and respecting the special qualities and features of traditional rural buildings and finding new uses for them. It would be

unreasonable, in my view, to preclude all external alterations as suggested by other objectors.

8.10.3 Issue 2: I agree with the District Council that such a criterion would be inappropriate. Policy RAP8 considers the physical capability of a rural building to be converted rather than the end use. The matter of affordable housing in the rural area is addressed through other Plan policies, notably RAP2 and RAP5.

8.10.4 Issue 3: The Plan was amended at Revised Deposit stage to include an additional Paragraph 8.57A making reference to the need to protect bats. A subsequent representation from Warwickshire County Council (Museum Field Services) in respect of barn owls has led the District Council to put forward a further proposed change. I support those alterations. The original objection by English Nature has, I note, been conditionally withdrawn.

8.10.5 Issue 4: I do not agree with the objector. In my opinion, the sentence in question serves a useful purpose. It makes it clear that extensions will not be approved as part of any conversion works unless it can be shown that they are essential for the retention of the building. The text explains and expands upon criterion c) which necessarily focuses on the terms set out in national planning policy guidance.

8.10.6 Issue 5: I see no reason to exclude isolated rural buildings. In addressing the physical capacity of a building for conversion, rather than the intended use, I believe the Policy should apply throughout the whole of the rural area.

8.10.7 Issue 6: I can see no argument for discriminating between rural buildings on grounds of their age. Government advice in PPS7 makes no distinction between modern and traditional rural buildings.

8.10.8 Issue 7: It is impracticable to fully define every term employed in a policy. I am satisfied that the words ‘permanent and substantial’ are clear and self evident. The Government’s definition of rural buildings includes modern structures. Consequently, to exclude prefabricated buildings and those with profiled cladding would, in my view, be unreasonable. Paragraph 8.55 of the Plan indicates that in determining whether a building is permanent and of substantial construction and its condition makes it suitable for change, the Council will require evidence, substantiated by a structural engineer’s report, that the building is stable. I see no need for further clarification.

Recommendations

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

amend the second and third sentences of Paragraph 8.57A to read:

“Rural buildings may contain bats and barn owls. Bats are protected under European and British law. Applicants are advised to check for the presence of bats and barn owls and seek professional advice to ensure that their proposals safeguard these species using the site.”

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

8.11 Paragraphs 8.57B - 8.57C Policy RAP8a Replacement of Rural Buildings

Objection to First Deposit Version

52/RAD Barford, Sherbourne & Wasperton Joint Parish Council

Objections to Revised Deposit Version

154/RAE National Farmers' Union

302/RAE English Heritage (West Midlands Region)

Key Issues

- 8.11.1** (1) Whether Policy RAP8a is too restrictive, especially in the Green Belt, and not supportive of the agricultural sector.
- (2) Whether replacement rural buildings should be considered appropriate development in the Green Belt.
- (3) Whether the Policy should include an additional criterion that protects historic buildings.

Inspector's Appraisal and Conclusions

8.11.2 Issue 1: PPS7 takes a more permissive approach to rural development than its predecessor PPG7. It advises local planning authorities to set out criteria in their plans that will apply to the replacement of buildings in the countryside. I am satisfied that, in addressing the replacement of existing rural buildings for employment or farm diversification purposes, Policy RAP8a is properly supportive of the agricultural sector. It is positive in its tenor while recognising the need for careful control over development, particularly in the Green Belt where other national planning policies apply. I consider that Policy RAP8a is compliant with PPS7.

8.11.3 Issue 2: PPG2 sets out the types of development that are appropriate in the Green Belt. Such development does not include replacement of non-residential buildings. The introduction to PPS7 makes it clear that its policies complement, but do not replace or overrule, other national planning policies. Consequently, Policy RAP8a is right to take a different and firmer line on replacement buildings in the Green Belt than it does in other locations where Paragraphs 19 and 20 of PPS7 offer support for "the replacement of suitably located, existing buildings of permanent design and construction for economic development purposes". However, while I consider the last sentence of Policy RAP8a to be satisfactory, the same cannot be said of the supporting text which indicates at Paragraph 8.57C that: "Such proposals.....will not be permitted in the Green Belt where only the replacement of existing dwellings is appropriate." That statement does not allow for the possibility of 'very special circumstances' and should, in my view, be amended. I recommend accordingly.

8.11.4 Issue 3: Protection is already afforded through Policy DAP6 to listed buildings in the rural area. However, the District Council concedes that Policy RAP8a would benefit from a further criterion protecting other traditional rural buildings from replacement. I agree. I endorse the wording put forward by the Council as a proposed further change. This goes some way towards meeting the concern of English Heritage.

Recommendations

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

(i) add a further criterion to Policy RAP8a:

“d) the replacement would not result in the loss of a building which displays the special qualities of a traditional rural building.”

(ii) substitute the following text for the last sentence of Paragraph 8.57C:

“Such proposals, however, will not be permitted in the Green Belt, except in very special circumstances, because only the replacement of existing dwellings is appropriate development.”

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

8.12 Paragraphs 8.58 - 8.62 Policy RAP9 Farm Diversification

Objections to First Deposit Version

54/AL	Conservative Group of Councillors
127/AC	Mr D H Smith
148/BC	Campaign to Protect Rural England (Warwickshire Branch)
154/AL	National Farmers Union

Objection to Revised Deposit Version

199/RAJ	James Mackay
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Key Issues

- 8.12.1** (1) Whether new buildings should be allowed in the Green Belt for farm diversification purposes and, in particular, to replace existing buildings of equal or greater size.
- (2) Whether isolated buildings in the countryside should be excluded from the operation of this Policy.
- (3) Whether it should be clarified that ‘best and most versatile agricultural land’ has the meaning given to it in Structure Plan Policy GD.4(g).

- (4) Whether the Policy should require that the land itself must be well managed.
- (5) Whether the word 'however' should be replaced by the word 'but' in both Paragraphs 8.58 and 8.59.
- (6) Whether the Policy should refer to the outcome of meetings held with the NFU on the need for farm diversification.
- (7) Whether the Policy conflicts with other policies designed to protect the rural landscape and promote sustainability/transport objectives.

Inspector's Appraisal and Conclusions

- 8.12.2 Issue 1:** Paragraph 30 (iii) of PPS7 indicates that the wider benefits of farm diversification proposals might contribute to the 'very special circumstances' required by PPG2 to permit development in the Green Belt. To reflect this, I note that the last section of Policy RAP9 was amended in the Revised Deposit Plan. I support that alteration. As regards the second point, criterion b) allows for proposals to convert or replace rural buildings in accordance with Policies RAP8 or RAP8a.
- 8.12.3 Issue 2:** PPS7 (Paragraph 30 (ii)) supports well-conceived farm diversification schemes for business purposes that help sustain the agricultural enterprise, regardless of location. Given this advice, I feel it would be inappropriate to exclude isolated buildings in the countryside from Policy RAP9.
- 8.12.4 Issue 3:** At Revised Deposit stage a definition of 'best and most versatile agricultural land' was added to the Glossary to support the inclusion of an additional criterion to Policy DP3. In my view, this fuller definition is preferable to the abbreviated version set out in Policy GD.4 of the Structure Plan.
- 8.12.5 Issue 4:** I agree with the District Council that the planning system cannot require agricultural land to be well managed. However, it can provide an appropriate planning framework by supporting well conceived diversification schemes that are consistent in scale with their rural location. That is what Policy RAP9 seeks to achieve.
- 8.12.6 Issue 5:** I concur with the objector that the word 'but' rather than 'however' would make the first sentence of Paragraph 8.58 easier to read. As regards the first sentence of Paragraph 5.59, I consider that a full stop would improve the text rather than use of the words 'however' or 'but'. I recommend accordingly.
- 8.12.7 Issue 6:** The meetings in question were, I am told, informal discussions held to assist policy formulation. I agree with the District Council that it would not be appropriate to refer to their outcome in Policy RAP9.
- 8.12.8 Issue 7:** I am satisfied that Policy RAP9 is consistent with Government guidance set out in PPS7. This advice recognises that diversification into non-agricultural activities can be vital to the continued viability of many farm enterprises. It encourages local planning authorities to be supportive of well-conceived schemes that contribute to sustainability objectives and are consistent in scale and nature with their rural location. Paragraph 8.62 of the Plan indicates that all proposals must be able to demonstrate how they protect the character of the countryside - visually, functionally and environmentally.

It goes on to explain that the District Council will also have regard to all other relevant policies of the Plan when considering diversification proposals, including Policies DP1-3, DP6, DP7, DAP1, RAP8 and RAP8a. I discern no conflicts that cannot be resolved through the normal process of assigning weight to policies and balancing them one against another.

- 8.12.9** Although not subject of a specific objection, I have concerns regarding the repetitious wording of Policy RAP9. There are references in 3 places to rural location and the scale and nature/design of proposals. I believe there is scope for rationalising the text without incurring any loss of meaning. Consequently, I put forward alternative wording.

Recommendations

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

- (i) substitute the following wording for Policy RAP9:**

“Development for the diversification of farm based operations will be permitted where it can be demonstrated that it will contribute towards sustaining the long term operation and viability of the existing farm holding. All proposals will be assessed against the following criteria:-

- a) they protect best and most versatile agricultural land;**
- b) proposals to convert or replace rural buildings comply with policy RAP8 or RAP8a;**
- c) the scale and nature of the proposals is appropriate to their rural location such that they can be satisfactorily integrated into the landscape without being detrimental to its character; and**
- d) existing buildings cannot be utilised in preference to new buildings.**

No new buildings will be permitted in the Green Belt except in very special circumstances.”

- (ii) amend the wording of the first sentence of Paragraph 8.58 to read:**

“Farming makes a significant contribution to the rural economy but increasingly diversification into non-agricultural activities is becoming vital to the continuing viability of many farm businesses.”

- (iii) amend the wording of the first sentence of Paragraph 8.59 to read:**

“Farm diversification can take on a wide range of forms. It is important that a framework exists to consider the range of proposals that are now coming forward.”

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

8.13 Paragraphs 8.63 - 8.64 Policy RAP10 Safeguarding Rural Roads

Objections to First Deposit Version

148/BD Campaign to Protect Rural England (Warwickshire Branch)
156/AC Alan Moore

Objection to Revised Deposit Version

No objections

Key Issues

- 8.13.1** (1) Whether the Policy should prevent vehicles from taking short cuts along rural lanes and through villages where the infrastructure is not equipped to deal with such traffic.
- (2) Whether the Policy should refer to the hazard and damage caused to verges and trees by large, heavy vehicles using country roads.
- (3) Whether the Policy should prevent the construction of over-elaborate gateways for houses on rural roads.

Inspector's Appraisal and Conclusions

8.13.2 Issue 1: Policies in the Plan set down a framework for minimising the use of rural roads by traffic of an inappropriate type and level. Policy RAP10 resists development that would require major modification of surrounding rural roads that would change their character. Policy DP6 requires an assessment of the likely impact of traffic generated by a development to demonstrate, amongst other matters, that it would not cause harm to highway safety. But I agree with the District Council that the Plan cannot itself be used to prevent vehicles from taking short cuts along unsuitable rural roads.

8.13.3 Issue 2: Traffic restrictions on minor roads are dealt with by the County Council's highways department. They are not addressed through this Local Plan.

8.13.4 Issue 3: Where a proposal requires planning permission, it would be dealt with under Policy DP1 (Layout and Design). That Policy addresses impact on the character and quality of the environment through application of a range of design and other criteria. In these circumstances I consider it unnecessary to duplicate such provisions in Policy RAP10.

Recommendations

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

8.14 Paragraphs 8.65 - 8.67 Policy RAP11 Rural Shops and Services

Objections to First Deposit Version

72/AC	Saville Estates
109/BB	Warwickshire County Council (Planning, Transport & Economic Strategy)
148/BE	Campaign to Protect Rural England (Warwickshire Branch)
155/AD	Punch Taverns

Objection to Revised Deposit Version

350/RBK	Tesco Stores Ltd
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Key Issues

- 8.14.1** (1) Whether the Policy provides an appropriate balance between supporting the retention of local facilities and recognising the commercial and economic realities of operating businesses in rural settlements.
- (2) Whether isolated buildings in the countryside should be excluded from operation of the Policy and successive developments prevented on the same site.
- (3) Whether the Policy should resist the loss of the only general store in a village, and elsewhere support the provision of such services and facilities at petrol stations and pubs.
- (4) Whether the 3 criteria of Policy RAP11, taken together, are too onerous.
- (5) Whether what is meant by 'local retail or service needs' should be clarified

Inspector's Appraisal and Conclusions

8.14.2 Issue 1: The objector argues that the Policy should be amended to provide a more positive approach to the re-use of sites where businesses have failed and are unlikely to resume. I do not accept this criticism. Where there are doubts as to viability, 3 tests have to be satisfied before closure would be countenanced and alternative uses considered. I consider those criteria to be appropriate and proportionate. In my view, there are no reasons why the premises of failed businesses should become an eyesore. I see no need to make a distinction in the Policy between those services operated on a commercial basis and other facilities which have a broader social function. This objection has, I note, been conditionally withdrawn.

8.14.3 Issue 2: Policy RAP11 allows new shops and local services, or the expansion of existing businesses, within settlements. Paragraph 8.66 explains that new retail and service facilities in the open countryside will not be supported, except in the case of farm shops where Policy RAP12 applies. The total exclusion of isolated buildings would, I feel, conflict with Government guidance in PPS7 which supports farm diversification proposals. I am content that the provisions of Policy RAP12 are sufficiently robust to ensure that farm shops do not grow to an inappropriate scale.

8.14.4 Issue 3: I am satisfied that the approach taken by Policy RAP11 accords with PPS7 advice. I note that while the District Council does not object to the principle of co-location of post office, shop and other services with existing facilities like petrol stations and pubs, it does not wish to actively promote such development. I agree that the consolidation of such services could, in some circumstances, serve to encourage the closure of existing premises to the detriment of the convenience of rural residents. This objection has been conditionally withdrawn.

8.14.5 Issue 4: The objector argues that the Policy takes no account of similar premises nearby that may already provide an adequate service to the community. I have indicated above that in my opinion the 3 criteria of Policy RAP11 are satisfactory. When considering any proposal for closure and alternative use, and assessing financial viability, I am confident that the planning authority would take into account the presence of other facilities nearby. I agree with the District Council that it is important to afford existing shops and services serving rural communities a high degree of protection.

8.14.6 Issue 5: The District Council has put forward a proposed change to the Revised Deposit Plan to accommodate this objection. Paragraph 8.66, as amended, clarifies that local need in this context means ‘usually the immediate requirements of the settlement’. I endorse that alteration. The objection has been conditionally withdrawn.

Recommendations

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

amend the penultimate sentence of Paragraph 8.66 to read:

“A settlement can be of any size, however, proposals will need to demonstrate that they are serving a local need (usually the immediate requirements of the settlement) and this will be more difficult in the case of facilities within very small communities.”

(b) That no further modifications be made to the Revised Deposit Plan.

8.15 Paragraphs 8.68 - 8.70 Policy RAP12 Farm Shops

Objection to First Deposit Version

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

Objection to Revised Deposit Version

No objections

Key Issue

8.15.1 Whether isolated buildings in the countryside should be excluded and successive developments prevented on the same site.

Inspector's Appraisal and Conclusions

8.15.2 I have already considered similar objections from CPRE (Warwickshire Branch) in respect of Policy RAP11 (Issue 2). I conclude that the objector's position is contrary to PPS7 which promotes farm diversification, and that Policy RAP12 is of sufficient strength to preclude the expansion of farm shops to an inappropriate size.

Recommendations

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

8.16 Paragraphs 8.71 - 8.77A RAP13 Directing New Outdoor Sport and Recreation Development

Objections to First Deposit Version

37/AJ	Sport England
115/AG	Alan Roberts
148/BG	Campaign to Protect Rural England (Warwickshire Branch)
279/AC	Mr R Butler

Objection to Revised Deposit Version

294/RAD	British Waterways
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Key Issues

- 8.16.1** (1) Whether it is appropriate to locate sports facilities in the countryside when most people reside conveniently within 8 km of a town.
- (2) Whether major profiling of land, ancillary facilities such as clubhouses, and floodlighting should be precluded for recreational uses.
- (3) Whether the Policy should control noisy sports such as go-karting.
- (4) Whether (a) Paragraph 8.73 should include a reference to PPG2, and (b) the word 'however' should be replaced by the word 'but'.
- (5) Whether the Policy is unduly restrictive in only allowing leisure development in the open countryside as part of farm diversification proposals.
- (6) Whether an additional criterion should be added to the Policy to allow the site at Oaklands Farm, Birmingham Road, Budrooke to be allocated for leisure and

recreation development to include a marina, budget accommodation and a pub/restaurant.

- (7) Whether it is appropriate to indicate in the supporting text that large scale marinas are more likely to be acceptable in urban areas.

Inspector's Appraisal and Conclusions

- 8.16.2 Issue 1:** Criterion a) of Policy RAP13 allows for the development of large scale outdoor leisure and recreation facilities in the rural areas. This is because such proposals often require generous tracts of open land that cannot be physically accommodated in the towns. PPG17 also recognises that urban fringe locations may be appropriate for certain sport and recreation facilities. With these points in mind, I see no argument for deleting this policy criterion.
- 8.16.3 Issue 2:** I concur with the District Council that it would be inappropriate to preclude the profiling of land for sport and recreation development. When carried out sensitively, in accordance with the Warwickshire Landscape Guidelines, such works can enhance the environment.
- 8.16.4** In the Green Belt, and in accordance with PPG2, only essential facilities for sport and recreation are considered to be appropriate development. Policy RAP13 indicates that any buildings required should be 'essential and ancillary to the use of the land' and 'of a design and scale appropriate to a rural area'. Paragraph 8.73 of the Plan builds on this. It makes it clear that in all rural locations any new buildings must be the minimum required for the activity and essential for its operation. I consider those provisions to be necessary and fitting. It follows that it would be unreasonable to prohibit in a blanket fashion all ancillary buildings and other supporting infrastructure.
- 8.16.5 Issue 3:** Amenity/pollution issues arising from noisy activities are addressed through other Plan policies - notably, DP2 (Amenity) and DP9 (Pollution Control). Consequently, I feel it is unnecessary to refer to those matters in Policy RAP13.
- 8.16.6 Issue 4:** I see no reason to refer to PPG2 by name. Paragraph 8.73 already refers to Government guidance in respect of the Green Belt. Likewise, I consider that in this instance use of the word 'but' rather than 'however' would not improve the text.
- 8.16.7 Issue 5:** The District Council accepted that the First Deposit version of Policy RAP13 was too restrictive in relation to leisure development in the open countryside. At Revised Deposit stage criteria b) and c) were amended to allow small-scale proposals to meet a local need in the absence of more suitable sites, and the supporting text was altered (Paragraph 8.77A) to clarify the kind of evidence required to justify local need. I note that as a consequence of these changes, Sport England has conditionally withdrawn its objection. I support those alterations which provide a greater degree of flexibility to satisfy local requirements.
- 8.16.8 Issue 6:** Policy RAP13 applies throughout the rural area and does not allocate sites for leisure and recreation development. This site-specific proposal is addressed later in my report (see Chapter 10, Policy omissions, Issue 22) in response to other related objections where I conclude that the land should not be allocated for these purposes.

8.16.9 Issue 7: The Plan directs major leisure facilities to the most sustainable locations. These are the urban areas. However, criterion a) allows for development in rural locations where it can be shown that the use cannot operate effectively in an urban setting and the site is or can be made highly accessible by walking, cycling and public transport. I see no inconsistency with the supporting text which, at Paragraph 8.76A introduced at Revised Deposit stage, indicates that: “Small scale mooring facilities are likely to be appropriate in the rural area. However, large scale marinas with associated buildings are more likely to be appropriate in urban areas.”

8.16.10 Although not subject of a specific objection, a minor typographical error in criterion c) of Policy RAP13 should be corrected. I recommend accordingly.

Recommendations

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

amend criterion c) of Policy RAP13 to read:

“c) Proposals for such uses in open countryside will only be acceptable where they are part of farm diversification proposals in accordance with policy RAP9 or where there are no other sites available to meet the need identified in criterion b).”

(b) That no further modifications be made to the Revised Deposit Plan.

8.17 Paragraph 8.78 Policy RAP14 Golf Facilities

Objections to First Deposit Version

37/AK	Sport England
115/AH	Alan Roberts
148/BH	Campaign to Protect Rural England (Warwickshire Branch)
302/AY	English Heritage (West Midlands Region)

Objection to Revised Deposit Version

No objections

Key Issues

- 8.17.1** (1) Whether proposals should be required to demonstrate no unacceptable impacts on the historic and natural environment.
- (2) Whether golf courses should be precluded in the Green Belt.
- (3) Whether it is appropriate to indicate in Paragraph 8.78 that the development of golf courses is supported.

- (4) Whether it should be shown that a golf course will be sustainable without the need for a restaurant, hotel or conference facilities before planning permission is granted.
- (5) Whether the Policy should address accessibility by those on low incomes.

Inspector's Appraisal and Conclusions

8.17.2 Issue 1: The District Council has accepted that the impact of golf courses on both the natural and historic environment is a matter that Policy RAP14 should address. I agree. Paragraph 8.78 indicates that careful consideration will be given to the environmental impact of the proposals, particularly in relation to landscape impact. A further sentence was added at Revised Deposit stage requiring applicants to demonstrate that the environment has been protected and where possible enhanced. I support that alteration and note that on this basis English Heritage has conditionally withdrawn its objection.

8.17.3 Issue 2: As pointed out by the District Council, PPG2 does not prohibit the development of golf courses in the Green Belt. It allows the development of essential facilities for outdoor sport and recreation, providing this does not have a detrimental impact on the openness of the Green Belt.

8.17.4 Issue 3: The Plan's support for golf courses is qualified. Paragraph 8.78 makes it clear that golf courses and facilities must be in appropriate locations where an identified need is met. I am content that this accords with advice in PPS7 and PPG2.

8.17.5 Issue 4: To address this concern and others, Paragraph 8.78 was amended at Revised Deposit stage. The explanatory text indicates that in order to demonstrate need, the District Council would expect a business plan to be submitted to ensure the long-term viability of the scheme. This would set out future development requirements. Only facilities considered to be essential that would not have an adverse impact on the environment would be considered appropriate. I note that further protection is afforded by Policy RAP16 (Directing New Visitor Accommodation). I am satisfied that these provisions would serve to restrict related development.

8.17.6 Issue 5: This is not a land use planning matter. However, proposals would also have to comply with Policy RAP13 which seeks to locate significant schemes in more sustainable locations adjacent to urban areas that are accessible by public transport. It might also form part of the assessment of need. I note that Sport England has conditionally withdrawn its objection.

Recommendations

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

8.18 Paragraphs 8.79 - 8.81A RAP15 Camping and Caravanning Sites

Objection to First Deposit Version

226/AP The Environment Agency

Objection to Revised Deposit Version

No objections

Key Issue

- 8.18.1** Whether the Policy should indicate that camping and caravanning sites will be precluded in areas of high flood risk.

Inspector's Appraisal and Conclusion

- 8.18.2** I am satisfied that this concern has been addressed in the Revised Deposit Plan. Policy RAP15 has been amended to reflect the advice in Paragraph 70 of PPG25. It states that camping and caravanning sites will not be permitted in areas of high flood risk. In addition, a new Paragraph 8.81A has been added to the reasoned justification to acknowledge the special difficulties that caravanning, camping and other temporary occupancy sites give rise to in relation to flooding.

Recommendations

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

8.19 Paragraphs 8.82 - 8.83 RAP16 Directing New Visitor Accommodation

Objections to First Deposit Version

147/AC Sundial Conference and Training Group
279/AB Mr R Butler

Objection to Revised Deposit Version

No objections

Key Issues

- 8.19.1** (1) Whether the Policy fails to recognise the benefits of visitor accommodation in diversifying the rural economy.
- (2) Whether the first sentence and final paragraph of the Policy should be deleted and replaced by other provisions to permit new visitor accommodation related to visitor attractions.

Inspector's Appraisal and Conclusions

- 8.19.2 Issue 1:** The objector is seeking an additional policy criterion to allow limited extensions and infilling to existing visitor accommodation in rural areas, and cross-references to objective 1B (To promote and enhance vibrant rural communities) and Policy SSP2 (Major Developed Sites in the Green Belt).
- 8.19.3** I believe that Policy RAP16 does acknowledge the benefits of visitor accommodation. It permits limited extensions to existing facilities where the scale is appropriate and development would contribute to the future viability of the business. The supporting text confirms that the relevant test is whether the additional accommodation intensifies use of the site in a manner out of keeping with its rural location, or seeks to introduce new uses. I consider that test to be reasonable. The Policy also allows for the conversion of rural buildings for small scale, low intensity visitor accommodation in accordance with Policy RAP8. The overall approach taken by Policy RAP16 is in line with PPS7 which advises that most tourist accommodation requiring new buildings should be located in or adjacent to existing towns and villages.
- 8.19.4** As regards other uses, such as conference and training facilities falling outside Use Class C1, the Plan seeks to concentrate those activities in sustainable locations in urban areas. Such uses may be acceptable in rural areas but only if they are small in scale, in keeping with the surrounding area, and do not significantly intensify existing use of the site. Again, I consider that to be appropriate. Finally, I see no need to cross-reference Policy RAP16 to objective 1B (1C in the First Deposit Draft) or to Policy SSP2. The User Guide explains that the Plan should be read as whole so that other Policies are considered alongside RAP16.
- 8.19.5 Issue 2:** The first sentence of Policy RAP16 states that the development of new buildings for visitor accommodation (in the rural area) will not be permitted. The Policy then proceeds to allow in certain circumstances the conversion of rural buildings and extensions to existing visitor accommodation. I consider those provisions to be reasonable because, as the Council points out, there is no location in the District more than 8 km from an urban area. I believe there is adequate capacity within the main towns and through the stock of redundant rural buildings suitable for conversion. I note that Policy UAP9 directs new visitor accommodation within urban areas to the most sustainable locations with good access to services and public transport.
- 8.19.6** Turning to the last paragraph of Policy RAP16, this accords with the thrust of PPS7 which advises that support should be given to extensions to existing tourist accommodation where the scale of development is appropriate to its location and where it would contribute to future viability. Again, I see no grounds for deleting that element of the Policy.
- 8.19.7** Policy RAP16 applies throughout the rural area. It does not allocate specific sites. I deal with issues relating to Oaklands Farm, Birmingham Road, Budbrooke elsewhere in my report in response to other related objections (see Chapter 10, Policy Omissions, Issue 22).

Recommendations

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

8.20 Chapter 8 - Policy omissions

Objections to First Deposit Version

110/AG	Government Office for the West Midlands
127/AA	Mr D H Smith
147/AG	Sundial Conference and Training Group
148/AV	Campaign to Protect Rural England (Warwickshire Branch)
148/CB	Campaign to Protect Rural England (Warwickshire Branch)
294/AB	British Waterways

Objection to Revised Deposit Version

No objections

Key Issues

- 8.20.1** (1) Whether the Chapter should include a policy on ‘best and most versatile’ agricultural land.
- (2) Whether the Chapter should include a policy relating to agricultural development.
- (3) Whether the Plan should support existing non Class B employment uses in the countryside that assist in diversifying the rural economy.
- (4) Whether the Plan should include a policy that relates to development near motorways.
- (5) Whether the Plan should regard moorings/marinas as an acceptable use in rural areas and the Green Belt.

Inspector's Appraisal and Conclusions

8.20.2 Issue 1: In response to this objection by GOWM, and publication of PPS7, an additional criterion was added to Policy DP3 at Revised Deposit stage. It indicates that development proposals will be expected to demonstrate protection of best and most versatile agricultural land. On that basis, the objection has been conditionally withdrawn. I support that alteration and see no need for a stand-alone policy.

8.20.3 Issue 2: Development for agricultural purposes (new build or extensions) will be considered in relation to a range of Plan policies. This is explained in Paragraph 8.8 which was added to the supporting text at Revised Deposit stage. I support that clarification, but see no reason for introducing a further, separate, policy.

8.20.4 Issue 3: This objection was made in the context of the Woodside Management Training Centre, Kenilworth, which is identified in the Plan under Policy SSP2 as a Major Developed Site in the Green Belt. I agree with the District Council that where an existing use is established, like here, there is no need for a policy to support its continued use.

8.20.5 Issue 4: I do not consider that areas adjacent to motorways require special protection, over and above the policy provisions that apply generally in the rural area. I note that much of the District through which the M40 passes is designated as Green Belt. This affords a very high level of protection from development.

8.20.6 Issue 5: Moorings and marinas for recreational use fall to be considered under Policy RAP13. I agree with the planning authority that whereas small scale moorings are likely to be acceptable in rural areas, large scale marinas with associated buildings and other infrastructure are more appropriately located in urban areas. I note that a statement to this effect was added to the Plan (Paragraph 8.76A) at Revised Deposit stage. I support the District Council's stance and consider that an additional policy is unnecessary.

Recommendations

8.20.7 That no modifications be made to the Plan in respect of these objections.

CHAPTER 9: DESIGNATED AREA POLICES

9.1 Overview

- 9.1.1** These policies serve to protect the natural, built and historic environments. I endorse the minor Green Belt boundary alterations proposed by the District Council, including land at Highland Road/Woodland Road, Kenilworth. I do not support removal of the remainder of Coventry Airport from the Green Belt, nor the former Alvis site adjacent. I consider that no amendments are required to the AoR boundaries, other than exclusion of the former Trinity School at Myton Road, Warwick. In my view, the Special Landscape Areas that featured in the First Deposit Plan should not be reintroduced. I recommend that Policies DAP4, DAP6, DAP10 and DAP11, and the reasoned justification to those policies and Policy DAP13, should be modified. I see no reason to introduce additional policies in respect of canals, scheduled ancient monuments, river corridors and unlisted buildings, amongst other matters.

9.2 Paragraphs 9.1 - 9.2 Introduction

Objection to First Deposit Version

302/AZ English Heritage (West Midlands Region)

Objections to Revised Deposit Version

No objections

Key Issue

- 9.2.1** Whether the introduction to this Chapter should better reflect the contribution of the historic environment.

Inspector's Appraisal and Conclusions

- 9.2.2** In response to this objection, the District Council amended Paragraphs 9.1 and 9.2 at Revised Deposit stage to include specific references to the historic environment and to historic monuments and places. On that basis, English Heritage has conditionally withdrawn its objection. I support those alterations which emphasise the role of historical factors in defining the essential qualities of the District.

Recommendations

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

9.3 Paragraphs 9.3 - 9.10 Policy DAP1 Protecting the Green Belt

Objections to First Deposit Version

59/AA	Baginton Bridge Nurseries
66/AW	The Warwick Society
104/AC	Warwickshire County Council (Property Services Dept)
107/AC	University of Warwick
127/AB	Mr D H Smith
147/AE	Sundial Conference and Training Group
148/BJ	Campaign to Protect Rural England (Warwickshire Branch)
154/AO	National Farmers' Union
155/AE	Punch Taverns
170/AC	Mr Martin Wood
193/BR	Coten End and Emscote Residents' Association
195/AP	The Leamington Society
199/BR	James Mackay

Objections to Revised Deposit Version

52/RAH	Barford, Sherbourne & Wasperton Joint Parish Council
104/RAA ¹	Warwickshire County Council (Property Services Dept)
115/RAG	Alan Roberts
235/RAB	Kenilworth Rugby Football Club
321/RAA	West Midlands International Airport Ltd
321/RAB	West Midlands International Airport Ltd

Key Issues

- 9.3.1** (1) Whether the Green Belt boundary should be extended to protect the open areas of land south and east of Warwick and Leamington Spa, or the whole of the rural areas of the District.
- (2) Whether Policy DAP1 is too general in its coverage.
- (3) Whether the Policy should address farm diversification schemes in the Green Belt by adding a further criterion, cross-referenced to Policy RAP9.
- (4) Whether the final sentence of Paragraph 9.8 should be omitted.
- (5) Whether the words 'in appropriate instances' should be deleted and the Policy re-written in a manner more consistent with PPG2.
- (6) Whether (a) park and ride sites (criterion g)) should only be entertained if they can be made to blend into the landscape, and (b) land allocated for employment purposes at South West Warwick should be made available for this purpose.

¹ This objection is considered in conjunction with a related objection to Policy SSP2
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- (7) Whether criterion g) (park and ride) should be deleted.
- (8) Whether Policy DAP1 should make it clear that 'agriculture' does not include equestrian uses.
- (9) Whether (a) the Green Belt boundary surrounding Lapworth should be subject of further review, particularly around Brome Hall Lane, and/or (b) consideration given to removing the village in its entirety from the Green Belt.
- (10) Whether Policy DAP1 should not apply within larger rural settlements like Offchurch.
- (11) Whether (a) there should be a site specific policy for the University of Warwick, and (b) Policy DAP1 should refer to the need to demonstrate 'very special circumstances' in order to justify inappropriate development in the Green Belt.
- (12) Whether (a) North Leamington and Manor Hall Schools should be excluded from the Green Belt, and (b) Policy DAP1 amended to include development within a school site in the list of appropriate forms of development.
- (13) Whether Baginton Bridge Nursery should be excluded from the Green Belt.
- (14) Whether land at Kenilworth Rugby Football Club should be included in the Green Belt.
- (15) Whether the Green Belt should be extended to cover all of Sherbourne Parish.
- (16) Whether the whole of Coventry Airport should be excluded from the Green Belt and be made subject of Policy SSP7.
- (17) Whether the northern part of the former Alvis site should be taken out of the Green Belt and allocated as an employment site under Policy SSP1.
- (18) Whether land between Rowley Road and the A45 at Baginton should be removed from the Green Belt and safeguarded for future employment use.

Inspector's Appraisal and Conclusions

9.3.2 Issue 1: A number of objectors are concerned regarding the amount of growth that has occurred on the south side of Warwick and Leamington Spa during the currency of the adopted Local Plan. They would like to see the Green Belt boundary extended to preclude urban sprawl in that direction, and to the east of the towns, in the future. However, the general extent of the Green Belt was reviewed when the current Structure Plan was approved. The County Council decided at that time that no changes were required. PPG2 makes it clear that Green Belt boundaries should only be altered in exceptional circumstances. The role of the Local Plan is confined to reviewing the detail of those boundaries and correcting any anomalies. I concur with the District Council that this Plan is not the correct vehicle for considering such a broad strategic alteration. In any event, I believe that the land in question is afforded adequate protection from development through the Plan's Rural Area Policies and the Areas of Restraint that have been designated in the most sensitive locations. It follows that I do not support Green Belt coverage across the whole of the rural areas of the District.

- 9.3.3 Issue 2:** I consider that Policy DAP1 adequately reflects the thrust of Government guidance set out in PPG2. It indicates a general presumption against inappropriate development in the Green Belt; it identifies the forms of development that will be permitted in the Green Belt; and it allows for very special circumstances to justify inappropriate development. Although broad in coverage, I do not feel that the Policy is too general in terms of its content.
- 9.3.4 Issue 3:** I am satisfied that Policy DAP1 is compliant with national planning policy advice in relation to farm diversification proposals. Criterion f) refers to Policy RAP8 (Converting Rural Buildings). The supporting text at Paragraph 9.8 refers to Policy RAP9. This gives detailed guidance on farm diversification schemes in the Green Belt. I see no reason to introduce an additional criterion into Policy DAP1. Criterion a) makes it clear that development for agricultural purposes is appropriate in the Green Belt, but there is no provision in PPG2 for non-agricultural farm diversification to be regarded in the same way.
- 9.3.5 Issue 4:** Neither PPG2 nor PPS7 indicate that replacement buildings in the Green Belt should be treated as appropriate development. Instead, they show a strong preference for utilising existing buildings for farm diversification schemes. In these circumstances, I see no grounds for amending the supporting text in the manner suggested.
- 9.3.6 Issue 5:** Although rather different from the wording employed by PPG2, I believe there is no inconsistency in the terminology used by the District Council.
- 9.3.7 Issue 6:** PPG2 (amended in March 2001 by Annex E of PPG13) states that park and ride schemes are not inappropriate in the Green Belt provided certain criteria are met. Any scheme coming forward would also have to comply with the general development policies of the Plan - and this would embrace landscaping. The objector has suggested that part of the South West Warwick employment allocation might be used for this purpose. However, I note that much of the area is already committed to other uses through an approved design brief.
- 9.3.8 Issue 7:** I have indicated above that PPG2 (Paragraphs 3.17-3.20) provides that park and ride development is not inappropriate in the Green Belt. In those circumstances, I can see no reason to delete criterion g).
- 9.3.9 Issue 8:** The District Council acknowledges that equine uses do not come within the definition of agriculture. However, PPS7 recognises them as popular forms of recreation that can fit in well with farming activities and assist in diversifying the rural economy. Appropriate forms of equine-related development in the Green Belt include re-use of buildings for stabling, new stables where these comprise essential facilities for sport and outdoor recreation, and outdoor areas for exercising and grazing horses. The planning authority's intention is to treat such proposals in the Green Belt on their merits. I support that approach which should, I feel, be set out in the supporting text. I recommend accordingly.
- 9.3.10 Issue 9:** The approach taken in the Plan has been to 'wash over' all of the villages in the Green Belt with the Green Belt designation, irrespective of whether they are identified as Limited Growth Villages. That is consistent with the advice in Paragraph 2.11 of PPG2. I see no reason to treat Lapworth any differently.

- 9.3.11 Issue 10:** The Plan's rural housing strategy is based on a hierarchy of settlements, some in the Green Belt and some outside. Their position in that hierarchy is determined by the ability to accommodate limited growth to satisfy local needs. This is measured in terms of sustainability through the level of services and facilities available. With this in mind, I see no merit in identifying settlement boundaries to exclude certain villages from the Green Belt nor in defining policy areas (village envelopes) for all settlements within which residential infill proposals will be acceptable. Offchurch is similar to many other settlements in the Green Belt. It should, in my view, be subject to Policy DAP1. Where a proposal is considered to be inappropriate development in the Green Belt, the District Council says it will have regard to the scale, appearance and nature of the development and the extent to which it would support Green Belt objectives. However, in all such cases it will be necessary to demonstrate the very special circumstances required to justify inappropriate development.
- 9.3.12 Issue 11:** In response to this objection and others, the University of Warwick was identified in the Revised Deposit Plan as a Major Developed Site in the Green Belt under Policy SSP2. In addition, Policy DAP1 was amended to indicate that applications for development in the Green Belt that do not accord with the policy criteria will have to demonstrate very special circumstances to justify inappropriate development. I support those alterations. However, I consider that the final paragraph of Policy DAP1 and the last sentence of Paragraph 9.6 would both benefit from some minor corrections. This is reflected in my recommendations.
- 9.3.13 Issue 12:** (*North Leamington and Manor Hall Schools, Leamington Spa*) At Revised Deposit stage North Leamington School (including Manor Hall) was included as a Major Developed Site in the Green Belt under Policy SSP2. This allows the County Council the ability to undertake limited infill or redevelopment. Given that both schools include substantial areas of playing fields and other open land that contributes to the character and function of the Green Belt I see no grounds for excluding these sites from the Green Belt. As regards the suggested alteration to the wording of the Policy, this would I believe conflict with the guidance set out in PPG2. More detailed consideration is given to these school sites elsewhere in my report in response to other objections.
- 9.3.14 Issue 13:** (*Baginton Bridge Nursery, Mill Hill, Baginton*) The objector argues that Baginton Bridge Nursery should be removed from the Green Belt since it houses a lawful commercial operation and does not comply with any of the 5 purposes of the Green Belt. Its designation as Green Belt is historical and has never been updated.
- 9.3.15** The site lies to the south of Mill Hill, Baginton and is bounded to the north-west by the embanked A46. It is largely open in character but contains a number of small buildings, glasshouses, polytunnels, outdoor storage areas and car parking. Mature trees surround the site and divide it internally. In my view, this tract of land serves the Green Belt purposes of checking the unrestricted sprawl of large built-up areas (Coventry) and assists in safeguarding the countryside from encroachment. It helps prevent Baginton from linking with the urban area of Coventry. I note that Green Belt has existed here since 1971 when it was part confirmed and part left as 'interim Green Belt' by the Secretary of State. The latter was subsequently confirmed as Green Belt in the County Council's 1982 Green Belt Local (Subject) Plan. That boundary was carried forward into the current adopted Local Plan 1995. I am told that the nursery has been in operation throughout that period.

- 9.3.16** No ‘exceptional circumstances’ have been advanced to support exclusion of this site from the Green Belt. I consider that its designation as Green Belt does not unreasonably restrict current commercial operations. On the other hand, it serves to protect the sensitive gap on the east side of the A46 between Coventry and Baginton from the threat of more intensive development likely to harm its open character. I note that in response to the Omission Sites Consultation 13 objections were received including representations from the CPRE (Warwickshire Branch), Baginton Parish Council and local residents.
- 9.3.17 Issue 14:** (*Kenilworth Rugby Football Club, Glasshouse Lane, Kenilworth*) The District Council is proposing to include within the Green Belt a small triangular shaped site at the north-west corner of Kenilworth Rugby Football Club’s grounds in Glasshouse Lane. The land is situated to the rear of residential properties. In the adopted Local Plan it is shown outside the Green Belt. The objector points out that there has been no change in the character of that land between adoption of the present Local Plan in 1995 and the Revised Deposit version of the emerging Local Plan. It is argued that such an alteration, through loss of part of the Club’s asset base, would have a substantial adverse impact upon the Club’s future. Kenilworth Rugby Football Club intends to relocate its existing clubhouse and facilities onto a recently established new site at Rocky Lane and needs to raise finance. It is envisaged that the land in question might be developed for housing at some future date, either in conjunction with adjoining land or as a stand-alone proposal.
- 9.3.18** Paragraph 2.6 of PPG2 indicates that once Green Belt boundaries have been approved in a statutory development plan, those boundaries should only be altered exceptionally. Case law in *Carpets of Worth v Wyre Forest DC* [1992] establishes that the requirement to show ‘exceptional circumstances’ applies both to situations where it is proposed to exclude land from the Green Belt and to include land within the Green Belt. The site is effectively unannotated (or ‘white land’) on the edge of the urban area. Realigning the Green Belt boundary here so that it runs along the back gardens of houses in Glasshouse Lane following a well defined hedge line would correct an inconsistency that has existed since 1982 when the County Council produced the Green Belt Local (Subject) Plan for Warwickshire. The District Council has, I am told, no knowledge of why this corner of the field was given a different status from the rest of the Club’s premises.
- 9.3.19** I acknowledge that Green Belt boundaries should endure and have a degree of permanence. However, it has been nearly 25 years since the boundary was fixed in such a seemingly arbitrary fashion. The land forms part of a sensitive tract of open countryside between the urban area of Kenilworth and the A46. It is open to the east and relates more to the adjoining rural area than it does to the urban environment to the north. The need to correct such an obvious anomaly and establish a more defensible Green Belt boundary to safeguard the countryside from encroachment constitutes, in my view, the exceptional circumstances necessary to justify the proposal. I support the broad aims of the Club. Nevertheless, I agree with the District Council that the continued exclusion of this land from the Green Belt cannot be justified by the need to finance future development. I note that through the ‘Omission Sites Consultation’ Kenilworth Town Council is supportive of the site being put into the Green Belt.
- 9.3.20** At the hearing into this objection the District Council accepted that inclusion of this site in the Green Belt should be recorded in Paragraph 9.10 of the supporting text, in order to be consistent with other Green Belt additions and subtractions made in the Plan. I agree and recommend accordingly.

- 9.3.21 Issue 15:** This objection, seeking to extend the Green Belt boundary to cover the whole of the Parish of Sherbourne, has effectively been addressed through my appraisal and conclusions in respect of Issue 1 above.
- 9.3.22 Issue 16:** (*Coventry Airport*) Most of Coventry Airport lies within the Green Belt including the runway and what is referred to as Airport West and Airport North. Only a relatively small area known as Airport South, from where passenger flights are operated, is excluded from the Green Belt designation. That excluded area falls under site specific Policy SSP7 (Coventry Airport) in the Revised Deposit Plan. WMIAL object to the continued Green Belt designation on the Proposals Map and to the associated Policy DAP1 (Protecting the Green Belt). The objector is seeking to remove the land from the Green Belt and for Policy SSP7 (as amended by WMIAL representations) to apply to the whole of Coventry Airport.
- 9.3.23** PPG2 indicates that the most important attribute of the Green Belt is its openness. It identifies 5 purposes for including land in the Green Belt as well as land use objectives. The guidance explains that while the general extent of Green Belts should be fixed through approval of structure plans, detailed boundaries should be set at local plan level. When local plans are under review, being revised and updated, the existing Green Belt boundary should only be altered if exceptional circumstances exist which necessitate such revision.
- 9.3.24** The exceptional circumstances argued here are as follows. Firstly, the site is considered not to be substantially open in character. Existing development comprises approximately 37% of the developable area of the Airport in the Green Belt. There is no basis for excluding tarmac areas which are heavily and regularly used to fulfil airport operational requirements. This has resulted in an area that is more urban in character than open countryside. Secondly, Coventry Airport enjoys extensive ‘permitted development’ rights in association with aviation activity under Part 18 of the GPDO. Development has come forward and will continue to do so through the exercise of those rights, further contributing to reduction of the rural and open character of the site. Thirdly, Coventry Airport is an important employment site within the sub-region. Fourthly, the impact of ‘permitted development’ rights was recognised by the planning authority in its consideration of the Parcelforce application in 1998. At that time, approval was granted for development considered inappropriate in the Green Belt because if it did not proceed, development could come forward in any event under the Airport’s ‘permitted development’ rights to further reduce openness. The District is now, through this Local Plan, amending the Green Belt boundary to address the anomaly that was created. Fifthly, Coventry Airport does not fulfil the majority of Green Belt purposes nor the fundamental objective of the policy such as to warrant its continued inclusion. And finally, alteration of the boundary to reflect the existence of the Airport and its future development (as per the boundary shown on Plan TLP1 in Appendix 1 of WMIAL’s proof of evidence) would, it is claimed, provide a clear, sensible and logical boundary to the edge of the Warwickshire Green Belt.
- 9.3.25** WMIAL maintains that there is a fundamental incompatibility between appropriate and lawful use/development at the Airport and the principles of Green Belt policy. Such a mismatch was recognised by the Inspectors for the Solihull UDP in respect of Birmingham International Airport (BIA) where the potentially over-restrictive constraints of Green Belt policy on airport operations, uses and future development was acknowledged. In that instance the Inspectors’ recommendation to remove BIA from the Green Belt was supported by the Borough Council and adopted in the current UDP.

- 9.3.26** Alterations to Green Belt boundaries require the identification of exceptional circumstances. Such circumstances should demonstrate that there has been a change of such significance as to undermine the rationale for inclusion. The detailed boundaries of the Green Belt in this locality were established by the Green Belt Local (Subject) Plan of 1982 prepared by the County Council. Because of the small scale of the Map it was necessary for the District Council to undertake some clarification of those boundaries in the 1995 Local Plan. I note that at Airport West there has been limited net additional development in the Green Belt since then. The original terminal buildings have been replaced with a smaller building and a number of small office and workshop buildings have been removed in accordance with a planning obligation associated with the Parcellforce development. That S106 agreement was drawn up to reduce the impact of airport activity on Baginton residents. In addition, a new office building for Atlantic Air has been constructed adjacent to hangar 5. At Airport North, there has again been limited change, primarily from the erection of a number of modest buildings erected under 'permitted development' rights plus a small-scale general aviation terminal that is now under construction. No development of buildings has taken place at any other part of the Airport within the Green Belt. This evidence demonstrates that overall there has been relatively modest change in the built environment of the Airport since Green Belt designation. In my view, the scale of that change does not warrant a wholesale review of Green Belt boundaries. My accompanied site inspections confirm that the Airport remains predominantly open in character and in this respect is entirely consistent with national planning policy advice on Green Belt boundary definition. As to *Copas v Royal Borough of Windsor and Maidenhead* [2002] 1 P&CR 199, I agree with WMIAL that this case has little bearing on the present situation. In that instance the Court of Appeal went out of its way to emphasise the approach where there is a proposal to increase the extent of the Green Belt. That is not the case here where the objectors are seeking to take land out of that designation.
- 9.3.27** I believe that maintenance of this site within the Green Belt accords with the strategic policy framework established by the Structure Plan and the RSS. Paragraph 4.4 of the Structure Plan makes it clear that the Structure Plan provides no remit for a general review of Green Belt boundaries in local plans. Removal of this area of land from the Green Belt immediately adjacent to the urban area of Coventry could create a prospect for extending the built-up area of Coventry. As regards the RSS, objective d) specifies a need to retain the Green Belt but to allow an adjustment of boundaries where this is necessary to support urban regeneration. Removal of 117ha or so from the Green Belt would not, in my opinion, contribute to urban regeneration.
- 9.3.28** Looking at the aviation-related 'permitted development' rights that apply in respect of operational land, their existence has in my view no great bearing on whether the site should remain in the Green Belt. Those rights existed prior to Green Belt definition and continue to do so. The presence of Green Belt does not hamper the exercise of those rights which have been granted nationally. While such developments could conceivably, over time, change the physical character of the land, to date they have had a relatively modest impact on openness, both individually and cumulatively. I consider that they do not constitute an exceptional circumstance that would justify the removal of Green Belt designation.
- 9.3.29** As the District Council points out, it is the physical characteristics on the ground that determine the appropriateness of the land for continued Green Belt protection, not the prospect of what may or may not happen as 'permitted development'. Even though large

sections of the site are surfaced in concrete/tarmacadam as runway and hardstandings, they retain a predominantly open character while much of the remainder of the airport grounds is still under grass. I consider that movements of aircraft even if regular and fairly frequent do not impact significantly upon openness.

- 9.3.30** I believe that the Airport's renaissance and ability to contribute to the sub-regional economy through employment provision arising from growth in passenger and freight operations is neither impeded nor arbitrarily and unjustifiably constrained by Green Belt designation. This is because of the extensive 'permitted development' rights that can be exercised in respect of operational land. In any event, the area where most airport expansion is currently envisaged by WMIAL lies outside the Green Belt.
- 9.3.31** The Parcelforce site was open at the time of Green Belt designation but now, as a consequence of planning permissions granted in the 1990s, an area of built development is bisected by the Green Belt boundary. I am told that 2 very special circumstances were considered at that time to outweigh harm to the Green Belt through inappropriateness. They were the willingness of the applicant to address concerns within Baginton village over the noise and fume impact of existing and potential ground-based aviation activity on the opposite side of the Airport close to residential property, and the opportunity to develop the Airport on the south side of the runway. A S106 agreement was concluded in May 1998. The District Council now proposes to amend the Green Belt boundary through this Local Plan to correct the anomaly that has arisen. Given that the change in circumstances is clear and permanent, with the area affected almost entirely changed in character by a building of substantial size, I believe that the test of 'exceptional circumstances' set out in PPG2 has been met. This situation is very different from the position that applies in respect of other parts of the Airport.
- 9.3.32** As regards the purposes of the Green Belt, the specific test as to whether there should be a change to Green Belt boundaries is not the extent to which the land fulfils one or more of these purposes, but whether exceptional circumstances exist that justify a change. Even so, there is a clear relationship between the purposes identified in PPG2 and the role of this site as Green Belt. I consider that the position today is fundamentally the same as it was when the Green Belt boundary was first designated. The site still fulfils most of the functions set out in national advice. Firstly, it checks the unrestricted sprawl of the large built-up area of Coventry in this direction. Secondly, it helps prevent Coventry from merging with Kenilworth/Stoneleigh. Within that relatively narrow gap there are already other large sites that are extensively developed, most notably Stoneleigh Park (formerly known as the National Agricultural Centre), Warwick University and the Severn-Trent Sewage Treatment Works. Thirdly, through its openness it assists in safeguarding the countryside from encroachment. And lastly, it assists in urban regeneration by encouraging the recycling of derelict and other urban land on the northern side of Coventry.
- 9.3.33** The objection site is located right at the edge of the urban area. The Green Belt here is irregular in form with the north-eastern half of the Airport flanked by built development on 3 sides. Nevertheless, I believe that its boundary is clearly defined and defensible, with the exception of the Parcelforce building. The boundary reflects in large measure the physical extent of the Airport, save for the passenger operations that are expected to grow more rapidly than freight and are appropriately concentrated onto land at Airport South beyond the Green Belt, adjacent to other more intensive development. The south-western half of the Airport projects even more clearly into open countryside. The fact that the Airport is 'part in/part out' of the Green Belt raises no major issues in my mind

in terms of possible future development and its control. I do not find the position anomalous and illogical as claimed by WMIAL. Indeed, given the location and physical attributes of this land use, I believe it would be wrong to apply a common policy to the entire land holding. Although not benefiting from the same 'permitted development' rights as an airport operator, I note that the University of Warwick finds itself in a somewhat similar position straddling the Green Belt boundary with part of the University in the Green Belt and part out.

9.3.34 To sum up, I see no incompatibility between the fundamental objective of Green Belt policy and operation of an airport that is able to take advantage of 'permitted development' rights as well as satisfying larger scale ambitions for expansion on land in its ownership that lies outside the Green Belt. While there is a tier of policy support for airport growth and Government backing for making best use of infrastructure, Coventry Airport is not the primary airport for the West Midlands region but must remain subsidiary and complementary to BIA. The scale of growth envisaged here is not in the same league as at BIA where the Solihull UDP Inspectors found that continued inclusion of that airport within Green Belt was no longer appropriate. I am satisfied that the Green Belt boundary identified in the Revised Deposit Plan will endure, does not include land which it is unnecessary to keep permanently open, has not been drawn excessively tightly, and is clearly defined and defensible using readily recognisable features. I concur with the District Council that there is no case on airport development grounds for releasing this site from the Green Belt and applying Policy SSP7 across the whole of the Airport.

9.3.35 Issue 17: (*Former Alvis site*) The Alvis site consists of a small group of industrial buildings situated to the south of Coventry Airport adjacent to the Bubbenhall Road and approximately 1km south of Baginton village. Projecting south-eastwards from the cluster of buildings is a test track forming an elongated loop. In total the site extends to some 16.19ha. It was formerly used for the testing of military vehicles and the manufacture/testing of engines. WMIAL is seeking removal of the northern part of this land from the Green Belt and its allocation under Policy SSP1 as an employment site. The objector has expressed a willingness to enter into a S106 planning obligation to reinstate the remainder of the site currently covered by vehicle testing tracks to open countryside, provided employment-led development is allowed to come forward on the northern section.

9.3.36 A number of exceptional circumstances are advanced which the objector argues necessitate a revision of the Green Belt boundary. Firstly, the site is previously developed at its northern end such that the area proposed for removal from the Green Belt is not substantially open in character. It displays built-up characteristics rather than being open countryside. The remainder of the land is occupied by vehicle testing tracks that reduce the open character of the site and detract from its landscape value. Secondly, the District Council has, through the Revised Deposit Plan, recognised the need to adjust Green Belt boundaries elsewhere in relation to pre-existing development (eg residential development at Roman Way, Finham). It is contended that the same principles should apply at the Alvis site. Thirdly, the built-up northern section of the site fails to fulfil any of the 5 purposes of including land in Green Belts set out in PPG2. None of those purposes, nor indeed the objectives for use of land in the Green Belt, would be compromised if this site was to be released. Fourthly, existing development at the site is lawful. If an application for this development came forward now for consideration it would most likely be considered inappropriate because of the harm it would have on the openness of the Green Belt and its failure to meet the purposes of Green Belt designation.

This indicates that it does not meet the fundamental aim of Green Belt policy which is to keep land permanently open. Finally, the site is not covered by any designations for landscape character or quality. It has been degraded by past industrial activity. This is acknowledged in the Warwickshire Landscape Guidelines which identify the site as falling within a landscape enhancement zone. Reinstatement of much of the site to open countryside and removal of the artificial mounding would improve its character and conservation value and improve the feeling of openness.

- 9.3.37** This is a longstanding industrial site containing a range of 1930s and later factory units, substations, redundant cooling tank, and hardstandings for cars and HGVs. It has seen very little development or change since its inception as a testing facility for locally produced military vehicles. The premises are currently used for the servicing and refurbishment of aircraft components and freight haulage/transport, together with a number of other small scale employment uses. The land is ‘washed over’ by the Green Belt. At no previous time when boundaries have been reviewed has it been suggested that the site should be taken out of the Green Belt. While the land adjoins Coventry Airport on its northern side, it does not lie adjacent to the Green Belt boundary.
- 9.3.38** Existing development here is relatively small in scale. Apart from 2 entrance buildings located adjacent to the Bubbenhall Road, the site has very little impact on the character of the area with the buildings to the rear falling away down a slope and largely hidden from view. The test track is only seen to a very limited degree from the highway. The site shares the characteristics of many other pre-existing developments in the Green Belt. The built element is smaller than, for example, at Stoneleigh Park (formerly the National Agricultural Centre) and Stoneleigh Business Park where it has not been suggested that Green Belt status be taken away.
- 9.3.39** PPG2 requires Green Belt boundaries to be amended in local plans only where exceptional circumstances exist. As I have indicated above, there has been very little change over the years in the extent of built development at the Alvis site. No significant alterations have occurred of such a scale that would undermine the reasons for designation as Green Belt in the first instance, and certainly none since adoption of the existing Local Plan in 1995. The situation is quite unlike that which exists at Roman Way, Finham. As the District Council points out, removing this relatively small site from the Green Belt would create an island fully enclosed by Green Belt, unlike anywhere else in Warwick District.
- 9.3.40** RSS objective d) is to retain the Green Belt, but to allow an adjustment of boundaries where this is necessary to support urban regeneration. In my view, the objector’s proposal does not amount to an adjustment but would create a wholly new boundary within a broader expanse of Green Belt. Moreover, being located outside the Regeneration Zone identified in the regional economic strategy, its excision from the Green Belt would not contribute to urban regeneration.
- 9.3.41** The fact that this site includes previously developed land does not support its removal from the Green Belt. Green Belt designation washes over many sites that incorporate brownfield land. Likewise, the argument that existing development on the land is lawful carries little weight. There are many lawful uses continuing within the Green Belt.
- 9.3.42** As to the purposes of including land in the Green Belt, I believe that this site assists in safeguarding the countryside from encroachment. Lifting Green Belt controls would remove a policy presumption against inappropriate development which would be likely to

engender the expansion/intensification of industrial activities at the site causing greater visual impact when viewed from Green Belt locations elsewhere and encroaching into the open countryside. The potential for such development is clearly shown in the photographs accompanying WMIAL's evidence on landscape and visual matters. I believe that retaining this site in the Green Belt would also, in a modest way, assist urban regeneration by encouraging the recycling of derelict and other urban land in preference to diverting resources to this site.

9.3.43 The offer of restoration of the test track to open countryside is not, in my opinion, a compelling argument in favour of removing the built part of this site from the Green Belt. The test track can barely be seen from outside the site. Because it contains well established vegetation including lines of closely planted Lombardy Poplars along the eastern and western boundaries, relatively modest mounding and agricultural-type tracks, it does not present an obviously derelict and man-made appearance harmful to its rural surroundings. I note that the offer of restoration is linked to the acceptability of future employment proposals involving, no doubt, an expansion of industrial/commercial activity on the site. Any benefit would, I feel, be largely offset by the visual impact of further built development, even if those restoration works could be justified through a planning obligation.

9.3.44 Turning to the proposed employment allocation, PPG2 allows for the re-use of existing buildings for employment purposes. Consequently, the request for removal of this site from Green Belt control must be to facilitate further development and/or redevelopment. WMIAL has not sought to criticise the employment land supply position in the District, and no other reasons have been advanced as to why this site should be added to those identified in Policy SSP1. I have concluded elsewhere in my report in response to other objections that an adequate supply and balanced portfolio of employment sites is provided through land that has already come forward for development since April 2006, through commitments, and through new allocations (with some relatively minor modifications). I agree with the District Council that there is every expectation that these sites and other windfalls will satisfy employment needs without the requirement to allocate the former Alvis site for employment purposes under Policy SSP1. In any event, such an allocation would conflict with guidance on sustainable development in PPS1 and with both RSS policy and the Local Plan core strategy.

9.3.45 I conclude that the whole of the former Alvis site should remain within the Green Belt and that the northern section should not be allocated under Policy SSP1 as an employment site.

9.3.46 Issue 18: (Recorded as a Chapter 10 policy omission, rather than as an objection to Policy DAP1) See Chapter 10, Policy omission, Issue 14.

Recommendations

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

(i) add the following additional text at the end of Paragraph 9.8:

“Equine uses do not come within the definition of agriculture, but they are popular forms of recreation that can fit in well with farming activities and help diversify rural economies. Proposals for equine-

related development in the Green Belt will be considered on their merits.”

- (ii) amend the last paragraph of Policy DAP1 to read:

“Applications for development in the Green Belt that do not accord with the above policy will have to demonstrate very special circumstances to justify inappropriate development.”

- (iii) amend the last sentence of Paragraph 9.6 to read:

“In such cases, applicants will need to demonstrate very special circumstances before development may be considered acceptable.”

- (iv) amend the third sentence of Paragraph 9.10 to read:

“Land has been added to the Green Belt at the triangle of land bordered by Highland Road and Woodland Road in Kenilworth, at land south of the Thwaites factory in Cubbington, at playing fields in association with a number of schools bordering the Green Belt in Leamington Spa and Kenilworth, and at Kenilworth Rugby Football Club.”

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

9.4 Paragraphs 9.11 - 9.13 Policy DAP2 Protecting the Areas of Restraint

Objections to First Deposit Version

45/AA	Graham Leeke
67/AA	R. J Vickers
104/AD	Warwickshire County Council (Property Services Dept)
135/AB	Bishops Tachbrook Parish Council
154/AP	National Farmers’ Union
227/AF	David Wilson Homes (East Midlands) Ltd
291/AD	George Wimpey UK Ltd
302/BA	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

104/RAD	Warwickshire County Council (Property Services Dept)
115/RAH	Alan Roberts
135/RAA	Bishops Tachbrook Parish Council
148/BK	Campaign to Protect Rural England (Warwickshire Branch)
152/RAA	Royal Leamington Spa Town Council
227/RAC	David Wilson Homes (East Midlands) Ltd
246/RAA	The Europa Way Consortium

Key Issues

- 9.4.1** (1) Whether land south of Harbury Lane and Gallows Hill, Warwick/Leamington Spa extending as far as the M40 motorway should be identified as an AoR.
- (2) Whether the aim of the Policy should be to prevent all urban sprawl, therefore the word ‘uncontrolled’ should be deleted from the final sentence of Paragraph 9.11.
- (3) Whether the Policy should be based on a formal assessment of the qualities of the countryside and the contribution of selected areas to urban form.
- (4) Whether the Policy should include gardens that contribute to the character and attractiveness of Leamington Spa.
- (5) Whether the Policy should protect open areas in and around villages.
- (6) Whether urban AoRs should be identified to protect the character of particular built-up areas.
- (7) Whether land at Stratford Road, Warwick should be omitted from the Castle Park AoR and the boundary of that AoR repositioned to follow the watercourse of Fisher’s Brook or the Conservation Area boundary.
- (8) Whether (a) the AoR between Whitnash and Bishops Tachbrook should be redefined to exclude the Leamington and County Golf Course and land south of Fieldgate Lane, Whitnash, and be extended to the south of Harbury Lane, and (b) land south of Fieldgate Lane should be identified as a reserve housing site and taken out of the area where Rural Area Policies apply.
- (9) Whether the ‘Longbridge Triangle’ should be designated as an AoR to preserve its rural character.
- (10) Whether the boundary of the AoR south of Myton Road, Warwick should be amended to exclude the site of the new special school to be located at the rear of the former Trinity School.
- (11) Whether land west of Europa Way should be designated as an AoR or, if not, be identified as a reserve development site.

Inspector's Appraisal and Conclusions

- 9.4.2 Issue 1:** Bishops Tachbrook Parish Council seeks an additional Area of Restraint in respect of land bounded by the M40, Castle Park, Gallows Hill, Harbury Lane and the District boundary to the south-east, in order to protect the gap between Bishops Tachbrook and Leamington Spa. It points out that protection is already afforded by AoR designation to similar tracts of land between Leamington Spa and Radford Semele, and between Warwick and Leamington Spa. With areas to the north and west of the main towns protected by Green Belt and other AoRs, the concern is that future development is

being directed towards lesser protected areas placing the rural area south of Warwick Gates under threat.

- 9.4.3** The primary purpose of AoR designation is to defend the structure and character of the District's urban form by protecting the most valuable and vulnerable open areas of land from development. The 3 criteria used to define the AoRs are aesthetic, structural and strategic value. I note that the AoRs identified in this Local Plan are virtually identical to those in the adopted 1995 Local Plan. The key principles underpinning those designations were debated at the 1993 Local Plan inquiry when the Inspector concluded: "To my mind, this requires a rigorous approach to defining the boundaries rather than an expansive one. The more land an AoR contains that is clearly not contributing to its purpose, the less likely it is that the boundary can be sustained.....protection of the structure and character of a town is not necessarily the same thing as walling it in.....AoRs are not to be seen as a way of blocking off development in particular directions." I am told by the District Council that the boundary of the AoR to the south of Warwick and Leamington Spa shown on the Proposals Map in the 1992 Draft Deposit Plan showed a much broader area than that which was eventually included in the adopted Local Plan and which is now included in the Plan before me. I note that in response to the previous Inspector's recommendation the District Council removed land between Castle Park and Europa Way.
- 9.4.4** I agree with the District Council that a cautious approach needs to be taken in respect of the AoRs in order to avoid their devaluation and to ensure that they perform a specific function. Unlike the other AoRs included in the Revised Deposit Plan, much of the land identified by Bishops Tachbrook Parish Council (even with the reductions in area put forward at the hearing) is relatively remote from the urban area and not under immediate threat from urban expansion. The gap between Harbury Lane and Bishops Tachbrook is about 1.4km compared with only 300m or so between Leamington Spa and Radford Semele. Although there are objections before this inquiry that seek to allocate or designate sections of the land in question for other uses, and anecdotal evidence of options taken by developers, this is by no means unusual when a Local Plan is under review. I consider that this extensive tract of open land south of Gallows Hill/Harbury Lane is sufficiently well protected by the Rural Area Policies of the Plan, which are stronger than those in the previous Local Plan, without the need for additional protection. It is not the function of AoRs to give an added layer of protection to open countryside where appropriate policies already exist to control development. Should land have to be released in the future for urban expansion then the District Council says that this exercise would be done by a review of options on all sides of the urban area including sites subject of Green Belt and AoR designation. Land south of Harbury Lane outside an AoR would, it is argued, be placed at no disadvantage.
- 9.4.5** The AoRs also help to prevent urban sprawl and protect the immediately surrounding villages from merging into the towns. This can be seen in the AoR to the south of Whitnash which was included in the adopted Local Plan and has been carried forward into the emerging Local Plan. It serves to limit the continued expansion of the town in the direction of Bishops Tachbrook. I am satisfied that this gives adequate protection to the village and addresses the most vulnerable situation in this locality.
- 9.4.6** I conclude that while additional development has taken place to the south of Leamington Spa during the last 10 years or so since the previous Local Plan Inspector reported, his findings remain pertinent. Given the strength of the Rural Area Policies of the Plan, the current housing and employment land supply position and the degree of protection

afforded to the most critical areas by the AoRs already identified in the Revised Deposit Plan, there is no need for a further AoR south of Gallows Hill/Harbury Lane. To designate such an area in the absence of any serious threat would be premature at least and at worst a misuse of policy.

- 9.4.7** As regards the potential for a Park and Ride facility in this area, I note that the matter has been re-examined in the Revised Deposit Plan and an Area of Search identified in the vicinity of Greys Mallory under Policy SSP5. This alternative location lies outside an AoR.
- 9.4.8 Issue 2:** I agree that the word ‘uncontrolled’ is inappropriate. It gives the impression that controlled sprawl might be acceptable. I note that the text of Paragraph 9.11 was amended at Revised Deposit stage to meet the objection.
- 9.4.9 Issue 3:** AoRs are not local landscape designations as identified in PPS7. They are not valued intrinsically for their landscape character. The reasoned justification to Policy DAP2 makes it clear that their value and importance lies in their contribution to the structure and character of the urban areas, providing open areas in and around towns and preserving open wedges that separate particular elements of the urban form. In this, Policy DAP2 draws upon Structure Plan Policy ER.6 (Protection of Open Spaces). Consequently, I do not accept that the AoRs are deficient because they are not based upon a formal and robust assessment of the qualities of the landscape.
- 9.4.10 Issue 4:** I concur with the District Council that the protection of private amenity space is satisfactorily addressed by the development policies of the Plan, particularly Policies DP1 and DP3. In contrast, the AoRs are strategic designations drawn up to protect the openness of large swathes of structurally significant land.
- 9.4.11 Issue 5:** The AoRs fulfil a strategic role. I consider that Policy DAP2 is not the most appropriate way in which to protect open areas in and around villages, unless there is concern that those settlements might merge with nearby towns. In general, villages are best protected by the Plan’s development policies and the Rural Area Policies/DAP1 (Green Belt).
- 9.4.12 Issue 6:** This is not a matter that falls within the scope of Policy DAP2. The objection from the Ancient Monuments Society raises issues, shared by local amenity groups and residents, that are most appropriately addressed under Policies DP1 (Layout and Design), DP2 (Amenity) and DAP10 (Protection of Conservation Areas).
- 9.4.13 Issue 7:** (*Land at Stratford Road, Warwick*) This objection is addressed together with other related objections at Chapter 10, Policy omissions, Issue 20.
- 9.4.14 Issue 8:** (*Fieldgate Lane/Golf Lane, Whitnash*) The objector, David Wilson Homes (East Midlands) Ltd, argues that if the Plan is to meet the strategic housing requirement with confidence then some sustainable reserve sites for potential housing development should be identified to meet needs to 2017 or 2021. This would guard against the possibility of the supply from commitments and windfalls proving to be insufficient.
- 9.4.15** In the objector’s opinion, the boundaries of the AoR separating Whitnash from Bishops Tachbrook should be amended. The golf course and adjoining land to the east should be taken out of the AoR in line with the conclusions of the previous Local Plan Inspector

who considered the land not to be under immediate threat of development. The AoR should then be extended on the opposite side of Harbury Lane as far south as Bishops Tachbrook. An area of grassland, approximately 4ha in extent, on the edge of Whitnash at Fieldgate Lane/Golf Lane would, it is contended, be a sustainable housing location. That land is situated some 400m from a transport corridor and 700m from a local shopping centre. The site is contained by existing very low density housing to the south (which the objector also says should be excluded from the AoR), lanes to the north and west, an embanked railway line to the east, and mature hawthorn hedges. Rising in elevation from north to south the site faces inwards towards Whitnash. It does not form part of the valley of the Tach Brook. The objector considers that this land does not qualify for designation as an AoR. It is not a key area of open land adjacent to the town, makes no significant contribution to the character of the urban area, and does not function as an open wedge separating elements of urban form. Moreover, its development would not result in the merging of Whitnash with Bishops Tachbrook nor would it constitute urban sprawl. Rather, it would infill between existing housing to the north and south.

9.4.16 I take a rather different view. Looking first at the boundary of the AoR, I acknowledge the previous Inspector's uncertainty about whether the golf course and land to the east contribute to the AoR objective of preventing Whitnash from merging with Bishops Tachbrook. However, the south-western part of the golf course is highly visible from Harbury Lane where it forms a backdrop to the new playing fields and pavilion such that any development there would significantly close the gap between these settlements. Moreover, while the rising nature of the ground at Fieldgate Lane/Golf Lane from north to south means that development would not be visible from Bishops Tachbrook, it would be clearly seen from southern parts of Whitnash where the land contributes to the rural setting of the town. It would also, I feel, be intrusive in long range views from east of the railway line. I find that the whole of the area (that is, the golf course and the land at Fieldgate Lane) contributes to the objectives of the AoR. The land has a role to play in the structure and character of this part of Whitnash, provides open areas in and around the town, safeguards its setting and helps prevent urban sprawl. In addition, the south-western section of the golf course maintains separation between Whitnash and Bishops Tachbrook. Consequently, I see no case for excluding the golf course or the Fieldgate Lane site from the AoR. As regards land south of Harbury Lane, this land forms part of the sensitive gap between Whitnash and Bishops Tachbrook. But I believe it to be less at risk of development because Harbury Lane/Gallows Hill provides a strong boundary to the urban area. In my view, there is no need for AoR designation to extend south of Harbury Lane.

9.4.17 Turning to the proposed housing allocation at Fieldgate Lane, I am content that adequate provision has been made in the Plan for new homes such that there is no need to release further land. There is clear evidence of an over-supply in relation to strategic targets set out in the RSS. This has resulted in the SPD 'Managing Housing Supply' being adopted by the District Council in 2005 to reduce the supply of urban windfall sites. Such action was taken with support of the GOWM, the Regional Assembly and the County Council. As regards housing needs beyond 2011, I consider it would be premature to safeguard land for further housing. This is because housing requirements are uncertain pending completion of the partial review of the RSS and because of the quantity of urban brownfield sites still available. The District Council is committed to preparing a Core Strategy DPD. Work on it will commence in 2007. This will tie in with the partial review of the RSS and be able to accommodate up-to-date housing requirements for the District to 2021. If any greenfield site releases are necessary, this should be done through

an Allocations DPD prepared in the context of a comparative analysis of all development opportunities, sustainability appraisal and public consultation.

9.4.18 Finally, the objector considers that as the Fieldgate Lane site is bordered by housing to the north and south it should be considered as part of the urban area, rather than one where the Plan's Rural Area Policies apply. I do not agree. As the District Council points out, all rural areas have an urban edge. In my opinion, that boundary is properly set by the suburban housing to the north of Fieldgate Lane.

9.4.19 The objector's proposals were subject of the Omission Sites Consultation undertaken in January/February 2006. Responses received from Whitnash and Bishops Tachbrook residents, CPRE (Warwickshire Branch) and Whitnash Town Council were against any removal of the golf course or Fieldgate Lane site from the AoR, any residential allocation at Fieldgate Lane and any exclusion of the proposed development site from the application of Rural Area Policies. I note that 251 responses were received against the Fieldgate Lane site and 496 objections in relation to the golf course (of which 240 were by way of a petition from members of the Leamington and County Golf Club). This is a clear indication of the strength of local feeling.

9.4.20 Issue 9: (*Longbridge Triangle, Warwick*) The 'Longbridge Triangle' comprises land south of Warwick between the M40 motorway and the Castle Park AoR. It embraces an extensive Severn Trent Water Authority depot and agricultural land at Longbridge Farm. The boundaries of the adjoining Castle Park AoR were, I note, carefully considered by my colleague Inspector at the previous Local Plan inquiry. He concluded: "...there appears to be little structural reason in terms of the present built-up area or what will result if South West Warwick is built, to take in the land to the south of the sewage treatment works. It is not my view that the purpose of the Area of Restraint is to protect the Castle Park per se, but its contribution to the character of Warwick."² He recommended that this part of the proposed AoR be deleted and the District Council agreed. I take a similar view. In my opinion, this land is afforded adequate protection from development through the Plan's Rural Area policies.

9.4.21 Issue 10: (*Land rear of former Trinity School, Warwick*) I am told that the District Council was unwilling to exclude from this AoR the new special education needs school to be sited at the rear of the former Trinity School, until such time as that development had been implemented. Now that construction has commenced in accordance with the scheme granted planning permission in January 2005 and the landtake is certain, the District Council is prepared to amend the AoR boundary.

9.4.22 The Omission Sites Consultation generated a number of objections to this proposal. I recognise the importance of the AoR in preventing further suburban sprawl and maintaining separation of Warwick from Leamington Spa and the surrounding rural area. Nevertheless, it seems sensible to me to exclude this new school since the land will no longer be open in character. This would accord with the treatment of other school premises in the vicinity. I therefore endorse the amended AoR boundary put forward by the District Council which reflects the site of planning permission 04/1257.

9.4.23 Issue 11: (*Land west of Europa Way, Warwick*) There are 2 sets of objections relating to this AoR. I address first the objection from Warwickshire County Council

² CD31 Para 2.1.219

(Property Services Dept) in respect of that part of the land in its ownership which lies to the east of Warwick Technology Park with frontages to Europa Way and Gallows Hill.

- 9.4.24** The objection to the First Deposit Plan was to its identification under Policy SSP5 as the Warwick and Leamington Spa Park and Ride site. At that time the Property Services Dept had in mind an alternative use as a training centre to replace the Education Development Service (EDS) base and training facility at Manor Hall, Sandy Lane. The Park and Ride allocation was subsequently deleted and replaced in the Revised Deposit Plan by an 'Area of Search' at Greys Mallory. In turn, the Property Services Dept decided to look at other options elsewhere for the EDS facility. While there are no longer any firm proposals to relocate it to Europa Way, the site is regarded as a significant asset in the County Council's property portfolio and objection to inclusion of the land in the AoR is sustained.
- 9.4.25** The County Council points out that the First Deposit Plan confirmed that this site had been chosen for Park and Ride in preference to other possible sites clustered around the Heathcote and Greys Mallory roundabouts because it would have least impact in extending urban activity into open areas to the south of the town. The subsequent change of emphasis to Greys Mallory was driven solely by further analysis of the relative highway benefits in taking the maximum number of cars off local roads. According to the objector, this implies that the weight to be given to the importance of retaining this part of the AoR free of development is relatively slight. While the previous Local Plan Inspector said it was a structural imperative to keep the adjoining Warwick Technology Park in an open setting, the way in which that neighbouring development has been designed to be inward looking suggests that a rural setting is not essential. In any event, the Property Services Dept believes that a Park and Ride facility immediately alongside would not have maintained an open rural setting.
- 9.4.26** It is argued that by not undertaking a landscape assessment of this AoR but relying instead on support afforded by the previous Local Plan Inspector, there is conflict with the advice given in PPS7 that local landscape designations should be rigorously examined and justified by a formal and robust assessment of the qualities of the landscape concerned. The objector supports the representations made in respect of the larger AoR by the Europa Way Consortium but considers that a decision on inclusion of this area is not dependant on the decision made in respect of the remainder of the AoR. In summary, the objector believes that the land between Warwick Technology Park and Heathcote roundabout does not make a contribution towards separation of Leamington Spa and Warwick, nor does it have a landscape character justifying retention as an AoR.
- 9.4.27** The land in question is currently in arable use, classified as Grade 2 (very good) agricultural land with just a small area of Grade 3a (good). It is 'best and most versatile' farming land as defined in PPS7. The site extends to about 24ha of which roughly the southern half was originally earmarked in the First Deposit Plan for Park and Ride. I believe the wider AoR provides a physical barrier of strategic importance in separating the urban areas of Warwick and Leamington Spa. The objection site is a vital part of this, linking through to open countryside on the south side of Gallows Hill. AoRs are not local landscape designations. The text supporting Policy DAP2 confirms that their value and importance lies in the contribution they make to the structure and character of the urban area, providing open areas in and around towns and preserving open wedges that separate particular elements of the urban form. I feel that this site falls squarely into that category. It is particularly sensitive within the wider AoR because of its prominent location on a plateau and the views obtaining from Gallows Hill and the Gallows

Hill/Europa Way roundabout. The land is situated at a key gateway into the urban area for traffic approaching from the M40 motorway to the south.

- 9.4.28** The District Council says that the site was selected for Park and Ride at First Deposit stage because this location on the edge of the urban area would involve least encroachment into the countryside, because the southern boundary of the urban area at this point is clearly defined by Harbury Lane to the east, and because it was satisfied that the site could be developed in a manner that protected the openness of the AoR. I accept that a Park and Ride facility is a predominantly open use of land. In my opinion, its development for that purpose would not have seriously detracted from its function as an AoR. Although commenting on the basis of its proposed use as a training centre, I note that representations made in respect of the Omission Sites Consultation indicated general support for the purposes of the AoR.
- 9.4.29** As regards the Warwick Technology Park, this was intended to be a business park in a rural setting. It was recognised and supported as such by the previous Local Plan Inspector. That setting would, I feel, be compromised by further significant building development in close proximity. The objector considers that this is an area where the Plan's Rural Area policies should not apply. I do not agree. In my opinion, it is entirely appropriate that the site should be subject to such policies given its character, appearance and use. It follows that I believe this site is correctly identified as part of a broader AoR.
- 9.4.30** The second set of objections are made by the Europa Way Consortium which comprises the King Henry VIII Endowed Trust Warwick, the Charity of Thomas Oken and Nicholas Eyffler, and the Trustees of the Gardner Discretionary Settlement. The Consortium controls 40ha of agricultural land lying to the north of the County Council owned site. It does not object to the principle of an AoR policy in the Plan but considers that such a policy should be soundly based on a formal assessment of the areas proposed to be designated and their contribution to the character and attractiveness of urban areas. The District Council has previously remarked that AoR is a landscape designation but has reconsidered its position in Topic Paper 4. The planning authority no longer recognises them as local landscape designations and argues that they are not covered by PPS7. Nevertheless, recent experience of other authorities in Warwickshire suggests that AoR designations are either being deleted from local plans or, where retained, they are being supported by a sound evidence base.
- 9.4.31** In identifying the objection site as part of a broader AoR, it is argued that the District Council has failed to correctly interpret Structure Plan Policy ER.6. While Policy DAP2 accords with the intent of the Structure Plan, the reasoned justification extends to purposes beyond character and attractiveness. It trespasses into areas like urban structure, controlling sprawl and avoiding coalescence. Such matters are a hangover from the previous Structure Plan policy. The lack of any formal assessment means that the District Council is not able to demonstrate why the areas designated as AoR are fundamental to the character and attractiveness of urban areas. The Revised Deposit Plan includes a suite of rural area policies that seek to balance development needs with protection and enhancement of countryside character. If those policies are considered adequate to safeguard sensitive countryside locations such as open land north of Bishops Tachbrook, the same should hold true of some areas currently designated as AoR. In these circumstances, the objector believes this AoR designation to be superfluous and argues that it should be removed.

- 9.4.32** In the Consortium's view, the objection site does not play a fundamental role in separating Warwick from Leamington Spa nor does it contribute to the character and attractiveness of the urban area sufficient to justify the extra protection afforded by AoR status. Its function as an open wedge is only really noticeable on plan. In fact, it has a negative impact on connectivity between land uses in Warwick. The County Council's park and ride scheme has been relocated from the AoR for transport reasons and not because of the impact it would have on the AoR's separating function.
- 9.4.33** The objector contends that the AoRs have been drawn too widely in an endeavour to perform the pseudo Green Belt function of preventing urban sprawl. Nearly all land on the edge of the District's 3 main settlements, if not Green Belt, is subject to AoR designation. Offering the best scope for sustainable development, the Consortium would like the objection site to be considered as a potential reserve development site to avoid 'town cramming'.
- 9.4.34** The objector has undertaken a landscape appraisal of the AoR. The land is not covered by any national or local landscape designations but consists of well-managed farmland and functional sports pitches. Large-scale development along Europa Way forms a harsh urban boundary, visually dominating and disrupting the area. Overhead electricity lines and pylons cut through the AoR from north-east to south-west detracting from its rural ambience. The objectors conclude that due to low scenic quality and 'ordinary' landscape the site does not contribute fundamentally to the character or attractiveness of the urban area. The AoR's irregular shape and varied character and topography results in a patchwork of compartments, some enclosed and others more open, that adds little to the structure of the urban area and the open nature criterion of Policy DAP2. These features curtail the sense that the site has a separating function within the urban area. In any event, Warwick and Leamington Spa have already merged and there are limited public views into and across the site and no public rights of access. The land makes a very limited contribution to the setting of either settlement. Overall, the objector considers that the site does not contribute to the primary or secondary purposes of AoR policy and argues that the designation should be removed.
- 9.4.35** I accept the District Council's contention that AoRs are not countryside landscape designations. They play an important role in maintaining the structure and character of urban areas and preserving open wedges that separate towns and village. I note that AoRs were designated in the 1995 Local Plan under Policy (DW) ENV2. My colleague Inspector pointed out that it was the Secretary of State in revising Policy G.3.2 of the previous Structure Plan who indicated that AoRs were areas requiring special protection as "open areas important to the structure of towns where development would not normally be permitted". Current Structure Plan Policy ER.6 seeks to protect openness and places responsibility for identifying suitable key areas of open space on Local Plans.
- 9.4.36** I believe this AoR has a particular role to play in preserving the separate identities of Warwick and Leamington Spa. The site is of restricted size and has clear boundaries that were set in the earlier Local Plan following the Inspector's recommendations. The urban area of Warwick, closely linked in its history and morphology with Warwick Castle and Warwick Castle Park, lies to the west while immediately to the east of Europa Way is the Heathcote Industrial Estate and the Shires Retail Park forming part of the Leamington Spa urban area which has grown due to its commercial and industrial heritage. Like the District Council, I am of the opinion that there has been no material change in circumstances since the previous Local Plan was adopted in 1995. In particular, the development needs of the District can be met within the lifetime of this Plan without

putting at risk the structural openness of this AoR which maintains the southern separation of the urban areas of Warwick at Gallows Hill from those of Leamington Spa at Europa Way.

- 9.4.37** I consider it would be premature to amend the boundary of this AoR at the present time when the future housing and employment needs of the District beyond 2011 are not yet known. If the partial review of the RSS requires the planning authority to make large-scale greenfield allocations on the fringe of the urban areas, then this should be done through preparation of an appropriate DPD supported by a comprehensive examination of all options - and with the benefit of full landscape character assessment, sustainability appraisal and public consultation.
- 9.4.38** While the Consortium has undertaken a comparative assessment of the AoR sites adjacent to Warwick and Leamington Spa, it is clear that considerable emphasis has been placed on their landscape characteristics. I feel this has been done at the expense of a wider analysis in the context of Paragraph 26 of PPS7. As the District Council has explained, AoRs are not local landscape designations. In my opinion, the objection site fulfils a vital urban separation role. It does not 'merely separate compatible land uses within Warwick'. Moreover, given my conclusion that there is no requirement for further housing/employment land during the Plan period, development of this site would not score well against a number of the sustainability appraisal objectives against which the Local Plan has been assessed,. I note, for example, that the site falls almost entirely within agricultural land quality grades 1, 2 and 3a. This is the best and most versatile agricultural land which PPS7 indicates should be taken into account alongside other sustainability considerations. The site was subject to the Omission Sites Consultation. Neither the County Council nor the West Midlands Regional Assembly support allocation of this greenfield land for development at this time. A total of 12 representations were received. Nine objected to the principle of development, including the Warwick Society, CPRE (Warwickshire Branch), and Bishops Tachbrook Parish Council.
- 9.4.39** As regards allocation of land within the AoR as a park and ride facility in the First Deposit Plan, I have already addressed this matter when examining the objections from Warwickshire County Council (Property Services Dept). In brief, I am satisfied that the need for minimal built development would not have impacted significantly upon the open character of the landscape. However, for transport-related reasons the location of that park and ride proposal has subsequently shifted to the Greys Mallory area.
- 9.4.40** Turning to the objector's detailed analysis of the site's character, I consider it does not justify any revision to Policy DAP2 or to the AoR boundary. Even though the District Council has not itself carried out any formal assessment of the merits of the site, the structural importance of this land was recognised by the previous Local Plan Inspector. I feel that those conclusions remain valid today. In terms of the approach taken by other local planning authorities in Warwickshire, I believe that North Warwickshire and Rugby are dissimilar cases. Those were local landscape designations. At Nuneaton and Bedworth the main issue was the number of AoRs rather than a challenge to their concept, while at Stratford upon Avon there was held to be "no compelling reason deriving from national policy to delete it."
- 9.4.41** In my judgement, the objector's landscape character assessment does not carry great weight. It is the openness of the AoR which is of prime significance rather than its landscape quality. There is no justification for the claim that the AoR does not extend

into open countryside. Approximately 50% of the land, beyond the grounds of the Myton Road schools, is farmed as either arable or pasture. The photographs submitted to the inquiry show that from various viewpoints the open character of the land can be appreciated, including from national cycle network route 41 that runs along the northern boundary of the Consortium ownership. I concur with the District Council that it is unrealistic to expect to take in a view of all of the site from a single location. That does not affect the intrinsic value of the AoR to the urban communities of Warwick and Leamington Spa. The opportunity to provide long-range public views of Warwick Castle from within the site, as shown on the Consortium's illustrative 'development concept and landscape framework', does not constitute a sound reason to promote development in this location. In any event, it is St Mary's Church tower which is the most significant distance focal feature from the Europa Way/Gallows Hill area.

9.4.42 I conclude that there are no grounds for deleting this AoR, for amending its boundaries (other than by excluding the site of the new special needs school, Myton Road - see Issue 10 above), or for altering Policy DAP2. Nor do I support identification of this land as a reserve development site.

Recommendations

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

exclude the site of the new special needs school at the rear of the former Trinity School, Myton Road, Warwick from the Area of Restraint - in accordance with the plan attached to the District Council's response statement.

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

9.5 Paragraphs 9.14 - 9.16 Policy DAP3 Protecting Special Landscape Areas

Objections to First Deposit Version

25/AB	M.J. Maguire
109/AX	Warwickshire County Council (Planning, Transport & Economic Strategy)
110/AH	Government Office for the West Midlands
118/AB	Mr and Mrs G Bull
119/AB	Bloor Homes Ltd
147/AF	Sundial Conference and Training Group
148/BL	Campaign to Protect Rural England (Warwickshire Branch)
154/AQ	National Farmers' Union
170/AF	Mr Martin Wood
187/AX	The Countryside Agency (West Midlands Region)
302/BB	English Heritage (West Midlands Region)
304/AB	Stoneleigh and Ashow Joint Parish Council

Objections to Revised Deposit Version

52/RAG	Barford, Sherbourne & Wasperton Joint Parish Council
115/RAJ	Alan Roberts
148/RAQ	Campaign to Protect Rural England (Warwickshire Branch)
221/RAA	Kenilworth Society
266/RAG	Warwick Town Council
66/RBF	The Warwick Society

Key Issues

- 9.5.1** (1) Whether Policy DAP3 should be reinstated and Special Landscape Areas (SLAs) indicated on the Proposals Map.
- (2) Whether Stoneleigh Park should be included as part of a SLA.
- (3) Whether the extent of the SLA surrounding Lapworth should be subject of further review, particularly in the vicinity of Brome Hall Lane.
- (4) Whether there is a wording error in Paragraph 9.15 that should be corrected.
- (5) Whether (a) Policy DAP3 is too restrictive, and (b) the Woodside Management Training Centre, Kenilworth should be excluded from the SLA to facilitate limited infill development.
- (6) Whether an area to the south of Kenilworth between the urban area and the A46 has been incorrectly excluded from the SLA.

Inspector's Appraisal and Conclusions

- 9.5.2 Issue 1:** Several objectors are concerned about deletion of Policy DAP3 from the Revised Deposit Plan and removal of both the Arden SLA and the Leam Valley SLA from the Proposals Map. Objectors believe that revised Policy DP3 does not afford sufficient protection for high quality rural landscapes. It is an overarching policy that addresses general issues affecting the natural and historic environment and the landscape. SLAs feature in both the Structure Plan, where Policy ER.4 requires local plans to include them and determine their boundaries, and in the adopted Local Plan under Policy (DW) C8. It is argued that SLAs have previously done for the countryside what conservation areas have done for the best townscapes and village street scenes, and should be reinstated.
- 9.5.3** The District Council has cited PPS7 as the reason for deleting Policy DAP3. However, in the case of the Stratford upon Avon Local Plan inquiry the Inspector concluded that retention of SLAs was justified on the grounds that while development plans must 'have regard' to Government guidance, a local plan must be in 'general conformity' with the Structure Plan. The Kenilworth Society points out that if the SLAs are not reintroduced there will be an inconsistency in the County with the Arden SLA ending abruptly at Claverdon on the boundary between Stratford and Warwick Districts. The CPRE (Warwickshire Branch) argues that this Local Plan with a shelf life of only 3 years from its anticipated date of adoption is not at the stage at which a radical change should be made from the adopted Structure Plan. Rather, the future need and extent of SLAs should be determined through the LDF process.

- 9.5.4** Paragraph 24 of PPS7 indicates that carefully drafted criteria-based policies utilising tools such as landscape character assessment should provide sufficient protection for high quality rural landscapes without the need for rigid local designations that may unduly restrict acceptable, sustainable development and the economic activity that underpins the vitality of rural areas. It goes on to say that local landscape designations should only be maintained or, exceptionally, extended where it can be clearly shown that criteria-based planning policies cannot provide the necessary protection. When reviewing their local area-wide development plans, planning authorities are told to rigorously consider the justification for retaining such designations.
- 9.5.5** Notwithstanding the detailed criticisms made, I consider that when read together the relevant criteria-based policies of the Plan do provide adequate protection of the landscape, equivalent to that afforded by Policy DAP3 - which precluded development that would have a detrimental effect on the landscape character and open nature of the SLAs. Such policies include DP1 and DP3, and several of the Rural Areas policies. That is also the view of GOWM who objected to inclusion of Policy DAP3 in the First Deposit Plan and indicated at Revised Deposit stage that their objection would be met if the deletion was carried through to adoption.
- 9.5.6** In order to ensure that the objectives of Policy DAP3 are adequately covered elsewhere in the Plan, the District Council added a new Paragraph 4.19A at Revised Deposit stage in support of Policy DP3. This requires development proposals to accord with the principles set out in the Warwickshire Landscape Guidelines. Those Guidelines, saved in the Local Development Scheme, have the status of supplementary planning guidance. I am told that in the absence of any re-examination of landscape character, they are the District Council's most informative reference in respect of landscape characteristics. Via Policy DP3 they are applied not just to the SLAs but throughout the District. The same Paragraph also refers to the broad identification of SLAs in the Structure Plan. It goes on to say that although SLAs are not shown on the Local Plan Proposals Map, the Warwickshire Landscape Guidelines will provide a framework in which to consider all proposals in these sensitive areas. In my view, this achieves a reasonable compromise. It addresses the tension that exists between the need for general conformity with the Structure Plan (Policy ER.4 in particular) and the need to have regard to national planning policy advice. I note that Warwickshire County Council did not object to the absence of a specific SLA policy in the Revised Deposit Plan nor to the absence of SLA designations on the Proposals Map. Moreover, the County Council has not issued any specific advice to Districts on the matter.
- 9.5.7** I conclude that Policy DAP3 should not be reinstated and that SLAs should not be shown on the Proposals Map.
- 9.5.8 Issue 2:** I agree with the District Council that Policies DAP1 (Green Belt) and DAP13 (Protecting Historic Parks and Gardens) provide adequate protection of the special character of Stoneleigh Park. That character derives from the 'park' landscaping applied to it rather than reflecting geology, historic farming practices and the like that define the landscape character typical of the Arden Landscape that the SLA seeks to protect. So even if the SLAs were to be retained and Policy DAP3 reintroduced, I would not recommend inclusion of Stoneleigh Park.
- 9.5.9 Issue 3:** I see no reason to treat the landscape value of the area at Brome Hall Lane in any different way from other locations in the vicinity of Lapworth. This matter is, I

note, related to others objections, the objective of which is to secure residential development of the land.

9.5.10 Issue 4: The District Council accepts that the second sentence of Paragraph 9.15 contains a typographical error. However, this is of no consequence since the entire paragraph and others relating to the former Policy DAP3 have been deleted in the Revised Deposit Plan. For reasons set out above, I support those deletions.

9.5.11 Issue 5: (*Woodside Management Training Centre, Glasshouse Lane, Kenilworth*) Had I recommended that Policy DAP3 be reinstated, there would have been no reason, in my view, to exclude this particular site. I do not agree that Woodside and its surroundings has none of the landscape attributes associated with the SLA. In any event, SLAs are broad landscape designations that should not exclude individual properties. As regards the potential for future infilling, I note that the Revised Deposit Plan includes the Woodside Training Centre in Policy SSP2 as a Major Developed Site in the Green Belt where limited infilling and redevelopment for employment purpose will be considered appropriate development. The main elements of Policy DAP3 have been addressed elsewhere in the Plan through development Policies DP1 and DP3, as amended. I do not regard either of those Policies as being unduly restrictive.

9.5.12 Issue 6: The District Council accepts that there was an anomaly in the First Deposit Plan, carried through from the adopted Local Plan, in the boundary of the SLA shown on the Proposals Map to the south of Kenilworth. Since I recommend that the SLAs be deleted from the Proposals Map and Policy DAP3 not be reinstated no action is required to address this matter.

Recommendations

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

9.6 Paragraphs 9.17 - 9.24 Policy DAP4 Protecting Nature Conservation, Geology and Geomorphology

Objections to First Deposit Version

1/AC	Warwickshire Wildlife Trust
110/AJ	Government Office for the West Midlands
115/AJ	Alan Roberts
150/AF	Warwickshire County Council (Museum Field Services - Ecology)
210/AO	English Nature
226/AD	Environment Agency

Objections to Revised Deposit Version

110/RAC	Government Office for the West Midlands
150/RAD	Warwickshire County Council (Museum Field Services - Ecology)
321/RAT	West Midlands International Airport Ltd

Key Issues

- 9.6.1**
- (1) Whether Policy criterion d) is properly worded given that appropriate mitigation and/or compensation measures should always be sought where the benefits of development outweigh the importance of a local designation.
 - (2) Whether, for reasons of accuracy, the reference in Paragraph 9.20 to Oak Tree Farm Meadows SSSI at Rowington should be altered to read 'Oak Tree Farm Meadows (part)'.
 - (3) Whether the Policy should be revised to include not only currently designated sites but those that might be made during the Plan period.
 - (4) Whether reference should be made in the supporting text to potential Sites of Importance for Nature Conservation (pSINCs) and the emerging Geodiversity Action Plan.
 - (5) Whether Paragraph 9.23 should include Regionally Important Geological and Geomorphological Sites (RIGS).
 - (6) Whether Paragraph 9.18 should include a specific reference to European protected species.
 - (7) Whether the Policy should be reworded to also make reference to geomorphological sites.
 - (8) Whether the word 'adversely' should be removed from the Policy.
 - (9) Whether the Policy should be amended to accord with PPS9 and better reflect the relative significance of national and local designations.
 - (10) Whether further changes to the wording of the Policy and its supporting text are desirable to clarify and to eradicate typing errors and minor inconsistencies.
 - (11) Whether the reasoned justification should be augmented to give further support to criterion e) of Policy DAP4 which refers to protected, rare and endangered wildlife species.
 - (12) Whether designated Ancient Woodlands should be afforded a different level of protection from SSSIs.
 - (13) Whether Policy DAP4 is unduly restrictive.

Inspector's Appraisal and Conclusions

- 9.6.2 Issue 1:** I agree that appropriate compensation measures should be sought in the circumstances outlined. Criterion d) of Policy DAP4 was amended at Revised Deposit stage to reflect this. However, in doing so it duplicates similar provisions included in the last paragraph of the Policy. In the interests of clarity and simplicity I recommend that this duplication be addressed.

- 9.6.3 Issue 2:** The suggested amendment was made at Revised Deposit stage. I endorse that alteration.
- 9.6.4 Issue 3:** The District Council has taken this objection on board. The text of the Policy was amended at Revised Deposit stage to indicate that ‘currently designated sites are shown on the Proposals Map’. This implies that any further designations made during the currency of the Plan will be afforded a similar degree of protection. I support that alteration.
- 9.6.5 Issue 4:** I note that references to pSINCs and the emerging Geodiversity Action Plan were added to Paragraph 9.24 of the reasoned justification at Revised Deposit stage. I endorse those alterations.
- 9.6.6 Issue 5:** A reference to RIGS was added to Paragraph 9.23 of the Revised Deposit Plan, thereby satisfying the objection. I support that change.
- 9.6.7 Issue 6:** Again, this objection was addressed by alterations made to Paragraph 9.18 of the Revised Deposit Plan which I support. I note all of the above objections made by English Nature have been conditionally withdrawn.
- 9.6.8 Issue 7:** References to geomorphological sites were added at Revised Deposit stage to both the Policy and the reasoned justification (Paragraphs 9.17, 9.19, 9.23). As a result, the objection made by Warwickshire County Council (Museum Field Services – Ecology) has been addressed.
- 9.6.9 Issue 8:** I do not agree with the objector that use of the word ‘adversely’ raises expectations that other development will be permitted. It simply refers to the unfavourable impact caused to features that the Policy is seeking to protect.
- 9.6.10 Issue 9:** This objection by GOWM has been satisfied by amendments made to the Policy at Revised Deposit stage. The Policy now distinguishes clearly between sites of national importance and locally important sites/features, in accordance with PPS9. In consequence, the objection has been conditionally withdrawn. I endorse those alterations.
- 9.6.11 Issue 10:** The District Council says it has relied upon the expertise of Warwickshire County Council (Museum Field Services – Ecology) and included in proposed changes to the Revised Deposit Plan all of the amendments to the Policy and the reasoned justification set out in the detailed objection. Having reviewed those suggestions, I am content that they are appropriate and benefit the Plan.
- 9.6.12 Issue 11:** The District Council has included in its proposed changes a new Paragraph 9.25A. This gives the necessary support to Policy criterion e) sought by the objector. I endorse that additional reasoned justification.
- 9.6.13 Issue 12:** This objection by GOWM is met through the District Council’s proposed changes to Policy DAP4. Designated Ancient Woodland is not regarded as a feature of national importance but of local importance. I endorse that alteration which is consistent with PPS7.
- 9.6.14 Issue 13:** I am content that Policy DAP4 reflects the approach set out in national planning policy guidance. It provides a different level of protection in relation to national

and locally important interests and, in respect of the latter, allows for mitigation and compensation measures. I do not regard the provisions in respect of locally important sites/features as being too restrictive.

9.6.15 Nevertheless, as indicated at Issue 1 above, I believe the Policy would benefit from some further improvement to its wording. This is reflected in my recommendations.

Recommendations

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

(i) amend Policy DAP4 to read:

“Development will not be permitted which will destroy or adversely affect the following sites of national importance:

a) designated Sites of Special Scientific Interest (SSSIs).

Currently designated sites are shown on the Proposals Map;

Development will be strongly resisted that will destroy or adversely affect the following locally important sites/features:-

b) designated Ancient Woodlands. Currently designated sites are shown on the Proposals Map;

c) designated Local Nature Reserves (LNRs). Currently designated sites are shown on the Proposals Map;

d) any other sites subject to a local ecological or geological/geomorphological designation unless the applicant can demonstrate that the benefits of the proposal significantly outweigh the ecological/geological/geomorphological importance of the area;

e) protected, rare, endangered or other wildlife species of conservation importance.

In assessing the effect of development on a nature conservation or geological/geomorphological site in relation to b), c), d) and e), proposals will not be permitted unless the applicant can demonstrate that consideration has been given to any mitigation and compensatory measures proposed that take account of the importance of the site/species, the extent to which ecological, geological or geomorphological impact is minimised, the nature of the measures proposed, and proposed long term management of features/sites/habitats of ecological/geological/geomorphological importance.”

(ii) amend Paragraph 9.17 to read:

“It is important to protect ecological, geological and geomorphological features/sites/species of importance within the District from the adverse impacts of development. There is concern that the diversity of habitats and species continues to be eroded and fragmented by development, therefore there is a need to safeguard the resources that remain. In Warwick District there are two types of nature

conservation sites. Statutory sites cover Sites of Special Scientific Interest (SSSIs), Ancient Woodlands and Local Nature Reserves. These are designated by Natural England. Non-statutory sites include Sites of Importance for Nature Conservation (SINCs – see below) and Regionally Important Geological and Geomorphological Sites (RIGS – see below). Both types of site are important components of the District’s ecological/geological/geomorphological resources.”

(iii) amend Paragraph 9.18 to read:

“Government policy has given prominence to biodiversity as an issue that needs more action on the part of planning authorities. Local Plans are advised to identify relevant international, national and local features of conservation and geological/geomorphological value within their area and to ensure that their protection and enhancement is properly provided for. Furthermore, the presence of protected species is a material consideration in the planning process. Developers are advised to check for the presence of European protected species and seek professional advice to ensure that their proposals safeguard any species using the application site. This approach is reflected in the Structure Plan that requires environmental assets of the County to be protected. In addition, the pre-deposit consultation exercise revealed there was strong support for the protection of areas of wildlife value.”

(iv) amend Paragraph 9.22 to read:

“There are nine Local Nature Reserves (LNRs) that have been designated within Warwick District. They are defined on the Proposals Map and listed in Appendix 3. Local Nature Reserves are habitats and sites of local significance that make a useful contribution to nature conservation, geological science and education.”

(v) amend Paragraph 9.23 to read:

“Many other sites and features within the District are subject to non-statutory designations. Non-statutory designated sites of substantive ecological or geological/geomorphological value fall into two categories:

- **Sites of Importance for Nature Conservation (SINCs).** There are currently 10 SINCs designated in Warwick District. These are designated for their wildlife value by a panel drawn from Warwickshire Museum Ecology Unit, Warwickshire Wildlife Trust and Natural England. Further sites are being designated through the Wildlife Sites Project. This project has used data held in the Warwickshire Biological Records Centre (mainly information on ecosites) and data produced by the Habitat Biodiversity Audit (a comprehensive survey of habitats found in the County) to identify those sites of substantive nature conservation value in terms of Planning Policy Statement 9: Biodiversity and Geological Conservation. There are also

potential SINC (pSINC) requiring more detailed assessment before being submitted to the panel. SINC and features of substantive value will be afforded protection under Policy DAP4 above, pSINC will be afforded this protection until assessed. It should be noted that wildlife species of nature conservation importance are not necessarily confined to sites subject to nature conservation designations.

- **Regionally Important Geological and Geomorphological Sites (RIGS).** There are currently 9 RIGS in Warwick District. These sites are designated by the Warwickshire Geological Conservation Group.

(vi) add a new Paragraph 9.25A to read:

“Protected, rare, endangered or other wildlife species of conservation concern will be taken into consideration within any development proposal. European protected species will be regarded as a material consideration with information to be submitted prior to any determination. UK protected, UK and Local Biodiversity Action Plan, Red Data Book and RSPB notable species are to be regarded as significant considerations as part of any application. It should also be noted that habitat supporting these species would also need to be considered within an application.”

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

9.7 Paragraphs 9.25 - 9.28 Policy DAP5 Trees, Woodlands and Hedgerows

Objections to First Deposit Version

54/AM	Conservative Group of Councillors
110/AK	Government Office for the West Midlands
115/AK	Alan Roberts
148/BM	Campaign to Protect Rural England (Warwickshire Branch)
171/AB	Portland Place Residents Association
195/AK	The Leamington Society
221/BE	Kenilworth Society
223/BA	Kenilworth Town Council

Objections to Revised Deposit Version

115/RAK	Alan Roberts
148/RAR	Campaign to Protect Rural England (Warwickshire Branch)
266/RAH	Warwick Town Council
283/RAU	The Ancient Monuments Society
66/RBG	The Warwick Society

Key Issues

- 9.7.1** (1) Whether Policy DAP5 is necessary and should be reinstated.
- (2) Whether the provisions of Paragraphs 9.27 and 9.28 encourage prospective developers to destroy hedges before they are surveyed and declared important.
- (3) Whether the Plan should protect important green areas from intrusion by cycle tracks.
- (4) Whether Policy DAP5 should encourage the planting of trees, woodlands and hedgerows to maintain a green environment and the leafy character of Warwickshire.

Inspector's Appraisal and Conclusions

- 9.7.2 Issue 1:** I concur with GOWM that Policy DAP5 is not necessary. Trees within conservation areas and those subject of Tree Preservation Orders (TPOs) are already afforded protection under other planning control regimes. In my opinion, there is no need to duplicate those provisions through a specific policy. That would conflict with advice in PPG12. I note that the requirement for the planning authority to be notified of works to trees in conservation areas is referred to in Policy DAP10 (Protection of Conservation Areas). As regards important hedgerows, the District Council has included a reference to these in Paragraph 4.22B in support of Policy DP3 (Natural and Historic Environment and Landscape). Other Plan policies such as DP1 and DAP4 also address trees, woodlands and hedgerows in relation to development proposals. I consider that the matters referred to above serve to make Policy DAP5 redundant. I have no doubts as to the efficacy of the Council's alternative approach which does not, I feel, undermine its commitment to protection of these landscape features.
- 9.7.3 Issue 2:** Paragraph 4.22B added at Revised Deposit stage recognises the value of hedgerows. It refers to Government regulations to protect 'important' specimens and sets out a presumption against their removal unless the relevant notification procedure has been complied with. In my view, it provides no incentive to destroy hedgerows in advance of survey. I consider the District Council's approach at Revised Deposit stage to be satisfactory and a reasonable alternative to including a reference to hedgerows in Policy DAP5.
- 9.7.4 Issue 3:** I agree with the planning authority that this concern is not relevant to Policy DAP5. It is a matter that falls to be considered under other Plan Policies, such as DP1-3 and SC4.
- 9.7.5 Issue 4:** Landscaping in connection with development proposals is addressed through Policies DP1 and DP3. In the interests of achieving concise and well-focused policy documents, I consider that statements which merely 'encourage' are not appropriate in development plans.

Recommendations

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

9.8 Paragraphs 9.29 - 9.32A Policy DAP6 Protection of Listed Buildings

Objections to First Deposit Version

115/AL	Alan Roberts
148/BN	Campaign to Protect Rural England (Warwickshire Branch)
214/AA	Mrs J Biles
221/BJ	Kenilworth Society
302/BC	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

66/RBH	The Warwick Society
115/RAL	Alan Roberts
283/RAV	The Ancient Monuments Society
321/RAU	West Midlands International Airport Ltd
354/RAM	Roger Higgins

Key Issues

- 9.8.1**
- (1) Whether the Policy accurately reflects Government guidance in PPG15.
 - (2) Whether the Policy should be applied strictly.
 - (3) Whether the word ‘adversely’ should be removed from the Policy.
 - (4) Whether the Policy is unduly restrictive in respect of the setting of listed buildings.
 - (5) Whether the Policy needs to be clarified in respect of new buildings in conservation areas.
 - (6) Whether (a) in dealing with demolition of listed buildings, the exceptional circumstances outlined in PPG15 should be noted, and (b) the Policy should be made more flexible in terms of alterations and extensions.
 - (7) Whether only modern additions to historic buildings should be considered for demolition.
 - (8) Whether Paragraph 9.32 relating to access for the disabled should be deleted.
 - (9) Whether reference to Scheduled Ancient Monuments should be made within the supporting text.
 - (10) Whether the special treatment given to listed buildings under the Building Regulations should be acknowledged.

Inspector's Appraisal and Conclusions

- 9.8.2 Issue 1:** At Revised Deposit stage the District Council has replaced the word ‘character’ used in the Policy and in Paragraph 9.33 of the reasoned justification with the words ‘special architectural or historic interest’. I agree that this is appropriate. It more accurately reflects Government guidance in PPG15 and the terminology employed in the statutory provisions. ‘Character’ is a broad subjective term which, because it is open to interpretation, could weaken the Policy. As regards the statutory duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, this is clearly set out in Paragraph 9.31 of the supporting text.
- 9.8.3 Issue 2:** I do not consider there is any need to include additional text indicating that Policy DAP6 will be strictly applied. If a scheme does not accord with the Policy, then it will be refused consent unless there are other material considerations of such weight that indicate otherwise.
- 9.8.4 Issue 3:** I see disadvantage in omitting the word ‘adversely’ from Policy DAP6. This would preclude alterations or extensions to a listed building that affect its special architectural or historic interest, integrity or setting, together with other works which affect the setting of a listed building, but which are positive in nature and could enhance a listed building or its setting by adding quality. The District Council gives the example of reinstatement of original features or repairs.
- 9.8.5 Issue 4:** In response to objection at First Deposit stage, Policy DAP6 was augmented by the statement: “Other development will not be permitted that will adversely affect the setting of a Listed Building.” This has given rise to further objection at Revised Deposit stage on the grounds that the Policy is now too restrictive. Amended wording has been suggested, namely: “Other development will not be permitted if it will have significant adverse impact upon the setting of a Listed Building that cannot be mitigated or compensated for unless the benefits of the development proposals outweigh any such disbenefit.” It seems to me, though, that the Policy would be significantly weakened by this text. I am satisfied that the Policy as presented in the Revised Deposit Plan accords with the thrust of Government advice. In my view it is not unduly onerous.
- 9.8.6 Issue 5:** Policy DAP6 is concerned specifically with protection of listed buildings whereas development in conservation areas is addressed by Policy DAP10 (Protection of Conservation Areas). In these circumstances, it would not be appropriate to add the further supporting text suggested by the objector as a new Paragraph 9.32B.
- 9.8.7 Issue 6:** By drawing attention to the possibility of demolition in exceptional circumstances, I agree with the District Council that the protective nature of the Policy would be weakened. Under Policy DAP6 as currently drafted, any such proposals would have to be considered in light of the strength of other material considerations. As regards alterations and extensions, these are not precluded providing they would not prove detrimental to a listed building or its setting. There is no need in my view to make Policy DAP6 more flexible in this regard.
- 9.8.8 Issue 7:** I consider that a specific reference in the Policy to the demolition of modern or later additions of no historic or architectural interest where this would improve the listed building or its setting would complicate and weaken the Policy. It is far better, in my view, to take a firm stance against demolition in general and consider proposals, as and when they occur, on their merits in the light of other material considerations. Partial

demolition in association with development is covered adequately under the first part of Policy DAP6 and Paragraph 9.31 of the supporting text.

9.8.9 Issue 8: Policy DP14 (Accessibility and Inclusion) does not specifically deal with the difficulties of access to listed buildings. Because this is such an important issue I consider it right to address it here. Paragraph 9.32 indicates that the District Council will expect applicants to demonstrate how they have sought to reasonably balance the competing objectives of protecting listed buildings with the need to promote accessibility and inclusion, and where they have made clear choices between policies. I consider that to be appropriate.

9.8.10 Issue 9: Archaeology and Scheduled Ancient Monuments are adequately dealt with through Policy DP4. I see no need to include a reference to such matters in the reasoned justification of Policy DAP6 which relates specifically to the protection of listed buildings.

9.8.11 Issue 10: Provision is made under the Building Regulations for treating listed buildings as special cases where appropriate relaxations may be granted. This is a control regime separate from planning. In my opinion, there is no need to address such matters within Policy DAP6.

9.8.12 Finally, I believe that Policy DAP6 would benefit from some minor wording changes to improve the accuracy of the text and correct a typographical error. My recommendations reflect this.

Recommendations

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

amend Policy DAP6 to read:

“Consent will not be granted to alter or extend a Listed Building where those works will adversely affect its special architectural or historic interest, integrity or setting.

Consent will not be granted for the demolition of a listed building.

Development will not be permitted that will adversely affect the setting of a listed building.”

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

9.9 Paragraphs 9.33 - 9.34 Policy DAP7 Changes of use of Listed Buildings

Objections to First Deposit Version

110/AL Government Office for the West Midlands

Objection to Revised Deposit Version

354/RAN Roger Higgins

Key Issues

- 9.9.1** (1) Whether priority should be given to affordable housing as an acceptable re-use of listed buildings.
- (2) Whether the Policy is necessary given that Paragraph 2.18 of PPG15 indicates that in general the same provisions on change of use should apply to historic buildings as to other buildings.
- (3) Whether the Policy should be applied strictly.

Inspector's Appraisal and Conclusions

- 9.9.2 Issue 1:** I agree with the District Council that this Policy is not the correct vehicle for promoting affordable housing. Some listed buildings may not lend themselves to a residential conversion. It might be that the original use of the building was not for housing. In those circumstances affordable housing would not normally be the preferred use.
- 9.9.3 Issue 2:** I am satisfied that, notwithstanding the advice in PPG15, Policy DAP7 fulfils a useful and necessary purpose. The original use of a listed building is generally regarded as the best use where it is still appropriate and viable. Any alternative use should be sympathetic to that building's special architectural or historic interest and setting. I consider that those factors need to be taken into account before permission is granted.
- 9.9.4 Issue 3:** I see no need to add the further sentence sought by the objector. In my opinion, it would not improve the Policy. Development that is contrary to Policy DAP7 would be resisted unless there are other material considerations of such merit as to outweigh that conflict.

Recommendations

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

- 9.10 Paragraphs 9.35 - 9.36 Policy DAP8 Upper Floors within Listed Buildings and Conservation Areas**

Objections to First Deposit Version

No objections

Objection to Revised Deposit Version

354/RAP Roger Higgins

Key Issue

9.10.1 Whether the Policy should be applied strictly.

Inspector's Appraisal and Conclusion

9.10.2 This objection is identical to others made in respect of Policies DAP6 and DAP7. I see no need to indicate that the Policy will be applied in a strict manner. Development contrary to Policy will be refused unless other material considerations are of such weight as to warrant a different decision.

Recommendations

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

9.11 Paragraphs 9.37 - 9.38 Policy DAP9 Restoration of Listed Buildings

Objection to First Deposit Version

302/BG English Heritage (West Midlands Region)

Objection to Revised Deposit Version

354/RAQ Roger Higgins

Key Issues

9.11.1 (1) Whether the Policy should be applied strictly.

(2) Whether the Policy should be incorporated as part of an amended Policy DAP7.

Inspector's Appraisal and Conclusions

9.11.2 Issue 1: This objection is identical to others made in respect of many of the DAP Policies (See, for example, Policy DAP8).

9.11.3 Issue 2: GOWM objected to this Policy (and to Policies DAP6 and DAP7) at First Deposit stage. It was argued that the planning authority's overall aim would be better served by including Policy DAP9 as part of an expanded Policy DAP7 on the alteration, extension and change of use of listed buildings. The use of traditional natural materials and appropriate colours and finishes would then have comprised one of a series of criteria

against which proposals would be appraised. Other criteria might have included design and scale.

- 9.11.4** In the event, the District Council chose not to follow that line when preparing the Revised Deposit Plan. I acknowledge that the objector's suggestion would have rationalised the number of policies dealing with listed buildings. Nevertheless, I see nothing wrong with the alternative, disaggregated approach taken by the Council. In my opinion, it deals adequately with the major policy issues surrounding listed buildings. I note that despite the earlier concern expressed, GOWM has subsequently conditionally withdrawn its objection.

Recommendations

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

9.12 Paragraphs 9.39 - 9.44B Policy DAP10 Protection of Conservation Areas

Objections to First Deposit Version

55/AA	Andrew Faulkner
105/AA	Alison Spalding
115/AM	Alan Roberts
122/AC	Warwick Castle
128/AB	Mr and Mrs Devereux
129/AA	Sheila Faulkner
131/AA	Mrs Phylis & Dr Peter Davies
146/AA	Bruce Paxton
163/AB	Roger Copping
193/BS	Coten End and Emscote Residents' Association
194/AE	Vernon Lawton
195/AJ	The Leamington Society
198/AH	John Henderson
199/BS	James Mackay
214/AE	Mrs J Biles
231/AA	John Moss
254/AA	Steven and Clare Twigger
260/AB	Baginton Parish Council
263/AB	Christopher Wilson
272/AA	Alison Sanders
283/AA	The Ancient Monuments Society
296/AA	CLARA
302/BH	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

115/RAM	Alan Roberts
195/RBD	The Leamington Society
221/RAE	Kenilworth Society

223/RAM	Kenilworth Town Council
260/RAA	Baginton Parish Council
283/RAW	The Ancient Monuments Society
302/RAF	English Heritage (West Midlands Region)
353/RAA	A Brown
354/RAR	Roger Higgins

Key Issues

- 9.12.1** (1) Whether the Leamington Spa Conservation Area should be extended in a northerly direction.
- (2) Whether the Kenilworth Conservation Area should be enlarged.
- (3) Whether the Plan should include a commitment to designate two areas within Baginton Village as conservation areas.
- (4) Whether (a) there should be more design controls in conservation areas, including Article 4 directions, (b) applicants should be required to provide full specifications of all building materials and finishes to be used in conservation areas, and (c) the District Council should confirm in the reasoned justification that the Rock Townsend Study will be updated and SPD produced relating to the enhancement of conservation areas.
- (5) Whether the Policy should be amended to more accurately reflect the requirement of S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- (6) Whether the Plan should safeguard open spaces within and adjacent to conservation areas.
- (7) Whether the Policy should be strictly applied.
- (8) Whether the wording of Policy DAP10: (a) adequately reflects PPG15, and (b) should be amended to address the setting of conservation areas and important views into and out of them.
- (9) Whether Policy DAP10 is sufficiently flexible.

Inspector's Appraisal and Conclusions

- 9.12.2 Issue 1:** An extensive review of the Leamington Spa Conservation Area was undertaken in 2004 in conjunction with English Heritage. Following public consultation various extensions to the Conservation Area were made including Northumberland Road to the north of the town. A further District-wide comparative study of late nineteenth and early twentieth century housing was carried out in 2005/6. As a result, recommendations for further minor extensions to the Conservation Area are currently out for public consultation. I am told that not all of the areas suggested by objectors to the Plan for inclusion would meet the criteria for conservation area status. Given the work that has recently been carried out or is ongoing in respect of this Conservation Area, I do not believe that the matter should be considered as part of the Local Plan review process.

- 9.12.3 Issue 2:** Similarly, a review of the Kenilworth Conservation Area was carried out in conjunction with English Heritage in 2005. Like the Leamington Spa exercise, it included consultation with affected households, the Town Council and local amenity societies. Various extensions resulted including Waverley Road and Station Road. But, unlike Leamington Spa, the District-wide comparative study of turn of the century housing undertaken in 2005-6 did not recommend further additions. Again, in light of this separate work I do not feel it is necessary to review the Kenilworth Conservation Area boundaries as part of this Local Plan.
- 9.12.4** The District Council intends to identify in plan form all of the conservation area boundaries that are confirmed at the time this Local Plan is adopted. I support that proposal. I note that it is also the Council's intention to update the list of conservation areas at Paragraph 9.42. To that end, 4 recently designated conservation areas are identified in the proposed further changes to the Plan. I endorse those alterations.
- 9.12.5 Issue 3:** A District-wide review of villages not currently designated as conservation areas is to be carried out in late 2006/7. Because there is an established process for conservation area designation and review that is separate from development plan preparation, I do not believe it is appropriate to consider whether sections of Baginton village, or indeed any other parts of the District, should be afforded conservation area status in connection with this Local Plan.
- 9.12.6 Issue 4:** The Plan incorporates Policy DP1. This relates specifically to layout and design, setting out a number of criteria to ensure that all development contributes positively to the character and quality of its environment. In addition, there are other documents that will provide protection for conservation areas and guidance on what forms of development are considered appropriate. They include the Conservation Area Statements for Leamington Spa, Warwick, Kenilworth and Whitnash, approved in early 2006; the Residential Design Guide to be published in late 2006; and the 'Developers Guide' leaflet, work on which will begin shortly for publication in 2007. As regards Article 4 directions, Paragraph 9.41 (as amended by the District Council's proposed changes) indicates that the Council will continue to seek these in order to restrict 'permitted development' rights so as to maintain areas of high quality townscape. I am satisfied that, taken together, these various measures afford adequate control of design in conservation areas.
- 9.12.7** The District Council intends, through its proposed changes, to amend the second paragraph of Policy DAP10 to require detailed plans submitted for all types of applications involving building works in conservation areas to include a full specification of building materials and finishes. I support that change.
- 9.12.8** Finally, concerning the position of the Rock Townsend Study, I consider the text at Paragraph 9.44 to be appropriate. The Conservation Area statement for Leamington Spa will shortly be published. This will partly supersede the Rock Townsend guide. That guidance will be fully replaced when the Residential Design Guide and the 'Developers Guide' leaflet are issued.
- 9.12.9 Issue 5:** The Policy has been reworded in the Revised Deposit Plan to follow more closely the terms of S72. Instead of requiring development to 'protect and enhance' it now requires development to 'preserve or enhance'. I endorse that amendment which satisfies the objection.

9.12.10 Issue 6: The District Council accepts that an additional Paragraph 9.39A could usefully be added to the reasoned justification referring to the value of gardens and open spaces that contribute to the historic appearance and interest of conservation areas. A proposed change has been put forward to accommodate this. I support that change.

9.12.11 Issue 7: This objection is identical to others made in respect of many of the DAP Policies. My response is the same in each case (see for example Policy DAP8).

9.12.12 Issue 8: I agree with the District Council that the amendments suggested by English Heritage to the first paragraph of the Policy do little to alter its general thrust. I note that the current wording in the Revised Deposit Plan was arrived at following suggestions made at First Deposit stage. I see no inconsistency with PPG15 and no need for further alterations.

9.12.13 As regards the second point, the District Council accepts that the final sentence of Paragraph 9.39, added at Revised Deposit stage, should be incorporated into the Policy to give it greater weight. I agree that this would be beneficial. I endorse the proposed changes to the Policy and the reasoned justification put forward by the Council.

9.12.14 Issue 9: I do not regard Policy DAP10 as inflexible. It reflects the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. Warwick Castle's suggested additional policy wording would, in my view, be inconsistent with the advice set out in PPG15 and would significantly weaken the Policy.

Recommendations

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

(i) amend Policy DAP10 to read:

“Development will be required to preserve or enhance the special architectural and historic interest and appearance of Conservation Areas as defined on the Proposals Map.

Development will also be expected to respect the setting of Conservation Areas and important views both in and out of them.

Detailed plans shall be submitted for all types of applications involving building works in Conservation Areas, including a full specification of building materials and finishes to be used, to demonstrate how they comply with this policy. Notification of works to trees in Conservation Areas will also be required.”

(ii) substitute the following text for the last sentence of Paragraph 9.39:

“It is important that development both within and outside of Conservation Areas should not adversely affect the setting of a Conservation Area by impacting on important views and groups of buildings from inside and outside the boundary.”

(iii) add the following new Paragraph 9.39A:

“Gardens and open spaces that add to the historic appearance and interest of Conservation Areas should be protected from development.”

- (iv) **amend Paragraph 9.41 to read:**

“The Council will also continue to seek directions under Article 4 of the Town and Country Planning Act 1995, to restrict permitted development rights in order to maintain the areas of high quality townscape.”

- (v) **add the following Conservation Areas to the list at Paragraph 9.42:**

**“Kenilworth (Clarendon Road)
Kenilworth (Waverley Road)
Leamington Spa (Lillington Village)
Leamington Spa (Lillington Road North)”**

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

9.13 Paragraph 9.45 Policy DAP11 Unlisted Buildings in Conservation Areas

Objections to First Deposit Version

148/BO	Campaign to Protect Rural England (Warwickshire Branch)
302/BJ	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

217/RAC	McCarthy and Stone (Developments) Ltd
221/RAF	Kenilworth Society
283/RAX	The Ancient Monuments Society
354/RAS	Roger Higgins

Key Issues

- 9.13.1** (1) Whether the Policy would be strengthened by a commitment to drawing up a list of locally important unlisted buildings.
- (2) Whether the wording of the Policy should accord more closely with that of PPG15.
- (3) Whether road traffic signs in conservation areas should be subject to planning control.

- (4) Whether a presumption in favour of retaining unlisted buildings in conservation areas is a legitimate element of the Policy.
- (5) Whether the Policy should be applied strictly.

Inspector's Appraisal and Conclusions

- 9.13.2 Issue 1:** The Kenilworth Society endorses the objectives of Policy DAP11 and the presumption in favour of the retention of unlisted buildings that make a positive contribution to the character of a conservation area. However, it feels that drawing up a schedule of locally important buildings would indicate to developers, the public and property owners alike that the planning authority places special value on certain features of the built environment. In its judgement it would be effective in protecting high quality Victorian and Edwardian buildings in particular. Everyone would be aware that demolition of, or major alterations to, those specified unlisted buildings in conservation areas would not be acceptable. Such a list would, it is argued, support and strengthen the Policy.
- 9.13.3** The District Council takes a diametrically opposed view. It believes that the majority of unlisted buildings of note in the District lie within the extensive conservation areas. These cover much of the historic areas of Warwick, Leamington Spa and Kenilworth as well as many of the core areas of villages. Over the last 4 years or so the planning authority has carried out extensive reviews that have resulted in significant additions. It has also produced draft Conservation Area Statements for Kenilworth, Leamington Spa, Warwick and Whitnash which break them down into identifiable and distinctive character areas rather than singling out individual buildings. Moreover, it is carrying out a further review in autumn 2006 of rural conservation areas with a view to supplementing them.
- 9.13.4** Conservation area coverage means that there is control over demolition and removes some of the more generous 'permitted development' rights. It also facilitates the making of Article 4 directions where necessary. Those controls are substantial and, in my view, adequate to protect the non-listed buildings that contribute to the character of conservation areas. I share the concern of the District Council that in attempting to single out buildings, those not on the list might be regarded as having little or no worth and could become prime candidates for demolition or alteration leading to erosion of the character of a conservation area. As the District Council indicates, the value of an unlisted building might not be appreciated until it is too late and has become the focus of developer attention.
- 9.13.5** The Society points out that other planning authorities regard local lists as a useful tool. Wyre Forest and South Gloucestershire Districts, for instance, have both prepared such lists. The Society would like Warwick to follow the South Gloucestershire example by adopting as SPD a schedule of unlisted buildings that make a significant contribution to the distinctiveness of the District's conservation areas. That list could, it says, be prefaced by a statement to the effect that the omission of a building does not imply that it has no merit and can be demolished.
- 9.13.6** I acknowledge that for some local authorities, particularly rural authorities with small rural conservation areas, the production of a local list has historically formed the basis of their approach to protecting unlisted buildings. But in the context of Warwick District I see no advantage in following that model. I am of the opinion that on balance the benefits of a local list would be outweighed by the disadvantages including the resource

implications. I consider that the preparation of a local list is not necessary to accord with the guidance in Paragraph 4.9 of PPG15 nor with the duty placed on local planning authorities under Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to formulate and publish proposals for the preservation and enhancement of conservation areas. I conclude that even if it was possible to draw up a list of locally important unlisted buildings using consistent criteria across a diverse range of properties it would serve to weaken rather than strengthen Policy DAP11.

9.13.7 Issue 2: English Heritage has made a number of detailed comments on the drafting of Policy DAP11 and its reasoned justification. Most of these have been taken on board at Revised Deposit stage. The term ‘historic integrity’ has been omitted and a new paragraph added establishing a presumption in favour of the retention of unlisted buildings that make a positive contribution to the character and appearance of a conservation area. I support those alterations which bring the Policy more into line with the advice in PPG15. The only element of the objection that has not been addressed concerns Paragraph 4.29 of PPG15. This indicates that in order to prevent ugly gaps appearing in conservation areas it will often be appropriate to impose on the grant of consent a condition preventing demolition until a contract for redevelopment has been made and planning permission for those works has been granted. In my opinion, such a requirement should be included in the supporting text.

9.13.8 Issue 3: Road traffic signs are subject to Highway Regulations rather than planning control. Nonetheless, the District Council says that it liaises with the various agencies when new signs are proposed in an effort to avoid adverse impacts. In recognition of the concern that inappropriately designed and located signage can have on a conservation area, a new Paragraph 9.44B has been added to the supporting text at Revised Deposit stage. I endorse that amendment.

9.13.9 Issue 4: I am satisfied that the second paragraph of Policy DAP11 is consistent with PPG15. Paragraphs 4.25-4.29 of that guidance set out a presumption in favour of retaining unlisted buildings that make a positive contribution to the character of a conservation area. In my view, it is perfectly proper and desirable to translate that advice into Local Plan policy. I do not accept that the correct method would be to list such buildings. The Policy does not prohibit demolition under all circumstances - for example, where unlisted buildings might be run down and vacant, and non-viable in economic and practical terms for refurbishment or conversion - but it requires the detailed design of any replacement to bring about a genuine qualitative improvement to the conservation area and to the setting of adjacent buildings.

9.13.10 Issue 5: This objection is identical to others made in respect of many of the DAP Policies. My response is the same in each case (see for example Policy DAP8).

9.13.11 Although not raised by objectors, I consider that the first and third paragraphs of Policy DAP11 would benefit from minor rewording to improve the accuracy of the text and provide greater consistency. I recommend accordingly.

Recommendations

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

(i) amend Policy DAP11 to read:

“Alterations or extensions to unlisted buildings which will adversely affect the character, appearance or setting of a Conservation Area will not be permitted.

There will be a presumption in favour of the retention of unlisted buildings that make a positive contribution to the character and appearance of a Conservation Area.

Consent for total demolition of unlisted buildings will only be granted where the detailed design of the replacement can demonstrate that it will bring about a genuine qualitative improvement to the Conservation Area and to the setting of adjacent buildings.”

- (ii) **add the following text to the end of Paragraph 9.45:**

“In such cases a condition will be imposed to ensure that demolition does not take place until a contract for redevelopment has been entered into and planning permission for those works has been granted. This will prevent unsightly gaps appearing as a result of demolition far in advance of redevelopment.”

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

9.14 Paragraph 9.46 Policy DAP12 Control of Advertisement Hoardings

Objection to First Deposit Version

115/AN Alan Roberts

Objections to Revised Deposit Version

283/RAY The Ancient Monuments Society

350/RBL Tesco Stores Ltd

354/RAT Roger Higgins

Key Issues

- 9.14.1** (1) Whether the Policy should also preclude road/information signs erected by the Council.
- (2) Whether this or another Policy should control estate agents’ sale boards in urban areas, limiting the duration of their display to, say, 3 months.
- (3) Whether the Policy should be strictly applied.
- (4) Whether Policy DAP12 is unduly negative and should be replaced with a criteria-based policy.

Inspector's Appraisal and Conclusions

- 9.14.2 Issue 1:** Road and directional information signs are required under highways legislation. An additional Paragraph 9.44B has been added to the reasoned justification of Policy DAP10 at Revised Deposit stage. It explains: "There are concerns regarding the detrimental impact of statutory signage (such as highway information) within conservation areas. The Council will continue to work with the relevant agencies to minimise the impact of such signage wherever possible." I am satisfied that this statement goes some way towards meeting the objector's concern.
- 9.14.3 Issue 2:** As pointed out by the District Council, control over the display of estate agents' sale boards is already provided for under the Town and Country Planning (Control of Advertisements) Regulations 1992, as amended (Schedule 3, Part 1, Class 3 'Miscellaneous temporary advertisements'). In these circumstances, a specific policy is not required to enforce the Regulations.
- 9.14.4 Issue 3:** This objection is identical to others made in respect of many of the DAP Policies. My response is the same in each case (see for example Policy DAP8).
- 9.14.5 Issue 4:** I concur with the District Council that further advertisement hoardings in conservation areas would be likely to harm their character and appearance. Policy DAP11 is, in my view, necessarily very restrictive. For that reason, I believe a criteria-based approach would be inappropriate.

Recommendations

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

9.15 Paragraphs 9.47 - 9.51A Policy DAP13 Protecting Historic Parks and Gardens

Objections to First Deposit Version

66/AX	The Warwick Society
110/AM	Government Office for the West Midlands
149/AH	Warwickshire County Council (Museum Field Services - Archaeology)
189/AA	Warwickshire Gardens Trust
302/BK	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

115/RAN	Alan Roberts
189/RAB	Warwickshire Gardens Trust
199/RAK	James Mackay
288/RAE	Warwickshire Police Authority
321/RAV	West Midlands International Airport Ltd
354/RAU	Roger Higgins

Key Issues

- 9.15.1** (1) Whether (a) Warwickshire Gardens Trust should be recognised as an official consultee on the content of the Local List and the development of garden land, and (b) provision should be made for extension of the Local List.
- (2) Whether Warwick Castle Park should be added to the list of gardens in Paragraph 9.49.
- (3) Whether the reference in Paragraph 9.51A to St Johns House Garden should be changed to read ‘St Johns House Garden and Allotments’, Warwick.
- (4) Whether the Policy should be strictly applied.
- (5) Whether Policy DAP13 is overly restrictive, particularly the second part relating to locally important historic parks or gardens.
- (6) Whether gardens of both national and local importance should be protected against all forms of development.
- (7) Whether further additions and corrections are required to the lists of historic parks and gardens.
- (8) Whether (a) the entry for Guy’s Cliffe, Warwick should also refer to Gaveston Cross, and (b) the entry for Wootton Court, Leek Wootton should also refer to the Arboretum.

Inspector's Appraisal and Conclusions

9.15.2 Issue 1: Through proposed changes to the Revised Deposit Plan the District Council has resolved to add a further sentence to the end of Paragraph 9.51A. It states: “The Planning Authority will consult Warwickshire Gardens Trust on planning applications affecting sites included on the Local Register.” I support that amendment. As regards the second point, Paragraph 9.51A introduced at Revised Deposit stage confirms that additions can be made if new parks and gardens are found to be worthy of inclusion during the course of the Plan, and vice versa.

9.15.3 Issue 2: I note that the Grade I Warwick Castle Park was added as a separate item to the list of historic parks and gardens in the Revised Deposit Plan. However, the subsequent proposed changes place Warwick Castle and Warwick Castle Park together as a single entry. I support the latter which I assume to be the more accurate position.

9.15.4 Issue 3: The additional wording requested by the objector has, I note, been included in the proposed changes made by the District Council. I endorse that amendment.

9.15.5 Issue 4: This objection is identical to others made in respect of many of the DAP Policies. My response is the same in each case (see for example Policy DAP8).

9.15.6 Issue 5: I do not agree with objectors that Policy DAP13 is unduly restrictive in relation to Government guidance set out in PPG15, nor that the alternative forms of

wording put forward would improve the Plan. In particular, I see no need for adjustment of the second part of the Policy to allow development that could mitigate or compensate for any adverse impact on locally important historic parks or gardens. In my view, the various amendments suggested would significantly weaken the Policy and the level of protection afforded to parks and gardens on the two registers. I note that English Heritage has no objection to the Policy as drafted.

9.15.7 Issue 6: I consider that Policy DAP13 rightly differentiates between parks and gardens of national significance and those of local significance. The difference is measured in terms of importance and reflected in the strength of control exercised over development. It would be wrong, in my view, to apply the same provisions to each or to preclude all possible forms of development.

9.15.8 Issue 7: Warwickshire Gardens Trust has put forward a number of additions and corrections to the entries on the lists of historic parks and gardens. The District Council has incorporated those into its proposed changes. I endorse those amendments. However, I concur with the planning authority that the alternative policy wording suggested by the objector adds little of substance to Policy DAP13.

9.15.9 Issue 8: The District Council accepts that the Arboretum should be included in the entry for Wootton Court but considers Gaveston Cross to be insufficiently related to a park or garden to warrant listing as a garden element. I accept that line of reasoning.

Recommendations

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

(i) **amend the (English Heritage) list of parks and gardens of special interest in Paragraph 9.49 by:**

- **combining the entries for Stoneleigh Abbey and Stoneleigh Deer Park to read: “Stoneleigh Abbey and Deer Park, Stoneleigh. Grade II*”.**
- **combining the entries for Warwick Castle and Warwick Castle Park to read: “Warwick Castle and Castle Park, Warwick. Grade I”.**
- **adding a further entry: “Mallory Court, Bishops Tachbrook. Grade II”.**

(ii) **add further text between the fourth and fifth sentences of Paragraph 9.49 to read:**

“The Planning Authority will consult English Heritage on planning applications affecting grade 1 and grade II* registered sites and their settings, and The Garden History Society on applications affecting registered sites of all grades.”

(iii) **amend the first sentence of Paragraph 9.51 to read:**

“The Council maintains its own list of parks and gardens which are of historical interest but which do not at present meet the criteria for inclusion on the national register.”

(iv) amend the (Warwick District Council) list of locally important parks and gardens in Paragraph 9.51A by:

- amending the entry for St John's House Garden to read: "St John's House Garden and Allotments, Warwick".
- amending the entry for Wootton Court to read: "Wootton Court and Arboretum, Leek Wootton".
- deleting the reference to Mallory Court, Bishops Tachbrook.
- deleting the reference to Lord Leycester Hospital Garden, Warwick.

(v) add further text after the second sentence of Paragraph 9.51A to read:

"The Planning Authority will consult Warwickshire Gardens Trust on planning applications affecting sites included on the Local Register."

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

9.16 Paragraph 9.52 Policy DAP14 Protecting Safeguarded Areas

Objections to First Deposit Version

1/AD Warwickshire Wildlife Trust
115/AO Alan Roberts

Objections to Revised Deposit Version

321/RAW West Midlands International Airport Ltd
354/RAV Roger Higgins

Key Issues

- 9.16.1** (1) Whether the Policy serves to encourage major airport development.
- (2) Whether habitat creation or expansion would be constrained by airport safeguarding.
- (3) Whether the supporting text fully reflects the advice set out in Annex 2 of Circular 01/2003.
- (4) Whether the Policy should be strictly applied.

Inspector's Appraisal and Conclusions

9.16.2 Issue 1: The objective of Policy DAP14 is to protect existing aerodromes and technical sites from development of a scale and type that could cause safety problems for existing uses. I am satisfied that this is necessary to accord with Government guidance. The Policy does not suggest that airports can expand without going through the normal development control processes.

9.16.3 Issue 2: The reasoned justification was amended in the Revised Deposit Plan to require sufficient evidence of the threat of birdstrike before habitat creation or expansion is restricted. On that basis, Warwickshire Wildlife Trust conditionally withdrew its objection. I note, though, that the District Council is now proposing further changes in response to other objections made at Revised Deposit stage. Those proposed changes introduce a more comprehensive list of factors to be taken into consideration to ensure the safe operation of an aerodrome. I support that new/additional text.

9.16.4 Issue 3: While not adopting the precise form of words employed in Circular 01/2003, I consider that the proposed changes to Paragraph 9.52 adequately reflect the guidance given in Annex 2. There is no reason, in my view, why the text should be exactly the same as in the Circular. The important point is that, as in this case, the thrust of the advice is properly conveyed.

9.16.5 Issue 4: This objection is identical to others made in respect of many of the DAP Policies. My response is the same in each case (see for example Policy DAP8).

Recommendations

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

substitute the following text for the second sentence of Paragraph 9.52:

“In particular, consultation with the relevant airport operator will be required, and restrictions will be imposed where necessary to safeguard the safe operation of an aerodrome, in respect of any of the following:

- 1) the height or detailed design of buildings within the safeguarding zone**
- 2) proposed development in the vicinity of the aerodrome which has the potential to interfere with the operation of navigational aids, radio aids or telecommunications systems**
- 3) proposed development which has lighting proposals which have the potential to distract or confuse pilots**
- 4) proposed development likely to increase the number of birds or the risk of bird strike**
- 5) other proposed aviation uses within the safeguarding zone.**

In respect of certain types of development listed in paragraph 8 of Annex 2 to Circular 01/2003 it may be necessary for the Council to ask an applicant to provide information to enable it to consider whether or not a proposed development would be likely to increase the bird hazard risk to aircraft.”

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

9.17 Chapter 9 – Policy omissions

Objections to First Deposit Version

148/AU	Campaign to Protect Rural England (Warwickshire Branch)
148/CA	Campaign to Protect Rural England (Warwickshire Branch)
149/AE	Warwickshire County Council (Museum Field Services - Archaeology)
187/AE	The Countryside Agency (West Midlands Region)
260/AA	Baginton Parish Council
302/BE	English Heritage (West Midlands Region)
302/BL	English Heritage (West Midlands Region)
302/BM	English Heritage (West Midlands Region)

Objection to Revised Deposit Version

No objections

Key Issues

- 9.17.1** (1) Whether the Plan should contain a specific policy to protect and enhance canals and their surroundings.
- (2) Whether the Plan should restrict the extent of development at Warwick University to that approved in the Development Brief.
- (3) Whether Chapter 9 should include a policy on scheduled ancient monuments (SAMs) cross-referenced to Chapter 4, and list all such features throughout the District.
- (4) Whether the Plan should include a policy to protect river corridors for reasons other than flooding - such as biodiversity, landscape, access and recreation.
- (5) Whether the Plan should include a policy in respect of Baggot's Castle, Fishponds and the Lunt Roman Fort at Baginton.
- (6) Whether the Plan should include an overarching policy on listed buildings incorporating a clear statement on the District Council's statutory duty to preserve such buildings.
- (7) Whether the Plan should incorporate a general policy on unlisted buildings that are considered important heritage features at a regional, county or local level.

Inspector's Appraisal and Conclusions

- 9.17.2 Issue 1:** I believe that the importance of the canal network, particularly in terms of its towpaths, is properly emphasised through Policies SC4 (Supporting Cycle and Pedestrian Facilities) and SC10 (Sustainable Transport Improvements) while Policy DP1 (Layout and Design) gives general protection of canal interests. In my view, there is no need to incorporate a specific policy to protect and enhance canals and their surroundings. To do so would make the Plan less concise and add little of substance. I

note that following discussions between the objector and the District Council, CPRE (Warwickshire Branch) has conditionally withdrawn this objection.

9.17.3 Issue 2: Reflecting Government guidance that supports the development of higher education establishments, the Plan identifies Warwick University as a Major Developed Site in the Green Belt under Policy SSP2. This Policy affords no further development potential than the University's existing development brief. I consider that to be appropriate. As the District Council points out, any proposals for expansion beyond the boundary defined in the brief would need to be considered in relation to all other relevant Plan policies. I note that again, this objection by CPRE (Warwickshire Branch) is recorded as being conditionally withdrawn.

9.17.4 Issue 3: I am satisfied that Policy DP4 (Archaeology) affords sufficient protection of scheduled ancient monuments and their settings without the need for a further, more specific policy in the Designated Areas Chapter or cross-referencing. A new policy would, in my view, inappropriately add to the bulk of the Plan with little, if any, gain. Since the location of all SAMs in the District is shown on the Proposals Map, I see no benefit in listing them whether in a policy, in the reasoned justification or in an appendix. I note that Paragraph 4.23 identifies the definitive source of information on SAMs which is the County Sites and Monuments Record maintained by Warwickshire Museum (Warwickshire County Council).

9.17.5 Issue 4: In my view, Policies DP1 and DP3 taken together provide adequate protection of river corridors from development pressures. In an urban context, the Areas of Restraint identified under Policy DAP2 give further protection from development for much of the river network. I see no need for a specific policy.

9.17.6 Issue 5: The features identified are all scheduled ancient monuments. They are therefore covered by Policy DP4. Baginton Parish Council's objection has, I note, been conditionally withdrawn.

9.17.7 Issue 6: Paragraph 9.31 supports Policy DAP6 (Protection of Listed Buildings). In that reasoned justification the statutory duty to have special regard to the desirability of preserving any listed building, its setting or any features of special architectural or interest it possesses is clearly set out. I am told that the objection by English Heritage has subsequently been withdrawn, although this is not recorded in the District Council's database.

9.17.8 Issue 7: Warwick District has extensive conservation areas. As well as a high proportion of listed buildings, these contain many of the District's unlisted buildings that are of local interest. Policy DAP11 (Unlisted Buildings in Conservation Areas) seeks to safeguard such buildings because of their contribution to the integrity of the conservation areas. Elsewhere in the District, reliance is placed on the Plan's general Development Policies to protect unlisted buildings from harmful development. I consider that to be appropriate. I see no need to include a more general policy in respect of these buildings which do not qualify for inclusion on the statutory list. I note that the planning authority does not maintain an alternative register of these unlisted buildings.

Recommendations

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

CHAPTER 10: SITE SPECIFIC POLICIES

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.

10.2 Paragraph 10.1 Introduction

Objections to First Deposit Version

No objections

Objections to Revised Deposit Version

No objections

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 ¹	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;

¹ 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 Wedgnock 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 detracting 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.

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’.²
- (viii) The Woodside Training Centre, Kenilworth. Amend the boundary of the MDS (Chapter 13 Information Plans) in accordance with the

² CD28

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

(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’.⁴

(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 ha⁵ 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.

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

³ CD28

⁴ CD28

⁵ 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.

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 Case⁶ 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

⁶ 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.

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 2000⁷. 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 studies⁸ 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.

⁷ CD450 (Oscar Faber, July 2000)

⁸ 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 Review⁹ 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 Assessment¹⁰ 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

⁹ CD911

¹⁰ 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.**

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.

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) ¹¹
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

¹¹ 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 ATWP¹² 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

¹² 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 Council¹³.

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.

¹³ CD26 Core Topic Paper 12: Coventry Airport, Appendix B
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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.**

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.

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 2nd 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 network¹⁴. A case for the project is set out in the discussion document 'The Upper Avon Extension – Enhancing Britain's Inland Navigation Network for the 21st Century' (April 2002)¹⁵. 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.

¹⁴ CD708, Page 4

¹⁵ 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 2nd 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 4th 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 4th 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 Guys 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 Paper¹⁶ 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

¹⁶ 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 Middlesmarch 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.**

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.

CHAPTER 11: APPENDICES AND GLOSSARY

11.1 Overview

11.1.1 The Plan includes 3 Appendices and a Glossary. I recommend that Tables 1 and 2 in Appendix 1 (Employment Land Supply) be revised, that a replacement Appendix 2 (Housing Land Supply) be substituted, and that the Glossary be amended.

11.2 Appendix 1: Employment Land Supply

Objection to First Deposit Version

26/AA Rev. J.R. Moore

Objections to Revised Deposit Version

148/BW	Campaign to Protect Rural England (Warwickshire Branch)
228/BQ	West Midlands RSL Planning Consortium
242/AF	Coventry City Council (Planning & Transportation)
256/AG	T & N Ltd (In administration)

Key Issues

- 11.2.1** (1) Whether land committed for employment development at the western end of Warwick Gates should be allocated for housing and a primary school.
- (2) Whether Appendix 1 is sufficiently clear as to the scale of future development allowed for at Stoneleigh Business Park.
- (3) Whether Appendices 1 and 2 should be re-written to take account of the need for a revised Plan end date and a corresponding need for new housing and employment allocations.
- (4) Whether there is a need to identify a 10 year supply of employment land.
- (5) Whether reference should be made to achieving affordable housing on employment sites.
- (6) Whether sites at Poplars Farm (Sherbourne), Shrewley Farm and Manor Farm (Old Milverton) should be deleted from the list of employment sites as they imply that permission will be granted for further industrial use.

Inspector's Appraisal and Conclusions

- 11.2.2 Issue 1:** (*Warwick Gates*) The Warwick Gates development comprises new residential areas, local shopping centre, community facilities, and open space. It gained planning permission for mixed use development in 1997. The majority has been built out with just 18.07ha remaining at the western end for development as an employment site. That land, triangular in shape, is bounded by Heathcote Lane and Heathcote Industrial Estate to the north, Macbeth Approach to the east, Harbury Lane to the south, and the A452 to the west. It is a substantial commitment contributing significantly to the Structure Plan requirement for Warwick District of 132ha of employment land to 2011. The site forms a logical extension of the Heathcote Industrial Estate to the north. It gives direct access onto the A452 and thence to the M40 motorway or north to Coventry and the M69/M1. I agree with the District Council that it is a strategically well placed and appropriate site for employment development.
- 11.2.3** PPG3 states that local planning authorities should review employment sites when reviewing their development plan and consider whether some of this land might be better used for housing or mixed use developments. The January 2005 update of PPG3 builds on that advice. It indicates that local planning authorities should consider favourably housing on redundant employment sites unless the housing development would undermine the planning for housing strategy or it can be demonstrated through an up-to-date review of employment land that there is a realistic prospect of the allocation being taken up for its stated use in the plan period.
- 11.2.4** I am satisfied that adequate provision has been made for new homes in the Revised Deposit Plan. There is, in fact, evidence of an oversupply of housing in relation to strategic targets in the RSS. The District Council has responded to that oversupply by preparing a Supplementary Planning Document: 'Managing Housing Supply' to reduce the future supply of urban windfall housing. That SPD is supported by the GOWM, the Regional Assembly and the County Council. In light of this situation, I see no requirement for the release of any further land for new housing.
- 11.2.5** As regards safeguarding land for housing beyond 2011, the District's housing requirements are uncertain pending completion of the partial review of the RSS. The District Council is committed to begin preparation of a Core Strategy DPD in 2007. That DPD and, if necessary, a Housing Allocations DPD, will be able to dovetail with completion of the partial review of the RSS and therefore accommodate up-to-date housing requirements for the District to 2021.
- 11.2.6** Turning to the employment land position, Policy SSP1 allocates sufficient sites to meet the Structure Plan requirement for the District to 2011. Appendix 1 of the Plan (updated to reflect monitoring in summer 2005) sets out how that requirement will be met in terms of sites that have already come forward for development since April 1996, sites and premises that are currently identified as commitments and will come forward by 2011, and new allocations. This shows that the District Council can meet its requirement to provide 132ha as set out in the Structure Plan, even allowing for the exclusion of sites considered at sessions of this inquiry where it was conceded that there was some doubt as to whether they would be fully available within the Plan period. However, to do this the District Council must rely on its existing commitments. One of the largest of those sites is Warwick Gates.
- 11.2.7** I am told that when the initial Masterplan for Warwick Gates was first drawn up it included an area set aside for a primary school. However, following discussions with the County Council Education Department that school site was later omitted. It was

considered that existing primary schools in Whitnash had sufficient capacity to accommodate the anticipated demand for school places, albeit with developer contributions to provide additional facilities.

11.2.8 This site was subject of the Omission Sites Consultation. I note that objections to allocation of this land for housing were made by Bishops Tachbrook Parish Council, CPRE (Warwickshire Branch) and the Warwick Society, all of whom referred to the oversupply of housing and the need to provide adequate land for employment activity. Several individuals supported the suggestion for the provision of a primary school.

11.2.9 I conclude that the employment commitment at Warwick Gates is required to meet the Structure Plan target. It is in a sustainable location close to a residential area with good road network connections. Further land is not required for market housing during this Plan period and there is no proven need for a primary school in the immediate locality.

11.2.10 Issue 2: This objection by Coventry City Council has been conditionally withdrawn. Stoneleigh Business Park is already in employment use. Its redevelopment will only yield an additional 1.6ha of employment land. I agree with the District Council that it would be inappropriate to include the entire site in the employment land figures. That would constitute double counting.

11.2.11 Issue 3: The objection by T & N Ltd (In Administration) has been conditionally withdrawn. Related objections in respect of a mixed use allocation on land south-west of Radford Semele are addressed elsewhere in my report.

11.2.12 Issue 4: The Structure Plan requires the District Council to identify employment land up to 2011. For the period beyond that, land releases will be controlled through the RSS. I accept that the District Council is not in a position to allocate employment land for that period. The necessary regional and sub-regional work has not yet been completed. The Coventry/Solihull/Warwickshire sub-region has an established working arrangement in place between the individual authorities. Together, they have commissioned consultants to undertake a joint sub-regional employment land review to cover the period 2006-2021. That work will inform preparation of each authority's LDF and assist the partial review of the RSS. I note that it also seeks to identify a portfolio of Regional Investment Sites in accordance with RSS Policy PA7. The study was commissioned in late 2005 and at the time of writing had not yet been published.

11.2.13 Issue 5: Appendix 1 lists those sites which have the benefit of an extant planning permission for industrial development or are allocations within the previous Local Plan. The approach to the provision of affordable housing is set out in Policy SC9.

11.2.14 Issue 6: Appendix 1 is simply a statement showing which sites have permission for employment use. It does not commit to the provision of additional development. The District Council points out that there are differences between Tables 1 and 2 in the Revised Deposit Plan and those presented in its Employment Core Topic Paper¹. Those differences reflect updating with 2005 monitoring information. The amended Tables include alterations to site areas which have been re-measured to exclude infrastructure and constraints, and windfalls granted planning permission in the period April 2004 to March 2005. Since then, a further amendment has been made. The site at Pools Peace Poultry Farm has a reduced site area of 0.9ha. This results in it being classified as a

¹ CD21

small rather than a large site and reduces slightly the total supply. I reflect these changes in my recommendations.

Recommendations

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

substitute at Appendix 1 Tables 1 and 2 set out in the District Council's further written statement Ref No: WDC/FWS/Appendix 1/1.

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

11.3 Appendix 2: Housing Land Supply

Objections to First Deposit Version

117/AT	Langstone Homes Ltd
120/AQ*	Miller Homes (West Midlands)
130/AA	Lucas Land and Planning
132/AE	KB Benfield Group Holdings Ltd
153/AB*	Thomas Bates and Son Ltd
158/AC	Tyler-Parkes Partnership
197/AJ	Norton Lindsey Parish Council
200/AP	Taylor Woodrow Strategic Developments
201/AE*	Home Builders' Federation
227/AB	David Wilson Homes (East Midlands) Ltd
228/BR	West Midlands RSL Planning Consortium
239/AA	Mr D Austin
240/AA	George Wimpey Strategic Land
256/AH	T & N Ltd (In administration)

Objections to Revised Deposit Version

118/RAA	Mr and Mrs G Bull
119/RAP*	Bloor Homes Ltd
120/RAA*	Miller Homes (West Midlands)
136/RAA	George Wimpey Strategic Land
137/RAA	Greyvayne Properties Ltd
138/RAA	Laing Homes Midlands
139/RAA	Coventry Diocesan Board of Finance Ltd
140/RAA	Court Developments Ltd
141/RAA	Parkridge Homes Ltd
142/RAA	A C Lloyd Ltd
143/RAA	Scottish Widows Investment Partnership
144/RAA	Project Solutions
167/RAA	Mrs E Brown
201/RAC*	Home Builders' Federation

208/RAA	Pettifer Estates Ltd
214/RAP	Mrs J Biles
229/RAB*	Gallagher Estates Ltd
239/RAB	Mr D Austin
288/RAB	Warwickshire Police Authority
322/RAP	J G Land and Estates
341/RAE	South Warwickshire Primary Care Trust
344/RAA	Greywell Property Ltd

(* denotes consideration at RTS. See Paragraphs 5.12.2 - 5.12.32 of this report)

Key Issues

11.3.1 (1) Whether, in respect of the housing land supply position:

- the housing requirement should be based on figures in the RSS, and supply figures should disregard the period prior to 2001
- windfall estimates are flawed and include double counting with commitments
- windfall estimates should be based on policies in the emerging Plan
- there is undue reliance placed on windfall estimates
- the Plan should include greater explanation which should be incorporated in the main body of the Plan

(2) Whether, in respect of the need to allocate sites for housing:

- there is adequate justification for not doing so
- sites should be allocated because there is under-provision from the previous Plan

(3) Whether the Plan should identify a 10 or 15 year supply of housing.

(4) Whether the Plan should clarify how the housing policies will be monitored and reviewed.

Inspector's Appraisal and Conclusions

11.3.2 Issue 1: The District Council has accepted that the housing requirement in Appendix 2 of the Revised Deposit Plan needs to be amended to incorporate the new housing requirements in Policy CF3 (Table 1) of the RSS. Consequently, revised Appendix 2 includes a housing requirement based on applying the Warwick District proportions in the Structure Plan to the RSS figure for Warwickshire. Also, the housing supply figures in revised Appendix 2 are now based on the period commencing 2001. The period between 1996 and 2001 has been disregarded as per the advice of 16 June 2005 from the GOWM. I support those amendments which bring the Plan into alignment with the RSS and Government advice.

11.3.3 The District Council's methodology for estimating windfalls is set out in a paper that was presented to the RTS on Managing Housing Supply. Commitments are taken as sites with planning permission and those allocated in the adopted Local Plan. Experience reveals that new, previously unidentified sites will emerge year on year. To estimate the number of such sites coming forward, the District has looked at past trends of windfall

completions. I agree that this is preferable to examining windfall permissions. This is because not all permissions are implemented and there is a risk of double counting where a site has the benefit of more than one permission. While the future windfall completion rate may be well above the average experienced in the recent past, I am content that this is not due to double counting with commitments. It is a consequence, amongst other matters, of Government planning policy. It reflects the facts that (a) the number of windfalls emerging has increased considerably from 295 in 2001/02 to 937 in 2004/05, (b) the number of brownfield windfall completions has increased from 250 in 2001/02 to 550 in 2004/05, and (c) densities are increasing. The District Council points out that the percentage of dwellings completed on sites with a density of over 30dph increased from 71.3% in 2003/04 to 76.7% in 2004/05.

11.3.4 I believe that emerging policies have been taken into account in the windfall estimates. In respect of urban windfall sites, the estimates are based on past trends of completions on previously developed land only, and in regard to rural windfalls the estimates are based on past trends of completions in the Limited Growth Villages on previously-developed land and replacement dwellings.

11.3.5 There is clearly a large supply of windfall sites in Warwick and Leamington Spa, confirmed by the number of sites coming forward for permission. PPG3 indicates that local plans should give priority to the re-use of previously-developed urban land for housing. That guidance proceeds in Paragraphs 35 and 36 to state that local planning authorities should make specific allowances for all the different types of windfalls in their plans, large and small. I feel it would be inconsistent with Government advice to give inadequate consideration to the re-use of urban windfall sites. I do not consider that undue reliance is placed upon them.

11.3.6 I see no need for a more detailed explanation in the Plan of the housing supply position. In my opinion, Appendix 2 provides adequate information on the housing requirement, commitments and windfall estimates. I believe it would be inappropriate to include such information in the main body of the Plan because the housing supply information is time-limited. Each year the District Council publishes its Annual Monitoring Report and Housing Land Monitor giving up-to-date housing supply information.

11.3.7 Issue 2: Table 8 of the 2005 Housing Monitoring Report² shows that there were 2,844 committed housing sites (sites under construction, with permission, allocated or subject of a development brief). With an allowance of 10% for non-implementation that figure reduces to 2,560. The housing requirement set out in Table 10 of that same Report equates to 4,624 dwellings between 2001 and 2011, and 8,094 dwellings between 2001 and 2021. Since April 2001, 3,324 dwellings have been completed. Adding this figure to the commitments shows that there is no balance to be provided to 2011, and 2,210 dwellings to be provided to 2021.

11.3.8 This Local Plan only covers the period to 2011 in the absence of firm housing or employment figures for the period beyond. The housing figures derived from the RSS for 2011-2021 are indicative only. Nevertheless, the District Council is able to show that there is no need to identify further housing sites. The balance of 2,210 dwellings to be provided between 2005 and 2021 equates to 138 dwellings per year. The District Council's estimates of windfall sites (based on past trends and emerging Local Plan policy) equate to an annual average of 282 dwellings in the urban area and 11 dwellings

² CD303

per year in the rural area. On the basis of these figures, I am satisfied that the District Council is justified in not identifying sites to meet the requirement to 2021.

11.3.9 I do not accept that sites should be allocated because there is under-provision from the previous Plan. There is no evidence of this. Even if there was, Government advice is clear. The District Council should only take into account completions since 2001.

11.3.10 Issue 3: New Table 5 of revised Appendix 2 shows how the residual housing requirement for the period 2005-2021 can be met. This particular objection is therefore satisfied.

11.3.11 Issue 4: The way in which the Plan's housing policies will be monitored and reviewed is explained in the paragraphs supporting Policy SC8a. They refer to the 'plan, monitor, and manage' approach and the requirement to produce an Annual Monitoring Report. Again, this objection has been met.

Recommendations

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

substitute Replacement Appendix 2 set out in Core Document 28. (NB This recommendation duplicates that at Paragraph 5.12.32 of my report in respect of Policy SC8a.)

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

11.4 Appendix 3: Local Nature Reserves and Ancient Woodlands

Objections to First Deposit Version

1/AF	Warwickshire Wildlife Trust
10/AF	Bubbenhall Parish Council
148/BX	Campaign to Protect Rural England (Warwickshire Branch)
150/AL	Warwickshire County Council (Museum Field Services - Ecology)

Objection to Revised Deposit Version

No objections

Key Issues

11.4.1 (1) Whether the Schedule of Ancient Woodlands in Appendix 3 and the Proposals Map are accurate.

(2) Whether Waverley Wood, Bubbenhall shown on the Proposals Map should be listed in Appendix 3.

Inspector's Appraisal and Conclusions

11.4.2 Issue 1: I note that 5 areas of ancient woodland identified by Warwickshire County Council (Museum Field Services – Ecology), omitted from the First Deposit Plan, have been added to Appendix 3 at Revised Deposit stage. Also, 2 alterations have been made to the boundaries of woodlands defined on the Proposals Map. As a result of these amendments, Warwickshire County Council and Warwickshire Wildlife Trust have conditionally withdrawn their objections. I endorse those alterations.

11.4.3 Issue 2: Waverley Wood, Bubbenhall has been included in the list of ancient woodlands in Appendix 3 of the Revised Deposit Plan. CPRE (Warwickshire Branch) has conditionally withdrawn its objection. The objection by Bubbenhall Parish has also been met. Once again, I support that amendment.

Recommendations

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

11.5 Glossary

Objections to First Deposit Version

1/AH	Warwickshire Wildlife Trust
149/AG	Warwickshire County Council (Museum Field Services - Archaeology)
150/AN	Warwickshire County Council (Museum Field Services - Ecology)
210/AP	English Nature
223/AU	Kenilworth Town Council
228/BS	West Midlands RSL Planning Consortium
302/BP	English Heritage (West Midlands Region)

Objections to Revised Deposit Version

149/RAA	Warwickshire County Council (Museum Field Services - Archaeology)
150/RAF	Warwickshire County Council (Museum Field Services - Ecology)
302/RAG	English Heritage (West Midlands Region)

Key Issues

- 11.5.1 (1)** Whether the following definitions should be amended to provide more accurate wording - ancient woodlands; listed buildings; habitat biodiversity audit; ecosites; sites of importance for nature conservation; local nature reserves; and ancient monuments.
- (2)** Whether the definition of ‘previously developed land’ should be expanded to indicate that it excludes land which has been previously developed but where there is a clear reason not to re-use the site because of its contribution to nature conservation.

- (3) Whether the definition of ‘affordable housing’ should include a reference to both subsidised and low cost market housing.
- (4) Whether the following additional terms should be included and defined in the glossary - historic landscape characterisation; registered parks and gardens; regionally important geological and geomorphological sites; biodiversity; geodiversity; local biodiversity action plan; local geodiversity action plan; geomorphology; and convenience shopping.

Inspector's Appraisal and Conclusions

11.5.2 Issue 1: Amended definitions for all these terms were included in the Revised Deposit Plan. I endorse those alterations which have led the following to conditionally withdraw their objections - Warwickshire Wildlife Trust, Warwickshire County Council (Museum Field Services – Archaeology), English Nature, and English Heritage (West Midlands Region).

11.5.3 Issue 2: The District Council has amended the definition of ‘previously developed land’ in the Revised Deposit Plan to reflect the guidance in Annex C of PPG3. On that basis, English Nature has conditionally withdrawn its objection. I support that alteration.

11.5.4 Issue 3: The Government’s definition of affordable housing is set out in Paragraph 5.52 of the Revised Deposit Plan. This includes both low cost market and subsidised housing. But Government guidance encourages local definitions of affordable housing to be developed and set out in Local Plans. The Warwick District local definition included in the Glossary puts the emphasis on housing which genuinely meets the needs of those who are unable to access housing to rent or buy on the open market. It highlights the affordability of the dwelling, which will change over time, rather than the tenure. This approach is now supported by Annex A of draft PPS3 which defines affordable housing as ‘non market housing provided to those whose needs are not met by the market’. Consequently, I consider that the the new national definition of affordable housing (and intermediate housing) should be substituted in the Glossary for the local definition.

11.5.5 Issue 4: Definitions of these additional terms were incorporated in the Revised Deposit Plan. For the sake of completeness, ‘comparison shopping’ was also included to complement the definition of ‘convenience shopping’. I note that in response to subsequent objections to those definitions the District Council has put forward a number of changes. I support such additions/refinements which make the Plan easier to comprehend. The objections made by English Heritage (West Midlands Region), English Nature, and Warwickshire County Council (Museum Field Services – Archaeology) have been conditionally withdrawn.

Recommendations

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

- (i) **replace the term ‘Historic Landscape Designation’ with the term “Historic Landscape Characterisation” and add to the end of the definition the words “...and to establish an integrated approach to its sustainable management.”**

- (ii) amend the definition of Ecosites to read:

“current system operated by Warwickshire Museum Field Services to record sites of acknowledged nature conservation value. This includes the location of approximately 3500 statutory and non statutory sites within Warwickshire, Coventry and Solihull.....”

- (iii) amend the term ‘Regionally Important Geological and Geomorphological sites’ to read:

“Regionally Important Geological and Geomorphological Sites”.

- (iv) substitute a revised definition of affordable housing and insert a new definition of intermediate housing, to read:

Affordable Housing – non-market housing, provided to those whose needs are not met by the market for example homeless persons and key workers. It can include social-rented housing and intermediate housing. Affordable housing should:

- meet the needs of eligible households, including availability at low enough cost for them to afford, determined with regard to local incomes and local house prices; and

- include provision for the home to remain at an affordable price for future eligible households, or if a home ceases to be affordable, any subsidy should generally be recycled for additional affordable housing provision.

Intermediate Housing – housing at prices or rents above those of social-rent but below market prices or rents. This can include shared equity products (for example HomeBuy) and intermediate rent (ie rents above social-rented level but below market rents). Intermediate housing differs from low cost market housing (which Government does not consider to be affordable housing – see definition of affordable housing above).

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

CHAPTER 12: INSET PLANS

12.1 Overview

12.1.1 In this section of the report I examine objections to the Inset Plans prepared in respect of Barford, Bishops Tachbrook, Lapworth/Kingswood, and Coventry Airport, Siskin Drive. I recommend that the village envelope for Lapworth/Kingswood be modified to include an additional area of land with a road frontage at Kingswood Nurseries.

12.2 Barford

Objections to First Deposit Version

12/AA	Mr & Mrs K Hope
52/AH	Barford, Sherbourne & Wasperton Joint Parish Council
115/AC	Alan Roberts
289/AA	Taylor Woodrow Developments Ltd ¹
292/AA	Oldhams Transport Ltd ²
293/AA	Oldhams Transport Ltd ³

Objections to Revised Deposit Version

No objections

Key Issues

- 12.2.1** (1) Whether the village envelope is appropriately defined in relation to Little Watchbury, High Street, Barford.
- (2) Whether the village envelope is appropriately drawn at 'The Villas', Hareway Lane; Barford Lodge, Church Lane; and land at the rear of Mill Lane.
- (3) Whether the village envelope should include the area alongside Sherbourne Nursery.
- (4) Whether land at Oldham's Transport should be included in the village envelope.

Inspector's Appraisal and Conclusions

12.2.2 Issue 1: The village envelope was amended in the First Deposit version of the Plan from that shown in the adopted Local Plan. In response to an objection, the boundary

¹ This objection is addressed jointly with related objections (Chapter 10, Section 10.11, Issue 1)

² This objection is addressed jointly with related objections (Chapter 10, Section 10.11, Issue 1)

³ This objection is addressed jointly with related objections (Chapter 10, Section 10.11, Issue 1)

was changed back to the original location in the Revised Deposit Plan. The village envelope now once again includes the whole of the garden of that property. The objectors have confirmed that their objection is conditionally withdrawn. I endorse that alteration.

12.2.3 Issue 2: The boundary changes proposed in respect of land at the rear of Mill Lane were not carried forward into the Revised Deposit Plan. Instead, the boundaries reverted to those in the adopted Local Plan. However, the changes made at ‘The Villas’ and ‘Barford Lodge’ were carried through into the Revised Deposit Plan. I agree that, being located beyond the edge of the village proper, those properties ought not to be included within the settlement boundary. I support the District Council’s proposals and note that Barford, Sherbourne and Wasperton Joint Parish Council has subsequently withdrawn its objection.

12.2.4 Issue 3: Again, this objection has been met by the boundary reverting in the Revised Deposit Plan to that indicated in the adopted Local Plan. I endorse that alteration.

12.2.5 Issue 4: The village envelope was amended in the Revised Deposit Plan to include land in the ownership of Oldham’s Transport within the line of the Barford by-pass, now under construction. It does not include all of the land identified by the objectors in their original objection but it does equate with that put forward in their proof of evidence proposing that the site be allocated for a mixed use development. I support the boundary suggested by the District Council for several reasons. First of all, the Secretary of State has indicated that she is minded to grant planning permission for a mixed use development on this site making it more likely that development will proceed along the lines suggested by the objector. Secondly, I agree that the line of the by-pass represents a clear, defensible boundary. And thirdly, there is no logic in extending the boundary further to the west. There is no existing development beyond the by-pass. Any development which is encouraged there would set a precedent making it more difficult to resist other encroachments into the surrounding countryside. I note that land was compulsorily purchased by the County Council for the by-pass. However, the District Council says it has no knowledge of whether other land west of the by-pass is still in the ownership of Oldhams Transport Ltd.

Recommendations

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

12.3 Bishops Tachbrook

Objections to First Deposit Version

No objections

Objections to Revised Deposit Version

342/RAA	Pamela Smith
346/RAA	J M Glenn
346/RAB	J M Glenn
346/RAC	J M Glenn
123/AA	Robin Hedger

Key Issues

- 12.3.1** (1) Whether, in respect of Savages Close, the village envelope should remain unchanged from the adopted Local Plan.
- (2) Whether Bishops Tachbrook should be classified as a Limited Growth Village. If so, whether the village envelope should be expanded to accommodate housing development on adjacent land where no previously-developed sites are available.
- (3) Whether (a) fields east of the Leopard Inn should be allocated for a mix of market and affordable housing, and/or (b) land west of the Leopard Inn should be allocated for affordable housing, and both sites included in the village envelope; and (c) (subject to a reasonable market price being achieved for the sale of (a) and/or (b) above), a further site to the west should be used for open space/recreational purposes and gifted to the Parish Council.

Inspector's Appraisal and Conclusions

12.3.2 Issue 1: (*Savages Close, Bishops Tachbrook*) The objector considers that the village envelope for Bishops Tachbrook should not be changed. It has stood the test of time. Infilling has occurred in the past within Savages Close and on land forming part of the Manor House Estate. This has taken place in accordance with the non-statutory 1987 Village Policy Statement and the subsequent adopted Local Plan and has presented no planning difficulties. There is no evidence to suggest that it is a 'loose' boundary. While the District Council says that it is necessary to redefine the village boundary to reflect current national and strategic policy, the objector considers that it only requires a different policy emphasis to be applied to development. Any future proposals to develop greenfield land within the village envelope would then have to accord with the adopted policy context, relying upon a community appraisal to identify need and the availability or otherwise of previously developed land.

12.3.3 The objector points out that the village envelope proposed in the Revised Deposit Plan does not enclose all of the built-up area of the village. It excludes a group of 17 dwellings to the east of Oakley Wood Road around Savages Close, while a much smaller collection of dwellings to the south of this area has been left within the boundary. It is argued that Savages Close and the Manor House are an integral part of the historic core of the village and contribute significantly to the conservation area. Their exclusion and treatment as open countryside would not only preclude infilling but also redevelopment, replacement or subdivision of existing properties which could usefully increase density or provide smaller dwellings to meet local need and enhance the character and appearance of the conservation area. The objector considers that the currently adopted village boundary is the appropriate one to endure over the longer term and to accommodate any further shifts in policy context without the need for continual amendment or closing down future options.

- 12.3.4** I agree with the District Council that the Limited Infill Village boundaries in the 1995 adopted Local Plan are no longer appropriate. They reflect outdated national, regional and Structure Plan policies. At that time less emphasis was placed on the use of brownfield land and sustainable development, and rather more on environmental considerations. In contrast, current national planning policy guidance concentrates most new development into the urban areas, gives greater priority to previously developed land, and calls for restraint on housing in rural areas.
- 12.3.5** The level of housing development in the rural areas of the District has far exceeded that allowed for in the Structure Plan. The Structure Plan anticipated 420 dwellings between 1996 and 2011. At April 2005 a total of 1,113 dwellings had been provided and a further 176 were under construction. As a result, the policies of the Revised Deposit Local Plan are more restrictive than those of the adopted Local Plan. Rural housing is limited to local needs only on previously developed land in the 5 Limited Growth Villages identified in Policy RAP2 which have a basic level of services and facilities. They include Bishops Tachbrook.
- 12.3.6** The Limited Growth Village boundary for Bishops Tachbrook has been amended to reflect this more restrictive policy. The village envelope now includes a small cul-de-sac to the west of the settlement at Seven Acre Close. But it excludes 2 small open areas (the Leopard Inn car park, and part of the primary school playing field) so that the boundary runs tightly around the built-up parts of the village. Also excluded is a larger area at Savages Close which has a more open appearance and which is separated from the rest of the settlement by the B4087 Oakley Wood Road and a landscaped buffer. I agree with the District Council that the character of this land is rather different from the rest of the village. Containing greenfield land, it would not appear to be suitable for further development. I note that at the time of the hearing into this objection there was a planning application outstanding for a detached house in that general locality. In contrast, the group of dwellings on the east side of Oakley Wood Road but further to the south, accessed directly from the B4087, has a greater affinity with the built-up area of the settlement than the surrounding countryside. I see no harm in the village envelope bisecting the conservation area. They are different planning instruments serving dissimilar purposes.
- 12.3.7** I conclude that the village envelope for Bishops Tachbrook should be drawn as per the Revised Deposit Plan and that, in particular, land at Savages Close should not be included within that boundary.
- 12.3.8 Issue 2:** Bishops Tachbrook has a basic range of services and facilities. It satisfies the criteria set out in Paragraph 8.14 of the Plan. In those circumstances, I am content with its inclusion as one of the five Limited Growth Villages identified in Policy RAP2. Reflecting policy changes at national and strategic levels, the village envelope has been drawn more tightly than in the current adopted Local Plan in order to restrict development in the rural area and to concentrate it on previously developed land. Open areas adjacent to the former boundary are now excluded from the village envelope. They comprise part of the Leopard Inn car park, part of the primary school playing field, and the area around Savages Close. I consider that to be appropriate. While there may be little brownfield land available at present it is possible that sites could come forward during the currency of the Plan leading to modest growth.
- 12.3.9** One of the objectors would like Policy RAP2 to be reworded along the following lines: “....a) it is for affordable housing on previously developed land within the Limited

Growth Villages of Barford, Bishops Tachbrook, Hampton Magna, Lapworth (Kingswood) and Radford Semele as defined on the Proposals Map and, where no such previously developed land is available, on other suitable land adjacent to the village envelope, which would then be included in the village envelope for this purpose". In promoting this objection, reference is made to the lack of previously developed land within Bishops Tachbrook, the Council's target of securing just 100 new affordable homes per year when some 6,000 affordable homes are required to satisfy District needs between now and 2011, and the compact nature of the village whose population relies heavily on commuting for work to nearby Leamington Spa and other employment locations.

12.3.10 I do not believe it is necessary or desirable to amend the Policy in the manner suggested. The need for affordable housing throughout much of the District and objective 1C of the Plan's Core Strategy, must be balanced with other considerations. Such amendment would serve to make the Policy more restrictive in other ways. Criterion a) of the Revised Deposit version of Policy RAP2 allows for market housing on previously developed land within the Limited Growth Villages where it would meet a specific local need identified by the community in an appraisal or assessment. That would be precluded by the objector's proposals. In any event, I note that Bishops Tachbrook comprises for the main part small terraced or semi-detached houses making it more affordable than many other settlements in the District.

12.3.11 Issue 3: (*Land adjacent to the Leopard Inn, Bishops Tachbrook*) Taking each of the site-specific matters in turn. Site A comprises 2 fields totalling 2.4ha on the eastern side of Oakley Wood Road to the north of Savages Close. The northern part of the site adjacent to Tach Brook is subject to occasional flooding and would be unsuitable for residential development. It would be left as a wildlife area. The land would be accessed directly from the B4087. Reflecting the Parish Council's concern that the village needs larger family style homes to balance the preponderance of smaller dwellings, the objector envisages that the site would be developed with a mix of larger market housing as well as affordable homes, and added to the village envelope.

12.3.12 I do not consider such development would be appropriate for a number of reasons. Firstly, the site is highly prominent at the northern entrance to the village. This is clearly demonstrated in Photograph 1 supplied by the District Council and appended to its further written statement. It would erode the gap separating Bishops Tachbrook from Whitnash, setting a precedent for development in this sensitive location that could over the course of time lead to the settlements merging. Secondly, it would not accord with the thrust of emerging Local Plan policy. In compliance with national and strategic guidance, that framework seeks to concentrate most new development into the urban areas of the District and onto previously developed land. There would be direct conflict with the terms of Policy RAP2 which, in allowing limited growth to meet local needs in villages like Bishops Tachbrook has drawn the village envelope boundaries tightly around the existing built-up area. Thirdly, as regards the market housing element of the proposals, the District has already exceeded its strategic housing target. There is clear evidence of an oversupply of housing. This led the planning authority in 2005 to introduce a Supplementary Planning Document 'Managing Housing Supply' to reduce the future supply of urban windfall sites. And in terms of housing needs beyond 2011, the housing requirements of the District are uncertain pending completion of the partial review of the RSS. Current indications are that urban brownfield sites will be able to satisfy the bulk of additional housing needed beyond 2011. Any greenfield releases should be done through preparation of a DPD where a comparative analysis can be

undertaken in the context of a sustainability appraisal and public consultation. And fourthly, the site does not adjoin the village envelope to the south. In the Revised Deposit Plan, land at Savages Close is excluded. In my report I have already endorsed that alteration from the adopted Plan. Consequently, Site A would not relate well to the village envelope but would be out on a limb.

12.3.13 Turning to Site B, this 1.8ha rectangular site lying to the west of the Leopard Inn and north of Croft Close is promoted as an affordable housing site. The land is accessed via a driveway leading between domestic garages. It extends as far north as the Tach Brook and is enclosed by mature hedging. It was formerly part of Church Farm, and subsequently Wyslade Farm. Owing to its size and location it has not been used for agricultural purposes for more than a decade. The topography and screening is such that development in this location would be out of sight of much of the village, although it would be seen from Croft Close to the south and from Brookside Farm and the bungalow immediately to the north of the Tach Brook. Approximately half of the site is owned by the objector's family who still have local connections. Located less than 5km from Leamington Spa it is argued that it could provide affordable housing for key public sector workers and for people employed at Trident Business Park, Gallagher Business Park, Spa Business Park and Warwick Technology Park. The objector says that his family is willing to enter into discussions with the District Council to sell the land at a discounted rate (as has been done, for example, by Herefordshire Council) to enable affordable housing to be provided.

12.3.14 I see no reason to allocate this land for affordable housing or to include it in the village envelope. Like Site A, it would extend the compact form of the settlement boundary northwards in a linear fashion, eating away at the relatively narrow gap that maintains the separate identities and integrity of Bishops Tachbrook and Whitnash. While there is an undeniable need for many more affordable homes throughout the District (and some of this in the rural areas), I believe this should be addressed through the use of previously developed land within the settlement boundaries of the Limited Growth Villages, rather than by taking greenfield sites into the village envelope and then allocating them for low cost housing. Alternatively, if no brownfield land is available then the 'rural exception' provisions of Policy RAP5 should be applied. But, as the District Council says, a strong and convincing case would need to be made before such land could be released. I note that the precise needs of Bishops Tachbrook have not been identified through a parish or village appraisal. The consultation draft of PPS3 indicates that: "Local planning authorities should consider, in applying the rural exception policy, the need to meet the needs of the rural economy, and in particular the needs of households who are either current residents or have an existing family or employment connection, in order that the rural communities remain sustainable, mixed, inclusive and cohesive." The essence of national policy is that rural housing should meet rural needs, not general needs arising from the urban area no matter how close. I do not accept therefore that key public sector workers in Leamington Spa and on the District's business parks need to live in Bishops Tachbrook. In any event, it is likely that no more than a small minority of those workers would be assisted by affordable housing. As the District Council points out, the majority of affordable housing is occupied as social rented housing by those with very low levels of affordability.

12.3.15 Site C comprises a very long but fairly narrow strip of flat land running along the rear of houses and garages on the northern side of Bishops Tachbrook. I saw on my site visit that adjoining parcels of land to the south have previously been sold to some householders in order to extend their gardens. The objector's family is prepared to offer

this site (or parts of it) at no cost to the Parish Council for use as amenity land under Policy SC11 - providing sufficient development is allowed on Sites A and/or B to make it worthwhile. It is suggested that the land should then be incorporated into the village envelope. Once again, I do not support this suggestion. While no doubt of some benefit to the community in terms of improved public access to recreation space and the surrounding countryside, it could only be achieved at a high cost of accepting residential development that under most circumstances would not be acceptable under the Plan's policy regime.

12.3.16 I note that Sites A and B were included in the Omission Sites Consultation exercise. This resulted in 5 objections to Site A with no supporting representations, and 7 objections in respect of Site B with, again, no letters of support. Those objections are indicative of public feeling. They reinforce my overall conclusions that neither of these potential housing sites, nor Site C, should be allocated for development and/or be included in the village envelope for Bishops Tachbrook. I also consider it would be inappropriate to include other areas on the margins of the settlement but outside the defined policy boundary, including the existing playing fields on the south-east side of the village.

Recommendations

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

12.4 Lapworth/Kingswood

Objections to First Deposit Version

5/AC	Mrs Christa Knight-Adams
35/AA	Verguti Franco
56/AA	Kathleen Chambers
63/AA	Patricia Harrison
83/AA	Hugh Stephen Williams
97/AA	Sheila M Light
100/AA	J.B Hale
112/AA	Jeffery Masters
118/AE	Mr and Mrs G Bull
119/AE	Bloor Homes Ltd
133/AA	Norma Cole
170/AA	Mr Martin Wood
206/AA	Graham Hames

Objections to Revised Deposit Version

No objections

Key Issues

- 12.4.1** (1) Whether land adjacent to Clover Hill should be included within the Lapworth/Kingswood village envelope.
- (2) Whether land off Brome Hall Lane should be incorporated into the Lapworth/Kingswood village envelope.
- (3) Whether Kingswood Nurseries should be included within the village envelope.
- (4) Whether Kingswood Farm and adjoining land to the east (as far as the canal) should be incorporated into the village envelope.

Inspector's Appraisal and Conclusions

12.4.2 Issue 1: This issue has been addressed elsewhere in my report in response to a related objection (see Chapter 8, Policy RAP2, Issue 26). My conclusion is that the land should not be incorporated into the Lapworth/Kingswood village envelope.

12.4.3 Issue 2: The site adjacent to Clover Hill forms part of a larger tract of land accessed off Brome Hall Lane (see Chapter 8, Policy RAP2, Issue 27). I conclude that this more extensive area of predominantly greenfield land in the Green Belt and on the edge of the settlement should not be included within the Lapworth/Kingswood village envelope.

12.4.4 Issue 3: Again, this issue has been considered in another section of my report when dealing with related objections to the allocation of Kingswood Nurseries for housing (see Chapter 10, Policy omissions, Issue 5). My conclusion is that the village envelope should be enlarged to include the frontage land, in recognition of planning permission granted on appeal for the construction of 4 terraced cottages but that the remainder of the land should be excluded from the settlement boundary. For convenience, that recommendation is repeated below.

12.4.5 Issue 4: This matter has been substantially addressed in examining proposals to include Kingswood Nurseries within the village envelope and allocate that adjoining site for housing (see Chapter 10, Policy omissions, Issue 5). The background is similar in that Kingswood Farmhouse was included within the village envelope in the adopted Local Plan but excluded from the First and Revised Deposit versions of the emerging Plan. In brief, I consider that because this farmhouse stands on a large plot on the margins of the village it has more in common with the character of the surrounding rural area than with the built-up area of the settlement. An even stronger argument applies in respect of the completely undeveloped land to the east reaching to the Grand Union Canal.

Recommendations

12.4.6 (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) July 2006.

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

12.5 Coventry Airport Siskin Drive

Objections to First Deposit Version

No objections

Objections to Revised Deposit Version

1/RAB	Warwickshire Wildlife Trust
10/RAB	Bubbenhall Parish Council
64/RAB	Leek Wootton & Guys Cliffe Parish Council
307/RAB	Deborah Germaine
308/RAB	Andy Patrick
311/RAB	Sally Begg
314/RAB	Sandra French
318/RAB	Alan Begg
320/RAB	Stuart Jordan
325/RAB	Rod Wheat
326/RAB	Gillian Wheat
328/RAB	John Ciriani
333/RAA	Benita and William Parry
336/RAB	Anthony Francis
338/RAA	Diane Francis
340/RAB	Steve Williams

Key Issues

- 12.5.1** (1) Whether the Coventry Airport (Policy SSP7) boundary should revert to that which existed before 30 April 2004 when passenger flights commenced.
- (2) Whether the policy position of the Airport outside the red line on the Inset Plan requires clarification.
- (3) Whether the Airport boundary should include land not previously within the operational boundary.
- (4) Whether revisions to the Local Plan are aimed at facilitating growth in air passenger traffic.

Inspector's Appraisal and Conclusions

- 12.5.2 Issue 1:** The SSP7 policy area shown on the Inset Plan covers the existing South apron and buildings associated with it that were erected under 'permitted development' rights (other than the IPF) and remaining areas of land immediately adjacent that were undeveloped at the time of the boundary definition. It was drawn to restrict development

at the Airport to a limited area of land outside the Green Belt. I agree with the District Council that reducing the area to that where activity took place prior to the onset of passenger operations from the IPF would be likely to prevent the development of facilities necessary for the reasonable growth of the Airport. It would therefore conflict with national and regional policy.

12.5.3 Issue 2: Beyond the Policy SSP7 area defined by a red line and shading on the Inset Plan, the remainder of the Airport lies within the Green Belt. This is explained in Paragraph 10.42A of the supporting text. Green Belt policy is set out in Policy DAP1. Within the Green Belt very special circumstances have to be demonstrated to justify inappropriate development. In my view, the policy position is quite clear and requires no clarification.

12.5.4 Issue 3: I have previously considered similar objections raised elsewhere (see Chapter 10, Policy SSP7, Issue 1). In brief, operational land and the area where Policy SSP7 applies are separate matters. Land regarded as 'operational' benefits from 'permitted development' rights granted by Part 18 of the GPDO. The site defined by Policy SSP7 is that area where it may be possible to undertake development requiring planning permission, provided that the various policy criteria are met. It is irrelevant whether or not it is operational land for the purposes of the GPDO. In my opinion, the boundary where Policy SSP7 applies has been drawn correctly. It allows for limited development in the most appropriate location on the south-east side of the runway away from residential properties in Baginton and outside the Green Belt.

12.5.5 Issue 4: I am satisfied that the alterations made to the Plan at Revised Deposit stage and subsequently have been undertaken to reflect the changes in national and regional policy arising from publication of the ATWP and the RSS, and subsequent clarification. Policy SSP7 is a criteria-based policy which does not actively encourage growth in passenger traffic but remains broadly neutral, providing a set of criteria against which to assess specific proposals.

Recommendations

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

12.6 Airport Safeguarding Composite

Objection to First Deposit Version

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

Objections to Revised Deposit Version

199/RAD James Mackay

321/RAZ West Midlands International Airport Ltd

Key Issues

- 12.6.1** (1) Whether the airport safeguarding composite map should be amended to accord with the safeguarding map used by Coventry Airport.
- (2) Whether the Plan should indicate that windfarm development is inappropriate anywhere in the District.
- (3) Whether the area within which windfarms are restricted should be kept to a minimum.

Inspector's Appraisal and Conclusions

12.6.2 Issue 1: Coventry Airport contend that the airport safeguarding composite map included in the Revised Deposit Plan is incorrect in that the area shaded red requiring consultation on all buildings etc exceeding 10m in height should be repositioned to the south-west of Stoneleigh. The procedure for notifying the District Council about relevant consultation areas is set out in the Town and Country Planning (General Development Procedure) Order 1995, as subsequently amended. Under this procedure the Safeguarding Committee at Coventry Airport, acting on behalf of the Civil Aviation Authority, formally notifies the District Council when changes need to be made to the consultation areas. The last such notification was made in February 2003. I am assured that the map included in the emerging Local Plan reflects those alterations. Since then, the Safeguarding Committee has not formally required the District Council to amend the consultation areas. In any event, the plan accompanying the objection is not sufficiently detailed or accurate to be used as the basis for such changes. I agree with the planning authority that the most appropriate course of action is for the objector to liaise with the Safeguarding Committee and, if necessary, formally notify the District Council of any changes required. I note that the District Council is willing to substitute a revised map prior to adoption of the Local Plan in order to reflect the latest and most up-to-date information available. In the meantime, I see no grounds for modifying the airport safeguarding composite map.

12.6.3 Issue 2: The airport safeguarding composite map shows the areas where consultation with the relevant aerodrome (Coventry Airport) or technical site operator (Honiley Beacon Technical Site) is required in respect of certain types of development proposals, in accordance with Circular 01/2003⁴. But it does not identify which types of development might be inappropriate. It does not therefore preclude wind farms or any other specific types of development.

12.6.4 Issue 3: The objector argues that the airport safeguarding composite map effectively prevents windfarm development on all higher ground to the north-west of the main urban areas by giving priority to aircraft flights that are carbon-intensive over renewable energy schemes essential to achievement of Government policy objectives. The general comments made in respect of Issue 2 above are relevant to this objection. National planning policy, set out in PPS22 (Renewable Energy), is that “renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic and social impacts can be addressed satisfactorily.” The advice goes on to indicate that “regional spatial strategies and local development documents should contain policies designed to promote

⁴ Circular 01/2003 Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: The Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002.

and encourage, rather than restrict, the development of renewable energy resources.” Policy DP12a of the Revised Deposit Plan addresses renewable energy developments in a local context, endeavouring to balance competing interests. Amongst other matters, the policy criteria seek to ensure there is no unacceptable impact on public safety. I am satisfied that the airport safeguarding composite map does not impose unnecessary restrictions and that the area within which windfarm development might prove unacceptable on safety grounds is kept to a minimum. Consequently, I consider that to some extent this objection has been met.

Recommendations

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

CHAPTER 13: INFORMATION PLANS

13.1 Overview

13.1.1 Here, I consider objections to the information plans that have been supplied by the District Council to provide clarity.

13.2 High Street, Kenilworth

Objection to First Deposit Version

223/AR Kenilworth Town Council

Objections to Revised Deposit Version

No objections

Key Issue

13.2.1 Whether the boundary of the local shopping centre at High Street, Kenilworth should be reviewed.

Inspector's Appraisal and Conclusions

13.2.2 This matter has been addressed elsewhere in my report when considering a related objection (see Chapter 6, Policy UAP4, Issue 5). Kenilworth Town Council has not explained in what way the boundary of the local shopping centre is deficient, nor has it supplied a plan showing proposed alterations. In these circumstances, I have no reason to conclude that the area identified by the District Council is inappropriate.

Recommendations

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

13.3 Former Honiley Airfield

Objection to First Deposit Version

150/AK Warwickshire County Council (Museum Field Services - Ecology)

Objections to Revised Deposit Version

No objections

Key Issue

- 13.3.1** Whether the boundary of the southern section of this 'Major Developed Site' in the Green Belt should be redrawn to exclude the surrounding woodland.

Inspector's Appraisal and Conclusions

- 13.3.2** In the Revised Deposit Plan the District Council has excluded Nunley Wood from the MDS on the basis of advice from Warwickshire County Council (Museum Field Services - Ecology) that it is probably ancient and of high value, and is likely to be designated as a SINC when the site is formally assessed. It now only includes the substantial derelict industrial buildings screened by the woodland, together with areas of hardstanding immediately surrounding those buildings. I endorse that alteration which satisfies the objection.

Recommendations

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

13.4 Police Headquarters, Leek Wootton

Objections to First Deposit Version

No objections

Objection to Revised Deposit Version

288/RAD Warwickshire Police Authority

Key Issue

- 13.4.1** Whether the boundary of this 'Major Developed Site' in the Green Belt should be further amended to include additional areas around the main building complex and land adjacent to the north and south drives.

Inspector's Appraisal and Conclusions

- 13.4.2** I have dealt with this matter in a different section of my report when looking at other related objections (see Chapter 10, Policy SSP2, Issue 5). I conclude that while it is reasonable to incorporate a further small parcel of land to the rear of the main buildings and a triangular area to the north-west (as agreed by the District Council), it would not be appropriate to include within the boundary of the MDS the more extensive open areas

sought by the objector adjacent to the driveways and on the eastern (front) side of 'Woodcote'. For convenience, I repeat below my earlier recommendations.

Recommendations

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

amend the boundary of the MDS shown on the Information Plan, in accordance with the map included in the 'Analysis of Objections to Revised Deposit Version and Proposed Changes to the Local Plan'¹.

(b) That no further modifications be made to the Revised Deposit Plan in respect of this objection.

¹ CD28

CHAPTER 14: PROPOSALS MAP

14.1 Overview

14.1.1 This part of the report looks at a wide variety of objections to the Proposals Map. Part 1 of the Proposals Map is District-wide; Parts 2-4 are Insets that cover, respectively, the Leamington and Warwick Urban Area, Leamington Town Centre, Warwick Town Centre, and Kenilworth. Many of the objections are related to others considered elsewhere in the report.

14.2 Proposals Map Part 1: District Wide

Objections to First Deposit Version

1/AG	Warwickshire Wildlife Trust
10/AE	Bubbenhall Parish Council
52/AE	Barford, Sherbourne & Wasperton Joint Parish Council
64/AC	Leek Wootton & Guys Cliffe Parish Council
107/AD	University of Warwick
142/AB	A C Lloyd Ltd
148/BP	Campaign to Protect Rural England (Warwickshire Branch)
148/BY	Campaign to Protect Rural England (Warwickshire Branch)
150/AM	Warwickshire County Council (Museum Field Services - Ecology)
156/AD	Alan Moore
167/AC	Mrs E Brown
239/AP	Mr D Austin
242/AH	Coventry City Council (Planning & Transportation)
242/AJ	Coventry City Council (Planning & Transportation)

Objections to Revised Deposit Version

226/RAK	Environment Agency
239/RAA	Mr D Austin
260/RAB	Baginton Parish Council
353/RAB	Mr A Brown

Key Issues

- 14.2.1** (1) Whether Hatton Park should be excluded from the Green Belt and a settlement boundary drawn encompassing some 'white land' in order to accommodate future development.
- (2) Whether ancient woodlands at Hunningham Coppice, Hunningham and Broadwells Wood, Stoneleigh should be shown on the Proposals Map.

- (3) Whether there should be a village envelope drawn around Bubbenhall.
- (4) Whether flood risk areas should be shown at a larger scale and in more detail and be based upon the most up-to-date information.
- (5) Whether Gaveston Cross should be identified as a scheduled ancient monument and the Arboretum at Warwickshire Golf Club shown on the Proposals Map.
- (6) Whether the extent of the University of Warwick campus lying within Warwick District should be identified on the Proposals Map.
- (7) Whether the historic parks and gardens recognised by English Heritage should be shown on the Proposals Map.
- (8) Whether the status of 'The Pleasance' in Kenilworth should be clarified.
- (9) Whether the significance of the purple-edged area at Wappenbury should be clarified.
- (10) Whether land between Howes Lane, Finham and the A46 should be taken out of the Green Belt.
- (11) Whether sites covered by Policies SSP1, SSP2 and SSP3 are labelled clearly enough.
- (12) Whether the Proposals Map should include strategic cross-boundary cycle and pedestrian routes.
- (13) Whether the public transport corridor between Kenilworth and Coventry should be removed from the Proposals Map.
- (14) Whether the site at Brownley Green Lane, Hatton should be removed from the Green Belt and allocated for housing.
- (15) Whether the base map used for the Proposals Map is out-of-date.

Inspector's Appraisal and Conclusions

14.2.2 Issue 1: (*Hatton Park*) The objection site was originally the site of the Warwickshire County Lunatic Asylum opened in 1852. It became the Warwickshire County Mental Hospital in 1930. The hospital was closed in the 1990s and the listed buildings converted into residential accommodation. In the 1995 adopted Local Plan land around the hospital was designated as a 'rural growth point' for 650 homes, and the adjacent King Edward V11 Hospital and grounds were allocated for employment use. The latter has subsequently been granted planning permission for a further 100 or so dwellings which are now under construction. When complete the 2 sites will accommodate approximately 700 dwellings together with a shop and community facilities. The site occupies an elevated position on the north side of the A4177 Birmingham Road. It is largely screened by trees and the undulating topography. The main village of Hatton is situated on the south side of Birmingham Road, with Hatton

Station linking Warwick, Leamington Spa and Birmingham by rail. Hatton Park, Hatton village and the surrounding area are all washed over by the Green Belt.

- 14.2.3** A C Lloyd Ltd considers that the community of Hatton Park is capable of being expanded in the future to create a sustainable mixed-use settlement. There are bus services linking to Warwick and Leamington Spa and the area is well related to the railway station at Warwick Parkway. Moreover, it is argued that the shop and community hall would benefit from increased activity. While it acknowledges that further housing allocations may not be required to meet strategic targets to 2011, taking a longer term view it says that the option of creating a more sustainable community at Hatton Park should not be denied through continued inclusion in the Green Belt. In its view, a 'white area' of safeguarded land should be identified to enable further development to take place as and when it can be justified. The other objector, Mr D Austin, agrees that Hatton should be removed from the Green Belt (and from the Special Landscape Area – subsequently deleted in the Revised Deposit Plan) and, together with other villages, should be provided with a settlement boundary within which development will be allowed to meet local housing requirements.
- 14.2.4** These objections raise a number of considerations. First of all, I am satisfied that adequate provision has been made for new homes in the Plan. There is currently evidence of an oversupply of new housing in relation to strategic targets set out in the RSS. In response to that oversupply, the District Council produced in 2005 a Supplementary Planning Document 'Managing Housing Supply' to reduce the future supply of urban windfall housing. In these circumstances, there is no need to release any further land for market housing in this Local Plan. Nor has a local need been identified. A C Lloyd Ltd recognise this. As regards the supply position post-2011, I consider it would be premature to safeguard further land for housing. The housing requirements for the District are uncertain pending completion of the partial review of the RSS. While current indications are that additional housing beyond 2011 can largely be accommodated on urban brownfield sites, any greenfield sites should only be released 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. The District Council is committed to start preparation of a Core Strategy DPD in 2007. That will tie in with completion of the partial review of the RSS and accommodate up-to-date housing requirements to 2021.
- 14.2.5** Turning to Green Belt aspects, the objection site covers about 35ha. I agree with the District Council that an amendment to the Green Belt boundary of this magnitude would be of a strategic scale that ought to come from the Structure Plan or the RSS. PPG2 requires 'exceptional circumstances' to be shown for altering Green Belt boundaries. None have been put forward by either of the objectors. I note that the new village formed by development of the 2 hospital sites was carefully controlled through a planning brief. Any additional development here would, I feel, be likely to put pressure on community facilities and infrastructure and would be out of scale with the setting of the site. I consider that removing the settlement from the Green Belt to facilitate future development would risk harming the special character of this newly formed community.
- 14.2.6** Hatton Park/Hatton village is not recognised as a Limited Growth Village in the Revised Deposit Plan. Identifying a settlement boundary is, in my view, unnecessary and inappropriate. It would put pressure on land within the boundary for further development that would be likely to damage the character of the area and the setting of the community. Hatton Park has reached its natural boundaries set by the parkland of the former hospitals

By definition, Limited Growth Villages are settlements where there is a nucleus of community facilities sufficient to accommodate limited growth in a sustainable manner. In contrast, Hatton Park is a 'planned community' where further opportunities for expansion are unlikely to exist.

14.2.7 Although the original employment allocation has now been lost to housing, I am content that there is no evidence to suggest that further development is required at Hatton Park to make it sustainable. The development is balanced. It has its own well-used shop and community hall and is conveniently located for bus and rail public transport links. Putting additional pressure on these facilities/services would not, in my opinion, make for a more sustainable settlement. I note that this site was subject of the Omission Sites Consultation. Four representations were received, all objecting. Both the CPRE (Warwickshire Branch) and the Warwick Society consider that Hatton Park should not have a settlement boundary nor should it be excluded from the Green Belt. I agree. I consider that the most appropriate way to control development here is to retain the land in the Green Belt.

14.2.8 Issue 2: These ancient woodlands, listed in Appendix 3, have been included on the Proposals Map of the Revised Deposit Plan. I endorse those alterations. One of the objectors, Warwickshire Wildlife Trust, has subsequently confirmed that its objection is conditionally withdrawn.

14.2.9 Issue 3: Policy RAP2 of this Plan identifies just 5 Limited Growth Villages on the basis of their suitability for limited growth. Bubbenhall is not one of them. Given the strategy of restraint on growth in rural areas set by the Structure Plan, I agree with the District Council that it would be inappropriate to identify additional settlements for further development.

14.2.10 Issue 4: I am told that the most up-to-date information available, supplied by the Environment Agency, has been used in preparation of the Proposals Map of the Revised Deposit Plan. At the same time Paragraph 4.59 of the reasoned justification has been amended to indicate that because the boundaries of the flood risk areas are subject to change over time they should be used as a basis for consultation only, rather than for decision making. I support that amendment and note that on this basis Barford, Sherbourne and Wasperton Joint Parish Council has conditionally withdrawn its objection.

14.2.11 Issue 5: Gaveston Cross is not included in the list of scheduled ancient monuments maintained by English Heritage. It is a Grade II listed building protected under other Plan policies. I concur with the District Council that it would not be appropriate to identify either Gaveston Cross or the Arboretum at Warwickshire Golf Club on the Proposals Map.

14.2.12 Issue 6: This objection from the University of Warwick has been met by its identification as a Major Developed Site in the Green Belt through Policy SSP2 of the Revised Deposit Plan.

14.2.13 Issue 7: I note that all of the parks and gardens of particular historic interest included in the list maintained by English Heritage have been identified on the Proposals Map. The objection has therefore been addressed.

- 14.2.14 Issue 8:** The Pleasance is a scheduled ancient monument. It is listed as such on the Proposals Map. CPRE (Warwickshire Branch) has since indicated that this objection is conditionally withdrawn.
- 14.2.15 Issue 9:** The area in question at Wappenbury is a scheduled ancient monument. Again, CPRE (Warwickshire Branch) has conditionally withdrawn this objection.
- 14.2.16 Issue 10:** See Chapter 10, Policy omissions, Issue 4 for a detailed assessment of this objection.
- 14.2.17 Issue 11:** I acknowledge that the scale of the Proposals Map makes some allocations/designations difficult to read. The District Council points out that it is for this reason Inset Maps and Information Plans have been prepared. They cover, amongst other matters, sites identified in Policies, SSP1, SSP2 and SSP3.
- 14.2.18 Issue 12:** The District Council has accepted this objection. The existing cycleways which form part of Route 41 of the National Cycle Network are shown on the Proposals Map of the Revised Deposit Plan. I agree, though, that it would be inappropriate to indicate proposed routes until such time as those routes have been defined and committed.
- 14.2.19 Issue 13:** Unlike the Local Transport Plan 2000, the latest Local Transport Plan 2006 no longer shows 'Quality Bus Corridors'. I have accepted elsewhere in my report in response to other objections that because the policy basis for protecting these routes has changed, all of the public transport corridors shown on the Proposals Map, including that between Kenilworth and Coventry, should be deleted. Moreover, Policies UAP2 and UAP8 and their supporting text should be amended (see Chapter 6, Policy UAP8, Issue 1).
- 14.2.20 Issue 14:** (*Brownley Green Lane, Hatton*) This site is on the edge of Hatton village which is washed over by the Green Belt. No exceptional circumstances have been put forward for excluding the land from the Green Belt. Being a greenfield site in the countryside, its development for housing would conflict with strategic policies. Structure Plan Policy GD.3 directs most new development to previously-developed land in the urban areas while Policy H.3 requires local plans to minimise the development of greenfield sites. Structure Plan Policy RA.3 only allows development in rural areas where it meets local needs identified by the community in an appraisal or assessment. In a similar manner, RSS Policy RR1 confirms that in rural areas the main priority will be to manage the rate and nature of further development to that required to meet local needs. Again, RSS Policy CF2 indicates that in such locations new housing should only be provided to meet local needs or to support services, with priority given to the re-use of previously developed land in existing villages. In any event, there is currently an oversupply of housing in Warwick District and this Plan does not, in my view, need to allocate further land for housing development. I conclude that this site should not be taken out of the Green Belt and should not be allocated for housing.
- 14.2.21 Issue 15:** Objectors are concerned that the base map used by the planning authority for the Proposals Map of the Revised Deposit Plan does not record large areas of existing development, for example around Coventry Airport. In their view maps should be used that are accurate and contemporary to avoid confusion and subsequent dispute. The District Council explains that this was the most modern one to be had from the Ordnance Survey. Should a better and more up-to-date map become available before adoption

stage then it will be used instead. I accept that in such circumstances little else can reasonably be done.

Recommendations

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

delete the public transport corridors from the Proposals Map. (NB This recommendation duplicates that at Paragraph 6.10.13 of my report.)

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

14.3 Proposals Map Part 2: Leamington and Warwick Urban Inset

Objections to First Deposit Version

66/BC	The Warwick Society
122/AA	Warwick Castle
132/AC	KB Benfield Group Holdings Ltd
139/AA	Coventry Diocesan Board of Finance Ltd
142/AA	A C Lloyd Ltd
153/AA	Thomas Bates and Son Ltd
193/AT	Coten End and Emscote Residents' Association
199/AT	James Mackay
220/AA	Cala Homes (Midlands) Ltd
227/AE	David Wilson Homes (East Midlands) Ltd.
240/AE	George Wimpey Strategic Land
245/AB	Hallam Land Management and William Davis Ltd
246/AA	The Europa Way Consortium
250/AD	Andrew & Julie Day
256/AA	T & N Ltd (In administration)
277/AA	Mr M F Dodd
290/AA	H E Johnson
291/AC	George Wimpey UK Ltd
303/AJ	Racecourse Holdings Trust

Objections to Revised Deposit Version

199/RAN	James Mackay
224/RAE	Mr and Mrs R M Orr
303/RAF	Racecourse Holdings Trust

Key Issues

14.3.1 (1) Whether it is appropriate to leave areas 'white' on the Leamington and Warwick Urban Inset.

- (2) Whether Castle Lane Car Park, Warwick should be omitted from the Area of Restraint.
- (3) Whether land at Leigh Foss, The Valley, Radford Semele should be excluded from the area where rural policies apply.
- (4) Whether the Area of Restraint between Radford Semele and the Leamington Spa urban area should be deleted.
- (5) Whether land adjacent to Woodside Farm, Whitnash should be omitted from the Area of Restraint.
- (6) Whether North Leamington School should be taken out of the Green Belt.
- (7) Whether sites covered by Policies SSP1, SSP2 and SSP3 should be more clearly defined on the Inset Map.
- (8) Whether the Area of Restraint between Whitnash and Bishops Tachbrook should be redrawn to exclude the Leamington and County Golf Course and land at Fieldgate Lane/Golf Lane, Whitnash.
- (9) Whether land at Milverton should be taken out of the Green Belt.
- (10) Whether land at Gallows Hill should be removed from the area where rural policies apply.
- (11) Whether land west of Europa Way should be designated as an Area of Restraint.
- (12) Whether land south of Harbury Lane and on both sides of Tachbrook Road should be designated as an Area of Restraint.
- (13) Whether land south-west of Radford Semele should be excluded from the Area of Restraint and allocated/safeguarded for mixed use development.
- (14) Whether land south of the Thwaites factory, Cubbington, should remain outside the Green Belt.
- (15) Whether the flood risk areas shown for the Offchurch Bury area are incorrect and should be altered.
- (16) Whether rural area policies should apply to land at Stratford Road, Warwick.
- (17) Whether the Area of Restraint at Warwick Racecourse should be amended to omit the grandstand and associated buildings, together with a section of the racecourse.
- (18) Whether the Area of Restraint should be extended to include gardens and allotments adjacent to St John's House, Warwick.
- (19) Whether the Leamington and Warwick Urban Inset should be extended to allow greater flexibility in the retail area boundary.

Inspector's Appraisal and Conclusions

- 14.3.2 Issue 1:** Although parts of Leamington Spa and Warwick may have no specific designation, this does not mean there are no applicable Plan policies. The key to the Proposals Map makes it clear that District-wide policies and urban area policies apply throughout.
- 14.3.3 Issue 2:** (*Castle Lane Car Park, Warwick*) Castle Lane Car Park is not a key area of open land and does not contribute to the structure and character of Warwick. Being in daily use and urban in appearance, it is contained within the town centre boundary. In recognition of this, the boundary of the AoR was amended in the Revised Deposit Plan to accommodate this objection. I endorse that alteration. As a result, Warwick Castle has conditionally withdrawn its objection.
- 14.3.4 Issue 3:** I have considered elsewhere in my report objections relating to this site seeking its incorporation into the village envelope of the Limited Growth Village of Radford Semele together with amendments to Policy RAP2 (see Chapter 8, Policy RAP2, Issue 25). I have concluded that such alterations would not be appropriate, nor would it be appropriate to exclude this greenfield site from the area where rural policies apply.
- 14.3.5 Issue 4:** I see no reason to amend the boundary of the AoR separating Radford Semele from the urban area of Leamington Spa from that shown in the adopted Local Plan. While the previous Local Plan Inspector recommended certain deletions he concluded that this “Area of Restraint is, no doubt, fully justified in its main part between the two settlements”. I take a similar view. At Issue 13 below I examine in more detail objections from T&N Ltd (In administration) in respect of part of this land to the south-west of the village where mixed use development is being promoted. My conclusions regarding the narrowness of the gap and intervisibility between the 2 communities apply equally to other sites within the AoR. This land was subject of the Omission Sites Consultation. Some 526 representations were received from residents of Radford Semele objecting to deletion of the AoR. Clearly, local opinion is that this gap continues to perform an important function and should be maintained in its current undeveloped form.
- 14.3.6 Issue 5:** This matter is addressed elsewhere in my report in conjunction with a related objection that seeks to allocate the land for residential development (see Chapter 10, Policy omissions, Issue 7). I conclude that this site should remain within the AoR.
- 14.3.7 Issue 6:** This objection has been met in part by designation of the school site as a ‘Major Developed Site in the Green Belt’ under Policy SSP2 of the Revised Deposit Plan. The issue is dealt with in more detail elsewhere in my report when addressing other objections (see Chapter 10, Policy SSP2, Issue 18). I conclude that North Leamington School should remain in the Green Belt.
- 14.3.8 Issue 7:** This objection is identical to one made in respect of the District-wide Proposals Map. The District Council recognises that the scale of these maps makes some allocations/designations difficult to read. For that reason, the Plan includes Inset and Information Maps drawn to a larger scale. Amongst other sites, they cover those identified through Policies SSP1, SSP2 and SSP3. I consider that to be appropriate.
- 14.3.9 Issue 8:** This issue is dealt with elsewhere in my report in conjunction with other related objections (see Chapter 9, Policy DAP2, Issue 8). Together, the objections seek to safeguard land at Fieldgate Lane/Golf Lane, Whitnash as a reserve housing site for residential development beyond the Plan period. I conclude that the Leamington and

County Golf Course and land at Fieldgate Lane/Golf Lane, Whitnash should remain in the AoR and not be safeguarded for housing.

14.3.10 Issue 9: Again, this matter is examined in association with other site-specific issues in another part of my report (see Chapter 10, Policy omissions, Issue 10). I conclude that land at Milverton should remain in the Green Belt and not be allocated/safeguarded in this Local Plan for residential development.

14.3.11 Issue 10: Land at Gallows Hill is subject of other site-specific objections which together seek to promote employment development (see Chapter 10, Policy SSP1, Issue 11). I conclude that there is no justification for removing this site from the area where rural policies apply and allocating it for employment uses.

14.3.12 Issue 11: This matter is considered in association with other site-specific objections in a different section of my report (see Chapter 9, Policy DAP2, Issue 11). I conclude that the land is properly identified as an AoR.

14.3.13 Issue 12: Similar objections have been made by Bishops Tachbrook Parish Council (see Chapter 9, Policy DAP2, Issue 1), except that they relate to a more extensive area. I do not believe that this locality requires additional protection through expansion of the existing AoR or designation of a further AoR. In my opinion, Harbury Lane represents a strong defensive boundary and the rural area policies of the Plan provide a sound basis for resisting inappropriate development in the countryside. Designating further land as an AoR would, I feel, devalue the concept by extending protection to less vulnerable areas.

14.3.14 Issue 13: (*Land south-west of Radford Semele*) The objection site is located on the south-western edge of Radford Semele and is approximately 5.9 ha in extent. Accessed from Spring Lane, it forms part of a small agricultural tenancy of about 38ha formerly known as the Radford Estate. The land is currently in arable production. In the south-western corner is a disused filter bed and small copse. The land is designated under Policy DAP2 of the Revised Deposit Plan as part of a more extensive AoR separating Radford Semele from Sydenham, Leamington Spa.

14.3.15 The objector considers that removal of that designation to facilitate a phased mixed use development of the land would not prejudice any of the AoR objectives. The settlements would not coalesce nor would they be located any closer to one another. The setting of the settlements would not be harmed. It would afford an opportunity to improve the urban edge of Radford Semele through strategic landscaping and well designed development, improve the setting of both settlements through the creation of a country park, establish direct travel links for pedestrians and cyclists between the settlements, and provide additional local community and informal recreation facilities. Residents would be able to make use of the close proximity to Leamington Spa and the facilities and services on offer there. It is argued that retaining the current boundaries of the AoR without questioning their validity creates a risk that opportunities for sustainable development and enhancements to Radford Semele and the surrounding area would be lost. Such a rigid approach contradicts the aims of Government policy in PPS7 and PPG3 that seek to create sustainable communities. There is a danger that policies like this with physical boundaries are rarely reviewed and become fixed way beyond one local plan period.

- 14.3.16** The Revised Deposit Plan indicates that the District's housing and employment requirements to 2011 have either already been met through extant planning permissions and potential windfall sites or will be met through development of employment sites allocated by Policy SSP1. T&N Ltd accept those figures. Nevertheless, it is felt that consideration should be given to a small development at this stage for local needs only, setting the scene for a future, larger phased allocation during the next LDF review.
- 14.3.17** In support of the objection, a Landscape Appraisal has been carried out. This shows that the objection site is not essential to the visual perception of the gap, nor does it contribute to the setting or character of either Leamington Spa or Radford Semele. Intervisibility between the settlement edges is affected more by factors of topography and the openness of the landscape than by their distance apart. The width across the gap between the two settlements varies. At its narrowest it is 300m. Measured across the objection site it is 670m. This gap would reduce to 500m if the objection site was omitted from the AoR. But even where the gap is at its narrowest, it provides a clear physical separation between the settlements and maintains a perception of each having an individual identity. The land is not prominent when viewed from Sydenham due to the underlying topography and existing field boundary hedgerows and trees. At closer range it is heavily influenced by the existing built-up margins of Radford Semele, with 1970s housing, garages and boundary fencing giving a hard urban edge.
- 14.3.18** Radford Semele has a population of about 2,000 in 800 households. Although it contains a number of services and facilities and a factory employing 500 workers, a high number of car journeys are generated in travelling to work and driving children to school. New development here would support existing facilities such as the primary school, which has falling numbers of children, and the post office. Because of the tightly knit building pattern there are few opportunities for future development within the village itself.
- 14.3.19** The objector considers it important that AoRs are not just seen as open wedges between settlements. They can also have a physical use in promoting outdoor activities for residents. There is potential for the remainder of this landholding to be used to provide a public amenity area such as a country park between the two communities. This would provide a valuable local amenity with benefits that include landscape and nature conservation enhancements, informal recreation, and a more direct and practical footpath/cycleway link between settlements.
- 14.3.20** Looking first at the purposes of AoR designation and visual matters, I consider it essential to protect the openness of this tract of land in order to prevent Radford Semele and Leamington Spa from merging, and to safeguard the character and setting of each settlement. The communities of Radford Semele and Sydenham can view each other across the AoR. The objection site occupies high and exposed ground in a landscape that is characterised by an undulating topography of low rounded hills and narrow meandering valleys. Development of this land would increase intervisibility between the settlements. Along much of the western boundary of the site there are no topographic barriers and only occasional trees and hedgerows to filter long views during the summer months. Not all views are uninterrupted but in general they are clear and significant. There are fewer publicly accessible points within Sydenham from which to obtain a long view. However, many dwellings do have views towards Radford Semele. South Sydenham was an allocation for 300 homes in the previous Local Plan. It is 50% complete with a further 10% under construction and 120 dwellings remaining to be built. I accept, as does the District Council, that development of the objection site would not

bring buildings in Radford Semele any closer to Sydenham than they already are at the narrowest point. But the perception would be that the gap between these settlements is being further eroded.

14.3.21 Turning to the need for development, no compelling evidence has been presented of a requirement for further housing or employment land to meet local needs within Radford Semele or to improve sustainability. The Parish Council has not undertaken any village appraisal and the District Council says it is not aware of any pent-up demand for affordable or market housing or local employment opportunities at the present time. Likewise, I believe that there is no case for additional housing or employment land to meet the District's wider needs, over and above the provisions made in the Local Plan. As regards future development beyond 2011, those needs are not known at the present time. If the outcome of the partial review of the RSS requires the District Council to make large greenfield allocations and re-examine opportunities on the fringe of the urban areas, this should be done by way of a comprehensive exercise through preparation of an Allocations DPD where a comparative assessment of all opportunities can be made in the context of a formal sustainability appraisal and public consultation.

14.3.22 This site was subject of the Omission Sites Consultation. It generated by far the highest number of responses for an individual site anywhere in the District. 708 forms and letters were received by the District Council from people living in Radford Semele, objecting to loss of part of the AoR and safeguarding of the objection site for mixed use development. I note that 362 households responded, equating to 45% of all dwellings in the village. This shows the sensitivity of this land and the desire of Radford Semele residents to maintain separation from Leamington Spa.

14.3.23 Finally, the District Council says that it has not taken a formal position on the proposal for a country park. It is, however, likely that such a scheme would be seen as compatible with the AoR status of the land and favourably received. While this would undoubtedly be of benefit to both neighbouring communities it does not, in my opinion, count as a compelling argument for removing land from the AoR.

14.3.24 I conclude that there is no case for rolling back the AoR to meet current local or District-wide needs, or future development requirements beyond 2011.

14.3.25 Issue 14: (*Land south of the Thwaites factory, Cubbington*) The land in question is in agricultural use. It totals 9.4ha and provides a buffer to the Thwaites factory to the north. It has no consent for employment use. The reason for its original exclusion from the Green Belt is unclear but is thought to have been to allow for long-term industrial growth. I agree with the District Council that a significant expansion of employment development in this area would not be sustainable. The site can only be accessed by a classified 'C' road that passes through Cubbington towards Offchurch and is not served by public transport. The land is 'best and most versatile' agricultural land. In character the site is identical to existing Green Belt land lying west, east and south of it. In these circumstances, I support its inclusion in the Green Belt. In my view, the requirement for a consistent approach to be taken to boundary definition and the correction of anomalies, together with the unsustainable nature of this location rendering it unsuitable for development, constitute the exceptional circumstances necessary to justify amending the Green Belt boundary here. The land fulfils several of the Green Belt purposes identified in PPG2. It checks the unrestricted sprawl of a large built-up area, safeguards the countryside from encroachment and assists in urban regeneration by encouraging the recycling of derelict and other urban land. Notwithstanding the area of the land involved,

I consider this to be a minor amendment. I do not regard it as a strategic change that ought properly to be made only through a review of the RSS.

14.3.26 Issue 15: I note that information on the areas at risk of flooding shown on both the District-wide Proposals Map and the various Inset Maps has been provided by the Environment Agency. The District Council says it is committed to using the best information available. However, Paragraph 4.59 of the Revised Deposit Plan makes it clear that this is indicative only and should be used as a basis for consultation rather than decision making. Applicants are advised to refer to the Environment Agency for the most up-to-date indicative flood zone maps to identify any changes.

14.3.27 Issue 16: This issue is addressed elsewhere in my report when assessing other related objections (see Chapter 10, Policy omissions, Issue 20). I conclude that the site at Stratford Road, Warwick is rural in character and should be subject to rural rather than urban area policies.

14.3.28 Issue 17: This matter is dealt with elsewhere in my report when examining other objections in respect of the Racecourse (see Chapter 10, Policy omissions, Issue 27). I note that the District Council amended the AoR boundary at Revised Deposit stage to exclude the grandstand and other main buildings. While those alterations do not go far enough to satisfy the objector, I am content that the revised boundary of the AoR is appropriate.

14.3.29 Issue 18: This objection is considered alongside a related objection to the Warwick Town Centre Inset (see Chapter 14, Proposals Map Part 4, Issue 5). I conclude that the AoR boundary should not be extended.

14.3.30 Issue 19: Retail area boundaries have been drawn to defend the shopping function of the town centres and existing retail outlets. Concise core areas have been defined in which retail uses will be concentrated. This approach is supported by PPG6 which advises that plans at the local level should define the extent of the primary shopping area for their centres and distinguish between primary and secondary frontages. In such circumstances, I see no need to alter the Leamington and Warwick Urban Inset to allow greater flexibility.

Recommendations

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

14.4 Proposals Map Part 3: Leamington Town Centre Inset

Objections to First Deposit Version

143/AA	Scottish Widows Investment Partnership
192/AB	Chamber of Trade
192/AD	Chamber of Trade

Objections to Revised Deposit Version

No objections

Key Issues

- 14.4.1** (1) Whether 1-2 Clarendon Square should be taken out of the town centre employment area and included in the area to be primarily in residential use.
- (2) Whether the telephone exchange site is more appropriate for Class A2/A3 uses and housing, than retail.
- (3) Whether the Leamington Spa 'primary retail frontage' should be extended to include the rest of Warwick Street and all of Park Street/Regent Street.

Inspector's Appraisal and Conclusions

14.4.2 Issue 1: This objection has been met in the Revised Deposit Plan. 1-2 Clarendon Square have been removed from the protected employment area shown on the Leamington Town Centre Inset. This reflects the planning permission granted for residential use. I agree that it rationalises the residential character of this elevation and the block of buildings of which it forms part.

14.4.3 Issue 2: The old telephone exchange falls within the definition of 'edge of centre' sites set out in Annex A of PPS6, being within 300m of the town centre retail area. Any proposal for a Class A use (including A3, A4 or A5) would need to demonstrate that no sequentially preferable sites exist in the town centre retail area. If this can be done then A2 or A3 uses, as well as other Class A uses, might be acceptable providing all other issues can be addressed. I am content that in these circumstances an appropriate policy framework exists. In my view, it is not necessary to identify specific uses for this building.

14.4.4 Issue 3: As the District Council points out, it is the purpose of the primary retail frontage to protect the core shopping elevations in order to maintain the predominant A1 retail function of the town centre. The majority of the frontages within the defined retail area, particularly to the north of the River Leam, are already identified as primary rather than secondary. It is important to protect the integrity of those primary frontages, as well as supporting diversity by recognising sufficient secondary frontages. I agree with the planning authority that this is best achieved by allowing those retail areas that are clearly not part of the core shopping elevations, such as Park Street and part of Regent Street, to remain as secondary frontages. The objector's proposals would, I feel, dilute and disperse the primary retail frontage to the detriment of the health of the town centre as a whole.

Recommendations

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

14.5 Proposals Map Part 4: Warwick Town Centre Inset

Objections to First Deposit Version

158/AD	Tyler-Parkes Partnership
193/BW	Coten End and Emscote Residents' Association
199/BW	James Mackay
258/AA	Sainsburys Supermarkets Ltd

Objections to Revised Deposit Version

66/RBS	The Warwick Society
199/RAP	James Mackay

Key Issues

- 14.5.1** (1) Whether land bounded by Northgate Street, Northgate, The Butts and the Collegiate Church of St Mary should be omitted from the 'town centre employment area'.
- (2) Whether all land within the Inset Map should be given a land use designation.
- (3) Whether the retail area should be extended to include the car park of the Sainsbury store and adjacent Council-owned land.
- (4) Whether the Inset Map is sufficiently accurate and up-to-date - for instance, in terms of the number of shops in Smith Street.
- (5) Whether the allotments to the rear of St John's House should be excluded from the Town Centre Inset and incorporated as part of the adjacent Area of Restraint.

Inspector's Appraisal and Conclusions

14.5.2 Issue 1: This issue is addressed elsewhere in my report in response to other objections (see Chapter 7, Policy TCP9, Issue 7). I conclude that the land should remain as part of the designated Warwick town centre employment area.

14.5.3 Issue 2: Parts of the town centre where there are no specific proposals or designations are left unannotated as 'white land' on the Inset Map. I see nothing wrong with that. There is no requirement for blanket coverage of all sites. Such areas are not bereft of policy direction since District-wide policies will apply throughout.

14.5.4 Issue 3: I do not believe it would be appropriate to extend the retail area to cover the car park and adjacent land. Such a designation could be construed as indicating that full coverage of the land for retail use would be acceptable when any proposals to extend the store or introduce further retail floorspace on the site would need to be assessed against relevant Plan policies.

14.5.5 Issue 4: I note that the base map has been supplied by the Ordnance Survey and is the most up-to-date available. Its purpose is to show the main retail areas rather than

the number of shop units. That number will vary as shops are combined into larger units or subdivided.

14.5.6 Issue 5: I am satisfied that the land in question is already afforded adequate protection under Policy DAP13 as an historic park and garden. That protection is enhanced through my recommendation, in addressing a related objection, that the reference in Paragraph 9.51A of the supporting text to St John's House Garden be amended to state 'St John's House Garden and Allotments'. Additional layers of protection are given by the location of the allotments within the Warwick Conservation Area, to which Policy DAP10 applies, and through Policy SC5 (Protecting Open Spaces). There is a strong boundary in existence at the southern end of the allotments bordering the car park of St Nicholas Park. In my view the edge of that car park provides the most appropriate boundary for the adjacent Area of Restraint. I see no reason to exclude the allotments from the town centre boundary.

Recommendations

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

14.6 Proposals Map Part 5: Kenilworth Inset

Objections to First Deposit Version

136/AA	George Wimpey Strategic Land
221/AY	Kenilworth Society
258/AC	Sainsburys Supermarkets Ltd
277/AB	Mr M F Dodd
276/AA	Michael and Barbara Hague
264/AA	Cobalt Estates

Objections to Revised Deposit Version

149/RAB	Warwickshire County Council (Museum Field Services - Archaeology)
332/RAA	Mr R Foscett
221/RAH	Kenilworth Society

Key Issues

- 14.6.1** (1) Whether Tainters Hill (Pleasure Ground) should be designated as an Area of Restraint.
- (2) Whether the triangle of land between Highland Road and Woodland Road should be added to the Green Belt.
- (3) Whether the town centre boundary should be redrawn to include Smalley Place, Abbey Hill, the whole of Abbey Fields and High Street.

- (4) Whether:
 - (a) the key should be changed to indicate that flood areas are not shown comprehensively;
 - (b) existing employment areas (Princes Drive, Farmer Ward Road and Common Lane) should be identified as employment land;
 - (c) the national cycle network should be shown;
 - (d) the 'transport corridor' should be amended and renamed as a public transport corridor;
 - (e) the key should refer to all town centre policies, not just Policy TCP2;
 - (f) open space should be identified;
 - (g) Tainters Hill is wrongly identified and should be designated as an Area of Restraint; and
 - (h) land at Thickthorn should be included in the Special Landscape Area so that it completely surrounds Kenilworth.
- (5) Whether the town centre boundary should be extended to include land to the rear of Talisman Square and Bertie Road.
- (6) Whether land at Rouncil Lane should be excluded from the Green Belt, Special Landscape Area, and area where rural policies apply.
- (7) Whether the boundary of the scheduled ancient monument at St Mary's Abbey, Abbey Fields is accurately drawn.
- (8) Whether Crackley Barn should be taken out of the Green Belt.

Inspector's Appraisal and Conclusions

14.6.2 Issue 1: (*Tainters Hill Pleasure Ground*) This is a small remnant of common land. It lies within the Kenilworth Conservation Area and adjoins the Green Belt. The land is identified as public open space on the Kenilworth inset map of the adopted Local Plan. The Town Council considers that it has much in common with the valley of Finham Brook and should be identified as an 'Area of Restraint'.

14.6.3 I agree with the District Council that there is no rationale for creating an 'Area of Restraint' here. The role of these areas is explained in Paragraphs 9.11 and 9.13 of the Plan and in Core Topic Paper 4: The Natural Environment. Their value and importance lies in their contribution to the character and structure of the urban area, providing open areas in and around towns and preserving open wedges. If designated, Tainters Hill would be by far the smallest such area in the Plan and detached. While it is necessary to protect Tainters Hill from development, adequate safeguards are achieved through conservation area status, through the application of other Plan policies (particularly SC5, UAP1 and DAP10), and through ownership and management by the District Council as public open space. In this regard, I note that the District Council is in the process of carrying out a District-wide audit with the intention of issuing a Supplementary Planning Document on Open Space.

14.6.4 Issue 2: (*Highland Road/Woodland Road*) This site, known locally as the Crackley Triangle, lies outside the Green Belt in the Local Plan adopted in 1995. It extends to some 2.9 ha and is currently in agricultural use. To the east it is bordered by the Leamington Spa - Coventry railway line running north-east to south-west in a deep cutting. To the west is the disused Leamington Spa – Kenilworth – Balsall Common

railway line also in cutting. It is accessed from Common Lane via a fieldgate. The site occupies an elevated position with long views northwards over open countryside towards Coventry. The land can be clearly seen from the A429 Kenilworth Road when travelling southwards from Coventry to Kenilworth.

- 14.6.5** There are 2 sets of objectors - Mr and Mrs Hague who are the landowners, and George Wimpey Strategic Land who, until recently, held an option on the land and were prospective developers. The first of these refer to the advice in PPG2 and to the judgements made in *Carpets of Worth v Wyre Forest DC* (1991) and *Copas and Another v Royal Borough of Windsor and Maidenhead* (2001). Together, policy guidance and case law establish that the essential characteristic of Green Belts is their permanence. Detailed Green Belt boundaries, once they have been defined in an adopted development plan, should only be altered exceptionally. In the objectors' view the District Council's response provides no suggestion of exceptional circumstances. The only explanations offered are in Paragraph 9.10 of the First Deposit Plan ('a minor change to reflect the current situation on the ground'); in the Topic Response Analysis ('This land was omitted from the Green Belt in the previous Local Plan.....It should properly be considered as Green Belt given its character, appearance and use.....Its designation in the draft Local Plan was supported by a number of local people'); and in Paragraph 4.27 of Core Topic Paper 10 (Rural Areas) where the alteration is described as being minor in nature. The impression promoted by the District Council is that the land was previously inadvertently omitted from the Green Belt.
- 14.6.6** There has been just one previous planning application in respect of the land when outline planning permission for residential development was refused in 1971. In December 1982 Warwickshire County Council adopted the Green Belt Local (Subject) Plan. The objection site was not included in the Green Belt. The objectors consider that by implication their land was deemed to lie inside the town boundary. Green Belt boundaries were revisited in the Warwickshire Structure Plan Review of 1984. Again, when the Structure Plan was approved in 1987 the objection site was excluded. The next review of boundaries was in the 1988 Kenilworth Inset Plan, an informal local plan prepared by Warwick District Council. It was proposed that the Green Belt boundary be amended to include the objection site. The alteration was described as being of a minor nature amounting to rationalisation. Representations were made by Mr and Mrs Hague and when the Inset Plan was adopted in 1989 the proposal to include the land within the Green Belt boundary had been dropped. The next attempt made by the District Council to include the site was in 1990. Once again, objections were made and when the current Local Plan was adopted in 1995 the Green Belt designation did not embrace the objection site. The objectors say that history is repeating itself with the emerging Local Plan 1996-2011. The current objection is the third one made in the space of 18 years. Mr and Mrs Hague maintain that their objection is not designed to promote the land as being suitable or appropriate for any form of development, but only to maintain the status quo.
- 14.6.7** Previous objections have made the point that the District Council has not produced any evidence showing the existence of exceptional circumstances. The current situation on the ground is exactly the same as has appertained throughout Mr and Mrs Hague's ownership of the land, dating from 1957. In the objectors' view, the admission by the planning authority that the proposal is minor in nature implies that there are no exceptional circumstances. Issues as to the suitability of the revised Green Belt boundary only become relevant once the District Council has demonstrated such circumstances. In fact, the existing Green Belt boundary established as long ago as 1982 has proved to be robust. Moreover, policy with regard to the permanence of Green Belt boundaries has

fundamentally remained the same through Circular 14/84 into PPG2 in both its 1995 and 1998 guises.

14.6.8 Looking first at the question of exceptional circumstances, the following points were decided in the *Carpets of Worth* case. Firstly, the boundary of existing Green Belts in structure plans should not be altered, either way, except in exceptional circumstances, nor should adopted local plans be treated any differently. Secondly, the Court rejected any suggestion that the process of producing a new local plan was in itself an exceptional circumstance. Thirdly, because it directly prejudices landowners an extension to the Green Belt should not be brought into effect unless it can be justified directly for those purposes for which the Green Belt was designated. Fourthly, once a Green Belt has been established it must require exceptional circumstances to justify an alteration. The objections in respect of land at Highland Road/Woodland Road need to be examined in light of these considerations.

14.6.9 I am satisfied that exceptional circumstances do exist for amending the Green Belt boundary in this location and that the District Council does not rely upon general planning concepts. There is no logic to the present boundary. It is an anomaly that should be corrected, and the nettle should be grasped now. I am in no doubt that if the Green Belt was being established around Kenilworth for the first time, this parcel of land would be included. The need to apply a consistent approach to Green Belt designation is, I feel, an exceptional circumstance. I agree with the District Council that the site has a clear visual and functional relationship with open, undeveloped land to the north. In my opinion, this amendment is not of such significance as to constitute a strategic alteration that should only be made through a review of the Regional Spatial Strategy. The reason why this land was originally excluded from the Green Belt is obscure. However, it is not unreasonable to conclude that it was based upon a purely administrative convenience in following the old Urban District boundary. That position has changed with revision of the local authority boundary. In terms of the *Copas* case, I consider that the fundamental assumption which caused the land initially to be excluded from the Green Belt has been clearly and permanently falsified by this later event. Its continuing exclusion from the Green Belt can, I believe, be properly characterised as an incongruous anomaly. If the correction of a past mistake is not regarded as an exceptional circumstance, then there would be no opportunity through PPG2 to put matters right. The preparation of a new Warwick District Local Plan is not in itself an exceptional circumstance. But it does provide the vehicle for addressing an inconsistency that has, in my view, prevailed for far too long and has unreasonably raised expectations as to future development potential. This leads on to the next consideration.

14.6.10 I find that the land fulfils many of the Green Belt purposes set out in Paragraph 1.5 of PPG2. It checks the unrestricted sprawl of a large built up area, prevents neighbouring towns from merging into one another, assists in safeguarding the countryside from encroachment and, in a more modest way, assists in urban regeneration by encouraging the recycling of derelict and other urban land. The gap between Kenilworth and Coventry is perilously narrow and extremely sensitive. This can be readily appreciated from examination of the District-wide Proposals Map and from the map and aerial photographs at Appendices 1 and 2 of the District Council's proof of evidence. There would be a gap of only 0.9 km remaining between the northern part of the objection site and Coventry. At the hearing the District Council accepted that the land is not exposed to a threat of development in this Plan period. Even if excluded from the Green Belt, the absence of an allocation, the greenfield nature of the site, and the District Council's SPD 'Managing Housing Supply' would preclude residential development. Moreover, any

future development of the site would not bring buildings any closer to Coventry than dwellings that exist in parts of Highland Road and Woodland Road. But possible longer-term development would fill in a deep indent in the urban boundary. The perception would be of a much greater mass of development rolling down the hillside towards Coventry, presenting a more solid edge to the town. This would result in a serious loss of openness and harm to the rural setting of Kenilworth and give the impression of settlements merging.

14.6.11 Incorporation of this site in the Green Belt is strongly supported by local people as evidenced through formal representations to the First Deposit version of the Plan and comments on the Omission Sites Consultation. The latter generated 20 representations, all objecting to the principle of development of the site. They included objections from the Kenilworth Society, Kenilworth Town Council, CPRE (Warwickshire Branch) and Crackley Residents' Association. While those representations do not amount to exceptional circumstances for altering the Green Belt boundary, they do demonstrate the strength of local feeling as to the need for protection of this sensitive tract of land.

14.6.12 The District Council argues that if this site remains outside the Green Belt it should continue to be shown as being within the rural area (and therefore subject to the Plan's rural area policies), as opposed to the built-up area of Kenilworth. Additional protection should be also given through its designation as an Area of Restraint, continuing the AoR located to the south-west on the opposite side of Common Lane which follows the line of Finham Brook. While the latter suggestion may have merit, it does not fall to be considered here - if only because the public have had no opportunity to consider the proposal. As regards inclusion of the land in a Special Landscape Area, I have resolved elsewhere in my report that such a designation should be deleted from the Plan.

14.6.13 Notwithstanding the alternative proposals outlined above, I conclude that the Green Belt boundary at Highland Road/Woodland Road should be amended to incorporate the objection site which is clearly rural rather than urban in character.

14.6.14 Issue 3: The town centre boundary has been drawn to encompass uses that are essential to the effective operation of the town centre as a focus of shopping, service and civic functions. I agree that to draw a much wider boundary would dilute activities to the detriment of the health and vitality of the town centre. As pointed out by the District Council, Abbey Fields has little in common with the town centre while High Street is physically divorced from it by a considerable gap. Offering a different and complementary type of shopping experience, High Street is more appropriately included in the retail hierarchy as a local shopping centre. At Revised Deposit stage the police station and library at Smalley Place have been included in the town centre boundary. I support that alteration. Such uses clearly represent essential town centre activities. I note that on this basis the objection by the Kenilworth Society has been conditionally withdrawn.

14.6.15 Issue 4: I respond to this miscellany of points in the order raised. (a) The District Council confirms that the most up-to-date information available from the Environment Agency on flood risk areas will be incorporated in the Local Plan at the time of its adoption. I support that commitment. Paragraph 4.59 of the supporting text explains that this information is liable to change over time and should be used as a basis of consultation rather than decision making. (b) I note that unlike the adopted Local Plan the approach taken through Policy SC8 has been to protect all employment land rather than just those sites identified by a protective designation. I believe this to be

appropriate. (c) There are 2 national cycle network routes that run through Warwick District. Route 41 between Rugby and Stratford upon Avon is partially completed while Route 52 between Derby and Stratford upon Avon is still at proposals stage. The District Council has accepted that it would be useful to show the implemented sections of Route 41. I agree that until the remaining sections are defined (including Route 52), it would be inappropriate to include them on the Proposals Map. (d) I have concluded elsewhere in my report in response to other objections that the transport corridors should be deleted. (e) The District Council accepted at Revised Deposit stage that the key indicating the boundary of Kenilworth town centre should refer to all relevant town centre policies - that is, TCP1, 2, 4, 5, 9, 11, 12 and 13 - and not just TCP1. I endorse that alteration in the interests of clarity. (f) An audit of open space is currently being carried out. In view of this, I consider it would be inappropriate to identify areas of open space on the Inset Map. In any event, Policy SC5 affords protection to all open space in the District. (g) Tainters Hill is incorrectly referred to on the base map supplied by the Ordnance Survey. The District has, I note, undertaken to correct this error. The question of whether this land should be identified as an AoR is addressed elsewhere in my report. I conclude that it should not be. (h) Finally, the District Council has withdrawn the 'special landscape area' designation in the Revised Deposit Plan. For reasons set out elsewhere in my report, responding to other objections, I support that action.

14.6.16 Issue 5: I agree with the planning authority that until such time as the recently approved planning application for redevelopment of Talisman Square and provision of a new supermarket for Waitrose has been implemented it would be premature to include this area in the town centre boundary.

14.6.17 Issue 6: (*Rouncil Lane*) This land has been in the Green Belt for some considerable time. Its inclusion was confirmed in Warwickshire County Council's 1982 Green Belt Local (Subject) Plan. That designation was subsequently carried forward into the adopted Warwick District Local Plan 1995. At First Deposit stage of the emerging Local Plan, the Green Belt boundary was amended to include the adjacent playing fields of Kenilworth Castle Sixth Form School. That has reinforced the Green Belt in this area. Removal of the objection site would create a gap. No exceptional circumstances have been put forward to justify releasing this site from the Green Belt. I am satisfied that circumstances have not materially changed and that this site continues to perform several Green Belt functions. It assists in safeguarding the countryside from encroachment, prevents Kenilworth and Leek Wootton from merging, checks unrestricted sprawl of the built-up area of Kenilworth, and assists in urban regeneration by encouraging the recycling of derelict and other urban land. I note that it was subject of the Omission Sites Consultation when it generated 9 objections. As regards the Special Landscape Area, I have concluded elsewhere in my report that this designation should be removed from the Plan. Finally, I see no reason why rural area policies should not apply in this area close to but beyond the urban limits of the town.

14.6.18 Issue 7: The District Council has accepted advice from Warwickshire County Council (Museum Field Services) that the boundary of St Mary's Abbey scheduled ancient monument in Abbey Fields is incorrect. The scheduled area is more extensive than shown on the Inset Map. I agree that this discrepancy should be corrected.

14.6.19 Issue 8: (*Crackley Barn*) The objection site is situated in the Green Belt on the edge of Kenilworth. It is located on the western side of Coventry Road between the former Crackley Garage and a row of dwellings known as Crackley Crescent. Opposite is the relatively recent Arborfield Close development. The site contains a dwelling set in

large grounds bounded by dense vegetation that screens the site on all sides including the road frontage. The triangular-shaped garage site to the south, now cleared, has approval in principle (subject to a legal agreement) for the erection of 33 houses and flats. Crackley Garage, Crackley Crescent (together with a dwelling to the rear known as Southcot) and the majority of Arborfield Close lie outside the Green Belt boundary.

14.6.20 The objector argues that the objection site is of no visual significance in terms of separating Crackley Crescent from the rest of the urban area, neither is it an important tract of open countryside. It is claimed that it does not contribute towards maintaining the Green Belt boundary nor does it fulfil any of the purposes for including land in the Green Belt. Consequently, the objector believes it is unnecessary to keep the land permanently open.

14.6.21 The objection site has formed part of the Green Belt for some time. It was shown as such in the 1995 Warwick District Local Plan. I am satisfied that there has been no significant change in circumstances since that time. No exceptional circumstances have been advanced by the objector to justify release of this site from the Green Belt. While the land is well screened at present, the trees around the site are not protected by any preservation order. If they were removed, I concur with the planning authority that the site would take on a more open character with long views towards open countryside. In my opinion, the site fulfils more than one Green Belt purpose. It assists in safeguarding the countryside from encroachment and also, in a more modest way, assists in urban regeneration by encouraging the recycling of derelict and other urban land.

14.6.22 The Arborfield Close development on the opposite side of Coventry Road includes a small triangular-shaped parcel of Green Belt land. It forms part of a larger area, the remainder of which falls within the urban boundary. The frontage of that site (including the land in the Green Belt) was previously intensively used as a petrol filling station and garage. A planning application in 2002 for the construction of 8 dwellings, 2 of which were in the Green Belt, was treated as a departure from the development plan. In deciding not to call in the application for his own determination, the Secretary of State agreed that the proposed residential use would be less intensive than previous commercial activities. It is clear that the circumstances there were very different from those prevailing at Crackley Barn.

14.6.23 As regards Southcot, the linear curtilage of that property runs along the rear of houses in Crackley Crescent. Together with that adjacent block of dwellings it is excluded from the Green Belt. In contrast, the objection site makes a potentially stronger contribution to the Green Belt. Most importantly, it maintains a largely undeveloped tract of open land between Crackley Crescent and Crackley Garage. While the objector feels that there is an anomaly in the Green Belt boundary, I am satisfied that the planning authority has been consistent in its approach to the treatment of individual dwellings. The District Council cites the example of Kenilworth Lodge on Leamington Road. There, as here, the property was considered to be more open in character than the adjoining built-up area and retained as Green Belt. I conclude that Crackley Barn should not be taken out of the Green Belt.

Recommendations

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

amend the boundary of the scheduled ancient monument at St Mary's Abbey, Abbey Fields to accord with the records maintained by English Heritage.

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

APPENDIX A								
DATE	SESSION	OBJECTION NUMBER	POLICY NUMBER	OBJECTOR	APPEARING OBJ	QUALIFICATIONS	APPEARING WDC	QUALIFICATIONS
04.04.06	RTS	201/AE, RAB & RAC	SC8A & APPENDIX 2	HOME BUILDERS FEDERATION	JOANNE RUSSELL	BA (Hons), DipTP, MRTPI	SALLY JONES	MRTPI
		229/RAA & RAB		GALLAGHER ESTATES	MIKE HOLLISS	BA (Hons), MPhil, MRTPI		
		266/RAE		WARWICK TOWN COUNCIL	PETER STORRIE	DipTP MPhil MRTPI		
		153/AB		THOMAS BATES & SON	ANDREW MARTIN	MA DipTP FRICS FRTPI		
		119/RAD & RAP		BLOOR HOMES	TONY BATEMAN	BA(Hons) MRICS MRTPI MCIM		
		120/AQ, RAD & RAP		MILLER HOMES	TONY BATEMAN	BA(Hons) MRICS MRTPI MCIM		
05.04.06	INF HEAR	223/AY	DP1	KENILWORTH TOWN COUNCIL	GEORGE ILLINGWORTH	BSc(Eng), Ceng, MIMechE, ACGI	PHILIP CLARKE	M.Sc, Dip TP, MRTPI
	INF HEAR	223/RAC	DP11	KENILWORTH TOWN COUNCIL	GEORGE ILLINGWORTH	BSc(Eng), Ceng, MIMechE, ACGI	LORNA COLDICOTT	Dip Urp, MRTPI
							ROGER DEWSBURY	
	INF HEAR	223/RAF	UAP8 & PROP MAP 5	KENILWORTH TOWN COUNCIL	GEORGE ILLINGWORTH	BSc(Eng), Ceng, MIMechE, ACGI	PHILIP CLARKE	M.Sc, Dip TP, MRTPI
	INF HEAR	223/AM	UAP2, DAP2 & PROP MAP5	KENILWORTH TOWN COUNCIL	GEORGE ILLINGWORTH	BSc(Eng), Ceng, MIMechE, ACGI	PHILIP CLARKE	M.Sc, Dip TP, MRTPI
	INF HEAR	135/AE & RAE	SC4	BISHOPS TACHBROOK PARISH COUNCIL	GRAHAM LEEKE	CHAIRMAN OF PARISH COUNCIL	HELEN ABSALOM	MA (Cantab), MRTPI
	INF HEAR	221/RAD	SC5	KENILWORTH SOCIETY	JOANNA ILLINGWORTH	MA (Oxon), CPFA	PHILIP CLARKE	M.Sc, Dip TP, MRTPI
27.04.06	FORMAL HEAR	265/AA, AB, AC, RAA, RAB & RAC	UAP3, CH 7 INT, TCP2 & TCP3	CROWN ESTATE	NEIL CAMERON	COUNSEL	MARK WATSON	COUNSEL
					IAN M. ANDERSON	B.Sc. (Hons), Dip TP, MA, MRTPI	TONY WARD	DipTP, MRTPI
					PHIL BELL	BEng(Hons) MCIT MILT MIHT		

28.04.06	INF HEAR	293/AB	CH 10 OMISSION	OLDHAMS TRANSPORT	PETER FRAMPTON	B.Sc. (Hons) TP, ARICS, MRTPI	SALLY JONES	MRTPI
		189/AB	CH 10 OMISSION	TAYLOR WOODROW DEVELOPMENTS				
03.05.06	INF HEAR	148/AS, AT & RBA	TCP7 & SPP1	CPRE	MARK SULLIVAN	MRTPI, CMILT	PHILIP CLARKE	M.Sc, Dip TP, MRTPI
					RAY CLIPSON			
16.05.06	INF HEAR	135/AC & RAC	RAP2	BISHOPS TACHBROOK PARISH COUNCIL	SEAN DEELY		SALLY JONES	MRTPI
					GRAHAM LEEKE			
	INF HEAR	135/AF & RAD	RAP5	BISHOPS TACHBROOK PARISH COUNCIL	SEAN DEELY		SALLY JONES	MRTPI
					GRAHAM LEEKE			
	INF HEAR	135/AB & RAA	DAP2	BISHOPS TACHBROOK PARISH COUNCIL	SEAN DEELY		TONY WARD	DipTP, MRTPI
					GRAHAM LEEKE			
	INF HEAR	57/AA & 278/AA	RAP2	SHIRLEY ESTATES	JILL DAVIS	BA, MRTPI	SALLY JONES	MRTPI
					H GOODE			
18.05.06	INF HEAR	235/RAB	DAP1	KENILWORTH RUGBY FOOTBALL CLUB	PETER FRAMPTON	B.Sc. (Hons) TP, ARICS, MRTPI	PHILIP CLARKE	MSc DipTP MRTPI
19.05.06	INF HEAR	221/RAA	DAP3	KENILWORTH SOCIETY	JOANNA ILLINGWORTH	MA (Oxon), CPFA	TONY WARD	DipTP, MRTPI
		148/RAQ	DAP3	CPRE	MARK SULLIVAN	MRTPI, CMILT	PHILIP CLARKE	MSc DipTP MRTPI
23.05.06	INF HEAR	221/RAF	DAP11	KENILWORTH SOCIETY	JOANNA ILLINGWORTH	MA (Oxon), CPFA	ALAN MAYES	BA (Hons), DipARCH, RIBA, IHBC
24.05.06	INF HEAR	51/AA	CH 10 OMISSION	BANCROFT CRUISERS	JOHN MACARTNEY- FILGATE	PROPRIETOR	HELEN ABSALOM	MA (Cantab), MRTPI
					ROGER CLAY	S&W WT LTD		

					IAN FLETCHER	IWA		
	INF HEAR	279/AA & AC	CH 10 OMISSION & RAP13	R BUTLER	GEOFF WILSON	MA, BA	SALLY JONES	MRTPI
25.05.06	INF HEAR	167/AB & AC	PROP MAP 1	E. BROWN	M. ROGERS	B.Sc.(Hons), MRTPI	PHILIP CLARKE	M.Sc, Dip TP, MRTPI
06.06.06	INF HEAR	256/AA	PROP MAP 2	T & N LTD	JOANNE LANGDON	MRTPI	PHILIP CLARKE	M.Sc, Dip TP, MRTPI
					PATRICK GRIFFITHS	B.Sc. (Hons), DipLA, MLI		
07.06.06	INF HEAR	246/AA, RAA & RAB	DAP2 & PROP MAP 2	EUROPA WAY CONSORTIUM	CLIVE HARRIDGE	BA (Hons), DipTP, MRTPI	MIKE DUFFETT	BA (Hons), MRTPI
					DAVID WILLIAMS	BA (Hons), Dip LA	PHILIP CLARKE	MSc DipTP MRTPI
	INF HEAR	350/RAZ, RBE, RBF & RBH	UAP3, TCP2, TCP3 & TCP8	TESCO STORES LTD	MARK BUXTON	B.Sc (Hons), MRTPI	TONY WARD	DipTP, MRTPI
09.06.06	INF HEAR	245/AA, RAA & AB	SSP1 & PROP MAP 2	HALLAM LAND MANAGEMENT	PETER LEAVER	BA, MRICS	PHILIP CLARKE	M.Sc, Dip TP, MRTPI
					ALASDAIR JONES	BA (Hons), MRTPI		
13.06.06	INF HEAR	124/AA	SSP2	FARMERS FRESH	PETER HORRIDGE	B.Sc., Dip TP, FRICS, MRTPI	SALLY JONES	MRTPI
	INF HEAR	148/BQ	SSP2	CPRE	MARK SULLIVAN	MRTPI, CMILT	PHILIP CLARKE	M.Sc, Dip TP, MRTPI
					MICHAEL JEFFS			
					PETER APPLEBY			
	INF HEAR	148/BR & RAV	SSP3	CPRE	MARK SULLIVAN	MRTPI, CMILT	PHILIP CLARKE	M.Sc, Dip TP, MRTPI
					MICHAEL JEFFS			
	INF HEAR	148/RBB	SSP4	CPRE	MARK SULLIVAN	MRTPI, CMILT	HELEN ABSALOM	MA (Cantab), MRTPI
14.06.06	INF HEAR	229/AH & AF	CH 10 OMISSION & RAP1	GALLAGHER ESTATES	MIKE HOLLIS	BA, MPhil, MRTPI	HELEN ABSALOM	MA (Cantab), MRTPI

					MOIRA HANKINSON	B.Sc, DipLD, FLI	HELEN ABSALOM	MA (Cantab), MRTPI
							PHILIP CLARKE	MSc DipTP MRTPI
15.06.06	RTS	135/AD & RAJ	SSP5	BISHOPS TACHBROOK PARISH COUNCIL	SEAN DEELEY	NOT GIVEN	HELEN ABSALOM	MA (Cantab), MRTPI
		148/AO & RAW		CPRE	MARK SULLIVAN	MRTPI, CMILT	MICHAEL WATERS (WCC)	
					MRS COBHAM			
		229/AG		GALLAGHER ESTATES	KEN GOSLING			
		317/RAA		J. DRAKE	J. DRAKE			
		45/AC		G. LEEKE	G. LEEKE			
		193/BU		COTEN END AND EMSCOTE RESIDENTS ASSOCIATION	JAMES MACKAY			
		199/BU & 199/RAL		JAMES MACKAY	JAMES MACKAY			
	INF HEAR	342/RAA	BISHOPS TACHBROOK INSET PLAN	MR & MRS. SMITH	PAMELA SMITH		PHILIP CLARKE	M.Sc, Dip TP, MRTPI
							LORNA COLIDICOTT	Dip Urp MRTPI
04.07.06	FORMAL HEAR	153/AA, AB & AC	CH 10 POLICY OMMISSIONS,	THOMAS BATES AND SON	ANTHONY DINKIN	QC	SIMON WOOD	COUNSEL
			PROP MAP 2 & APP2		ANDREW MARTIN	MA DipTP FRICS FRTPI	PHILIP CLARKE	M.Sc, Dip TP, MRTPI
					NIGEL COWLIN	BA (Hons), Dip LA, MLI	SALLY JONES	MRTPI
05.07.06	INF HEAR	276/AA	PROP MAP 5	MR & MRS HAGUE	JEREMY CAHILL	QC	PHILIP CLARKE	M.Sc, Dip TP, MRTPI
					JOHN RUDDICK	SOLICITOR		

					HARVEY WILLIAMS	CHARTERED SURVEYOR		
	INF HEAR	104/RAA & RAB	DAP1, SSP2	WARWICKSHIRE COUNTY COUNCIL	RICHARD WOOD	Dip TP, MRTPI, FRICS	PHILIP CLARKE	M.Sc, Dip TP, MRTPI
			& PROP MAP PART 2				LORNA COLDICOTT	Dip Urp, MRTPI
	INF HEAR	104/AB & 104/RAC	TCP9	WARWICKSHIRE COUNTY COUNCIL	RICHARD WOOD	DipTP MPhil MRTPI	PHILIP CLARKE	MSc DipTP MRTPI
							LORNA COLDICOTT	Dip Urp MRTPI
	INF HEAR	104/AD	DAP2	WARWICKSHIRE COUNTY COUNCIL	RICHARD WOOD	DipTP MPhil MRTPI	PHILIP CLARKE	MSc DipTP MRTPI
06.07.06	INF HEAR	VARIOUS	VARIOUS	LEAMINGTON SOCIETY	ROBIN RICHMOND	NOT GIVEN	PHILIP CLARKE	M.Sc, Dip TP, MRTPI
					ARCHIE PITTS	NOT GIVEN	HELEN ABSALOM	MA (Cantab), MRTPI
					GORDON FYFE	NOT GIVEN	CLAIRE PARLETT	BA (Hons)
					MARK SULLIVAN	MRTPI, CMILT		
11.07.06	INF HEAR	148/BU & RAX	SSP7	CPRE	MARK SULLIVAN	MRTPI, CMILT	JOHN ARCHER	BA, MCD, MRTPI
					PATER LANGLEY		MIKE DUFFETT	BA(Hons) MRTPI
	INF HEAR	260/RAC	SSP7	BAGINTON PARISH COUNCIL	ROGER FAWCETT	NOT GIVEN	JOHN ARCHER	BA, MCD, MRTPI
					JEAN FAWCETT	NOT GIVEN		
12.07.06	INF HEAR	157/AB & RAA	SSP7	WEST MIDLANDS P & T SUB-CTTEE (EXC CCC)	DAVID CARTER	BA, MA, MRTPI	JOHN ARCHER	BA, MCD, MRTPI
							MIKE DUFFETT	BA(Hons) MRTPI

	INF HEAR	323/RAA	SSP7	WEST MIDLANDS REGIONAL ASSEMBLY	DANNY LAMB	B.Sc., I.Eng., AMICE, MCILT	JOHN ARCHER	BA, MCD, MRTPI
							MIKE DUFFETT	BA(Hons) MRTPI
	INF HEAR	334/RAA	SSP7	DAVID HUCKER	DAVID HUCKER		JOHN ARCHER	BA, MCD, MRTPI
	INF HEAR	316/RAA	SSP7	BRINKLOW PARISH COUNCIL	RICHARD GUNSTONE	CHAIRMAN OF PARISH COUNCIL	JOHN ARCHER	BA, MCD, MRTPI
							MIKE DUFFETT	BA(Hons) MRTPI
13.07.06	FORMAL HEAR	321/RAA	DAP1	WEST MIDLANDS INTERNATIONAL AIRPORT LTD	PETER VILLAGE	QC	SATNAM CHOONG	COUNSEL
	FORMAL HEAR	321/RAB & RAX	DAP1 & SSP1	WMIAL	JAMES STRACHAN	COUNSEL	JOHN ARCHER	BA, MCD, MRTPI
					JOHN LITTMAN	FRICS, Dip TP, MRTPI		
					CLIVE SELF	Dip LA, MLI		
20.07.06	FORMAL HEAR	219/AD, AE & AF	CH 10 POLICY OMISSION,	DEELEY PROPERTIES LTD	IAN DOVE	QC	SATNAM CHOONG	COUNSEL
			SSP1 & SC2		MIKE HOLLIS	BA (Hons), MPhil, MRTPI	STEVE NORRIS	BA (Hons), MPhil, PHD
					JONATHAN BORE	Dip UD, MRTPI	PHILIP CLARKE	M.Sc, Dip TP, MRTPI
					WILLIAM WAREING	FRICS	TONY WARD	Dip TP, MRTPI
					ANDREW VENABLES	BSc MRICS		
05.09.06	FORMAL HEAR	321/RAY	SSP7	WEST MIDLANDS INTERNATIONAL AIRPORT LTD	PETER VILLAGE	QC	SATNAM CHOONG	COUNSEL
06.09.06					JAMES STRACHAN	COUNSEL	JOHN ARCHER	BA, MCD, MRTPI
					JOHN LITTMAN	FRICS, Dip TP, MRTPI		

APPENDIX B

CORE DOCUMENTS

Warwick District Local Plan Documents (1 -100)

Full set of representations received at First and Revised Deposit Draft stages

CD1	Warwick District Local Plan 1989 – 2001	1995
CD2	WDC Committee Report: Report to Executive to seek approval to consult on the “Key Issues” stage of the Local Plan	March 2001
CD3	Key Issues leaflet	March 2001
CD4	Key Issues report	April 2001
CD5	Key Issues Report of Public Consultation	Sept 2002
CD6	WDC Committee Report: Report to Executive to seek approval to consult on the Local Plan First Deposit Version	Sept 2003
CD7	Sustainability Appraisal of Warwick District Local Plan (First Deposit Version)	Nov 2003
CD8	Warwick District Local Plan 1996 – 2011 First Deposit Version	Nov 2003
CD9	Sustainability Appraisal Scoping Study of Warwick District Local Plan (Revised Deposit Version)	Feb 2005
CD10	Sustainability Appraisal of Warwick District Local Plan (Revised Deposit Version) – Draft report	Mar 2005
CD11	WDC Committee Report: Report to Executive to seek approval to consult on the Local Plan Revised Deposit Version	May 2005
CD12	Warwick District Local Plan Revised Deposit Version Statement of Public Consultation	May 2005
CD13	Warwick District Local Plan 1996 – 2011 Revised Deposit Version	May 2005
CD14	Sustainability Appraisal of Warwick District Local Plan (Revised Deposit Version) – Final report	May 2005
CD15	Background to the Local Plan and the Core Strategy Topic Paper	Feb 2006
CD16	Housing Topic Paper	Feb 2006
CD17	Affordable Housing Topic Paper	Feb 2006
CD18	Natural Environment Topic Paper	Feb 2006
CD19	Development Topic Paper	Feb 2006
CD20	Historic Environment Topic Paper	Feb 2006
CD21	Employment Topic Paper	Feb 2006
CD22	Town Centres and Retail Topic Paper	Feb 2006
CD23	Transport Topic Paper	Feb 2006
CD24	Rural Areas Topic Paper	Feb 2006
CD25	Leisure, Recreation, Community Facilities and Open Space Topic Paper	Feb 2006
CD26	Coventry Airport Topic Paper	Feb 2006
CD27	Consultation on Omission Sites	Jan 2006
CD28	Analysis of Objections to Revised Deposit Version and Proposed Changes to the Local Plan	Jan 2006
CD29	WDC Committee Report: Report to Executive to seek delegated approval to agree minor changes to the Local Plan	Dec 2005
CD30	WDC Committee Report: Report to Chief Executive to seek	

	approval for changes to the Local Plan	Feb 2006
CD31	Inspector's report on objections to the Warwick District Local Plan - Public Local Inquiry, Summer 1993	Nov 1994
CD32	Planning Committee 8 th March 2005 Minutes	Mar 2005
CD33	Local Plan Inquiry opening statement by Warwick District Council	April 2006
CD34	Notes of the Pre Inquiry Meeting	Jan 2006
CD35	Summary of Representations Received During the Omission Sites Consultation	July 2006

Local Plan Supporting Documents

Warwick District Council and Other District-Wide Documents

Corporate and Community Strategies (101 – 200)

CD101	Warwick District Council Corporate Strategy	2003
CD102	Warwick District Council Community Plan 2003	2003
CD103	Warwick District Council Community Plan 2020	2005

Planning Briefs (201 – 300)

CD201	Saltisford Planning Brief	2001
CD202	Managing Housing Supply Supplementary Planning Document	2005
CD203	Old Town Leamington: Development Principles for Court St/ Althorpe St. Area	1999
CD204	Old Town Leamington: Development Principles for Wise St. Area	1999
CD205	Old Town Leamington: Development Principles for Station Area	1999
CD206	Old Town Leamington: Urban Coding Exercise – High Street/ Clemens St./Tachbrook Road	1999
CD207	Development Brief for the Court Street Site, Leamington	2003
CD208	Warwick University Development Plan	1994

Housing (301 – 400)

CD301	Warwick District Council Housing Strategy	2004
CD302	Housing Monitoring Report 2004	2004
CD303	Housing Monitoring Report 2005	2005
CD304	Warwick District Housing Needs Study	1998
CD305	Warwick District Housing Needs Study Update	2001
CD306	Warwick District Homelessness Strategy	June 2005
CD307	South Warwickshire Housing Assessment	Mar 2006

Economy & Tourism (401 – 449)

CD401	Warwick District Economic Development Strategy	
CD402	Tourism Action Plan	2001
CD403	Urban Capacity Study	2002

Transport (450 – 500)

CD450	Warwick and Leamington Spa Park & Ride Feasibility Study (Oscar Faber)	July 2000
CD451	Warwick and Leamington Spa Park & Ride Study (Faber Maunsell)	Mar 2002
CD452	Warwick & Leamington Spa Park & Ride Stage 2 Feasibility Study (Faber Maunsell)	Jan 2004
CD453	Report to First Secretary of State & Secretary of State for Transport – Land at Airport South, Coventry Airport, Siskin Parkway West, Coventry	Dec 2005
CD454	Coventry Airport IPF Enforcement Inquiry, Secretary of State decision letter	April 2006
CD455	Extract from Solihull Unitary Development Plan re development at Birmingham Airport	Feb 2006
CD456	Planning Committee 23 rd May 2006. Coventry Airport – Consultation on proposals for the revision of NPRs & SDRs	May 2006

Town Centres & Retail (501 – 600)

CD501	Warwick Town Centre Action Plan	2005/06
CD502	Kenilworth Town Centre Action Plan	2005/06
CD503	Warwick DC Retail Study	2002
CD504	Warwick DC Retail Study	2004
CD505	Warwick DC Retail Study 2004 – Revised Convenience Goods Retail Capacity	2005
CD506	West Midlands RSS – Regional Centres Study (Roger Tym)	Mar 2006
CD507	‘Chandos Street Expression of Interest’ document (WDC)	May 2006
CD508	Warwick District Council Sequential Assessment (GVA Grimley)	May 2006

Conservation & Design (601 – 700)

CD601	Leamington Design Guide (Rock Townsend Study)	1990
CD602	Conservation Advice Leaflet: Design Advice on Shop Fronts & Advertisements: Warwick	Sep 2002
CD603	Conservation Advice Leaflet: Design Advice on Shop Fronts & Advertisements: Royal Leamington Spa	Sep 2002
CD604	Conservation Advice Leaflet: Agricultural Buildings	Sep 2002
CD605	Conservation Advice Leaflet: Windows in Listed Buildings & Conservation Areas	Oct 2002
CD606	Conservation Advice Leaflet: Roofs in Listed Buildings and Conservation Areas	
CD607	Conservation Advice Leaflet: Listed Buildings and Conservation Areas	
CD608	Conservation Advice Leaflet: Painting the Facades of Buildings in the Conservation Area of Royal Leamington Spa	Sep 2002
CD609	Conservation Advice Leaflet: Security for Retail Premises	

Environment, Leisure, Culture & Open Space (701 – 800)

CD701	Withdrawn	
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CD702	Sport & Recreation Strategy	2003 – 08
CD703	Trees & Woodland Strategy	1999
CD704	Withdrawn	
CD705	Warwick District Public Arts Strategy	2001
CD706	Environment Agency Flood Zone Maps	
CD707	Upper Avon Extension – Enhancing Britain’s Inland Navigation Network for the 21 st Century	
CD708	A Vision for the Strategic Enhancement of Britain’s Inland Navigational Network	
CD709	Photomap – Warwick and Leamington Spa	
CD710	Kenilworth Rugby Football Club – A proposal to obtain the support of Sport England for the redevelopment of the existing sports ground	July 2005

Local Development Framework Documents (801 – 900)

CD801	Local Development Framework Annual Monitoring Report 2005	Dec 2005
CD802	Local Development Scheme 2006	Jan 2006

Warwickshire County Council & Other County-Wide Documents (901 – 1000)

CD901	Warwickshire Crime & Disorder Strategy	2005 – 08
CD902	Quality of Life in Warwickshire	Nov 2004
CD903	Warwickshire Local Transport Plan 2000	2000
CD904	Warwickshire Local Transport Plan 2006	2006
CD905	Warwickshire Waste Local Plan	1999
CD906	Warwickshire Minerals Local Plan	1995
CD907	Warwickshire Landscape Guidelines	1993
CD908	Warwickshire Structure Plan	2001
CD909	Transport and Roads for Development: The Warwickshire Guide	2001
CD910	Green Belt Local Plan for Warwickshire	1982
CD911	Warwick and Leamington Park & Ride Proposals Review	Mar 2006
CD912	Park and Ride Options at Greys Mallory, Warwick – Landscape and Visual Impact Assessment	Jan 2006
CD913	Kenilworth Station outline business case	April 2006
CD914	Public Transport Interchange Strategy (WCC)	

Regional Documents (1001 – 1100)

CD1001	West Midlands Regional Housing Strategy	2005
CD1002	Regional Spatial Strategy for the West Midlands	June 2004
CD1003	West Midlands Energy Strategy	Nov 2004
CD1004	West Midlands Regional Spatial Strategy – Phase Two Revision Draft Project Plan	Nov 2005

National Documents (1101 – 1200)

CD1101	PPS1: Delivering Sustainable Development	2005
CD1102	PPG2: Green Belts	
CD1103	PPG3: Housing	

CD1104	PPG4: Industrial, Commercial Development and Small Firms	
CD1105	PPG5: Simplified Planning Zones	Nov 1992
CD1106	PPS6: Planning For Town Centres	2005
CD1107	PPS7: Sustainable Development In Rural Areas	2004
CD1108	PPG8: Telecommunications	
CD1109	PPS9: Biodiversity & Geological Conservation	2005
CD1110	PPS10: Planning For Sustainable Waste Management	2005
CD1111	PPS11: Regional Spatial Strategies	2004
CD1112	PPS12: Local Development Frameworks	2004
CD1113	PPG13: Transport	
CD1114	PPG14: Development on Unstable Land	1990
CD1115	PPG15: Planning and the Historic Environment	
CD1116	PPG16: Archaeology & Planning	
CD1117	PPG17: Planning for Open Space, Sport and Recreation	
CD1118	PPG18: Enforcing Planning Control	1991
CD1119	PPG19: Outdoor Advertisement Control	1992
CD1120	PPG20: Coastal Planning	1992
CD1121	PPG21: Tourism	1992
CD1122	PPS22: Renewable Energy	2004
CD1123	PPS23: Planning and Pollution Control	2004
CD1124	PPG24: Planning and Noise	
CD1125	PPG25: Development and Flood Risk	
CD1126	Planning and Compulsory Purchase Act 2004	2004
CD1127	Crime and Disorder Act 1998	1998
CD1128	Disability Discrimination Act 1995	1995
CD1129	Planning (Listed Buildings and Conservation Areas) Act	1990
CD1130	Town and Country Planning GPDO 1995	1995
CD1131	Environmental Assessment of Plans and Programmes Regulations	2004
CD1132	Circular 6/98	1998
CD1133	A Better Quality of Life: A Strategy for Sustainable Development in the UK (DETR)	1999
CD1134	Withdrawn	
CD1135	Sustainability Appraisal of the RSS and LDF: Consultation Paper (ODPM)	2004
CD1136	The Strategic Environmental Assessment Directive: Guidance for Planning Authorities (ODPM)	Oct 2003
CD1137	The Strategic Environmental Assessment Directive: Draft Practical Guidance (ODPM)	July 2004
CD1138	Planning and Access for Disabled People: A Good Practice Guide	
CD1139	Waste Strategy 2000	2000
CD1140	The Future of Air Transport (The Air Transport White Paper)	Dec 2003
CD1141	Consultation Paper on a New Planning Policy Statement 3 (PPS3 – Housing)	Dec 2005
CD1142	UK Sustainable Development Strategy ‘Securing the Future’	Mar 2005
CD1143	Circular 05/2005 Planning Obligations	July 2005
CD1144	Transitional arrangements and omission sites	
CD1145	Waterways for Tomorrow (DETR)	June 2000
CD1146	Circular 15/93	Nov 1993
CD1147	PPG6 Town Centres and Retail Developments	June 1996

European Documents (1201 – 1300)

CD1201	European Commission Directive 2001/42/EC	2001
CD1202	Directive 79/409/EEC on the Conservation of Wild Birds	1979
CD1203	Habitats Directive	

INQUIRY DOCUMENTS

(1301 onwards)

CD1301	Managing Housing Supply Round Table: Housing Statistics (WDC)
CD1302	Managing Housing Supply Round Table: Methodology for identifying a supply of housing (WDC)
CD1303	Bishops Tachbrook Parish Council supplementary statement - Policy SC4 (BTPC)
CD1304	Warwick and Leamington Spa Cycle Route Network Map showing existing and proposed routes (BTPC)
CD1305	Minutes of WDC Planning Forum held on 16.02.06 (BTPC)
CD1306	Extract from WCC Cycling Strategy (WDC)
CD1307	Closing statement for BTPC hearing - Policy SC4 (WDC)
CD1308	E-mail from WCC to WDC summarising WCC position on Cycle Network Development Plans (WDC)
CD1309	Suggested new wording for the first paragraph of Policy SC4 (WDC)
CD1310	Notes of the Managing Housing Supply RTS
CD1311	Response to WDC Sequential Assessment (Crown Estate)
CD1312	Timetable for Chandos Street Development – best possible case scenario (Crown Estate)
CD1313	Policy UAP3. Annotated proposed amendments (Crown Estate)
CD1314	A3 plan of potential ‘superbus’ stations (WDC)
CD1315	Miller Homes’ A4 site plan and immediate locality (CPRE)
CD1316	Location map (R Butler)
CD1317	‘Tourism and Culture’ extract from RPG for the West Midlands (R. Butler)
CD1318	‘UpMyStreet.com’ Radford Semele C of E Primary School profile (T & N. Ltd)
CD1319	Extract from Coventry, Solihull, Warwickshire and Worcestershire Rural Needs Analysis (T & N. Ltd)
CD1320	Extract of Housing Assessment 2006 (T & N. Ltd)
CD1321	Poverty, Deprivation & Disadvantage in Warwick District - Warwickshire County Council (T & N. Ltd)
CD1322	OS Map extract – Warwick and Leamington Spa (WDC)
CD1323	Photographs and plan of Bishopton Park and Ride, Stratford on Avon (Europa Way Consortium)
CD1324	Agricultural Land Classification Map extract (Europa Way Consortium)

CD1325	Draft conditions attached to Committee Report of 14 February 2005 re: application W04/1068 – Stoneleigh Park (WDC)
CD1326	Photographs of dwellings surrounding proposed Greys Mallory Park & Ride area of search (Mrs Drake)
CD1327	OS Map extract showing contours surrounding Greys Mallory (WDC)
CD1328	Extract from Transport Policies and Programme Document 1998 (WDC)
CD1329	Minute of WDC Planning Committee decision on application W2006/0561 (Leamington Society)
CD1330	Leamington Society's objections to First Deposit Draft including reference numbers but excluding withdrawn objections – provided for clarity (Leamington Society)
CD1331	Extract from Coventry Airport S78 Inquiry S106 document (WDC)
CD1332	E-mail dated 24 th September 2003 from Steve Guynan (Air Atlantique) to various persons re: Coventry Airport (WDC)
CD1333	Decision letter on Oldhams of Barford application W2004/4865 (WDC)
CD1334	Copas v. The Royal Borough of Windsor and Maidenhead [2002] 1 P & C R (WDC)
CD1335	Suggested wording amendments to Policy SSP7
CD1336	Plans of department store and small unit schemes (Deeley Properties)
CD1337	Report by GVA Grimley on behalf of Deeley Properties relating to land at Queensway, Leamington Spa (Deeley Properties)
CD1338	Queensway, Leamington Spa. Application for mixed use development including new food store and office (ref: W03/1969). Critical assessment by Savills of GVA Grimley Report (WDC)
CD1339	Second Report on behalf of Deeley Properties Ltd relating to land at Queensway, Leamington Spa (Deeley Properties)
CD1340	Letter from WDC dated 14 November 2005 addressed to Roger Tym and Partners and enclosing a letter and enclosures from Savills of 8 th November 2005 addressed to WDC (Deeley Properties)
CD1341	Decision letter - appeals by Miller Homes and Quicks Finance Ltd in respect of land at Station Approach, Leamington Spa (Leamington Society)
CD1342	Coventry Airport S78 Inquiry – closing Submissions on behalf of the appellant (WMIAL)
CD1343	Coventry Airport S78 Inquiry – closing Submissions on behalf of the CAA (WMIAL)
CD1344	WMIAL versus First Secretary of State – application for permission to apply for judicial review, order by the Honourable Mr. Justice Collins (WMIAL)
CD1345	E-mail from Amy Duncan (BCC) to David Pywell (BCC) Re: Coventry Airport planning appeal (WMIAL)

- CD1346 Letter from Steve Guynan (WMIAL) to John Beaumont (WDC) re passenger numbers – capacity of the proposed terminal (WMIAL)
- CD1347 E-mail from Gary Stephens (WDC) to Steve Guynan (WMIAL) re strategic planning consultation – further information required (WMIAL)
- CD1348 Birmingham International Airport – passenger modal shares 1999 – 2005 (WMIAL)
- CD1349 Details of dividend payments made by Birmingham Airport Holdings Ltd to shareholders, financial years 2002/3, 2003/4 and 2004/5 (WMIAL)
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APPENDIX C

Ref	Ref	Objector	Sup	Policy	Hrg/RT	Req by	Rec'd	Response to	Inspector	To Library	Remarks
Chapter 1 - Plan Introduction											
242	AE	Coventry City Council (P & T)	O	PLAN INTRO	Rep	24.02.06	24.02.06	10.05.06	10.05.06	10.05.06	FWR
191	RAA	R.A. Richmond	O	PLAN INTRO	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
195	RAA	The Leamington Society	O	PLAN INTRO	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
1	RAC	Warwickshire Wildlife Trust	O	PLAN INTRO	X	X	X	X	X	X	O Rep
150	RAG	WCC (Museum Field Services - Ecology)	O	PLAN INTRO	X	X	X	X	X	X	O Rep
168	AA	Advantage West Midlands	O	PLAN INTRO	X	X	X	X	X	X	O Rep
168	RAF	Advantage West Midlands	O	PLAN INTRO	X	X	X	X	X	X	O Rep
193	AA	Coten End and Emscote Residents Association	O	PLAN INTRO	X	X	X	X	X	X	O Rep
193	AB	Coten End and Emscote Residents Association	O	PLAN INTRO	X	X	X	X	X	X	O Rep
193	AC	Coten End and Emscote Residents Association	O	PLAN INTRO	X	X	X	X	X	X	O Rep
193	AD	Coten End and Emscote Residents Association	O	PLAN INTRO	X	X	X	X	X	X	O Rep
193	AE	Coten End and Emscote Residents Association	O	PLAN INTRO	X	X	X	X	X	X	O Rep
193	AF	Coten End and Emscote Residents Association	O	PLAN INTRO	X	X	X	X	X	X	O Rep
193	AG	Coten End and Emscote Residents Association	O	PLAN INTRO	X	X	X	X	X	X	O Rep
193	AJ	Coten End and Emscote Residents Association	O	PLAN INTRO	X	X	X	X	X	X	O Rep
193	AK	Coten End and Emscote Residents Association	O	PLAN INTRO	X	X	X	X	X	X	O Rep
193	AM	Coten End and Emscote Residents Association	O	PLAN INTRO	X	X	X	X	X	X	O Rep
199	AA	J. MacKay	O	PLAN INTRO	X	X	X	X	X	X	O Rep
199	AC	J. MacKay	O	PLAN INTRO	X	X	X	X	X	X	O Rep
199	AD	J. MacKay	O	PLAN INTRO	X	X	X	X	X	X	O Rep
199	AE	J. MacKay	O	PLAN INTRO	X	X	X	X	X	X	O Rep
199	AF	J. MacKay	O	PLAN INTRO	X	X	X	X	X	X	O Rep
199	AG	J. MacKay	O	PLAN INTRO	X	X	X	X	X	X	O Rep
199	AH	J. MacKay	O	PLAN INTRO	X	X	X	X	X	X	O Rep
199	AJ	J. MacKay	O	PLAN INTRO	X	X	X	X	X	X	O Rep
199	AK	J. MacKay	O	PLAN INTRO	X	X	X	X	X	X	O Rep
199	AL	J. MacKay	O	PLAN INTRO	X	X	X	X	X	X	O Rep
199	AM	J. MacKay	O	PLAN INTRO	X	X	X	X	X	X	O Rep
349	RAA	D. G. Goodyear	O	PLAN INTRO	X	X	X	X	X	X	O Rep
350	RAA	Tesco Stores Ltd	O	PLAN INTRO	X	X	X	X	X	X	O Rep
52	RAA	Barford, Sherbourne & Wasperton JPC	O	PLAN INTRO	X	X	X	X	X	X	O Rep
52	RAE	Barford, Sherbourne & Wasperton JPC	O	PLAN INTRO	X	X	X	X	X	X	O Rep
52	RAF	Barford, Sherbourne & Wasperton JPC	O	PLAN INTRO	X	X	X	X	X	X	O Rep
52	RAJ	Barford, Sherbourne & Wasperton JPC	O	PLAN INTRO	X	X	X	X	X	X	O Rep

54	AA	Conservative Group of Councillors	O	PLAN INTRO	X	X	X	X	X	X	O Rep
54	AB	Conservative Group of Councillors	O	PLAN INTRO	X	X	X	X	X	X	O Rep
66	RAA	The Warwick Society	O	PLAN INTRO	X	X	X	X	X	X	O Rep
262	AE	Warwick & Leamington Spa Green Party	O	PLAN INTRO	X	X	X	X	X	X	O Rep
109	AH	WCC (Planning, Transport & Economic Strategy)	O	PLAN INTRO	X	X	X	X	X	X	cond/wd
223	AA	Kenilworth Town Council	O	PLAN INTRO	X	X	X	X	X	X	cond/wd
Chapter 2 - User Guide											
199	RAF	J. MacKay	O	USER Guide	X	X	X	X	X	X	O Rep
199	AN	J. MacKay	O	USER GUIDE	X	X	X	X	X	X	O Rep
199	AO	J. MacKay	O	USER GUIDE	X	X	X	X	X	X	O Rep
193	AN	Coten End and Emscote Residents Association	O	USER GUIDE	X	X	X	X	X	X	O Rep
193	AO	Coten End and Emscote Residents Association	O	USER GUIDE	X	X	X	X	X	X	O Rep
197	AA	Norton Lindsey Parish Council	O	USER GUIDE	X	X	X	X	X	X	O Rep
228	AB	West Midlands RSL Planning Consortium	O	USER GUIDE	X	X	X	X	X	X	O Rep
66	RAB	The Warwick Society	O	USER GUIDE	X	X	X	X	X	X	O Rep
350	RAB	Tesco Stores Ltd	O	USER GUIDE	X	X	X	X	X	X	cond/wd
Chapter 3 - Core Strategy											
242	RAA	Coventry City Council (P & T)	O	CH 3 INTRO	Written Rep	24.02.06	24.02.06	22.06.06	22.06.06	22.06.06	FWR
195	RAB	The Leamington Society	O	CH 3 INTRO	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
148	AB	CPRE (Warwickshire Branch)	O	CH 3 INTRO	X	X	X	X	X	X	O Rep
187	AA	Countryside Agency (WM Region)	O	CH 3 INTRO	X	X	X	X	X	X	O Rep
193	AP	Coten End and Emscote Residents Association	O	CH 3 INTRO	X	X	X	X	X	X	O Rep
193	AQ	Coten End and Emscote Residents Association	O	CH 3 INTRO	X	X	X	X	X	X	O Rep
199	AP	J. MacKay	O	CH 3 INTRO	X	X	X	X	X	X	O Rep
199	AQ	J. MacKay	O	CH 3 INTRO	X	X	X	X	X	X	O Rep
302	AA	English Heritage (West Midlands Region)	O	CH 3 INTRO	X	X	X	X	X	X	cond/wd
321	RAC	West Midlands International Airport Ltd	O	SPAT STRAT	Written Rep	24.02.06	28.02.06				FWR
191	RAB	R.A. Richmond	O	SPAT STRAT	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
195	RAC	The Leamington Society	O	SPAT STRAT	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
120	RAJ	Miller Homes (West Midlands)	O	SPAT STRAT	X	X	X	X	X	X	O Rep
222	RAC	John Burman & Family	O	SPAT STRAT	X	X	X	X	X	X	O Rep
239	RAM	D. Austin	O	SPAT STRAT	X	X	X	X	X	X	O Rep
322	RAB	J G Land and Estates	O	SPAT STRAT	X	X	X	X	X	X	O Rep
349	RAB	D. G. Goodyear	O	SPAT STRAT	X	X	X	X	X	X	O Rep
350	RAC	Tesco Stores Ltd	O	SPAT STRAT	X	X	X	X	X	X	O Rep
191	RAC	R.A. Richmond	O	OBJ 1A	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
195	RAD	The Leamington Society	O	OBJ 1A	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
349	RAC	D. G. Goodyear	O	OBJ 1A	X	X	X	X	X	X	O Rep

350	RAD	Tesco Stores Ltd	O	OBJ 1A	X	X	X	X	X	X	O Rep
66	RAC	The Warwick Society	O	OBJ 1A	X	X	X	X	X	X	O Rep
256	AD	T & N Limited	O	OBJ 1A	X	X	X	X	X	X	cond/wd
193	AR	Coten End and Emscote Residents Association	O	OBJ 1B	X	X	X	X	X	X	O Rep
199	AR	J. MacKay	O	OBJ 1B	X	X	X	X	X	X	O Rep
222	RAD	John Burman & Family	O	OBJ 1B	X	X	X	X	X	X	O Rep
223	RAA	Kenilworth Town Council	O	OBJ 1B	X	X	X	X	X	X	O Rep
224	RAB	Mr & Mrs. R.M. Orr	O	OBJ 1B	X	X	X	X	X	X	O Rep
66	RAD	The Warwick Society	O	OBJ 1C	X	X	X	X	X	X	cond/wd
132	AA	KB Benfield Group Holdings Ltd	O	OBJ 1C	Written Rep	24.02.06	31.03.06				FWR
201	AN	Home Builders Federation	O	OBJ 1C	Written Rep	24.02.06	07.03.06	23.03.06	30.03.06	30.03.06	FWR
191	RAD	R.A. Richmond	O	OBJ 1C	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
195	RAE	The Leamington Society	O	OBJ 1C	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
214	RAB	J. Biles	O	OBJ 1C	X	X	X	X	X	X	O Rep
119	RAB	Bloor Homes Ltd	O	OBJ 1C	X	X	X	X	X	X	O Rep
120	AB	Miller Homes (West Midlands)	O	OBJ 1C	X	X	X	X	X	X	O Rep
120	RAH	Miller Homes (West Midlands)	O	OBJ 1C	X	X	X	X	X	X	O Rep
170	AE	M. Wood	O	OBJ 1C	X	X	X	X	X	X	O Rep
239	RAL	D. Austin	O	OBJ 1C	X	X	X	X	X	X	O Rep
239	AJ	D. Austin	O	OBJ 1C	X	X	X	X	X	X	O Rep
240	AD	George Wimpey Strategic Land	O	OBJ 1C	X	X	X	X	X	X	O Rep
263	AA	C. Wilson	O	OBJ 1C	X	X	X	X	X	X	O Rep
322	RAC	J G Land and Estates	O	OBJ 1C	X	X	X	X	X	X	O Rep
349	RAD	D. G. Goodyear	O	OBJ 1C	X	X	X	X	X	X	O Rep
200	AN	Taylor Woodrow Strategic Developments	O	OBJ 1C	X	X	X	X	X	X	O Rep
117	AC	Langstone Homes Ltd	O	OBJ 1C	X	X	X	X	X	X	cond/wd
228	AD	West Midlands RSL Planning Consortium	O	OBJ 1C	X	X	X	X	X	X	cond/wd
256	AE	T & N Limited	O	OBJ 1C	X	X	X	X	X	X	cond/wd
66	AE	The Warwick Society	O	OBJ 1C	X	X	X	X	X	X	cond/wd
191	RAE	R.A. Richmond	O	OBJ 1D	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
195	RAF	The Leamington Society	O	OBJ 1D	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
283	RAA	The Ancient Monuments Society	O	OBJ 1D	X	X	X	X	X	X	O Rep
228	AE	West Midlands RSL Planning Consortium	O	OBJ 1D	X	X	X	X	X	X	O Rep
349	RAE	D. G. Goodyear	O	OBJ 1D	X	X	X	X	X	X	O Rep
350	RAE	Tesco Stores Ltd	O	OBJ 1D	X	X	X	X	X	X	O Rep
191	RAF	R.A. Richmond	O	OBJ 1E	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
195	RAG	The Leamington Society	O	OBJ 1E	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
349	RAF	D. G. Goodyear	O	OBJ 1E	X	X	X	X	X	X	O Rep

66	RAE	The Warwick Society	O	OBJ 1F	X	X	X	X	X	X	O Rep
154	AB	National Farmers Union	O	OBJ 1F	X	X	X	X	X	X	O Rep
168	AB	Advantage West Midlands	O	OBJ 1F	X	X	X	X	X	X	O Rep
196	AH	The National Trust	O	OBJ 1F	X	X	X	X	X	X	cond/wd
191	RAG	R.A. Richmond	O	OBJ 2A	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
195	RAH	The Leamington Society	O	OBJ 2A	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
120	AC	Miller Homes (West Midlands)	O	OBJ 2A	X	X	X	X	X	X	O Rep
239	AL	D. Austin	O	OBJ 2A	X	X	X	X	X	X	O Rep
302	RAA	English Heritage (West Midlands Region)	O	OBJ 2A	X	X	X	X	X	X	O Rep
349	RAG	D. G. Goodyear	O	OBJ 2A	X	X	X	X	X	X	O Rep
200	AM	Taylor Woodrow Strategic Developments	O	OBJ 2A	X	X	X	X	X	X	O Rep
1	AA	Warwickshire Wildlife Trust	O	OBJ 2A	X	X	X	X	X	X	cond/wd
117	AD	Langstone Homes Ltd	O	OBJ 2A	X	X	X	X	X	X	cond/wd
150	AA	WCC (Museum Field Services - Ecology)	O	OBJ 2A	X	X	X	X	X	X	cond/wd
210	AA	English Nature	O	OBJ 2A	X	X	X	X	X	X	cond/wd
150	RAA	WCC (Museum Field Services - Ecology)	O	OBJ 2B	X	X	X	X	X	X	O Rep
150	AB	WCC (Museum Field Services - Ecology)	O	OBJ 2B	X	X	X	X	X	X	O Rep
226	AA	Environment Agency	O	OBJ 2B	X	X	X	X	X	X	O Rep
226	RAB	Environment Agency	O	OBJ 2B	X	X	X	X	X	X	O Rep
350	RAF	Tesco Stores Ltd	O	OBJ 2B	X	X	X	X	X	X	O Rep
1	AB	Warwickshire Wildlife Trust	O	OBJ 2B	X	X	X	X	X	X	cond/wd
210	AB	English Nature	O	OBJ 2B	X	X	X	X	X	X	cond/wd
122	AF	Warwick Castle	O	OBJ 2C	X	X	X	X	X	X	O Rep
122	RAE	Warwick Castle	O	OBJ 2C	X	X	X	X	X	X	O Rep
154	RAA	National Farmers Union	O	OBJ 2C	X	X	X	X	X	X	O Rep
189	AB	Warwickshire Gardens Trust	O	OBJ 2C	X	X	X	X	X	X	O Rep
193	AU	Coten End and Emscote Residents Association	O	OBJ 2C	X	X	X	X	X	X	O Rep
199	AU	J. MacKay	O	OBJ 2C	X	X	X	X	X	X	O Rep
221	AA	Kenilworth Society	O	OBJ 2C	X	X	X	X	X	X	O Rep
302	RAB	English Heritage (West Midlands Region)	O	OBJ 2C	X	X	X	X	X	X	O Rep
66	RAF	The Warwick Society	O	OBJ 2C	X	X	X	X	X	X	O Rep
149	AA	WCC (Museum Field Services - Archaeology)	O	OBJ 2C	X	X	X	X	X	X	cond/wd
195	AA	The Leamington Society	O	OBJ 2C	X	X	X	X	X	X	cond/wd
223	AD	Kenilworth Town Council	O	OBJ 2C	X	X	X	X	X	X	cond/wd
302	AD	English Heritage (West Midlands Region)	O	OBJ 2C	X	X	X	X	X	X	cond/wd
54	AC	Conservative Group of Councillors	O	OBJ 2D	X	X	X	X	X	X	O Rep
189	AC	Warwickshire Gardens Trust	O	OBJ 2E	X	X	X	X	X	X	O Rep
350	RAH	Tesco Stores Ltd	O	OBJ 2E	X	X	X	X	X	X	O Rep

148	AC	CPRE (Warwickshire Branch)	O	OBJ 2E	X	X	X	X	X	X	cond/wd
321	RAD	West Midlands International Airport Ltd	O	OBJ 3A	Written Rep	24.02.06	28.02.06	06.03.06	06.04.06	06.04.06	FWR
191	RAH	R.A. Richmond	O	OBJ 3A	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
195	RAJ	The Leamington Society	O	OBJ 3A	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
154	AC	National Farmers Union	O	OBJ 3A	X	X	X	X	X	X	O Rep
193	AW	Coten End and Emscote Residents Association	O	OBJ 3A	X	X	X	X	X	X	O Rep
199	AW	J. MacKay	O	OBJ 3A	X	X	X	X	X	X	O Rep
239	AN	D. Austin	O	OBJ 3A	X	X	X	X	X	X	O Rep
349	RAH	D. G. Goodyear	O	OBJ 3A	X	X	X	X	X	X	O Rep
350	RAG	Tesco Stores Ltd	O	OBJ 3A	X	X	X	X	X	X	O Rep
117	AA	Langstone Homes Ltd	O	OBJ 3A	X	X	X	X	X	X	cond/wd
191	AC	R.A. Richmond	O	OBJ 3A	X	X	X	X	X	X	cond/wd
193	AX	Coten End and Emscote Residents Association	O	OBJ 3B	X	X	X	X	X	X	O Rep
199	AX	J. MacKay	O	OBJ 3B	X	X	X	X	X	X	O Rep
234	AA	Cllr. A. Gordon	O	OBJ 3B	X	X	X	X	X	X	O Rep
154	RAB	National Farmers Union	O	OBJ 3C	X	X	X	X	X	X	O Rep
168	AC	Advantage West Midlands	O	OBJ 3C	X	X	X	X	X	X	O Rep
199	RAA	J. MacKay	O	OBJ 3C	X	X	X	X	X	X	O Rep
148	AD	CPRE (Warwickshire Branch)	O	OBJ 3C	X	X	X	X	X	X	cond/wd
350	RAJ	Tesco Stores Ltd	O	OBJ 3C	X	X	X	X	X	X	cond/wd
228	AG	West Midlands RSL Planning Consortium	O	OBJ 4A	X	X	X	X	X	X	O Rep
228	AH	West Midlands RSL Planning Consortium	O	OBJ 4B	X	X	X	X	X	X	O Rep
193	AY	Coten End and Emscote Residents Association	O	OBJ 4C	X	X	X	X	X	X	O Rep
199	AY	J. MacKay	O	OBJ 4C	X	X	X	X	X	X	O Rep
350	RAK	Tesco Stores Ltd	O	OBJ 4C	X	X	X	X	X	X	cond/wd
191	RAJ	R.A. Richmond	O	OBJ 4D	X	X	X	X	X	X	cond/wd
195	RAK	The Leamington Society	O	OBJ 4D	X	X	X	X	X	X	cond/wd
341	RAC	South Warwickshire Primary Care Trust	O	OBJ 4E	X	X	X	X	X	X	O Rep
107	AA	University of Warwick	O	CH 3 OM	X	X	X	X	X	X	O Rep
303	AA	Racecourse Holdings Trust	O	CH 3 OM	X	X	X	X	X	X	O Rep
303	RAA	Racecourse Holdings Trust	O	CH 3 OM	X	X	X	X	X	X	O Rep
262	AG	Warwick & Leamington Spa Green Party	O	CH 3 OM	X	X	X	X	X	X	O Rep
302	AC	English Heritage (West Midlands Region)	O	CH 3 OM	X	X	X	X	X	X	cond/wd
Chapter 4 - Development Policies											
195	RBB	The Leamington Society	O	CH 4 INTRO	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
191	RAK	R.A. Richmond	O	CH 4 INTRO	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
349	RAK	D. G. Goodyear	O	CH 4 INTRO	X	X	X	X	X	X	O Rep
148	AA	CPRE (Warwickshire Branch)	O	DP1	Written Rep	24.02.06	06.03.06	10.04.06	10.04.06	10.04.06	FWR

148	RAA	CPRE (Warwickshire Branch)	O	DP1	Written Rep	24.02.06	06.03.06	10.04.06	10.04.06	10.04.06	FWR
148	AE	CPRE (Warwickshire Branch)	O	DP1	Written Rep	24.02.06	06.03.06	10.04.06	10.04.06	10.04.06	FWR
195	RBC	The Leamington Society	O	DP1	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
191	RAL	R.A. Richmond	O	DP1	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
283	RAB	The Ancient Monuments Society	O	DP1	X	X	X	X	X	X	O Rep
229	AA	Gallagher Estates Limited	O	DP1	X	X	X	X	X	X	O Rep
296	AK	CLARA	O	DP1	X	X	X	X	X	X	O Rep
128	AA	Mr & Mrs. Devereux	O	DP1	X	X	X	X	X	X	O Rep
187	AB	Countryside Agency (WM Region)	O	DP1	X	X	X	X	X	X	O Rep
193	AZ	Coten End and Emscote Residents Association	O	DP1	X	X	X	X	X	X	O Rep
194	AA	V. Lawton	O	DP1	X	X	X	X	X	X	O Rep
197	AB	Norton Lindsey Parish Council	O	DP1	X	X	X	X	X	X	O Rep
198	AA	J. Henderson	O	DP1	X	X	X	X	X	X	O Rep
252	AA	Dr T L & Mrs M. Dunn	O	DP1	X	X	X	X	X	X	O Rep
273	AA	R. H. S. Montanaro	O	DP1	X	X	X	X	X	X	O Rep
349	RAL	D. G. Goodyear	O	DP1	X	X	X	X	X	X	O Rep
350	RAL	Tesco Stores Ltd	O	DP1	X	X	X	X	X	X	O Rep
44	AA	P. Lloyd	O	DP1	X	X	X	X	X	X	O Rep
66	AG	The Warwick Society	O	DP1	X	X	X	X	X	X	O Rep
66	RAG	The Warwick Society	O	DP1	X	X	X	X	X	X	O Rep
220	AB	Cala Homes (Midlands) Ltd	O	DP1	X	X	X	X	X	X	O Rep
281	AA	B. Seales	O	DP1	X	X	X	X	X	X	O Rep
109	AF	WCC (Planning, Transport & Economic Strategy)	O	DP1	X	X	X	X	X	X	cond/wd
109	AR	WCC (Planning, Transport & Economic Strategy)	O	DP1	X	X	X	X	X	X	cond/wd
195	AB	The Leamington Society	O	DP1	X	X	X	X	X	X	cond/wd
195	RAL	The Leamington Society	O	DP2	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
191	RAM	R.A. Richmond	O	DP2	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
283	RAC	The Ancient Monuments Society	O	DP2	X	X	X	X	X	X	O Rep
193	BA	Coten End and Emscote Residents Association	O	DP2	X	X	X	X	X	X	O Rep
199	BA	J. MacKay	O	DP2	X	X	X	X	X	X	O Rep
220	AD	Cala Homes (Midlands) Ltd	O	DP2	X	X	X	X	X	X	O Rep
221	AD	Kenilworth Society	O	DP2	X	X	X	X	X	X	O Rep
321	RAE	West Midlands International Airport Ltd	O	DP2	X	X	X	X	X	X	O Rep
327	RAB	E. M. Rumary	O	DP2	X	X	X	X	X	X	O Rep
349	RAM	D. G. Goodyear	O	DP2	X	X	X	X	X	X	O Rep
350	RAN	Tesco Stores Ltd	O	DP2	X	X	X	X	X	X	O Rep
4	AD	Arlington Planning Services LLP	O	DP2	X	X	X	X	X	X	O Rep
54	AD	Conservative Group of Councillors	O	DP2	X	X	X	X	X	X	O Rep

66	RAH	The Warwick Society	O	DP2	X	X	X	X	X	X	O Rep
148	AF	CPRE (Warwickshire Branch)	O	DP2	X	X	X	X	X	X	cond/wd
302	AH	English Heritage (West Midlands Region)	O	DP2	X	X	X	X	X	X	cond/wd
223	RAK	Kenilworth Town Council	O	DP3	Written Rep	24.02.06	24.02.06				FWR
214	RAC	J. Biles	O	DP3	X	X	X	X	X	X	O Rep
283	RAD	The Ancient Monuments Society	O	DP3	X	X	X	X	X	X	O Rep
66	RAJ	The Warwick Society	O	DP3	REP	24.02.06	20.02.06				FWR
221	RAB	Kenilworth Society	O	DP3	X	X	X	X	X	X	O Rep
229	AB	Gallagher Estates Limited	O	DP3	X	X	X	X	X	X	O Rep
119	RAC	Bloor Homes Ltd	O	DP3	X	X	X	X	X	X	O Rep
120	AD	Miller Homes (West Midlands)	O	DP3	X	X	X	X	X	X	O Rep
150	AC	WCC (Museum Field Services - Ecology)	O	DP3	X	X	X	X	X	X	O Rep
150	RAB	WCC (Museum Field Services - Ecology)	O	DP3	X	X	X	X	X	X	O Rep
154	RAC	National Farmers Union	O	DP3	X	X	X	X	X	X	O Rep
187	AC	Countryside Agency (WM Region)	O	DP3	X	X	X	X	X	X	O Rep
194	AB	V. Lawton	O	DP3	X	X	X	X	X	X	O Rep
198	AB	J. Henderson	O	DP3	X	X	X	X	X	X	O Rep
221	AE	Kenilworth Society	O	DP3	X	X	X	X	X	X	O Rep
226	RAJ	Environment Agency	O	DP3	X	X	X	X	X	X	O Rep
239	RAK	D. Austin	O	DP3	X	X	X	X	X	X	O Rep
239	AM	D. Austin	O	DP3	X	X	X	X	X	X	O Rep
302	RAC	English Heritage (West Midlands Region)	O	DP3	X	X	X	X	X	X	O Rep
302	AJ	English Heritage (West Midlands Region)	O	DP3	X	X	X	X	X	X	O Rep
350	RAM	Tesco Stores Ltd	O	DP3	X	X	X	X	X	X	O Rep
200	AL	Taylor Woodrow Strategic Developments	O	DP3	X	X	X	X	X	X	O Rep
234	AE	Cllr. A. Gordon	O	DP3	X	X	X	X	X	X	O Rep
109	AW	WCC (Planning, Transport & Economic Strategy)	O	DP3	X	X	X	X	X	X	cond/wd
117	AE	Langstone Homes Ltd	O	DP3	X	X	X	X	X	X	cond/wd
148	AG	CPRE (Warwickshire Branch)	O	DP3	X	X	X	X	X	X	cond/wd
149	AB	WCC (Museum Field Services - Archaeology)	O	DP3	X	X	X	X	X	X	cond/wd
210	AG	English Nature	O	DP3	X	X	X	X	X	X	cond/wd
321	RAF	West Midlands International Airport Ltd	O	DP4	Written Rep	24.02.06	28.02.06	19.07.06	19.07.06	19.07.06	FWR
221	RAC	Kenilworth Society	O	DP4	X	X	X	X	X	X	O Rep
220	AE	Cala Homes (Midlands) Ltd	O	DP4	X	X	X	X	X	X	O Rep
229	AE	Gallagher Estates Limited	O	DP4	X	X	X	X	X	X	O Rep
302	RAD	English Heritage (West Midlands Region)	O	DP4	X	X	X	X	X	X	O Rep
149	AC	WCC (Museum Field Services - Archaeology)	O	DP4	X	X	X	X	X	X	cond/wd
302	AL	English Heritage (West Midlands Region)	O	DP4	X	X	X	X	X	X	cond/wd

53	AA	Cllr S. Harrison	O	DP4	X	X	X	X	X	X	cond/wd
201	AO	Home Builders Federation	O	DP5	Written Rep	24.02.06	07.03.06				FWR
195	RAM	The Leamington Society	O	DP5	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
191	RAN	R.A. Richmond	O	DP5	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
219	AA	Deeley Properties Limited	O	DP5	X	X	X	X	X	X	O Rep
233	AC	T. Newby	O	DP5	X	X	X	X	X	X	O Rep
283	RAE	The Ancient Monuments Society	O	DP5	X	X	X	X	X	X	O Rep
110	AA	Government Office for the West Midlands	O	DP5	X	X	X	X	X	X	O Rep
164	AA	J. Foster	O	DP5	X	X	X	X	X	X	O Rep
189	AD	Warwickshire Gardens Trust	O	DP5	X	X	X	X	X	X	O Rep
193	BB	Coten End and Emscote Residents Association	O	DP5	X	X	X	X	X	X	O Rep
194	AC	V. Lawton	O	DP5	X	X	X	X	X	X	O Rep
198	AC	J. Henderson	O	DP5	X	X	X	X	X	X	O Rep
199	RAB	J. MacKay	O	DP5	X	X	X	X	X	X	O Rep
199	RAC	J. MacKay	O	DP5	X	X	X	X	X	X	O Rep
199	BB	J. MacKay	O	DP5	X	X	X	X	X	X	O Rep
266	RAA	Warwick Town Council	O	DP5	X	X	X	X	X	X	O Rep
266	AB	Warwick Town Council	O	DP5	X	X	X	X	X	X	O Rep
275	AA	M. Reuser	O	DP5	X	X	X	X	X	X	O Rep
341	RAA	South Warwickshire Primary Care Trust	O	DP5	X	X	X	X	X	X	O Rep
349	RAN	D. G. Goodyear	O	DP5	X	X	X	X	X	X	O Rep
354	RAW	R. Higgins	O	DP5	X	X	X	X	X	X	O Rep
4	AE	Arlington Planning Services LLP	O	DP5	X	X	X	X	X	X	O Rep
79	AB	M. Rhodes	O	DP5	X	X	X	X	X	X	O Rep
89	AA	M & C. Hughes	O	DP5	X	X	X	X	X	X	O Rep
110	RAA	Government Office for the West Midlands	O	DP5	X	X	X	X	X	X	O Rep
171	AC	Portland Place Residents Association	O	DP5	X	X	X	X	X	X	O Rep
255	AA	J. T. Cashman	O	DP5	X	X	X	X	X	X	O Rep
282	AA	D. Marr	O	DP5	X	X	X	X	X	X	O Rep
109	AO	WCC (Planning, Transport & Economic Strategy)	O	DP5	X	X	X	X	X	X	cond/wd
148	AH	CPRE (Warwickshire Branch)	O	DP5	X	X	X	X	X	X	cond/wd
221	AG	Kenilworth Society	O	DP5	X	X	X	X	X	X	cond/wd
223	AH	Kenilworth Town Council	O	DP5	X	X	X	X	X	X	cond/wd
321	RAG	West Midlands International Airport Ltd	O	DP5	X	X	X	X	X	X	cond/wd
350	RAP	Tesco Stores Ltd	O	DP5	X	X	X	X	X	X	cond/wd
321	RAH	West Midlands International Airport Ltd	O	DP6	Written Rep	24.02.06	28.02.06	14.03.06	14.03.06	14.03.06	FWR
135	AG	Bishops Tachbrook Parish Council	O	DP6	Hearing	24.02.06	24.02.06	10.03.06	14.03.06	10.03.06	Hearing
135	RAB	Bishops Tachbrook Parish Council	O	DP6	Hearing	24.02.06	24.02.06	10.03.06	14.03.06	10.03.06	Hearing

156	AA	A. Moore	O	DP6	X	X	X	X	X	X	O Rep
198	AD	J. Henderson	O	DP6	X	X	X	X	X	X	O Rep
217	RAB	McCarthy and Stone (Developments) Limited	O	DP6	X	X	X	X	X	X	O Rep
257	AA	Highways Agency	O	DP6	X	X	X	X	X	X	O Rep
260	RAD	Baginton Parish Council	O	DP6	X	X	X	X	X	X	O Rep
234	AF	Cllr. A. Gordon	O	DP6	X	X	X	X	X	X	O Rep
226	AE	Environment Agency	O	DP6	X	X	X	X	X	X	O Rep
350	RAQ	Tesco Stores Ltd	O	DP6	X	X	X	X	X	X	cond/wd
219	AB	Deeley Properties Limited	O	DP7	X	X	X	X	X	X	O Rep
283	RAF	The Ancient Monuments Society	O	DP7	X	X	X	X	X	X	O Rep
296	AH	CLARA	O	DP7	X	X	X	X	X	X	O Rep
148	AJ	CPRE (Warwickshire Branch)	O	DP7	X	X	X	X	X	X	O Rep
193	BC	Coten End and Emscote Residents Association	O	DP7	X	X	X	X	X	X	O Rep
193	BD	Coten End and Emscote Residents Association	O	DP7	X	X	X	X	X	X	O Rep
199	BC	J. MacKay	O	DP7	X	X	X	X	X	X	O Rep
199	BD	J. MacKay	O	DP7	X	X	X	X	X	X	O Rep
220	AF	Cala Homes (Midlands) Ltd	O	DP7	X	X	X	X	X	X	O Rep
260	RAE	Baginton Parish Council	O	DP7	X	X	X	X	X	X	O Rep
266	AD	Warwick Town Council	O	DP7	X	X	X	X	X	X	O Rep
301	AB	S. O. Peter	O	DP7	X	X	X	X	X	X	O Rep
350	RAR	Tesco Stores Ltd	O	DP7	X	X	X	X	X	X	O Rep
52	AC	Barford, Sherbourne & Wasperton JPC	O	DP7	X	X	X	X	X	X	O Rep
66	AH	The Warwick Society	O	DP7	X	X	X	X	X	X	O Rep
66	AJ	The Warwick Society	O	DP7	X	X	X	X	X	X	O Rep
234	AG	Cllr. A. Gordon	O	DP7	X	X	X	X	X	X	O Rep
298	AB	Action 21	O	DP7	X	X	X	X	X	X	O Rep
122	AE	Warwick Castle	O	DP7	X	X	X	X	X	X	cond/wd
195	RAN	The Leamington Society	O	DP7	X	X	X	X	X	X	cond/wd
257	AB	Highways Agency	O	DP7	X	X	X	X	X	X	cond/wd
221	AJ	Kenilworth Society	O	DP8	Written Rep	24.02.06	24.02.06	22.06.06	22.06.06	22.06.06	FWR
191	RAP	R.A. Richmond	O	DP8	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
195	RAP	The Leamington Society	O	DP8	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
283	RAG	The Ancient Monuments Society	O	DP8	X	X	X	X	X	X	O Rep
110	AB	Government Office for the West Midlands	O	DP8	X	X	X	X	X	X	O Rep
193	BE	Coten End and Emscote Residents Association	O	DP8	X	X	X	X	X	X	O Rep
194	AD	V. Lawton	O	DP8	X	X	X	X	X	X	O Rep
198	AE	J. Henderson	O	DP8	X	X	X	X	X	X	O Rep
199	BE	J. MacKay	O	DP8	X	X	X	X	X	X	O Rep

225	AC	WM Morrisons Supermarkets PLC	O	DP8	X	X	X	X	X	X	O Rep
260	RAF	Baginton Parish Council	O	DP8	X	X	X	X	X	X	O Rep
301	AA	S. O. Peter	O	DP8	X	X	X	X	X	X	O Rep
349	RAP	D. G. Goodyear	O	DP8	X	X	X	X	X	X	O Rep
52	AD	Barford, Sherbourne and Wasperton JPC	O	DP8	X	X	X	X	X	X	O Rep
52	RAC	Barford, Sherbourne & Wasperton JPC)	O	DP8	X	X	X	X	X	X	O Rep
66	AK	The Warwick Society	O	DP8	X	X	X	X	X	X	O Rep
66	RAK	The Warwick Society	O	DP8	X	X	X	X	X	X	O Rep
213	AE	Warwickshire Rural Community Council	O	DP8	X	X	X	X	X	X	O Rep
234	AH	Cllr. A. Gordon	O	DP8	X	X	X	X	X	X	O Rep
195	AC	The Leamington Society	O	DP8	X	X	X	X	X	X	cond/wd
223	AK	Kenilworth Town Council	O	DP8	X	X	X	X	X	X	cond/wd
228	AL	West Midlands RSL Planning Consortium	O	DP8	X	X	X	X	X	X	cond/wd
350	RAS	Tesco Stores Ltd	O	DP8	X	X	X	X	X	X	cond/wd
226	RAC	Environment Agency	O	DP9	Written Rep	24.02.06	24.02.06	05.06.06	05.06.06	05.06.06	FWR
148	AK	CPRE (Warwickshire Branch)	O	DP9	X	X	X	X	X	X	O Rep
154	AG	National Farmers Union	O	DP9	X	X	X	X	X	X	O Rep
321	RAJ	West Midlands International Airport Ltd	O	DP9	X	X	X	X	X	X	O Rep
109	AE	WCC (Planning, Transport & Economic Strategy)	O	DP9	X	X	X	X	X	X	cond/wd
126	AA	2nd Warwick Sea Scouts	O	DP10	Written Rep	24.02.06	24.02.06				FWR
122	RAD	Warwick Castle	O	DP10	Written Rep	24.02.06	14.02.06				FWR
226	RAD	Environment Agency	O	DP10	Written Rep	24.02.06	24.02.06				FWR
226	RAH	Environment Agency	O	DP10	Written Rep	24.02.06	24.02.06				FWR
198	AF	J. Henderson	O	DP10	X	X	X	X	X	X	O Rep
223	RAB	Kenilworth Town Council	O	DP10	X	X	X	X	X	X	O Rep
327	RAA	E. M. Rumary	O	DP10	X	X	X	X	X	X	O Rep
350	RAT	Tesco Stores Ltd	O	DP10	X	X	X	X	X	X	O Rep
66	RAL	The Warwick Society	O	DP10	X	X	X	X	X	X	O Rep
234	AK	Cllr. A. Gordon	O	DP10	X	X	X	X	X	X	O Rep
223	RAC	Kenilworth Town Council	O	DP11	hearing	24.02.06	24.02.06	10.03.06	14.03.06	24.02.06	Hearing
156	AB	A. Moore	O	DP11	X	X	X	X	X	X	O Rep
198	AG	J. Henderson	O	DP11	X	X	X	X	X	X	O Rep
201	AF	Home Builders Federation	O	DP11	X	X	X	X	X	X	O Rep
223	RAL	Kenilworth Town Council	O	DP11	X	X	X	X	X	X	O Rep
226	RAF	Environment Agency	O	DP11	X	X	X	X	X	X	O Rep
66	RAM	The Warwick Society	O	DP11	X	X	X	X	X	X	O Rep
69	AA	L. Forbes	O	DP11	X	X	X	X	X	X	O Rep
210	AJ	English Nature	O	DP11	X	X	X	X	X	X	cond/wd

223	AN	Kenilworth Town Council	O	DP11	X	X	X	X	X	X	cond/wd
138	AA	Laing Homes Midlands	O	DP12	X	X	X	X	X	X	O Rep
141	AA	Parkridge Homes Ltd.	O	DP12	X	X	X	X	X	X	O Rep
142	AC	A C Lloyd LTD	O	DP12	X	X	X	X	X	X	O Rep
168	AD	Advantage West Midlands	O	DP12	X	X	X	X	X	X	O Rep
201	AG	Home Builders Federation	O	DP12	X	X	X	X	X	X	O Rep
220	AC	Cala Homes (Midlands) Ltd	O	DP12	X	X	X	X	X	X	O Rep
350	RAU	Tesco Stores Ltd	O	DP12	X	X	X	X	X	X	O Rep
66	RAN	The Warwick Society	O	DP12	X	X	X	X	X	X	O Rep
79	AA	M. Rhodes	O	DP12	X	X	X	X	X	X	O Rep
262	AC	Warwick & Leamington Spa Green Party	O	DP12	X	X	X	X	X	X	O Rep
298	AA	Action 21	O	DP12	X	X	X	X	X	X	O Rep
148	AL	CPRE (Warwickshire Branch)	O	DP12	X	X	X	X	X	X	cond/wd
283	RAH	The Ancient Monuments Society	O	DP12a	X	X	X	X	X	X	O Rep
110	RAB	Government Office for the West Midlands	O	DP12A	X	X	X	X	X	X	O Rep
154	RAD	National Farmers Union	O	DP12A	X	X	X	X	X	X	O Rep
351	RAA	British Wind Energy Association	O	DP12a	X	X	X	X	X	X	O Rep
66	RAO	The Warwick Society	O	DP12a	X	X	X	X	X	X	O Rep
27	AA	Warwickshire Police	O	DP13	Written Rep	24.02.06	14.12.05	16.03.06	16.03.06	16.03.06	FWR
115	AA	A. Roberts	O	DP13	X	X	X	X	X	X	O Rep
193	BF	Coten End and Emscote Residents Association	O	DP13	X	X	X	X	X	X	O Rep
199	BF	J. MacKay	O	DP13	X	X	X	X	X	X	O Rep
66	RAP	The Warwick Society	O	DP13	X	X	X	X	X	X	O Rep
122	AD	Warwick Castle	O	DP13	X	X	X	X	X	X	cond/wd
201	AH	Home Builders Federation	O	DP14	X	X	X	X	X	X	O Rep
213	AF	Warwickshire Rural Community Council	O	DP14	X	X	X	X	X	X	O Rep
37	AA	Sport England	O	DP14	X	X	X	X	X	X	cond/wd
223	AY	Kenilworth Town Council	O	CH 4 OM	hearing	24.02.06	24.02.06	10.03.06	14.03.06	24.02.06	Hearing
221	BB	Kenilworth Society	O	CH 4 OM	X	X	X	X	X	X	O Rep
158	AG	Tyler-Parkes Partnership	O	CH 4 OM	X	X	X	X	X	X	O Rep
226	AJ	Environment Agency	O	CH 4 OM	X	X	X	X	X	X	O Rep
24	AA	Future Energy Solutions on behalf of DTI	O	CH 4 OM	X	X	X	X	X	X	O Rep
302	AK	English Heritage (West Midlands Region)	O	CH 4 OM	X	X	X	X	X	X	O Rep
234	BB	Cllr. A. Gordon	O	CH 4 OM	X	X	X	X	X	X	O Rep
248	AA	Mr & Dr C.G. Oliver	O	CH 4 OM	X	X	X	X	X	X	O Rep
262	AD	Warwick & Leamington Spa Green Party	O	CH 4 OM	X	X	X	X	X	X	O Rep
109	AK	WCC (Planning, Transport & Economic Strategy)	O	CH 4 OM	X	X	X	X	X	X	cond/wd
109	BC	WCC (Planning, Transport & Economic Strategy)	O	CH 4 OM	X	X	X	X	X	X	cond/wd

66	AF	The Warwick Society	O	CH 4 OM	X	X	X	X	X	X	cond/wd
7	AB	The Ramblers Association	O	CH 4 OM	X	X	X	X	X	X	cond/wd
7	AD	The Ramblers Association	O	CH 4 OM	X	X	X	X	X	X	cond/wd
Chapter 5 - Sustaining Communities											
195	RAQ	The Leamington Society	O	CH 5 INTRO	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
191	RAQ	R.A. Richmond	O	CH 5 INTRO	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
349	RAQ	D. G. Goodyear	O	CH 5 INTRO	X	X	X	X	X	X	O Rep
109	AL	WCC (Planning, Transport & Economic Strategy)	O	CH 5 INTRO	X	X	X	X	X	X	cond/wd
350	RAV	Tesco Stores Ltd	O	CH 5 INTRO	X	X	X	X	X	X	O Rep
37	AE	Sport England	O	CH 5 INTRO	X	X	X	X	X	X	cond/wd
335	RAA	G. Fyfe	O	SC1	Hearing	10.03.06	16.03.06	21.03.06	21.03.06	21.03.06	Hearing
120	AE	Miller Homes (West Midlands)	O	SC1	X	X	X	X	X	X	O Rep
201	AJ	Home Builders Federation	O	SC1	X	X	X	X	X	X	O Rep
221	AM	Kenilworth Society	O	SC1	X	X	X	X	X	X	O Rep
239	AK	D. Austin	O	SC1	X	X	X	X	X	X	O Rep
66	RAQ	The Warwick Society	O	SC1	X	X	X	X	X	X	O Rep
200	AK	Taylor Woodrow Strategic Developments	O	SC1	X	X	X	X	X	X	O Rep
294	AC	British Waterways	O	SC1	X	X	X	X	X	X	O Rep
117	AF	Langstone Homes Ltd	O	SC1	X	X	X	X	X	X	cond/wd
195	AD	The Leamington Society	O	SC1	X	X	X	X	X	X	cond/wd
195	RAR	The Leamington Society	O	SC1	X	X	X	X	X	X	cond/wd
228	AO	West Midlands RSL Planning Consortium	O	SC1	X	X	X	X	X	X	cond/wd
168	RAN	Advantage West Midlands	O	SC2	Written Rep	24.02.06	02.03.06	20.07.06	20.07.06	20.07.06	FWR
201	RAA	Home Builders Federation	O	SC2	Written Rep	24.02.06	07.03.06	20.07.06	20.07.06	20.07.06	FWR
201	AK	Home Builders Federation	O	SC2	Written Rep	24.02.06	07.03.06	20.07.06	20.07.06	20.07.06	FWR
221	AN	Kenilworth Society	O	SC2	Written Rep	24.02.06	24.02.06	20.07.06	20.07.06	20.07.06	FWR
219	AF	Deeley Properties Limited	O	SC2	F Hearing	X	X	X	X	X	O Rep
289	AC	Taylor Woodrow Developments Ltd.	O	SC2	X	X	X	X	X	X	O Rep
293	AC	Oldhams Transport Limited	O	SC2	X	X	X	X	X	X	O Rep
229	AC	Gallagher Estates Limited	O	SC2	X	X	X	X	X	X	O Rep
110	AC	Government Office for the West Midlands	O	SC2	X	X	X	X	X	X	O Rep
166	AA	Mr D & Mrs M A Hunter	O	SC2	X	X	X	X	X	X	O Rep
190	AB	Countrywide Homes Limited	O	SC2	X	X	X	X	X	X	O Rep
220	AM	Cala Homes (Midlands) Ltd	O	SC2	X	X	X	X	X	X	O Rep
226	RAL	Environment Agency	O	SC2	X	X	X	X	X	X	O Rep
253	AA	J. Myers	O	SC2	X	X	X	X	X	X	O Rep
345	RAB	Church Commisioners for England	O	SC2	X	X	X	X	X	X	O Rep
348	RAF	Merrill Lynch Investment Managers	O	SC2	X	X	X	X	X	X	O Rep

69	AB	L. Forbes	O	SC2	X	X	X	X	X	X	O Rep
2	AA	British Telecommunications Plc	O	SC2	X	X	X	X	X	X	O Rep
212	RAA	IBM United Kingdom Ltd.	O	SC2	X	X	X	X	X	X	O Rep
295	AC	B&Q PLC	O	SC2	X	X	X	X	X	X	O Rep
148	AM	CPRE (Warwickshire Branch)	O	SC2	X	X	X	X	X	X	cond/wd
195	AE	The Leamington Society	O	SC2	X	X	X	X	X	X	cond/wd
225	AB	WM Morrisons Supermarkets PLC	O	SC2	X	X	X	X	X	X	cond/wd
228	AP	West Midlands RSL Planning Consortium	O	SC2	X	X	X	X	X	X	cond/wd
221	AO	Kenilworth Society	O	SC3	X	X	X	X	X	X	O Rep
148	AN	CPRE (Warwickshire Branch)	O	SC3	X	X	X	X	X	X	O Rep
187	AG	Countryside Agency (WM Region)	O	SC3	X	X	X	X	X	X	O Rep
193	BG	Coten End and Emscote Residents Association	O	SC3	X	X	X	X	X	X	O Rep
197	AC	Norton Lindsey Parish Council	O	SC3	X	X	X	X	X	X	O Rep
199	BG	J. MacKay	O	SC3	X	X	X	X	X	X	O Rep
354	RAK	R. Higgins	O	SC3	X	X	X	X	X	X	O Rep
6	AC	Chiltern Railways	O	SC3	X	X	X	X	X	X	O Rep
66	AL	The Warwick Society	O	SC3	X	X	X	X	X	X	O Rep
109	AS	WCC (Planning, Transport & Economic Strategy)	O	SC3	X	X	X	X	X	X	cond/wd
256	AC	T & N Limited	O	SC4	Written Rep	24.02.06	21.02.06				FWR
135	AE	Bishops Tachbrook Parish Council	O	SC4	Hearing	10.03.06	10.03.06	22.03.06	22.03.06	22.03.06	Hearing
135	RAE	Bishops Tachbrook Parish Council	O	SC4	Hearing	10.03.06	10.03.06	22.03.06	22.03.06	22.03.06	Hearing
296	AE	CLARA	O	SC4	X	X	X	X	X	X	O Rep
296	AJ	CLARA	O	SC4	X	X	X	X	X	X	O Rep
193	BH	Coten End and Emscote Residents Association	O	SC4	X	X	X	X	X	X	O Rep
199	BH	J. MacKay	O	SC4	X	X	X	X	X	X	O Rep
352	RAA	J. Fawcett	O	SC4	X	X	X	X	X	X	O Rep
354	RAL	R. Higgins	O	SC4	X	X	X	X	X	X	O Rep
66	AO	The Warwick Society	O	SC4	X	X	X	X	X	X	O Rep
69	AC	L. Forbes	O	SC4	X	X	X	X	X	X	O Rep
109	AQ	WCC (Planning, Transport & Economic Strategy)	O	SC4	X	X	X	X	X	X	cond/wd
294	AE	British Waterways	O	SC4	X	X	X	X	X	X	cond/wd
342	RAB	P. Smith	O	SC5	Written Rep	24.02.06	08.03.06	21.03.06	21.03.06	21.03.06	FWR
221	RAD	Kenilworth Society	O	SC5	hearing	10.03.06	10.03.06	21.03.06	21.03.06	21.03.06	Hearing
283	RAJ	The Ancient Monuments Society	O	SC5	X	X	X	X	X	X	O Rep
120	AF	Miller Homes (West Midlands)	O	SC5	X	X	X	X	X	X	O Rep
148	AP	CPRE (Warwickshire Branch)	O	SC5	X	X	X	X	X	X	O Rep
154	RAF	National Farmers Union	O	SC5	X	X	X	X	X	X	O Rep
189	AE	Warwickshire Gardens Trust	O	SC5	X	X	X	X	X	X	O Rep

193	BJ	Coten End and Emscote Residents Association	O	SC5	X	X	X	X	X	X	O Rep
199	RAE	J. MacKay	O	SC5	X	X	X	X	X	X	O Rep
199	BJ	J. MacKay	O	SC5	X	X	X	X	X	X	O Rep
210	AK	English Nature	O	SC5	X	X	X	X	X	X	O Rep
221	AP	Kenilworth Society	O	SC5	X	X	X	X	X	X	O Rep
303	AB	Racecourse Holdings Trust	O	SC5	X	X	X	X	X	X	O Rep
303	RAB	Racecourse Holdings Trust	O	SC5	X	X	X	X	X	X	O Rep
66	RAT	The Warwick Society	O	SC5	X	X	X	X	X	X	O Rep
66	AM	The Warwick Society	O	SC5	X	X	X	X	X	X	O Rep
200	AJ	Taylor Woodrow Strategic Developments	O	SC5	X	X	X	X	X	X	O Rep
117	AG	Langstone Homes Ltd	O	SC5	X	X	X	X	X	X	cond/wd
120	AG	Miller Homes (West Midlands)	O	SC6	X	X	X	X	X	X	O Rep
303	AC	Racecourse Holdings Trust	O	SC6	X	X	X	X	X	X	O Rep
200	AH	Taylor Woodrow Strategic Developments	O	SC6	X	X	X	X	X	X	O Rep
218	AB	A. Butcher	O	SC6	X	X	X	X	X	X	O Rep
110	AD	Government Office for the West Midlands	O	SC6	X	X	X	X	X	X	cond/wd
117	AH	Langstone Homes Ltd	O	SC6	X	X	X	X	X	X	cond/wd
37	AD	Sport England	O	SC6	X	X	X	X	X	X	cond/wd
37	AM	Sport England	O	SC6	X	X	X	X	X	X	cond/wd
126	AB	2nd Warwick Sea Scouts	O	SC7	Written Rep	24.02.06	24.02.06	10.05.06	10.05.06	10.05.06	FWR
256	RAA	T & N Limited	O	SC7	Written Rep	24.02.06	21.02.06	10.05.06	10.05.06	10.05.06	FWR
228	AQ	West Midlands RSL Planning Consortium	O	SC7	X	X	X	X	X	X	O Rep
303	RAC	Racecourse Holdings Trust	O	SC7	X	X	X	X	X	X	O Rep
303	AD	Racecourse Holdings Trust	O	SC7	X	X	X	X	X	X	O Rep
218	AC	A. Butcher	O	SC7	X	X	X	X	X	X	O Rep
109	AP	WCC (Planning, Transport & Economic Strategy)	O	SC7	X	X	X	X	X	X	cond/wd
195	AN	The Leamington Society	O	SC7	X	X	X	X	X	X	cond/wd
37	AN	Sport England	O	SC7	X	X	X	X	X	X	cond/wd
66	RAU	The Warwick Society	O	SC7a	X	X	X	X	X	X	O Rep
251	AA	Dr G and Mrs M. Delfas	O	SC8	Written Rep	24.02.06	22.02.06				FWR
283	RAM	The Ancient Monuments Society	O	SC8	X	X	X	X	X	X	O Rep
106	AA	Mobile Operators Association	O	SC8	X	X	X	X	X	X	O Rep
106	RAA	Mobile Operators Association	O	SC8	X	X	X	X	X	X	O Rep
13	AA	G.H. Browton	O	SC8	X	X	X	X	X	X	O Rep
14	AA	Mr & Mrs. H. Furber	O	SC8	X	X	X	X	X	X	O Rep
152	AF	Royal Leamington Spa Town Council	O	SC8	X	X	X	X	X	X	O Rep
16	AA	J. Foley	O	SC8	X	X	X	X	X	X	O Rep
162	AA	V. Jones	O	SC8	X	X	X	X	X	X	O Rep

17	AA	S. Bridge	O	SC8	X	X	X	X	X	X	O Rep
18	AA	M.J. Hobday	O	SC8	X	X	X	X	X	X	O Rep
44	AB	P. Lloyd	O	SC8	X	X	X	X	X	X	O Rep
46	AA	G.T. & E.J. Bardell	O	SC8	X	X	X	X	X	X	O Rep
69	AD	L. Forbes	O	SC8	X	X	X	X	X	X	O Rep
15	AA	H.J.C. Weighell	O	SC8	X	X	X	X	X	X	O Rep
2	AB	British Telecommunications Plc	O	SC8	X	X	X	X	X	X	O Rep
108	AA	I & C. Squire	O	SC8	X	X	X	X	X	X	cond/wd
148	AQ	CPRE (Warwickshire Branch)	O	SC8	X	X	X	X	X	X	cond/wd
302	AO	English Heritage (West Midlands Region)	O	SC8	X	X	X	X	X	X	cond/wd
266	RAE	Warwick Town Council	O	SC8a	Round t	10.03.06	10.03.06	10.03.06	14.03.06	10.03.06	FWR
119	RAD	Bloor Homes Ltd	O	SC8a	Round t	10.03.06	09.03.06	10.03.06	14.03.06	09.03.06	Hearing
120	RAG	Miller Homes (West Midlands)	O	SC8a	Round t	10.03.06	09.03.06	10.03.06	14.03.06	09.03.06	Hearing
201	RAB	Home Builders Federation	O	SC8a	Round t	10.03.06	10.03.06	10.03.06	14.03.06	10.03.06	Hearing
229	RAA	Gallagher Estates Limited	O	SC8a	Round t	10.03.06	15.03.06	10.03.06	15.03.06	15.03.06	Hearing
214	RAD	J. Biles	O	SC8a	X	X	X	X	X	X	O Rep
283	RAL	The Ancient Monuments Society	O	SC8a	X	X	X	X	X	X	O Rep
118	RAB	Mr & Mrs. G. Bull	O	SC8a	X	X	X	X	X	X	O Rep
136	RAB	George Wimpey Strategic Land	O	SC8a	X	X	X	X	X	X	O Rep
137	RAB	Greyvayne Properties Ltd	O	SC8a	X	X	X	X	X	X	O Rep
138	RAB	Laing Homes Midlands	O	SC8a	X	X	X	X	X	X	O Rep
139	RAB	Coventry Diocesan Board of Finance Ltd	O	SC8a	X	X	X	X	X	X	O Rep
140	RAB	Court Developments Ltd.	O	SC8a	X	X	X	X	X	X	O Rep
141	RAB	Parkridge Homes Ltd.	O	SC8a	X	X	X	X	X	X	O Rep
142	RAB	A C Lloyd LTD	O	SC8a	X	X	X	X	X	X	O Rep
143	RAB	Scottish Widows Investment Partnership	O	SC8a	X	X	X	X	X	X	O Rep
144	RAB	Project Solutions	O	SC8a	X	X	X	X	X	X	O Rep
167	RAB	E. Brown	O	SC8a	X	X	X	X	X	X	O Rep
208	RAB	Pettifer Estates Ltd	O	SC8a	X	X	X	X	X	X	O Rep
222	RAB	John Burman & Family	O	SC8a	X	X	X	X	X	X	O Rep
228	RAE	West Midlands RSL Planning Consortium	O	SC8a	X	X	X	X	X	X	O Rep
239	RAJ	D. Austin	O	SC8a	X	X	X	X	X	X	O Rep
288	RAA	Warwickshire Police Authority	O	SC8a	X	X	X	X	X	X	O Rep
322	RAD	J G Land and Estates	O	SC8a	X	X	X	X	X	X	O Rep
344	RAB	Greywell Property Ltd	O	SC8a	X	X	X	X	X	X	O Rep
345	RAC	Church Commisioners for England	O	SC8a	X	X	X	X	X	X	O Rep
348	RAG	Merrill Lynch Investment Managers	O	SC8a	X	X	X	X	X	X	O Rep
4	RAB	Arlington Planning Services LLP	O	SC8a	X	X	X	X	X	X	O Rep

66	RAV	The Warwick Society	O	SC8a	X	X	X	X	X	X	O Rep
350	RAV	Tesco Stores Ltd	O	SC8a	X	X	X	X	X	X	cond/wd
148	AR	CPRE (Warwickshire Branch)	O	SC9	W Reps	24.02.06	06.03.06				FWR
148	RAL	CPRE (Warwickshire Branch)	O	SC9	W Reps	24.02.06	06.03.06				FWR
256	AB	T & N Limited	O	SC9	W Reps	24.02.06	21.02.06	12.07.06	12.07.06	12.07.06	FWR
119	RAE	Bloor Homes Ltd	O	SC9	hearing	10.03.06					Hearing
201	AM	Home Builders Federation	O	SC9	X	X	X	X	X	X	O Rep
208	AE	Pettifer Estates Ltd	O	SC9	X	X	X	X	X	X	O Rep
228	AR	West Midlands RSL Planning Consortium	O	SC9	X	X	X	X	X	X	O Rep
214	RAE	J. Biles	O	SC9	X	X	X	X	X	X	O Rep
223	RAD	Kenilworth Town Council	O	SC9	X	X	X	X	X	X	O Rep
283	RAN	The Ancient Monuments Society	O	SC9	X	X	X	X	X	X	O Rep
229	AD	Gallagher Estates Limited	O	SC9	X	X	X	X	X	X	O Rep
288	AE	Warwickshire Police Authority	O	SC9	X	X	X	X	X	X	O Rep
110	AE	Government Office for the West Midlands	O	SC9	X	X	X	X	X	X	O Rep
118	AC	Mr & Mrs. G. Bull	O	SC9	X	X	X	X	X	X	O Rep
118	RAC	Mr & Mrs. G. Bull	O	SC9	X	X	X	X	X	X	O Rep
119	AD	Bloor Homes Ltd	O	SC9	X	X	X	X	X	X	O Rep
120	AH	Miller Homes (West Midlands)	O	SC9	X	X	X	X	X	X	O Rep
123	AC	R. Hedger	O	SC9	X	X	X	X	X	X	O Rep
137	AA	Greyvayne Properties Ltd	O	SC9	X	X	X	X	X	X	O Rep
138	AB	Laing Homes Midlands	O	SC9	X	X	X	X	X	X	O Rep
140	AA	Court Developments Ltd.	O	SC9	X	X	X	X	X	X	O Rep
141	AB	Parkridge Homes Ltd.	O	SC9	X	X	X	X	X	X	O Rep
142	AH	A C Lloyd LTD	O	SC9	X	X	X	X	X	X	O Rep
143	AB	Scottish Widows Investment Partnership	O	SC9	X	X	X	X	X	X	O Rep
144	AA	Project Solutions	O	SC9	X	X	X	X	X	X	O Rep
158	AA	Tyler-Parkes Partnership	O	SC9	X	X	X	X	X	X	O Rep
167	RAC	E. Brown	O	SC9	X	X	X	X	X	X	O Rep
170	AD	M. Wood	O	SC9	X	X	X	X	X	X	O Rep
190	AA	Countrywide Homes Limited	O	SC9	X	X	X	X	X	X	O Rep
217	AA	McCarthy and Stone (Developments) Limited	O	SC9	X	X	X	X	X	X	O Rep
220	AN	Cala Homes (Midlands) Ltd	O	SC9	X	X	X	X	X	X	O Rep
221	AR	Kenilworth Society	O	SC9	X	X	X	X	X	X	O Rep
228	RAF	West Midlands RSL Planning Consortium	O	SC9	X	X	X	X	X	X	O Rep
239	RAH	D. Austin	O	SC9	X	X	X	X	X	X	O Rep
239	AH	D. Austin	O	SC9	X	X	X	X	X	X	O Rep
240	AF	George Wimpey Strategic Land	O	SC9	X	X	X	X	X	X	O Rep

258	AD	Sainsburys Supermarkets Limited	O	SC9	X	X	X	X	X	X	O Rep
266	AC	Warwick Town Council	O	SC9	X	X	X	X	X	X	O Rep
291	AE	George Wimpey UK Ltd	O	SC9	X	X	X	X	X	X	O Rep
322	RAE	J G Land and Estates	O	SC9	X	X	X	X	X	X	O Rep
344	RAC	Greywell Property Ltd	O	SC9	X	X	X	X	X	X	O Rep
345	RAA	Church Commisioners for England	O	SC9	X	X	X	X	X	X	O Rep
39	AB	NHS West Midlands Division	O	SC9	X	X	X	X	X	X	O Rep
4	AA	Arlington Planning Services LLP	O	SC9	X	X	X	X	X	X	O Rep
66	RAW	The Warwick Society	O	SC9	X	X	X	X	X	X	O Rep
66	AN	The Warwick Society	O	SC9	X	X	X	X	X	X	O Rep
2	AC	British Telecommunications Plc	O	SC9	X	X	X	X	X	X	O Rep
200	AQ	Taylor Woodrow Strategic Developments	O	SC9	X	X	X	X	X	X	O Rep
213	AP	Warwickshire Rural Community Council	O	SC9	X	X	X	X	X	X	O Rep
109	AC	WCC (Planning, Transport & Economic Strategy)	O	SC9	X	X	X	X	X	X	cond/wd
109	AT	WCC (Planning, Transport & Economic Strategy)	O	SC9	X	X	X	X	X	X	cond/wd
109	AU	WCC (Planning, Transport & Economic Strategy)	O	SC9	X	X	X	X	X	X	cond/wd
117	AJ	Langstone Homes Ltd	O	SC9	X	X	X	X	X	X	cond/wd
155	AA	Punch Taverns	O	SC9	X	X	X	X	X	X	cond/wd
191	RAR	R.A. Richmond	O	SC9	X	X	X	X	X	X	cond/wd
195	RAS	The Leamington Society	O	SC9	X	X	X	X	X	X	cond/wd
349	RAR	D. G. Goodyear	O	SC9	X	X	X	X	X	X	cond/wd
52	RAB	Barford, Sherbourne & Wasperton JPC	O	SC9	X	X	X	X	X	X	cond/wd
72	AA	Saville Estates	O	SC9	X	X	X	X	X	X	cond/wd
321	RAK	West Midlands International Airport Ltd	O	SC10	W Reps	24.02.06	28.02.06				FWR
214	RAF	J. Biles	O	SC10	X	X	X	X	X	X	O Rep
119	RAF	Bloor Homes Ltd	O	SC10	X	X	X	X	X	X	O Rep
120	AJ	Miller Homes (West Midlands)	O	SC10	X	X	X	X	X	X	O Rep
159	AA	Rail Property Ltd and NRI Ltd	O	SC10	X	X	X	X	X	X	O Rep
187	AL	Countryside Agency (WM Region)	O	SC10	X	X	X	X	X	X	O Rep
199	RAG	J. MacKay	O	SC10	X	X	X	X	X	X	O Rep
220	AJ	Cala Homes (Midlands) Ltd	O	SC10	X	X	X	X	X	X	O Rep
228	AS	West Midlands RSL Planning Consortium	O	SC10	X	X	X	X	X	X	O Rep
228	RAG	West Midlands RSL Planning Consortium	O	SC10	X	X	X	X	X	X	O Rep
239	RAG	D. Austin	O	SC10	X	X	X	X	X	X	O Rep
322	RAF	J G Land and Estates	O	SC10	X	X	X	X	X	X	O Rep
350	RAW	Tesco Stores Ltd	O	SC10	X	X	X	X	X	X	O Rep
200	AG	Taylor Woodrow Strategic Developments	O	SC10	X	X	X	X	X	X	O Rep
117	AK	Langstone Homes Ltd	O	SC10	X	X	X	X	X	X	cond/wd

321	RAL	West Midlands International Airport Ltd	O	SC11	W Reps	24.02.06	28.02.06	06.06.06	06.06.06	06.06.06	FWR
119	RAG	Bloor Homes Ltd	O	SC11	X	X	X	X	X	X	O Rep
120	AK	Miller Homes (West Midlands)	O	SC11	X	X	X	X	X	X	O Rep
159	AB	Rail Property Ltd & NRI Ltd	O	SC11	X	X	X	X	X	X	O Rep
201	AL	Home Builders Federation	O	SC11	X	X	X	X	X	X	O Rep
210	AL	English Nature	O	SC11	X	X	X	X	X	X	O Rep
214	RAG	J. Biles	O	SC11	X	X	X	X	X	X	O Rep
220	AK	Cala Homes (Midlands) Ltd	O	SC11	X	X	X	X	X	X	O Rep
228	AT	West Midlands RSL Planning Consortium	O	SC11	X	X	X	X	X	X	O Rep
228	RAH	West Midlands RSL Planning Consortium	O	SC11	X	X	X	X	X	X	O Rep
239	RAF	D. Austin	O	SC11	X	X	X	X	X	X	O Rep
283	RAK	The Ancient Monuments Society	O	SC11	X	X	X	X	X	X	O Rep
322	RAG	J G Land and Estates	O	SC11	X	X	X	X	X	X	O Rep
350	RAX	Tesco Stores Ltd	O	SC11	X	X	X	X	X	X	O Rep
66	RAX	The Warwick Society	O	SC11	X	X	X	X	X	X	O Rep
69	AE	L. Forbes	O	SC11	X	X	X	X	X	X	O Rep
200	AF	Taylor Woodrow Strategic Developments	O	SC11	X	X	X	X	X	X	O Rep
109	AJ	WCC (Planning, Transport & Economic Strategy)	O	SC11	X	X	X	X	X	X	cond/wd
117	AL	Langstone Homes Ltd	O	SC11	X	X	X	X	X	X	cond/wd
195	AF	The Leamington Society	O	SC11	X	X	X	X	X	X	cond/wd
294	AF	British Waterways	O	SC11	X	X	X	X	X	X	cond/wd
37	AO	Sport England	O	SC11	X	X	X	X	X	X	cond/wd
214	RAH	J. Biles	O	SC12	X	X	X	X	X	X	O Rep
119	RAH	Bloor Homes Ltd	O	SC12	X	X	X	X	X	X	O Rep
120	AL	Miller Homes (West Midlands)	O	SC12	X	X	X	X	X	X	O Rep
159	AC	Rail Property Ltd & NRI Ltd	O	SC12	X	X	X	X	X	X	O Rep
187	AM	Countryside Agency (WM Region)	O	SC12	X	X	X	X	X	X	O Rep
188	AA	Marks and Spencer PLC	O	SC12	X	X	X	X	X	X	O Rep
197	AD	Norton Lindsey Parish Council	O	SC12	X	X	X	X	X	X	O Rep
220	AL	Cala Homes (Midlands) Ltd	O	SC12	X	X	X	X	X	X	O Rep
228	AU	West Midlands RSL Planning Consortium	O	SC12	X	X	X	X	X	X	O Rep
228	RAJ	West Midlands RSL Planning Consortium	O	SC12	X	X	X	X	X	X	O Rep
239	AG	D. Austin	O	SC12	X	X	X	X	X	X	O Rep
322	RAH	J G Land and Estates	O	SC12	X	X	X	X	X	X	O Rep
341	RAD	South Warwickshire Primary Care Trust	O	SC12	X	X	X	X	X	X	O Rep
350	RAY	Tesco Stores Ltd	O	SC12	X	X	X	X	X	X	O Rep
39	AC	NHS West Midlands Division	O	SC12	X	X	X	X	X	X	O Rep
66	RAZ	The Warwick Society	O	SC12	X	X	X	X	X	X	O Rep

69	AF	L. Forbes	O	SC12	X	X	X	X	X	X	O Rep
200	AE	Taylor Woodrow Strategic Developments	O	SC12	X	X	X	X	X	X	O Rep
117	AM	Langstone Homes Ltd	O	SC12	X	X	X	X	X	X	cond/wd
201	AA	Home Builders Federation	O	SC13	W Reps	24.02.06	07.03.06	08.06.06	08.06.06	08.06.06	FWR
321	RAM	West Midlands International Airport Ltd	O	SC13	W Reps	24.02.06	28.02.06	08.06.06	08.06.06	08.06.06	FWR
120	AA	Miller Homes (West Midlands)	O	SC13	X	X	X	X	X	X	O Rep
188	AB	Marks and Spencer PLC	O	SC13	X	X	X	X	X	X	O Rep
217	RAA	McCarthy and Stone (Developments) Limited	O	SC13	X	X	X	X	X	X	O Rep
228	AV	West Midlands RSL Planning Consortium	O	SC13	X	X	X	X	X	X	O Rep
228	RAK	West Midlands RSL Planning Consortium	O	SC13	X	X	X	X	X	X	O Rep
239	AF	D. Austin	O	SC13	X	X	X	X	X	X	O Rep
66	RAY	The Warwick Society	O	SC13	X	X	X	X	X	X	O Rep
200	AO	Taylor Woodrow Strategic Developments	O	SC13	X	X	X	X	X	X	O Rep
117	AB	Langstone Homes Ltd	O	SC13	X	X	X	X	X	X	cond/wd
202	AA	H M Prison Service	O	CH 5 OM	W Reps	24.02.06	23.02.06	06.06.06	06.06.06	06.06.06	FWR
202	RAA	H M Prison Service	O	CH 5 OM	W Reps	24.02.06	23.02.06	06.06.06	06.06.06	06.06.06	FWR
284	AA	C. J. Edgerton	O	CH 5 OM	W Reps	24.02.06	24.02.06	06.06.06	06.06.06	06.06.06	FWR
125	AB	I. Hunter	O	CH 5 OM	X	X	X	X	X	X	O Rep
199	BX	J. MacKay	O	CH 5 OM	X	X	X	X	X	X	O Rep
294	AG	British Waterways	O	CH 5 OM	X	X	X	X	X	X	O Rep
Chapter 6 - Urban Area Policies											
195	RAT	The Leamington Society	O	CH 6 INTRO	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
191	RAS	R.A. Richmond	O	CH 6 INTRO	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
199	RAH	J. MacKay	O	CH 6 INTRO	X	X	X	X	X	X	O Rep
303	AE	Racecourse Holdings Trust	O	CH 6 INTRO	X	X	X	X	X	X	O Rep
349	RAS	D. G. Goodyear	O	CH 6 INTRO	X	X	X	X	X	X	O Rep
66	RBA	The Warwick Society	O	CH 6 INTRO	X	X	X	X	X	X	O Rep
226	AK	Environment Agency	O	CH 6 INTRO	X	X	X	X	X	X	O Rep
132	AB	KB Benfield Group Holdings Ltd	O	UAP1	W Reps	24.02.06	31.03.06				FWR
201	AB	Home Builders Federation	O	UAP1	W Reps	24.02.06	07.03.06	22.03.06	22.03.06	22.03.06	FWR
191	RAT	R.A. Richmond	O	UAP1	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
195	RAU	The Leamington Society	O	UAP1	Hearing	31.05.06	31.05.06	31.05.06	31.05.06	31.05.06	Hearing
214	RAJ	J. Biles	O	UAP1	X	X	X	X	X	X	O Rep
208	AA	Pettifer Estates Ltd	O	UAP1	X	X	X	X	X	X	O Rep
288	AA	Warwickshire Police Authority	O	UAP1	X	X	X	X	X	X	O Rep
296	AF	CLARA	O	UAP1	X	X	X	X	X	X	O Rep
111	AE	The Chamber of Commerce	O	UAP1	X	X	X	X	X	X	O Rep
120	AM	Miller Homes (West Midlands)	O	UAP1	X	X	X	X	X	X	O Rep

120	RAF	Miller Homes (West Midlands)	O	UAP1	X	X	X	X	X	X	O Rep
142	AD	A C Lloyd LTD	O	UAP1	X	X	X	X	X	X	O Rep
158	AB	Tyler-Parkes Partnership	O	UAP1	X	X	X	X	X	X	O Rep
170	AB	M. Wood	O	UAP1	X	X	X	X	X	X	O Rep
193	AS	Coten End and Emscote Residents Association	O	UAP1	X	X	X	X	X	X	O Rep
193	BK	Coten End and Emscote Residents Association	O	UAP1	X	X	X	X	X	X	O Rep
199	BK	J. MacKay	O	UAP1	X	X	X	X	X	X	O Rep
199	AS	J. MacKay	O	UAP1	X	X	X	X	X	X	O Rep
220	AP	Cala Homes (Midlands) Ltd	O	UAP1	X	X	X	X	X	X	O Rep
222	RAA	John Burman & Family	O	UAP1	X	X	X	X	X	X	O Rep
222	AA	John Burman & Family	O	UAP1	X	X	X	X	X	X	O Rep
227	AA	David Wilson Homes (East Midlands) Ltd.	O	UAP1	X	X	X	X	X	X	O Rep
227	RAA	David Wilson Homes (East Midlands) Ltd.	O	UAP1	X	X	X	X	X	X	O Rep
239	RAE	D. Austin	O	UAP1	X	X	X	X	X	X	O Rep
239	AE	D. Austin	O	UAP1	X	X	X	X	X	X	O Rep
240	AB	George Wimpey Strategic Land	O	UAP1	X	X	X	X	X	X	O Rep
290	AC	H. E. Johnson	O	UAP1	X	X	X	X	X	X	O Rep
291	AF	George Wimpey UK Ltd	O	UAP1	X	X	X	X	X	X	O Rep
322	RAJ	J G Land and Estates	O	UAP1	X	X	X	X	X	X	O Rep
349	RAT	D. G. Goodyear	O	UAP1	X	X	X	X	X	X	O Rep
4	RAA	Arlington Planning Services LLP	O	UAP1	X	X	X	X	X	X	O Rep
47	AA	B. Meatyard	O	UAP1	X	X	X	X	X	X	O Rep
5	AA	Mrs Christa Knight-Adams	O	UAP1	X	X	X	X	X	X	O Rep
50	AA	I. Dickson	O	UAP1	X	X	X	X	X	X	O Rep
62	AA	L.C. Lim	O	UAP1	X	X	X	X	X	X	O Rep
66	RBB	The Warwick Society	O	UAP1	X	X	X	X	X	X	O Rep
66	AP	The Warwick Society	O	UAP1	X	X	X	X	X	X	O Rep
69	AG	L. Forbes	O	UAP1	X	X	X	X	X	X	O Rep
75	AA	Godfrey	O	UAP1	X	X	X	X	X	X	O Rep
76	AA	Mr & Mrs. Parsons	O	UAP1	X	X	X	X	X	X	O Rep
77	AA	Dr V.F. Weinstein	O	UAP1	X	X	X	X	X	X	O Rep
78	AA	P.M. Pemberton	O	UAP1	X	X	X	X	X	X	O Rep
84	AA	J.C. Rogers	O	UAP1	X	X	X	X	X	X	O Rep
85	AA	J.H. Hardy	O	UAP1	X	X	X	X	X	X	O Rep
86	AA	G.M. Allan	O	UAP1	X	X	X	X	X	X	O Rep
87	AA	K.H. Heppel	O	UAP1	X	X	X	X	X	X	O Rep
200	AD	Taylor Woodrow Strategic Developments	O	UAP1	X	X	X	X	X	X	O Rep
232	AA	J. K. Binks	O	UAP1	X	X	X	X	X	X	O Rep

259	AA	A & C. Duke	O	UAP1	X	X	X	X	X	X	O Rep
109	AZ	WCC (Planning, Transport & Economic Strategy)	O	UAP1	X	X	X	X	X	X	cond/wd
117	AN	Langstone Homes Ltd	O	UAP1	X	X	X	X	X	X	cond/wd
150	AD	WCC (Museum Field Services - Ecology)	O	UAP1	X	X	X	X	X	X	cond/wd
163	AA	R. Copping	O	UAP1	X	X	X	X	X	X	cond/wd
191	AE	R.A. Richmond	O	UAP1	X	X	X	X	X	X	cond/wd
210	AM	English Nature	O	UAP1	X	X	X	X	X	X	cond/wd
241	AA	Mr & Mrs. Ewell	O	UAP1	X	X	X	X	X	X	cond/wd
256	AL	T & N Limited	O	UAP1	X	X	X	X	X	X	cond/wd
119	RAJ	Bloor Homes Ltd	O	UAP1	X	X	X	X	X	X	X
256	AM	T & N Limited	O	UAP2	W reps	24.02.06	21.02.06				FWR
205	AA	Ford Motor Company Ltd	O	UAP2	X	X	X	X	X	X	O Rep
168	RAP	Advantage West Midlands	O	UAP2	X	X	X	X	X	X	O Rep
228	AY	West Midlands RSL Planning Consortium	O	UAP2	X	X	X	X	X	X	O Rep
266	AE	Warwick Town Council	O	UAP2	X	X	X	X	X	X	O Rep
291	AG	George Wimpey UK Ltd	O	UAP2	X	X	X	X	X	X	O Rep
348	RAA	Merrill Lynch Investment Managers	O	UAP2	X	X	X	X	X	X	O Rep
212	AB	IBM United Kingdom Ltd.	O	UAP2	X	X	X	X	X	X	O Rep
109	AY	WCC (Planning, Transport & Economic Strategy)	O	UAP2	X	X	X	X	X	X	cond/wd
223	AM	Kenilworth Town Council	O	UAP2							
321	RAN	West Midlands International Airport Ltd	O	UAP3	W reps	24.02.06	28.02.06	23.05.06	23.05.06	23.05.06	FWR
321	RAP	West Midlands International Airport Ltd	O	UAP3	W reps	24.02.06	28.02.06	23.05.06	23.05.06	23.05.06	FWR
265	AC	The Crown Estate	O	UAP3	Hearing	10.03.06	17.03.06	10.04.06	10.04.06	10.04.06	Hearing
350	RAZ	Tesco Stores Ltd	O	UAP3	Hearing	10.03.06	04.05.06	24.05.06	24.05.06	24.05.06	Hearing
219	AC	Deeley Properties Limited	O	UAP3	X	X	X	X	X	X	O Rep
199	BL	J. MacKay	O	UAP3	X	X	X	X	X	X	O Rep
161	AB	Morley Fund Management	O	UAP3	X	X	X	X	X	X	O Rep
188	AC	Marks and Spencer PLC	O	UAP3	X	X	X	X	X	X	O Rep
193	BL	Coten End and Emscote Residents Association	O	UAP3	X	X	X	X	X	X	O Rep
221	AT	Kenilworth Society	O	UAP3	X	X	X	X	X	X	O Rep
225	AA	WM Morrisons Supermarkets PLC	O	UAP3	X	X	X	X	X	X	O Rep
228	AZ	West Midlands RSL Planning Consortium	O	UAP3	X	X	X	X	X	X	O Rep
258	AE	Sainsburys Supermarkets Limited	O	UAP3	X	X	X	X	X	X	O Rep
354	RAA	R. Higgins	O	UAP3	X	X	X	X	X	X	O Rep
54	AJ	Conservative Group of Councillors	O	UAP3	X	X	X	X	X	X	O Rep
295	AB	B&Q PLC	O	UAP3	X	X	X	X	X	X	O Rep
109	AM	WCC (Planning, Transport & Economic Strategy)	O	UAP3	X	X	X	X	X	X	cond/wd
223	AQ	Kenilworth Town Council	O	UAP4	Written Rep	24.02.06	24.02.06	18.05.06	18.05.06	18.05.06	FWR

223	RAE	Kenilworth Town Council	O	UAP4	Written Rep	24.02.06	24.02.06	18.05.06	18.05.06	18.05.06	FWR
221	AU	Kenilworth Society	O	UAP4	X	X	X	X	X	X	O Rep
116	AA	Midland Assured Homes (1990) Ltd	O	UAP4	X	X	X	X	X	X	O Rep
199	BM	J. MacKay	O	UAP4	X	X	X	X	X	X	O Rep
193	BM	Coten End and Emscote Residents Association	O	UAP4	X	X	X	X	X	X	O Rep
220	AQ	Cala Homes (Midlands) Ltd	O	UAP4	X	X	X	X	X	X	O Rep
224	RAA	Mr & Mrs. R.M. Orr	O	UAP4	X	X	X	X	X	X	O Rep
266	AK	Warwick Town Council	O	UAP4	X	X	X	X	X	X	O Rep
66	AQ	The Warwick Society	O	UAP4	X	X	X	X	X	X	cond/wd
205	AC	Ford Motor Company Ltd	O	UAP6	X	X	X	X	X	X	O Rep
350	RBA	Tesco Stores Ltd	O	UAP6	X	X	X	X	X	X	cond/wd
205	AD	Ford Motor Company Ltd	O	UAP7	X	X	X	X	X	X	O Rep
122	RAC	Warwick Castle	O	UAP7	X	X	X	X	X	X	O Rep
168	RAQ	Advantage West Midlands	O	UAP7	X	X	X	X	X	X	O Rep
303	RAD	Racecourse Holdings Trust	O	UAP7	X	X	X	X	X	X	O Rep
303	AF	Racecourse Holdings Trust	O	UAP7	X	X	X	X	X	X	O Rep
122	AB	Warwick Castle	O	UAP7	X	X	X	X	X	X	cond/wd
195	AG	The Leamington Society	O	UAP7	X	X	X	X	X	X	cond/wd
302	AP	English Heritage (West Midlands Region)	O	UAP7	X	X	X	X	X	X	cond/wd
223	RAF	Kenilworth Town Council	O	UAP8	hearing	17.03.06	10.03.06	22.03.06	22.03.06	22.03.06	Hearing
205	AE	Ford Motor Company Ltd	O	UAP8	X	X	X	X	X	X	O Rep
147	AA	Sundial Conference and Training Group	O	UAP8	X	X	X	X	X	X	O Rep
303	AG	Racecourse Holdings Trust	O	UAP8	X	X	X	X	X	X	O Rep
354	RAG	R. Higgins	O	UAP8	X	X	X	X	X	X	O Rep
223	AS	Kenilworth Town Council	O	UAP8	X	X	X	X	X	X	cond/wd
66	AR	The Warwick Society	O	UAP8	X	X	X	X	X	X	cond/wd
37	AP	Sport England	O	UAP9	X	X	X	X	X	X	cond/wd
205	AF	Ford Motor Company Ltd	O	UAP9	X	X	X	X	X	X	O Rep
265	RAA	The Crown Estate	O	UAP9	X	X	X	X	X	X	O Rep
303	RAE	Racecourse Holdings Trust	O	UAP9	X	X	X	X	X	X	O Rep
303	AH	Racecourse Holdings Trust	O	UAP9	X	X	X	X	X	X	O Rep
350	RBB	Tesco Stores Ltd	O	UAP9	X	X	X	X	X	X	cond/wd
111	AB	The Chamber of Commerce	O	CH 6 OM	X	X	X	X	X	X	O Rep
120	AN	Miller Homes (West Midlands)	O	CH 6 OM	X	X	X	X	X	X	O Rep
228	AW	West Midlands RSL Planning Consortium	O	CH 6 OM	X	X	X	X	X	X	O Rep
200	AC	Taylor Woodrow Strategic Developments	O	CH 6 OM	X	X	X	X	X	X	O Rep
262	AF	Warwick & Leamington Spa Green Party	O	CH 6 OM	X	X	X	X	X	X	O Rep
296	AC	CLARA	O	CH 6 OM	X	X	X	X	X	X	O Rep

109	AN	WCC (Planning, Transport & Economic Strategy)	O	CH 6 OM	X	X	X	X	X	X	cond/wd
109	BA	WCC (Planning, Transport & Economic Strategy)	O	CH 6 OM	X	X	X	X	X	X	cond/wd
117	AO	Langstone Homes Ltd	O	CH 6 OM	X	X	X	X	X	X	cond/wd
66	AD	The Warwick Society	O	CH 6 OM	X	X	X	X	X	X	cond/wd
Chapter 7 - Town Centre Policies											
242	AG	Coventry City Council (P & T)	O	CH 7 INTRO	Written Rep	24.02.06	24.02.06				FWR
195	RBE	The Leamington Society	O	CH 7 INTRO	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
265	RAB	The Crown Estate	O	CH 7 INTRO	Hearing	17.03.06	17.03.06	10.04.06	10.04.06	10.04.06	Hearing
283	RAP	The Ancient Monuments Society	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
192	AE	Chamber of Trade	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
193	BN	Coten End and Emscote Residents Association	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
193	BO	Coten End and Emscote Residents Association	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
199	BN	J. MacKay	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
199	BO	J. MacKay	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
221	AW	Kenilworth Society	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
225	AF	WM Morrisons Supermarkets PLC	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
225	RAA	WM Morrisons Supermarkets PLC	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
226	AM	Environment Agency	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
266	RAD	Warwick Town Council	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
266	AO	Warwick Town Council	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
312	RAA	C. Dodd	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
312	RAC	C. Dodd	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
354	RAE	R. Higgins	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
66	AS	The Warwick Society	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
66	AT	The Warwick Society	O	CH 7 INTRO	X	X	X	X	X	X	O Rep
223	RAG	Kenilworth Town Council	O	CH 7 INTRO	X	X	X	X	X	X	cond/wd
223	AT	Kenilworth Town Council	O	CH 7 INTRO	X	X	X	X	X	X	cond/wd
350	RBC	Tesco Stores Ltd	O	CH 7 INTRO	X	X	X	X	X	X	cond/wd
195	RBF	The Leamington Society	O	TCP1	Hearing	31.05.06	31.05.06	31.05.06	31.05.06	31.05.06	Hearing
283	RAQ	The Ancient Monuments Society	O	TCP1	X	X	X	X	X	X	O Rep
221	AZ	Kenilworth Society	O	TCP1	X	X	X	X	X	X	O Rep
225	AD	WM Morrisons Supermarkets PLC	O	TCP1	X	X	X	X	X	X	O Rep
312	RAD	C. Dodd	O	TCP1	X	X	X	X	X	X	O Rep
350	RBD	Tesco Stores Ltd	O	TCP1	X	X	X	X	X	X	O Rep
354	RAB	R. Higgins	O	TCP1	X	X	X	X	X	X	O Rep
195	AH	The Leamington Society	O	TCP1	X	X	X	X	X	X	cond/wd
223	AV	Kenilworth Town Council	O	TCP1	X	X	X	X	X	X	cond/wd
302	AQ	English Heritage (West Midlands Region)	O	TCP1	X	X	X	X	X	X	cond/wd

321	RAQ	West Midlands International Airport Ltd	O	TCP2	Written Rep	24.02.06	28.02.06	28.06.06	28.06.06	28.06.06	FWR
265	AB	The Crown Estate	O	TCP2	Hearing	17.03.06	17.03.06	10.04.06	10.04.06	10.04.06	Hearing
350	RBE	Tesco Stores Ltd	O	TCP2	Hearing	17.03.06	04.05.06	24.05.06	24.05.06	24.05.06	Hearing
224	RAC	Mr & Mrs. R.M. Orr	O	TCP2	X	X	X	X	X	X	O Rep
258	AB	Sainsburys Supermarkets Limited	O	TCP2	X	X	X	X	X	X	O Rep
39	AD	NHS West Midlands Division	O	TCP2	X	X	X	X	X	X	O Rep
265	AA	The Crown Estate	O	TCP3	Hearing	17.02.06	17.03.06	10.04.06	10.04.06	10.04.06	Hearing
265	RAC	The Crown Estate	O	TCP3	Hearing	17.02.06	17.03.06	10.04.06	10.04.06	10.04.06	Hearing
350	RBF	Tesco Stores Ltd	O	TCP3	Hearing	17.02.06	04.05.06	24.05.06	24.05.06	24.05.06	Hearing
161	AA	Morley Fund Management	O	TCP3	X	X	X	X	X	X	O Rep
188	AD	Marks and Spencer PLC	O	TCP3	X	X	X	X	X	X	O Rep
203	AA	Warwick Chamber of Trade and Commerce	O	TCP3	X	X	X	X	X	X	O Rep
225	AE	WM Morrisons Supermarkets PLC	O	TCP3	X	X	X	X	X	X	O Rep
225	RAB	WM Morrisons Supermarkets PLC	O	TCP3	X	X	X	X	X	X	O Rep
2	AD	British Telecommunications Plc	O	TCP3	X	X	X	X	X	X	O Rep
302	AR	English Heritage (West Midlands Region)	O	TCP3	X	X	X	X	X	X	cond/wd
296	AD	CLARA	O	TCP4	X	X	X	X	X	X	O Rep
171	AA	Portland Place Residents Association	O	TCP4	X	X	X	X	X	X	O Rep
192	AC	Chamber of Trade	O	TCP4	X	X	X	X	X	X	O Rep
354	RAC	R. Higgins	O	TCP4	X	X	X	X	X	X	O Rep
38	AB	Dr A. Cave	O	TCP4	X	X	X	X	X	X	O Rep
199	BP	J. MacKay	O	TCP5	X	X	X	X	X	X	O Rep
193	BP	Coten End and Emscote Residents Association	O	TCP5	X	X	X	X	X	X	O Rep
224	RAD	Mr & Mrs. R.M. Orr	O	TCP5	X	X	X	X	X	X	O Rep
354	RAD	R. Higgins	O	TCP5	X	X	X	X	X	X	O Rep
38	AF	Dr A. Cave	O	TCP5	X	X	X	X	X	X	O Rep
66	AV	The Warwick Society	O	TCP5	X	X	X	X	X	X	O Rep
199	BQ	J. MacKay	O	TCP6	X	X	X	X	X	X	O Rep
193	BQ	Coten End and Emscote Residents Association	O	TCP6	X	X	X	X	X	X	O Rep
266	RAB	Warwick Town Council	O	TCP6	X	X	X	X	X	X	O Rep
266	AG	Warwick Town Council	O	TCP6	X	X	X	X	X	X	O Rep
302	AT	English Heritage (West Midlands Region)	O	TCP6	X	X	X	X	X	X	O Rep
312	RAE	C. Dodd	O	TCP6	X	X	X	X	X	X	O Rep
354	RAF	R. Higgins	O	TCP6	X	X	X	X	X	X	O Rep
66	AU	The Warwick Society	O	TCP6	X	X	X	X	X	X	O Rep
148	AS	CPRE (Warwickshire Branch)	O	TCP7	Hearing	31.03.06	31.03.06	19.04.06	19.04.06	19.04.06	Hearing
148	RBA	CPRE (Warwickshire Branch)	O	TCP7	Hearing	31.03.06	31.03.06	19.04.06	19.04.06	19.04.06	Hearing
195	RBG	The Leamington Society	O	TCP7	Hearing	31.05.06	31.05.06	31.05.06	31.05.06	31.05.06	Hearing

233	AA	T. Newby	O	TCP7	X	X	X	X	X	X	O Rep
120	AO	Miller Homes (West Midlands)	O	TCP7	X	X	X	X	X	X	O Rep
159	AD	Rail Property Ltd and Network Rail Infrastructure Ltd	O	TCP7	X	X	X	X	X	X	O Rep
350	RBG	Tesco Stores Ltd	O	TCP7	X	X	X	X	X	X	O Rep
6	AB	Chiltern Railways	O	TCP7	X	X	X	X	X	X	O Rep
294	AA	British Waterways	O	TCP7	X	X	X	X	X	X	cond/wd
350	RBH	Tesco Stores Ltd	O	TCP8	Hearing	31.03.06	04.05.06	24.05.06	24.05.06	24.05.06	Hearing
354	RAJ	R. Higgins	O	TCP8	X	X	X	X	X	X	O Rep
204	AA	Asda Stores Limited	O	TCP8	X	X	X	X	X	X	O Rep
104	AB	WCC (Property Services Dept)	O	TCP9	hearing	07.04.06	09.05.06	21.06.06	21.06.06	21.06.06	hearing
104	RAC	WCC (Property Services Dept)	O	TCP9	hearing	07.04.06	09.05.06	21.06.06	21.06.06	21.06.06	hearing
214	RAK	J. Biles	O	TCP9	X	X	X	X	X	X	O Rep
120	AP	Miller Homes (West Midlands)	O	TCP9	X	X	X	X	X	X	O Rep
120	RAE	Miller Homes (West Midlands)	O	TCP9	X	X	X	X	X	X	O Rep
158	AE	Tyler-Parkes Partnership	O	TCP9	X	X	X	X	X	X	O Rep
226	AQ	Environment Agency	O	TCP9	X	X	X	X	X	X	O Rep
228	BC	West Midlands RSL Planning Consortium	O	TCP9	X	X	X	X	X	X	O Rep
239	RAD	D. Austin	O	TCP9	X	X	X	X	X	X	O Rep
274	AA	Regenesis	O	TCP9	X	X	X	X	X	X	O Rep
312	RAF	C. Dodd	O	TCP9	X	X	X	X	X	X	O Rep
322	RAK	J G Land and Estates	O	TCP9	X	X	X	X	X	X	O Rep
350	RBJ	Tesco Stores Ltd	O	TCP9	X	X	X	X	X	X	O Rep
354	RAH	R. Higgins	O	TCP9	X	X	X	X	X	X	O Rep
200	AB	Taylor Woodrow Strategic Developments	O	TCP9	X	X	X	X	X	X	O Rep
295	AA	B&Q PLC	O	TCP9	X	X	X	X	X	X	O Rep
117	AP	Langstone Homes Ltd	O	TCP9	X	X	X	X	X	X	cond/wd
223	AW	Kenilworth Town Council	O	TCP9	X	X	X	X	X	X	cond/wd
119	RAK	Bloor Homes Ltd	O	TCP9	X	X	X	X	X	X	X
191	RAU	R.A. Richmond	O	TCP10	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
195	RAV	The Leamington Society	O	TCP10	Hearing	31.05.06	31.05.06	31.05.06	31.05.06	31.05.06	Hearing
312	RAG	C. Dodd	O	TCP10	X	X	X	X	X	X	O Rep
349	RAU	D. G. Goodyear	O	TCP10	X	X	X	X	X	X	O Rep
191	AA	R.A. Richmond	O	TCP10	X	X	X	X	X	X	cond/wd
191	RAV	R.A. Richmond	O	TCP11	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
195	RAW	The Leamington Society	O	TCP11	Hearing	31.05.06	31.05.06	31.05.06	31.05.06	31.05.06	Hearing
226	AR	Environment Agency	O	TCP11	X	X	X	X	X	X	cond/wd
349	RAV	D. G. Goodyear	O	TCP11	X	X	X	X	X	X	O Rep
191	RAW	R.A. Richmond	O	TCP12	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing

195	RAX	The Leamington Society	O	TCP12	Hearing	31.05.06	31.05.06	31.05.06	31.05.06	31.05.06	Hearing
283	RAR	The Ancient Monuments Society	O	TCP12	X	X	X	X	X	X	O Rep
226	AS	Environment Agency	O	TCP12	X	X	X	X	X	X	O Rep
349	RAW	D. G. Goodyear	O	TCP12	X	X	X	X	X	X	O Rep
191	AB	R.A. Richmond	O	TCP12	X	X	X	X	X	X	cond/wd
283	RAS	The Ancient Monuments Society	O	TCP13	X	X	X	X	X	X	O Rep
302	AW	English Heritage (West Midlands Region)	O	TCP13	X	X	X	X	X	X	cond/wd
152	AE	Royal Leamington Spa Town Council	O	CH 7 OM	X	X	X	X	X	X	O Rep
221	AX	Kenilworth Society	O	CH 7 OM	X	X	X	X	X	X	O Rep
223	RAH	Kenilworth Town Council	O	CH 7 OM	X	X	X	X	X	X	O Rep
38	AA	Dr A. Cave	O	CH 7 OM	X	X	X	X	X	X	O Rep
38	AC	Dr A. Cave	O	CH 7 OM	X	X	X	X	X	X	O Rep
38	AD	Dr A. Cave	O	CH 7 OM	X	X	X	X	X	X	O Rep
38	AE	Dr A. Cave	O	CH 7 OM	X	X	X	X	X	X	O Rep
38	AG	Dr A. Cave	O	CH 7 OM	X	X	X	X	X	X	O Rep
38	AH	Dr A. Cave	O	CH 7 OM	X	X	X	X	X	X	O Rep
38	AJ	Dr A. Cave	O	CH 7 OM	X	X	X	X	X	X	O Rep
38	AK	Dr A. Cave	O	CH 7 OM	X	X	X	X	X	X	O Rep
38	AL	Dr A. Cave	O	CH 7 OM	X	X	X	X	X	X	O Rep
109	AB	WCC (Planning, Transport & Economic Strategy)	O	CH 7 OM	X	X	X	X	X	X	cond/wd
302	AS	English Heritage (West Midlands Region)	O	CH 7 OM	X	X	X	X	X	X	cond/wd
Chapter 8 - Rural Area Policies											
195	RAY	The Leamington Society	O	CH 8 INTRO	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
226	AO	Environment Agency	O	CH8 INTRO	X	X	X	X	X	X	O Rep
191	RAX	R.A. Richmond	O	CH 8 INTRO	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
349	RAX	D. G. Goodyear	O	CH 8 INTRO	X	X	X	X	X	X	O Rep
115	RAA	A. Roberts	O	RAP1	Written Rep	24.02.06	07.03.06	13.07.06	13.07.06	13.07.06	FWR
115	AB	A. Roberts	O	RAP1	Written Rep	24.02.06	07.03.06	13.07.06	13.07.06	13.07.06	FWR
148	RAY	CPRE (Warwickshire Branch)	O	RAP1	Written Rep	24.02.06	06.03.06	13.07.06	13.07.06	13.07.06	FWR
321	RAR	West Midlands International Airport Ltd	O	RAP1	Written Rep	24.02.06	28.02.06	13.07.06	13.07.06	13.07.06	FWR
191	RAY	R.A. Richmond	O	RAP1	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
195	RAZ	The Leamington Society	O	RAP1	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
229	AF	Gallagher Estates Limited	O	RAP1	hearing	31.03.06	05.05.06	02.06.06	02.06.06	02.06.06	Hearing
214	AC	J. Biles	O	RAP1	X	X	X	X	X	X	O Rep
214	RAL	J. Biles	O	RAP1	X	X	X	X	X	X	O Rep
208	AB	Pettifer Estates Ltd	O	RAP1	X	X	X	X	X	X	O Rep
288	AB	Warwickshire Police Authority	O	RAP1	X	X	X	X	X	X	O Rep
119	RAL	Bloor Homes Ltd	O	RAP1	X	X	X	X	X	X	O Rep

120	RAD	Miller Homes (West Midlands)	O	RAP1	X	X	X	X	X	X	O Rep
142	AG	A C Lloyd LTD	O	RAP1	X	X	X	X	X	X	O Rep
187	AN	The Countryside Agency (West Midlands Region)	O	RAP1	X	X	X	X	X	X	O Rep
227	AD	David Wilson Homes (East Midlands) Ltd.	O	RAP1	X	X	X	X	X	X	O Rep
227	RAB	David Wilson Homes (East Midlands) Ltd.	O	RAP1	X	X	X	X	X	X	O Rep
239	AD	D. Austin	O	RAP1	X	X	X	X	X	X	O Rep
322	RAL	J G Land and Estates	O	RAP1	X	X	X	X	X	X	O Rep
349	RAY	D. G. Goodyear	O	RAP1	X	X	X	X	X	X	O Rep
4	AB	Arlington Planning Services LLP	O	RAP1	X	X	X	X	X	X	O Rep
250	AE	A & J. Day	O	RAP1	X	X	X	X	X	X	O Rep
117	AQ	Langstone Homes Ltd	O	RAP1	X	X	X	X	X	X	cond/wd
228	BG	West Midlands RSL Planning Consortium	O	RAP1	X	X	X	X	X	X	cond/wd
256	AJ	T & N Limited	O	RAP1	X	X	X	X	X	X	cond/wd
132	AD	KB Benfield Group Holdings Ltd	O	RAP2	Written Rep	24.02.06	31.03.06	13.06.06	13.06.06	13.06.06	FWR
148	RAM	CPRE (Warwickshire Branch)	O	RAP2	Written Rep	24.02.06	06.03.06	13.06.06	13.06.06	13.06.06	FWR
237	RAA	J. R. Reeves	O	RAP2	Written Rep	24.02.06	19.01.06	13.06.06	13.06.06	13.06.06	FWR
237	AA	J. R. Reeves	O	RAP2	Written Rep	24.02.06	19.01.06	13.06.06	13.06.06	13.06.06	FWR
256	AK	T & N Limited	O	RAP2	Written Rep	24.02.06	21.02.06	13.06.06	13.06.06	13.06.06	FWR
342	RAC	P. Smith	O	RAP2	Written Rep	24.02.06	09.03.06	13.06.06	13.06.06	13.06.06	FWR
135	AC	Bishops Tachbrook Parish Council	O	RAP2	Hearing	31.03.06	19.04.06	20.04.06	20.04.06	20.04.06	Hearing
135	RAC	Bishops Tachbrook Parish Council	O	RAP2	Hearing	31.03.06	19.04.06	20.04.06	20.04.06	20.04.06	Hearing
191	RAZ	R.A. Richmond	O	RAP2	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
195	RBA	The Leamington Society	O	RAP2	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
278	AA	Shirley Estates (Developments) Ltd	O	RAP2	Hearing	31.03.06	09.03.06	10.04.06	10.04.06	10.04.06	Hearing
289	RAB	Taylor Woodrow Developments Ltd.	O	RAP2	Hearing	31.03.06	30.03.06				Hearing
289	AD	Taylor Woodrow Developments Ltd.	O	RAP2	Hearing	31.03.06	30.03.06				Hearing
293	AD	Oldhams Transport Limited	O	RAP2	Hearing	31.03.06	30.03.06				Hearing
57	AA	Shirley Estates (Developments) Ltd	O	RAP2	Hearing	31.03.06	09.03.06	10.04.06	10.04.06	10.04.06	Hearing
214	AD	J. Biles	O	RAP2	X	X	X	X	X	X	O Rep
214	RAA	J. Biles	O	RAP2	X	X	X	X	X	X	O Rep
214	RAM	J. Biles	O	RAP2	X	X	X	X	X	X	O Rep
208	AC	Pettifer Estates Ltd	O	RAP2	X	X	X	X	X	X	O Rep
288	AD	Warwickshire Police Authority	O	RAP2	X	X	X	X	X	X	O Rep
10	AC	Bubbenhall Parish Council	O	RAP2	X	X	X	X	X	X	O Rep
112	AC	J. Masters	O	RAP2	X	X	X	X	X	X	O Rep
115	RAB	A. Roberts	O	RAP2	X	X	X	X	X	X	O Rep
118	AD	Mr & Mrs. G. Bull	O	RAP2	X	X	X	X	X	X	O Rep
119	RAA	Bloor Homes Ltd	O	RAP2	X	X	X	X	X	X	O Rep

119	RAM	Bloor Homes Ltd	O	RAP2	X	X	X	X	X	X	O Rep
119	AA	Bloor Homes Ltd	O	RAP2	X	X	X	X	X	X	O Rep
120	RAC	Miller Homes (West Midlands)	O	RAP2	X	X	X	X	X	X	O Rep
121	AA	Rowington Parish Council	O	RAP2	X	X	X	X	X	X	O Rep
123	AA	R. Hedger	O	RAP2	X	X	X	X	X	X	O Rep
134	AA	D.A. Ellwood	O	RAP2	X	X	X	X	X	X	O Rep
142	AF	A C Lloyd LTD	O	RAP2	X	X	X	X	X	X	O Rep
158	AF	Tyler-Parkes Partnership	O	RAP2	X	X	X	X	X	X	O Rep
167	AA	E. Brown	O	RAP2	X	X	X	X	X	X	O Rep
170	AG	M. Wood	O	RAP2	X	X	X	X	X	X	O Rep
187	AO	The Countryside Agency (West Midlands Region)	O	RAP2	X	X	X	X	X	X	O Rep
220	AG	Cala Homes (Midlands) Ltd	O	RAP2	X	X	X	X	X	X	O Rep
222	RAE	John Burman & Family	O	RAP2	X	X	X	X	X	X	O Rep
224	AA	Mr & Mrs. R.M. Orr	O	RAP2	X	X	X	X	X	X	O Rep
228	BH	West Midlands RSL Planning Consortium	O	RAP2	X	X	X	X	X	X	O Rep
239	RAC	D. Austin	O	RAP2	X	X	X	X	X	X	O Rep
239	AC	D. Austin	O	RAP2	X	X	X	X	X	X	O Rep
239	AO	D. Austin	O	RAP2	X	X	X	X	X	X	O Rep
256	RAB	T & N Limited	O	RAP2	X	X	X	X	X	X	O Rep
322	RAA	J G Land and Estates	O	RAP2	X	X	X	X	X	X	O Rep
322	RAM	J G Land and Estates	O	RAP2	X	X	X	X	X	X	O Rep
331	RAA	G. Dyson	O	RAP2	X	X	X	X	X	X	O Rep
339	RAA	Malcolm Hawkesford and Co	O	RAP2	X	X	X	X	X	X	O Rep
34	AC	P. Hitchin	O	RAP2	X	X	X	X	X	X	O Rep
349	RAZ	D. G. Goodyear	O	RAP2	X	X	X	X	X	X	O Rep
5	AB	Mrs Christa Knight-Adams	O	RAP2	X	X	X	X	X	X	O Rep
54	AK	Conservative Group of Councillors	O	RAP2	X	X	X	X	X	X	O Rep
68	AB	D. Eggby	O	RAP2	X	X	X	X	X	X	O Rep
99	AA	Mr & Mrs. M. Evans	O	RAP2	X	X	X	X	X	X	O Rep
25	AA	M.J. Maguire	O	RAP2	X	X	X	X	X	X	O Rep
250	AB	A & J. Day	O	RAP2	X	X	X	X	X	X	O Rep
294	RAC	British Waterways	O	RAP2	X	X	X	X	X	X	O Rep
117	AR	Langstone Homes Ltd	O	RAP2	X	X	X	X	X	X	cond/wd
148	AW	CPRE (Warwickshire Branch)	O	RAP2	X	X	X	X	X	X	cond/wd
155	AB	Punch Taverns	O	RAP2	X	X	X	X	X	X	cond/wd
155	AF	Punch Taverns	O	RAP2	X	X	X	X	X	X	cond/wd
191	AD	R.A. Richmond	O	RAP2	X	X	X	X	X	X	cond/wd
213	AU	Warwickshire Rural Community Council	O	RAP2	X	X	X	X	X	X	cond/wd

286	AA	Earlplace Limited	O	RAP2	X	X	X	X	X	X	cond/wd
52	AF	Barford, Sherbourne & Wasperton JPC	O	RAP2	X	X	X	X	X	X	cond/wd
72	AB	Saville Estates	O	RAP2	X	X	X	X	X	X	cond/wd
214	AB	J. Biles	O	RAP3	X	X	X	X	X	X	O Rep
115	AD	A. Roberts	O	RAP3	X	X	X	X	X	X	O Rep
148	AX	CPRE (Warwickshire Branch)	O	RAP3	X	X	X	X	X	X	O Rep
287	AA	Framptons	O	RAP3	X	X	X	X	X	X	O Rep
4	AF	Arlington Planning Services LLP	O	RAP3	X	X	X	X	X	X	O Rep
236	AB	G. Jones	O	RAP3	X	X	X	X	X	X	O Rep
28	AA	Hatton Parish Council	O	RAP3	X	X	X	X	X	X	O Rep
148	RAZ	CPRE (Warwickshire Branch)	O	RAP4	Written Rep	24.02.06	06.03.06				FWR
201	AC	Home Builders Federation	O	RAP4	Written Rep	24.02.06	07.03.06				FWR
115	RAC	A. Roberts	O	RAP4	X	X	X	X	X	X	O Rep
121	AB	Rowington Parish Council	O	RAP4	X	X	X	X	X	X	O Rep
220	AH	Cala Homes (Midlands) Ltd	O	RAP4	X	X	X	X	X	X	O Rep
287	AB	Framptons	O	RAP4	X	X	X	X	X	X	O Rep
4	AC	Arlington Planning Services LLP	O	RAP4	X	X	X	X	X	X	O Rep
236	AA	G. Jones	O	RAP4	X	X	X	X	X	X	O Rep
115	AE	A. Roberts	O	RAP5	Written Rep	24.02.06	07.03.06	17.05.06	17.05.06	17.05.06	FWR
115	RAD	A. Roberts	O	RAP5	Written Rep	24.02.06	07.03.06				FWR
148	AY	CPRE (Warwickshire Branch)	O	RAP5	Written Rep	24.02.06	06.03.06	17.05.06	17.05.06	17.05.06	FWR
135	AF	Bishops Tachbrook Parish Council	O	RAP5	Hearing	31.03.06	19.04.06	26.04.06	26.04.06	26.04.06	Hearing
135	RAD	Bishops Tachbrook Parish Council	O	RAP5	Hearing	31.03.06	19.04.06	26.04.06	26.04.06	26.04.06	Hearing
214	RAN	J. Biles	O	RAP5	X	X	X	X	X	X	O Rep
216	AA	A.E. Cox	O	RAP5	X	X	X	X	X	X	O Rep
208	AD	Pettifer Estates Ltd	O	RAP5	X	X	X	X	X	X	O Rep
10	AD	Bubbenhall Parish Council	O	RAP5	X	X	X	X	X	X	O Rep
119	RAN	Bloor Homes Ltd	O	RAP5	X	X	X	X	X	X	O Rep
120	RAB	Miller Homes (West Midlands)	O	RAP5	X	X	X	X	X	X	O Rep
123	AB	R. Hedger	O	RAP5	X	X	X	X	X	X	O Rep
142	AE	A C Lloyd LTD	O	RAP5	X	X	X	X	X	X	O Rep
187	AP	Countryside Agency (WM Region)	O	RAP5	X	X	X	X	X	X	O Rep
197	AE	Norton Lindsey Parish Council	O	RAP5	X	X	X	X	X	X	O Rep
201	AD	Home Builders Federation	O	RAP5	X	X	X	X	X	X	O Rep
239	AB	D. Austin	O	RAP5	X	X	X	X	X	X	O Rep
240	AG	George Wimpey Strategic Land	O	RAP5	X	X	X	X	X	X	O Rep
322	RAN	J G Land and Estates	O	RAP5	X	X	X	X	X	X	O Rep
331	RAB	G. Dyson	O	RAP5	X	X	X	X	X	X	O Rep

34	AA	P. Hitchin	O	RAP5	X	X	X	X	X	X	O Rep
5	AD	Mrs Christa Knight-Adams	O	RAP5	X	X	X	X	X	X	O Rep
213	AV	Warwickshire Rural Community Council	O	RAP5	X	X	X	X	X	X	O Rep
109	AA	WCC (Planning, Transport & Economic Strategy)	O	RAP5	X	X	X	X	X	X	cond/wd
117	AS	Langstone Homes Ltd	O	RAP5	X	X	X	X	X	X	cond/wd
155	AC	Punch Taverns	O	RAP5	X	X	X	X	X	X	cond/wd
228	BJ	West Midlands RSL Planning Consortium	O	RAP5	X	X	X	X	X	X	cond/wd
148	AZ	CPRE (Warwickshire Branch)	O	RAP6	Written Rep	24.02.06	06.03.06				FWR
115	RAE	A. Roberts	O	RAP6	X	X	X	X	X	X	O Rep
154	AJ	National Farmers Union	O	RAP6	X	X	X	X	X	X	O Rep
110	AF	Government Office for the West Midlands	O	RAP6	X	X	X	X	X	X	cond/wd
118	AA	Mr & Mrs. G. Bull	O	RAP7	X	X	X	X	X	X	O Rep
119	AC	Bloor Homes Ltd	O	RAP7	X	X	X	X	X	X	O Rep
147	AD	Sundial Conference and Training Group	O	RAP7	X	X	X	X	X	X	O Rep
148	BA	CPRE (Warwickshire Branch)	O	RAP7	X	X	X	X	X	X	O Rep
321	RAS	West Midlands International Airport Ltd	O	RAP7	X	X	X	X	X	X	O Rep
213	AX	Warwickshire Rural Community Council	O	RAP7	X	X	X	X	X	X	O Rep
234	AL	Cllr. A. Gordon	O	RAP7	X	X	X	X	X	X	O Rep
115	AF	A. Roberts	O	RAP8	X	X	X	X	X	X	O Rep
115	RAF	A. Roberts	O	RAP8	X	X	X	X	X	X	O Rep
148	BB	CPRE (Warwickshire Branch)	O	RAP8	X	X	X	X	X	X	O Rep
150	AE	WCC (Museum Field Services - Ecology)	O	RAP8	X	X	X	X	X	X	O Rep
150	RAC	WCC (Museum Field Services - Ecology)	O	RAP8	X	X	X	X	X	X	O Rep
154	AK	National Farmers Union	O	RAP8	X	X	X	X	X	X	O Rep
187	AR	Countryside Agency (WM Region)	O	RAP8	X	X	X	X	X	X	O Rep
228	BL	West Midlands RSL Planning Consortium	O	RAP8	X	X	X	X	X	X	O Rep
210	AN	English Nature	O	RAP8	X	X	X	X	X	X	cond/wd
302	AX	English Heritage (West Midlands Region)	O	RAP8	X	X	X	X	X	X	cond/wd
7	AA	The Ramblers Association	O	RAP8	X	X	X	X	X	X	cond/wd
154	RAE	National Farmers Union	O	RAP8A	X	X	X	X	X	X	O Rep
302	RAE	English Heritage (West Midlands Region)	O	RAP8A	X	X	X	X	X	X	O Rep
52	RAD	Barford, Sherbourne & Wasperton JPC	O	RAP8a	X	X	X	X	X	X	O Rep
127	AC	D.H. Smith	O	RAP9	X	X	X	X	X	X	O Rep
148	BC	CPRE (Warwickshire Branch)	O	RAP9	X	X	X	X	X	X	O Rep
154	AL	National Farmers Union	O	RAP9	X	X	X	X	X	X	O Rep
199	RAJ	J. MacKay	O	RAP9	X	X	X	X	X	X	O Rep
54	AL	Conservative Group of Councillors	O	RAP9	X	X	X	X	X	X	O Rep
148	BD	CPRE (Warwickshire Branch)	O	RAP10	X	X	X	X	X	X	O Rep

156	AC	A. Moore	O	RAP10	X	X	X	X	X	X	O Rep
148	BE	CPRE (Warwickshire Branch)	O	RAP11	X	X	X	X	X	X	O Rep
109	BB	WCC (Planning, Transport & Economic Strategy)	O	RAP11	X	X	X	X	X	X	cond/wd
155	AD	Punch Taverns	O	RAP11	X	X	X	X	X	X	cond/wd
350	RBK	Tesco Stores Ltd	O	RAP11	X	X	X	X	X	X	cond/wd
72	AC	Saville Estates	O	RAP11	X	X	X	X	X	X	cond/wd
148	BF	CPRE (Warwickshire Branch)	O	RAP12	X	X	X	X	X	X	O Rep
148	BG	CPRE (Warwickshire Branch)	O	RAP13	Written Rep	24.02.06	06.03.06	15.05.06	15.05.06	15.05.06	FWR
279	AC	R. Butler	O	RAP13	Hearing	07.04.06	07.04.06				Hearing
115	AG	A. Roberts	O	RAP13	X	X	X	X	X	X	O Rep
294	RAD	British Waterways	O	RAP13	X	X	X	X	X	X	O Rep
37	AJ	Sport England	O	RAP13	X	X	X	X	X	X	cond/wd
148	BH	CPRE (Warwickshire Branch)	O	RAP14	Written Rep	24.02.06	06.03.06	26.04.06	26.04.06	26.04.06	FWR
115	AH	A. Roberts	O	RAP14	X	X	X	X	X	X	O Rep
302	AY	English Heritage (West Midlands Region)	O	RAP14	X	X	X	X	X	X	cond/wd
37	AK	Sport England	O	RAP14	X	X	X	X	X	X	cond/wd
226	AP	Environment Agency	O	RAP15	X	X	X	X	X	X	O Rep
147	AC	Sundial Conference and Training Group	O	RAP16	X	X	X	X	X	X	O Rep
279	AB	R. Butler	O	RAP16	X	X	X	X	X	X	O Rep
127	AA	D.H. Smith	O	CH 8 OM	X	X	X	X	X	X	O Rep
147	AG	Sundial Conference and Training Group	O	CH 8 OM	X	X	X	X	X	X	O Rep
148	AV	CPRE (Warwickshire Branch)	O	CH 8 OM	X	X	X	X	X	X	O Rep
148	CB	CPRE (Warwickshire Branch)	O	CH 8 OM	X	X	X	X	X	X	O Rep
294	AB	British Waterways	O	CH 8 OM	X	X	X	X	X	X	O Rep
110	AG	Government Office for the West Midlands	O	CH 8 OM	X	X	X	X	X	X	cond/wd
Chapter 9 - Designated Area Policies											
302	AZ	English Heritage (West Midlands Region)	O	CH 9 INTRO	X	X	X	X	X	X	cond/wd
148	BJ	CPRE (Warwickshire Branch)	O	DAP1	Written Rep	24.02.06	06.03.06				FWR
104	RAA	WCC (Property Services Dept)	O	DAP1	hearing	07.04.06	04.05.06	14.06.06	14.06.06	14.06.06	hearing
235	RAB	Kenilworth Rugby Football Club	O	DAP1	Hearing	07.04.06	28.04.06	10.05.06	10.05.06	10.05.06	Hearing
321	RAA	West Midlands International Airport Ltd	O	DAP1	Hearing	07.04.06	07.04.06	21.06.06	21.06.06	21.06.06	Hearing
321	RAB	West Midlands International Airport Ltd	O	DAP1	Hearing	07.04.06	07.04.06	21.06.06	21.06.06	21.06.06	Hearing
107	AC	University of Warwick	O	DAP1	X	X	X	X	X	X	O Rep
115	RAG	A. Roberts	O	DAP1	X	X	X	X	X	X	O Rep
127	AB	D.H. Smith	O	DAP1	X	X	X	X	X	X	O Rep
147	AE	Sundial Conference and Training Group	O	DAP1	X	X	X	X	X	X	O Rep
154	AO	National Farmers Union	O	DAP1	X	X	X	X	X	X	O Rep
170	AC	M. Wood	O	DAP1	X	X	X	X	X	X	O Rep

193	BR	Coten End and Emscote Residents Association	O	DAP1	X	X	X	X	X	X	O Rep
199	BR	J. MacKay	O	DAP1	X	X	X	X	X	X	O Rep
52	RAH	Barford, Sherbourne & Wasperton JPC	O	DAP1	X	X	X	X	X	X	O Rep
59	AA	Baginton Bridge Nurseries	O	DAP1	X	X	X	X	X	X	O Rep
66	AW	The Warwick Society	O	DAP1	X	X	X	X	X	X	O Rep
104	AC	WCC (Property Services Dept)	O	DAP1	X	X	X	X	X	X	O Rep
155	AE	Punch Taverns	O	DAP1	X	X	X	X	X	X	cond/wd
195	AP	The Leamington Society	O	DAP1	X	X	X	X	X	X	cond/wd
115	RAH	A. Roberts	O	DAP2	Written Rep	24.02.06	07.03.06				FWR
148	BK	CPRE (Warwickshire Branch)	O	DAP2	Written Rep	24.02.06	06.03.06				FWR
104	AD	WCC (Property Services Dept)	O	DAP2	hearing	07.04.06	09.05.06	21.06.06	21.06.06	21.06.06	hearing
104	RAD	WCC (Property Services Dept)	O	DAP2	hearing	07.04.06	09.05.06	21.06.06	21.06.06	21.06.06	hearing
135	AB	Bishops Tachbrook Parish Council	O	DAP2	Hearing	07.04.06	19.04.06	03.05.06	03.05.06	03.05.06	Hearing
135	RAA	Bishops Tachbrook Parish Council	O	DAP2	Hearing	07.04.06	19.04.06	03.05.06	03.05.06	03.05.06	Hearing
246	RAA	The Europa Way Consortium	O	DAP2	Hearing	07.04.06	24.04.06	30.05.06	30.05.06	30.05.06	Hearing
246	RAB	The Europa Way Consortium	O	DAP2	Hearing	07.04.06	24.04.06	30.05.06	30.05.06	30.05.06	Hearing
283	RAT	The Ancient Monuments Society	O	DAP2	X	X	X	X	X	X	O Rep
152	RAA	Royal Leamington Spa Town Council	O	DAP2	X	X	X	X	X	X	O Rep
154	AP	National Farmers Union	O	DAP2	X	X	X	X	X	X	O Rep
227	AF	David Wilson Homes (East Midlands) Ltd.	O	DAP2	X	X	X	X	X	X	O Rep
227	RAC	David Wilson Homes (East Midlands) Ltd.	O	DAP2	X	X	X	X	X	X	O Rep
291	AD	George Wimpey UK Ltd	O	DAP2	X	X	X	X	X	X	O Rep
45	AA	G. Leeke	O	DAP2	X	X	X	X	X	X	O Rep
67	AA	R.J. Vickers	O	DAP2	X	X	X	X	X	X	O Rep
302	BA	English Heritage (West Midlands Region)	O	DAP2	X	X	X	X	X	X	cond/wd
66	RBF	The Warwick Society	O	DAP3	written reps	17.02.06	20.02.06				FWR
148	RAQ	CPRE (Warwickshire Branch)	O	DAP3	Hearing	07.04.06	28.04.06	03.05.06	03.05.06	03.05.06	Hearing
221	RAA	Kenilworth Society	O	DAP3	hearing	07.04.06	07.04.06	03.05.06	03.05.06	03.05.06	Hearing
115	RAJ	A. Roberts	O	DAP3	X	X	X	X	X	X	O Rep
118	AB	Mr & Mrs. G. Bull	O	DAP3	X	X	X	X	X	X	O Rep
119	AB	Bloor Homes Ltd	O	DAP3	X	X	X	X	X	X	O Rep
147	AF	Sundial Conference and Training Group	O	DAP3	X	X	X	X	X	X	O Rep
148	BL	CPRE (Warwickshire Branch)	O	DAP3	X	X	X	X	X	X	O Rep
154	AQ	National Farmers Union	O	DAP3	X	X	X	X	X	X	O Rep
170	AF	M. Wood	O	DAP3	X	X	X	X	X	X	O Rep
187	AX	Countryside Agency (WM Region)	O	DAP3	X	X	X	X	X	X	O Rep
266	RAG	Warwick Town Council	O	DAP3	X	X	X	X	X	X	O Rep
304	AB	Stoneleigh and Ashow Joint Parish Council	O	DAP3	X	X	X	X	X	X	O Rep

52	RAG	Barford, Sherbourne & Wasperton JPC	O	DAP3	X	X	X	X	X	X	O Rep
25	AB	M.J. Maguire	O	DAP3	X	X	X	X	X	X	O Rep
109	AX	WCC (Planning, Transport & Economic Strategy)	O	DAP3	X	X	X	X	X	X	cond/wd
110	AH	Government Office for the West Midlands	O	DAP3	X	X	X	X	X	X	cond/wd
302	BB	English Heritage (West Midlands Region)	O	DAP3	X	X	X	X	X	X	cond/wd
321	RAT	West Midlands International Airport Ltd	O	DAP4	Written Rep	24.02.06	28.02.06				FWR
110	AJ	Government Office for the West Midlands	O	DAP4	X	X	X	X	X	X	O Rep
110	RAC	Government Office for the West Midlands	O	DAP4	X	X	X	X	X	X	O Rep
115	AJ	A. Roberts	O	DAP4	X	X	X	X	X	X	O Rep
150	AF	WCC (Museum Field Services - Ecology)	O	DAP4	X	X	X	X	X	X	O Rep
150	RAD	WCC (Museum Field Services - Ecology)	O	DAP4	X	X	X	X	X	X	O Rep
1	AC	Warwickshire Wildlife Trust	O	DAP4	X	X	X	X	X	X	cond/wd
210	AO	English Nature	O	DAP4	X	X	X	X	X	X	cond/wd
226	AD	Environment Agency	O	DAP4	X	X	X	X	X	X	cond/wd
148	BM	CPRE (Warwickshire Branch)	O	DAP5	Written Rep	24.02.06	06.03.06				FWR
148	RAR	CPRE (Warwickshire Branch)	O	DAP5	Written Rep	24.02.06	06.03.06				FWR
66	RBG	The Warwick Society	O	DAP5	written reps	17.02.06	20.02.06				FWR
283	RAU	The Ancient Monuments Society	O	DAP5	X	X	X	X	X	X	O Rep
115	AK	A. Roberts	O	DAP5	X	X	X	X	X	X	O Rep
115	RAK	A. Roberts	O	DAP5	X	X	X	X	X	X	O Rep
171	AB	Portland Place Residents Association	O	DAP5	X	X	X	X	X	X	O Rep
266	RAH	Warwick Town Council	O	DAP5	X	X	X	X	X	X	O Rep
54	AM	Conservative Group of Councillors	O	DAP5	X	X	X	X	X	X	O Rep
110	AK	Government Office for the West Midlands	O	DAP5	X	X	X	X	X	X	cond/wd
195	AK	The Leamington Society	O	DAP5	X	X	X	X	X	X	cond/wd
221	BE	Kenilworth Society	O	DAP5	X	X	X	X	X	X	cond/wd
223	BA	Kenilworth Town Council	O	DAP5	X	X	X	X	X	X	cond/wd
321	RAU	West Midlands International Airport Ltd	O	DAP6	Written Rep	24.02.06	28.02.06				FWR
214	AA	J. Biles	O	DAP6	X	X	X	X	X	X	O Rep
283	RAV	The Ancient Monuments Society	O	DAP6	X	X	X	X	X	X	O Rep
115	AL	A. Roberts	O	DAP6	X	X	X	X	X	X	O Rep
115	RAL	A. Roberts	O	DAP6	X	X	X	X	X	X	O Rep
221	BJ	Kenilworth Society	O	DAP6	X	X	X	X	X	X	O Rep
302	BC	English Heritage (West Midlands Region)	O	DAP6	X	X	X	X	X	X	O Rep
354	RAM	R. Higgins	O	DAP6	X	X	X	X	X	X	O Rep
66	RBH	The Warwick Society	O	DAP6	X	X	X	X	X	X	O Rep
148	BN	CPRE (Warwickshire Branch)	O	DAP6	X	X	X	X	X	X	cond/wd
110	AL	Government Office for the West Midlands	O	DAP7	X	X	X	X	X	X	O Rep

228	BN	West Midlands RSL Planning Consortium	O	DAP7	X	X	X	X	X	X	O Rep
354	RAN	R. Higgins	O	DAP7	X	X	X	X	X	X	O Rep
302	BD	English Heritage (West Midlands Region)	O	DAP7	X	X	X	X	X	X	cond/wd
354	RAP	R. Higgins	O	DAP8	X	X	X	X	X	X	O Rep
354	RAQ	R. Higgins	O	DAP9	X	X	X	X	X	X	O Rep
302	BG	English Heritage (West Midlands Region)	O	DAP9	X	X	X	X	X	X	cond/wd
115	AM	A. Roberts	O	DAP10	Written Rep	24.02.06	07.03.06				FWR
115	RAM	A. Roberts	O	DAP10	Written Rep	24.02.06	07.02.03				FWR
122	AC	Warwick Castle	O	DAP10	Written Rep	24.02.06	14.02.06				FWR
195	RBD	The Leamington Society	O	DAP10	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
214	AE	J. Biles	O	DAP10	X	X	X	X	X	X	O Rep
223	RAM	Kenilworth Town Council	O	DAP10	X	X	X	X	X	X	O Rep
283	RAW	The Ancient Monuments Society	O	DAP10	X	X	X	X	X	X	O Rep
283	AA	The Ancient Monuments Society	O	DAP10	X	X	X	X	X	X	O Rep
221	RAE	Kenilworth Society	O	DAP10	X	X	X	X	X	X	O Rep
260	RAA	Baginton Parish Council	O	DAP10	X	X	X	X	X	X	O Rep
296	AA	CLARA	O	DAP10	X	X	X	X	X	X	O Rep
105	AA	A. Spalding	O	DAP10	X	X	X	X	X	X	O Rep
128	AB	Mr & Mrs. Devereux	O	DAP10	X	X	X	X	X	X	O Rep
129	AA	S. Faulkner	O	DAP10	X	X	X	X	X	X	O Rep
131	AA	Mrs Phyllis & Dr Peter Davies	O	DAP10	X	X	X	X	X	X	O Rep
146	AA	B. Paxton	O	DAP10	X	X	X	X	X	X	O Rep
193	BS	Coten End and Emscote Residents Association	O	DAP10	X	X	X	X	X	X	O Rep
194	AE	V. Lawton	O	DAP10	X	X	X	X	X	X	O Rep
198	AH	J. Henderson	O	DAP10	X	X	X	X	X	X	O Rep
199	BS	J. MacKay	O	DAP10	X	X	X	X	X	X	O Rep
263	AB	C. Wilson	O	DAP10	X	X	X	X	X	X	O Rep
302	RAF	English Heritage (West Midlands Region)	O	DAP10	X	X	X	X	X	X	O Rep
354	RAR	R. Higgins	O	DAP10	X	X	X	X	X	X	O Rep
55	AA	A. Faulkner	O	DAP10	X	X	X	X	X	X	O Rep
231	AA	J. Moss	O	DAP10	X	X	X	X	X	X	O Rep
254	AA	S & C. Twigger	O	DAP10	X	X	X	X	X	X	O Rep
163	AB	R. Copping	O	DAP10	X	X	X	X	X	X	cond/wd
195	AJ	The Leamington Society	O	DAP10	X	X	X	X	X	X	cond/wd
260	AB	Baginton Parish Council	O	DAP10	X	X	X	X	X	X	cond/wd
272	AA	A. Sanders	O	DAP10	X	X	X	X	X	X	cond/wd
302	BH	English Heritage (West Midlands Region)	O	DAP10	X	X	X	X	X	X	cond/wd
353	RAA	A Brown	O	DAP10	X	X	X	X	X	X	O Rep

221	RAF	Kenilworth Society	O	DAP11	hearing	07.04.06	07.04.06	03.05.06	03.05.06	03.05.06	Hearing
283	RAX	The Ancient Monuments Society	O	DAP11	X	X	X	X	X	X	O Rep
148	BO	CPRE (Warwickshire Branch)	O	DAP11	X	X	X	X	X	X	O Rep
217	RAC	McCarthy and Stone (Developments) Limited	O	DAP11	X	X	X	X	X	X	O Rep
302	BJ	English Heritage (West Midlands Region)	O	DAP11	X	X	X	X	X	X	O Rep
354	RAS	R. Higgins	O	DAP11	X	X	X	X	X	X	O Rep
283	RAY	The Ancient Monuments Society	O	DAP12	X	X	X	X	X	X	O Rep
115	AN	A. Roberts	O	DAP12	X	X	X	X	X	X	O Rep
350	RBL	Tesco Stores Ltd	O	DAP12	X	X	X	X	X	X	O Rep
354	RAT	R. Higgins	O	DAP12	X	X	X	X	X	X	O Rep
115	RAN	A. Roberts	O	DAP13	Written Rep	24.02.06	07.02.03				FWR
321	RAV	West Midlands International Airport Ltd	O	DAP13	Written Rep	24.02.06	28.02.06				FWR
288	RAE	Warwickshire Police Authority	O	DAP13	X	X	X	X	X	X	O Rep
189	AA	Warwickshire Gardens Trust	O	DAP13	X	X	X	X	X	X	O Rep
189	RAB	Warwickshire Gardens Trust	O	DAP13	X	X	X	X	X	X	O Rep
199	RAK	J. MacKay	O	DAP13	X	X	X	X	X	X	O Rep
354	RAU	R. Higgins	O	DAP13	X	X	X	X	X	X	O Rep
110	AM	Government Office for the West Midlands	O	DAP13	X	X	X	X	X	X	cond/wd
149	AH	WCC (Museum Field Services - Archaeology)	O	DAP13	X	X	X	X	X	X	cond/wd
302	BK	English Heritage (West Midlands Region)	O	DAP13	X	X	X	X	X	X	cond/wd
66	AX	The Warwick Society	O	DAP13	X	X	X	X	X	X	cond/wd
321	RAW	West Midlands International Airport Ltd	O	DAP14	Written Rep	24.02.06	28.02.06	26.04.06	26.04.06	26.04.06	FWR
115	AO	A. Roberts	O	DAP14	X	X	X	X	X	X	O Rep
354	RAV	R. Higgins	O	DAP14	X	X	X	X	X	X	O Rep
1	AD	Warwickshire Wildlife Trust	O	DAP14	X	X	X	X	X	X	cond/wd
149	AE	WCC (Museum Field Services - Archaeology)	O	CH 9 OM	X	X	X	X	X	X	O Rep
187	AE	The Countryside Agency (West Midlands Region)	O	CH 9 OM	X	X	X	X	X	X	O Rep
302	BL	English Heritage (West Midlands Region)	O	CH 9 OM	X	X	X	X	X	X	O Rep
302	BM	English Heritage (West Midlands Region)	O	CH 9 OM	X	X	X	X	X	X	O Rep
148	AU	CPRE (Warwickshire Branch)	O	CH 9 OM	X	X	X	X	X	X	cond/wd
148	CA	CPRE (Warwickshire Branch)	O	CH 9 OM	X	X	X	X	X	X	cond/wd
260	AA	Baginton Parish Council	O	CH 9 OM	X	X	X	X	X	X	cond/wd
302	BE	English Heritage (West Midlands Region)	O	CH 9 OM	X	X	X	X	X	X	cond/wd
Chapter 10 - Site Specific Policies											
148	AT	CPRE (Warwickshire Branch)	O	SSP1	Hearing	07.04.06	31.03.06	19.04.06	19.04.06	19.04.06	Hearing
195	AL	The Leamington Society	O	SSP1	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
245	AA	Hallam Land Management and William Davis Ltd	O	SSP1	Hearing	07.04.06	07.04.06	16.05.06	16.05.06	16.05.06	Hearing
245	RAA	Hallam Land Management and William Davis Ltd	O	SSP1	Hearing	07.04.06	07.04.06	16.05.06	16.05.06	16.05.06	Hearing

321	RAX	West Midlands International Airport Ltd	O	SSP1	Hearing	07.04.06	07.04.06	21.06.06	21.06.06	21.06.06	Hearing
205	AB	Ford Motor Company Ltd	O	SSP1	X	X	X	X	X	X	O Rep
219	AD	Deeley Properties Limited	O	SSP1	X	X	X	X	X	X	O Rep
111	AA	The Chamber of Commerce	O	SSP1	X	X	X	X	X	X	O Rep
159	AE	Rail Property Ltd and NRI Ltd	O	SSP1	X	X	X	X	X	X	O Rep
168	RAA	Advantage West Midlands	O	SSP1	X	X	X	X	X	X	O Rep
291	AA	George Wimpey UK Ltd	O	SSP1	X	X	X	X	X	X	O Rep
6	AD	Chiltern Railways	O	SSP1	X	X	X	X	X	X	O Rep
109	AG	WCC (Planning, Transport & Economic Strategy)	O	SSP1	X	X	X	X	X	X	cond/wd
150	AH	WCC (Museum Field Services - Ecology)	O	SSP1	X	X	X	X	X	X	cond/wd
221	BG	Kenilworth Society	O	SSP1	X	X	X	X	X	X	cond/wd
223	BD	Kenilworth Town Council	O	SSP1	X	X	X	X	X	X	cond/wd
257	AG	Highways Agency	O	SSP1	X	X	X	X	X	X	cond/wd
66	AY	The Warwick Society	O	SSP1	X	X	X	X	X	X	cond/wd
147	AB	Sundial Conference and Training Group	O	SSP2	Written Rep	24.02.06	02.03.06				FWR
147	RAB	Sundial Conference and Training Group	O	SSP2	Written Rep	24.02.06	02.03.06				FWR
157	RAB	WM Joint P & T Sub-Committee	O	SSP2	Written Rep	24.02.06	01.03.06				FWR
37	AG	Sport England	O	SSP2	written reps	24.02.06	09.02.06				FWR
104	RAB	WCC (Property Services Dept)	O	SSP2	hearing	07.04.06	04.05.06	14.06.06	14.06.06	14.06.06	hearing
124	AA	Farmers Fresh	O	SSP2	Hearing	07.04.06	05.05.06	02.06.06	02.06.06	02.06.06	Hearing
148	BQ	CPRE (Warwickshire Branch)	O	SSP2	Hearing	07.04.06	18.05.06	22.05.06	22.05.06	22.05.06	Hearing
191	RBA	R.A. Richmond	O	SSP2	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
195	RBH	The Leamington Society	O	SSP2	Hearing	31.05.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
297	AB	Prodrive Ltd	O	SSP2	X	X	X	X	X	X	O Rep
288	RAC	Warwickshire Police Authority	O	SSP2	X	X	X	X	X	X	O Rep
288	AC	Warwickshire Police Authority	O	SSP2	X	X	X	X	X	X	O Rep
107	RAA	University of Warwick	O	SSP2	X	X	X	X	X	X	O Rep
107	RAB	University of Warwick	O	SSP2	X	X	X	X	X	X	O Rep
107	RAC	University of Warwick	O	SSP2	X	X	X	X	X	X	O Rep
107	RAF	University of Warwick	O	SSP2	X	X	X	X	X	X	O Rep
147	RAC	Sundial Conference and Training Group	O	SSP2	X	X	X	X	X	X	O Rep
220	AO	Cala Homes (Midlands) Ltd	O	SSP2	X	X	X	X	X	X	O Rep
228	BP	West Midlands RSL Planning Consortium	O	SSP2	X	X	X	X	X	X	O Rep
304	RAB	Stoneleigh and Ashow Joint Parish Council	O	SSP2	X	X	X	X	X	X	O Rep
304	RAC	Stoneleigh and Ashow Joint Parish Council	O	SSP2	X	X	X	X	X	X	O Rep
349	RBA	D. G. Goodyear	O	SSP2	X	X	X	X	X	X	O Rep
109	AD	WCC (Planning, Transport & Economic Strategy)	O	SSP2	X	X	X	X	X	X	cond/wd
113	AA	IM Properties plc	O	SSP2	X	X	X	X	X	X	cond/wd

150	AJ	WCC (Museum Field Services - Ecology)	O	SSP2	X	X	X	X	X	X	cond/wd
195	AM	The Leamington Society	O	SSP2	X	X	X	X	X	X	cond/wd
302	BN	English Heritage (West Midlands Region)	O	SSP2	X	X	X	X	X	X	cond/wd
148	BR	CPRE (Warwickshire Branch)	O	SSP3	Written Rep	24.02.06	06.03.06				FWR
148	RAV	CPRE (Warwickshire Branch)	O	SSP3	Written Rep	24.02.06	06.03.06				FWR
168	RAC	Advantage West Midlands	O	SSP3	Written Rep	24.02.06	02.03.06				FWR
10	AB	Bubbenhall Parish Council	O	SSP3	X	X	X	X	X	X	O Rep
154	AR	National Farmers Union	O	SSP3	X	X	X	X	X	X	O Rep
193	BT	Coten End and Emscote Residents Association	O	SSP3	X	X	X	X	X	X	O Rep
199	BT	J. MacKay	O	SSP3	X	X	X	X	X	X	O Rep
211	RAA	Royal Agricultural Society of England	O	SSP3	X	X	X	X	X	X	O Rep
257	AH	Highways Agency	O	SSP3	X	X	X	X	X	X	O Rep
304	AA	Stoneleigh and Ashow Joint Parish Council	O	SSP3	X	X	X	X	X	X	O Rep
304	RAA	Stoneleigh and Ashow Joint Parish Council	O	SSP3	X	X	X	X	X	X	O Rep
6	AE	Chiltern Railways	O	SSP3	X	X	X	X	X	X	O Rep
244	AA	Warwickshire Fire & Rescue Service	O	SSP3	X	X	X	X	X	X	O Rep
157	AC	WM Joint P & T Sub-Committee	O	SSP3	X	X	X	X	X	X	cond/wd
242	AD	Coventry CC (P & T)	O	SSP3	X	X	X	X	X	X	cond/wd
242	AK	Coventry CC (P & T)	O	SSP3	X	X	X	X	X	X	cond/wd
302	BO	English Heritage (West Midlands Region)	O	SSP3	X	X	X	X	X	X	cond/wd
66	AZ	The Warwick Society	O	SSP3	X	X	X	X	X	X	cond/wd
221	RAG	Kenilworth Society	O	SSP4	X	X	X	X	X	X	O Rep
148	BS	CPRE (Warwickshire Branch)	O	SSP4	X	X	X	X	X	X	O Rep
148	RBB	CPRE (Warwickshire Branch)	O	SSP4	X	X	X	X	X	X	O Rep
223	BE	Kenilworth Town Council	O	SSP4	X	X	X	X	X	X	cond/wd
229	AG	Gallagher Estates Limited	O	SSP5	Written Rep	10.03.06	25.05.06				FWR
135	AD	Bishops Tachbrook Parish Council	O	SSP5	Round Table	10.03.06	10.03.06	10.03.06	10.03.06	10.03.06	Hearing
135	RAJ	Bishops Tachbrook Parish Council	O	SSP5	Round Table	10.03.06	10.03.06	10.03.06	10.03.06	10.03.06	Hearing
148	AO	CPRE (Warwickshire Branch)	O	SSP5	Round Table	07.04.06	30.05.06	30.05.06	30.05.06	30.05.06	Hearing
148	RAW	CPRE (Warwickshire Branch)	O	SSP5	Round Table	24.02.06	06.03.06	30.05.06	30.05.06	30.05.06	Hearing
193	BU	Coten End and Emscote Residents Association	O	SSP5	Round Table	30.05.06	30.05.06	30.05.06	30.05.06	30.05.06	Hearing
199	BU	J. MacKay	O	SSP5	Round Table	10.03.06					Hearing
317	RAA	J. Drake	O	SSP5	Round Table	10.03.06	26.05.06	26.05.06	26.05.06	26.05.06	Hearing
45	AC	G. Leeke	O	SSP5	Round Table	31.05.06	31.05.06	31.05.06	31.05.06	31.05.06	Hearing
104	AD	WCC (Property Services Dept)	O	SSP5	X	X	X	X	X	X	O Rep
114	BK	Whitnash Town Council	O	SSP5	X	X	X	X	X	X	O Rep
199	RAL	J. MacKay	O	SSP5	X	X	X	X	X	X	O Rep
226	RAM	Environment Agency	O	SSP5	X	X	X	X	X	X	O Rep

266	RAC	Warwick Town Council	O	SSP5	X	X	X	X	X	X	O Rep
266	AH	Warwick Town Council	O	SSP5	X	X	X	X	X	X	O Rep
34	AB	P. Hitchin	O	SSP5	X	X	X	X	X	X	O Rep
68	AA	D. Eggby	O	SSP5	X	X	X	X	X	X	O Rep
212	AA	IBM United Kingdom Ltd.	O	SSP5	X	X	X	X	X	X	O Rep
250	AA	A & J. Day	O	SSP5	X	X	X	X	X	X	O Rep
285	AA	Warwick Gates Residents Association	O	SSP5	X	X	X	X	X	X	O Rep
109	AV	WCC (Planning, Transport & Economic Strategy)	O	SSP5	X	X	X	X	X	X	cond/wd
11	AA	R.J. Vickers	O	SSP5	X	X	X	X	X	X	cond/wd
149	AF	WCC (Museum Field Services - Archaeology)	O	SSP5	X	X	X	X	X	X	cond/wd
66	BA	The Warwick Society	O	SSP5	X	X	X	X	X	X	cond/wd
148	BT	CPRE (Warwickshire Branch)	O	SSP6	X	X	X	X	X	X	O Rep
234	BA	Cllr. A. Gordon	O	SSP6	X	X	X	X	X	X	O Rep
242	RAB	Coventry CC (P & T)	O	SSP7	Written Rep	24.02.06	24.02.06				FWR
251	AB	Dr G and Mrs M. Delfas	O	SSP7	Written Rep	24.02.06	22.02.06				FWR
325	RAA	R. Wheat	O	SSP7	Written Rep	24.02.06	17.01.06				FWR
64	RAA	Leek Wootton & Guys Cliffe Parish Council	O	SSP7	written reps	24.02.06	28.03.06				FWR
36	RAA	Birmingham International Airport Limited	O	SSP7	written reps	24.02.06	06.03.06				FWR
36	AA	Birmingham International Airport Limited	O	SSP7	written reps	24.02.06	06.03.06				FWR
148	BU	CPRE (Warwickshire Branch)	O	SSP7	Hearing	07.04.06	05.06.06				Hearing
148	RAX	CPRE (Warwickshire Branch)	O	SSP7	Hearing	07.04.06	05.06.06				Hearing
157	AB	WM Joint P & T Sub-Committee	O	SSP7	Hearing	07.04.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
157	RAA	WM Joint P & T Sub-Committee	O	SSP7	Hearing	07.04.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
260	RAC	Baginton Parish Council	O	SSP7	Hearing	07.04.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
316	RAA	Brinklow Parish Council	O	SSP7	Hearing	07.04.06	08.06.06	21.06.06	21.06.06	21.06.06	Hearing
323	RAA	West Midlands Regional Assembly	O	SSP7	Hearing	07.04.06	30.05.06	21.06.06	21.06.06	21.06.06	Hearing
329	RAA	Stretton on Dunsmore Parish Council	O	SSP7	Hearing	07.04.06	30.05.06	21.06.06	21.06.06	21.06.06	Hearing
334	RAA	D. Hucker	O	SSP7	Hearing	07.04.06	31.05.06	21.06.06	21.06.06	21.06.06	Hearing
321	RAY	West Midlands International Airport Ltd	O	SSP7	PLI	07.04.06					Hearing
319	RAA	W & N. Blagburn	O	SSP7	X	24.02.06	05.06.06				Hearing
199	BV	J. MacKay	O	SSP7	X	X	X	X	X	X	O Rep
1	AE	Warwickshire Wildlife Trust	O	SSP7	X	X	X	X	X	X	O Rep
1	RAA	Warwickshire Wildlife Trust	O	SSP7	X	X	X	X	X	X	O Rep
10	AA	Bubbenhall Parish Council	O	SSP7	X	X	X	X	X	X	O Rep
10	RAA	Bubbenhall Parish Council	O	SSP7	X	X	X	X	X	X	O Rep
110	RAD	Government Office for the West Midlands	O	SSP7	X	X	X	X	X	X	O Rep
135	AA	Bishops Tachbrook Parish Council	O	SSP7	X	X	X	X	X	X	O Rep
135	RAF	Bishops Tachbrook Parish Council	O	SSP7	X	X	X	X	X	X	O Rep

168	RAE	Advantage West Midlands	O	SSP7	X	X	X	X	X	X	O Rep
193	BV	Coten End and Emscote Residents Association	O	SSP7	X	X	X	X	X	X	O Rep
196	RAA	The National Trust	O	SSP7	X	X	X	X	X	X	O Rep
221	BH	Kenilworth Society	O	SSP7	X	X	X	X	X	X	O Rep
243	AA	Coventry City Council (Property & Projects)	O	SSP7	X	X	X	X	X	X	O Rep
257	AJ	Highways Agency	O	SSP7	X	X	X	X	X	X	O Rep
300	AA	J. Border	O	SSP7	X	X	X	X	X	X	O Rep
304	AC	Stoneleigh and Ashow Joint Parish Council	O	SSP7	X	X	X	X	X	X	O Rep
304	RAD	Stoneleigh and Ashow Joint Parish Council	O	SSP7	X	X	X	X	X	X	O Rep
305	RAA	A. Muir	O	SSP7	X	X	X	X	X	X	O Rep
306	RAA	Birmingham City Council	O	SSP7	X	X	X	X	X	X	O Rep
307	RAA	D. Germaine	O	SSP7	X	X	X	X	X	X	O Rep
308	RAA	A. Patrick	O	SSP7	X	X	X	X	X	X	O Rep
309	RAA	D. Brooks	O	SSP7	X	X	X	X	X	X	O Rep
311	RAA	S. Begg	O	SSP7	X	X	X	X	X	X	O Rep
313	RAA	R. Taylor	O	SSP7	X	X	X	X	X	X	O Rep
314	RAA	S. French	O	SSP7	X	X	X	X	X	X	O Rep
315	RAA	A. C. Marson	O	SSP7	X	X	X	X	X	X	O Rep
318	RAA	A. Begg	O	SSP7	X	X	X	X	X	X	O Rep
320	RAA	S. Jordan	O	SSP7	X	X	X	X	X	X	O Rep
326	RAA	G. Wheat	O	SSP7	X	X	X	X	X	X	O Rep
328	RAA	J. Ciriani	O	SSP7	X	X	X	X	X	X	O Rep
330	RAA	D. G. Sprigg	O	SSP7	X	X	X	X	X	X	O Rep
333	RAB	B & W. Parry	O	SSP7	X	X	X	X	X	X	O Rep
336	RAA	A. Francis	O	SSP7	X	X	X	X	X	X	O Rep
337	RAA	Dr and Mrs S G. Harvey	O	SSP7	X	X	X	X	X	X	O Rep
338	RAB	D. Francis	O	SSP7	X	X	X	X	X	X	O Rep
340	RAA	S. Williams	O	SSP7	X	X	X	X	X	X	O Rep
343	RAA	West Midlands Friends of the Earth	O	SSP7	X	X	X	X	X	X	O Rep
353	RAC	A. Brown	O	SSP7	X	X	X	X	X	X	O Rep
54	AN	Conservative Group of Councillors	O	SSP7	X	X	X	X	X	X	O Rep
66	BB	The Warwick Society	O	SSP7	X	X	X	X	X	X	O Rep
70	AA	P.E. Larkin	O	SSP7	X	X	X	X	X	X	O Rep
71	AA	Dr G.J. Morgan	O	SSP7	X	X	X	X	X	X	O Rep
195	AO	The Leamington Society	O	SSP7	X	X	X	X	X	X	cond/wd
196	AA	The National Trust	O	SSP7	X	X	X	X	X	X	cond/wd
223	BF	Kenilworth Town Council	O	SSP7	X	X	X	X	X	X	cond/wd
260	AC	Baginton Parish Council	O	SSP7	X	X	X	X	X	X	cond/wd

148	BV	CPRE (Warwickshire Branch)	O	SSP8	X	X	X	X	X	X	O Rep
107	AB	University of Warwick	O	CH 10 OM	Written Rep	24.02.06	28.03.06				FWR
118	AF	Mr & Mrs. G. Bull	O	CH 10 OM	Written Rep	24.02.06	21.02.06				FWR
126	AC	2nd Warwick Sea Scouts	O	CH 10 OM	Written Rep	24.02.06	24.02.06	16.05.06	16.05.06	16.05.06	FWR
21	AA	D.N. Evans	O	CH 10 OM	Written Rep	24.02.06	13.01.06				FWR
242	AL	Coventry CC (P & T)	O	CH 10 OM	Written Rep	24.02.06	24.02.06				FWR
243	AB	Coventry City Council (Property & Projects)	O	CH 10 OM	Written Rep	24.02.06	24.02.06	19.07.06			FWR
303	RAG	Racecourse Holdings Trust	O	CH 10 OM	Written Rep	24.02.06	06.03.06				FWR
303	AK	Racecourse Holdings Trust	O	CH 10 OM	Written Rep	24.02.06	06.03.06				FWR
65	AA	D. Cottrell	O	CH 10 OM	written reps	24.02.06	23.12.05				FWR
279	AA	R. Butler	O	CH 10 OM	Hearing	07.04.06	07.04.06				Hearing
153	AC	Thomas Bates and Son Ltd	O	CH 10 OM	Hearing	07.04.06	24.05.06				Hearing
167	AB	E. Brown	O	CH 10 OM	Hearing	07.04.06	07.04.06	03.05.06	03.05.06	03.05.06	Hearing
229	AH	Gallagher Estates Limited	O	CH 10 OM	hearing	07.04.06	05.05.06	02.06.06	02.06.06	02.06.06	Hearing
289	RAA	Taylor Woodrow Developments Ltd.	O	CH 10 OM	Hearing	07.04.06	30.03.06				Hearing
289	AB	Taylor Woodrow Developments Ltd.	O	CH 10 OM	Hearing	07.04.06	30.03.06				Hearing
293	AB	Oldhams Transport Limited	O	CH 10 OM	Hearing	07.04.06	30.03.06				Hearing
51	AA	Bancroft Cruisers	O	CH 10 OM	Hearing	07.04.06	10.03.06	02.05.06	02.05.06	02.05.06	Hearing
288	AG	Warwickshire Police Authority	O	CH 10 OM	X	X	X	X	X	X	O Rep
101	AA	J.D. Berrington	O	CH 10 OM	X	X	X	X	X	X	O Rep
102	AA	Association of Inland Navigation Authorities (AINA)	O	CH 10 OM	X	X	X	X	X	X	O Rep
112	AB	J. Masters	O	CH 10 OM	X	X	X	X	X	X	O Rep
119	AF	Bloor Homes Ltd	O	CH 10 OM	X	X	X	X	X	X	O Rep
125	AA	I. Hunter	O	CH 10 OM	X	X	X	X	X	X	O Rep
151	AA	J. Cockburn	O	CH 10 OM	X	X	X	X	X	X	O Rep
157	AA	Committee	O	CH 10 OM	X	X	X	X	X	X	O Rep
160	AA	Kingfisher Marine	O	CH 10 OM	X	X	X	X	X	X	O Rep
165	AA	G.W.L. Morgan	O	CH 10 OM	X	X	X	X	X	X	O Rep
166	AB	Mr D & Mrs M A Hunter	O	CH 10 OM	X	X	X	X	X	X	O Rep
173	AA	W. Halliday	O	CH 10 OM	X	X	X	X	X	X	O Rep
174	AA	Dr I.M. Corbett	O	CH 10 OM	X	X	X	X	X	X	O Rep
175	AA	G & E. Spencer	O	CH 10 OM	X	X	X	X	X	X	O Rep
176	AA	K. Galley	O	CH 10 OM	X	X	X	X	X	X	O Rep
177	AA	A. Haugerud	O	CH 10 OM	X	X	X	X	X	X	O Rep
178	AA	R. Bell	O	CH 10 OM	X	X	X	X	X	X	O Rep
180	AA	J. Masters	O	CH 10 OM	X	X	X	X	X	X	O Rep
181	AA	Willetts	O	CH 10 OM	X	X	X	X	X	X	O Rep
182	AA	P. Urwin	O	CH 10 OM	X	X	X	X	X	X	O Rep

183	AA	A. Corbett	O	CH 10 OM	X	X	X	X	X	X	O Rep
184	AA	Mr R G & Mrs B Dee	O	CH 10 OM	X	X	X	X	X	X	O Rep
185	AA	K. Hales	O	CH 10 OM	X	X	X	X	X	X	O Rep
186	AA	P. Wilson	O	CH 10 OM	X	X	X	X	X	X	O Rep
227	AC	David Wilson Homes (East Midlands) Ltd.	O	CH 10 OM	X	X	X	X	X	X	O Rep
240	AD	George Wimpey Strategic Land	O	CH 10 OM	X	X	X	X	X	X	O Rep
266	RAJ	Warwick Town Council	O	CH 10 OM	X		0 X	X	X	X	O Rep
266	AM	Warwick Town Council	O	CH 10 OM	X	X	X	X	X	X	O Rep
266	AN	Warwick Town Council	O	CH 10 OM	X	X	X	X	X	X	O Rep
290	AB	H. E. Johnson	O	CH 10 OM	X	X	X	X	X	X	O Rep
291	AB	George Wimpey UK Ltd	O	CH 10 OM	X	X	X	X	X	X	O Rep
3	AA	Stratford and Warwick Waterways Trust	O	CH 10 OM	X	X	X	X	X	X	O Rep
3	RAA	Stratford and Warwick Waterways Trust	O	CH 10 OM	X	X	X	X	X	X	O Rep
30	AA	Stratford upon Avon Canal society	O	CH 10 OM	X	X	X	X	X	X	O Rep
30	AB	Stratford upon Avon Canal society	O	CH 10 OM	X	X	X	X	X	X	O Rep
31	AA	Dr D.N.F. Hall	O	CH 10 OM	X	X	X	X	X	X	O Rep
32	AA	Roger Clay	O	CH 10 OM	X	X	X	X	X	X	O Rep
324	RAA	Delta Marine European Ltd	O	CH 10 OM	X	X	X	X	X	X	O Rep
33	AA	Upper Avon Navigation Trust	O	CH 10 OM	X	X	X	X	X	X	O Rep
347	RAA	A. Cooke	O	CH 10 OM	X	X	X	X	X	X	O Rep
45	AB	G. Leeke	O	CH 10 OM	X	X	X	X	X	X	O Rep
52	AG	Council	O	CH 10 OM	X	X	X	X	X	X	O Rep
60	AA	The Inland Waterways Association	O	CH 10 OM	X	X	X	X	X	X	O Rep
61	AA	Inland Waterways Amenity Advisory Council	O	CH 10 OM	X	X	X	X	X	X	O Rep
7	RAA	The Ramblers Association	O	CH 10 OM	X	X	X	X	X	X	O Rep
7	AC	The Ramblers Association	O	CH 10 OM	X	X	X	X	X	X	O Rep
73	AA	National Association of Boat Owners	O	CH 10 OM	X	X	X	X	X	X	O Rep
74	AA	B. Holt	O	CH 10 OM	X	X	X	X	X	X	O Rep
8	AA	The Lower Avon Navigation Trust Ltd	O	CH 10 OM	X	X	X	X	X	X	O Rep
80	AA	J.F. Holroyd	O	CH 10 OM	X	X	X	X	X	X	O Rep
81	AA	M.L. Holroyd	O	CH 10 OM	X	X	X	X	X	X	O Rep
88	AA	R. Clay	O	CH 10 OM	X	X	X	X	X	X	O Rep
90	AA	M.C. Burman	O	CH 10 OM	X	X	X	X	X	X	O Rep
92	AA	W. Worrall	O	CH 10 OM	X	X	X	X	X	X	O Rep
93	AA	F.W.B. Atcheson	O	CH 10 OM	X	X	X	X	X	X	O Rep
94	AA	A.N. Estherby	O	CH 10 OM	X	X	X	X	X	X	O Rep
95	AA	D.J. Bezzant	O	CH 10 OM	X	X	X	X	X	X	O Rep
96	AA	D. Higgins	O	CH 10 OM	X	X	X	X	X	X	O Rep

98	AA	A. Higgins	O	CH 10 OM	X	X	X	X	X	X	O Rep
104	AA	WCC (Property Services Dept)	O	CH 10 OM	X	X	X	X	X	X	O Rep
200	AA	Taylor Woodrow Strategic Developments	O	CH 10 OM	X	X	X	X	X	X	O Rep
218	AA	A. Butcher	O	CH 10 OM	X	X	X	X	X	X	O Rep
218	AD	A. Butcher	O	CH 10 OM	X	X	X	X	X	X	O Rep
219	AE	Deeley Properties Limited	O	CH 10 OM	X	X	X	X	X	X	O Rep
22	AA	P.A. Jones	O	CH 10 OM	X	X	X	X	X	X	O Rep
23	AA	A. Guest	O	CH 10 Om	X	X	X	X	X	X	O Rep
247	AA	J. Norris	O	CH 10 OM	X	X	X	X	X	X	O Rep
294	AD	British Waterways	O	CH 10 OM	X	X	X	X	X	X	O Rep
117	AU	Langstone Homes Ltd	O	CH 10 OM	X	X	X	X	X	X	cond/wd
172	AA	R. Dorling	O	CH 10 OM	X	X	X	X	X	X	cond/wd
179	AA	A. Oliver	O	CH 10 OM	X	X	X	X	X	X	cond/wd
221	BF	Kenilworth Society	O	CH 10 OM	X	X	X	X	X	X	cond/wd
223	BG	Kenilworth Town Council	O	CH 10 OM	X	X	X	X	X	X	cond/wd
256	AF	T & N Limited	O	CH 10 OM	X	X	X	X	X	X	cond/wd
82	AA	M.G. Bennett	O	CH 10 OM	X	X	X	X	X	X	cond/wd
91	AA	R. Mulgrue	O	CH 10 OM	X	X	X	X	X	X	cond/wd
Chapter 11 - Appendices and Glossary											
148	BW	CPRE (Warwickshire Branch)	O	APP1	Rep	24.02.06	06.03.06	13.07.06	13.07.06	13.07.06	FWR
228	BQ	West Midlands RSL Planning Consortium	O	APP1	X	X	X	X	X	X	O Rep
26	AA	Rev J.R. Moore	O	APP1	X	X	X	X	X	X	O Rep
242	AF	Coventry City Council (P & T)	O	APP1	X	X	X	X	X	X	cond/wd
256	AG	T & N Limited	O	APP1	X	X	X	X	X	X	cond/wd
132	AE	KB Benfield Group Holdings Ltd	O	APP2	Written Rep	24.02.06	31.03.06				FWR
119	RAP	Bloor Homes Ltd	O	APP2	Round Table	10.03.06	09.03.06	10.03.06	14.03.06	09.03.06	Hearing
120	AQ	Miller Homes (West Midlands)	O	APP2	Round Table	10.03.06	09.03.06	10.03.06	14.03.06	09.03.06	Hearing
120	RAA	Miller Homes (West Midlands)	O	APP2	Round Table	10.03.06	09.03.06	10.03.06	14.03.06	09.03.06	Hearing
153	AB	Thomas Bates and Son Ltd	O	APP2	Round Table	10.03.06	15.03.06	10.03.06	15.03.06	15.03.06	Hearing
201	RAC	Home Builders Federation	O	APP2	Round Table	10.03.06	10.03.06	10.03.06	14.03.06	10.03.06	Hearing
201	AE	Home Builders Federation	O	APP2	Round Table	10.03.06	10.03.06	10.03.06	14.03.06	10.03.06	Hearing
229	RAB	Gallagher Estates Limited	O	APP2	Round Table	10.03.06	15.03.06	10.03.06	15.03.06	15.03.06	Hearing
214	RAP	J. Biles	O	APP2	X	X	X	X	X	X	O Rep
288	RAB	Warwickshire Police Authority	O	APP2	X	X	X	X	X	X	O Rep
118	RAA	Mr & Mrs. G. Bull	O	APP2	X	X	X	X	X	X	O Rep
130	AA	Lucas Land and Planning	O	APP2	X	X	X	X	X	X	O Rep
136	RAA	George Wimpey Strategic Land	O	APP2	X	X	X	X	X	X	O Rep
137	RAA	Greyvayne Properties Ltd	O	APP2	X	X	X	X	X	X	O Rep

138	RAA	Laing Homes Midlands	O	APP2	X	X	X	X	X	X	O Rep
139	RAA	Coventry Diocesan Board of Finance Ltd	O	APP2	X	X	X	X	X	X	O Rep
140	RAA	Court Developments Ltd.	O	APP2	X	X	X	X	X	X	O Rep
141	RAA	Parkridge Homes Ltd.	O	APP2	X	X	X	X	X	X	O Rep
142	RAA	A C Lloyd LTD	O	APP2	X	X	X	X	X	X	O Rep
143	RAA	Scottish Widows Investment Partnership	O	APP2	X	X	X	X	X	X	O Rep
144	RAA	Project Solutions	O	APP2	X	X	X	X	X	X	O Rep
158	AC	Tyler-Parkes Partnership	O	APP2	X	X	X	X	X	X	O Rep
167	RAA	E. Brown	O	APP2	X	X	X	X	X	X	O Rep
197	AJ	Norton Lindsey Parish Council	O	APP2	X	X	X	X	X	X	O Rep
208	RAA	Pettifer Estates Ltd	O	APP2	X	X	X	X	X	X	O Rep
227	AB	David Wilson Homes (East Midlands) Ltd.	O	APP2	X	X	X	X	X	X	O Rep
228	BR	West Midlands RSL Planning Consortium	O	APP2	X	X	X	X	X	X	O Rep
239	RAB	D. Austin	O	APP2	X	X	X	X	X	X	O Rep
239	AA	D. Austin	O	APP2	X	X	X	X	X	X	O Rep
240	AA	George Wimpey Strategic Land	O	APP2	X	X	X	X	X	X	O Rep
322	RAP	J G Land and Estates	O	APP2	X	X	X	X	X	X	O Rep
341	RAE	South Warwickshire Primary Care Trust	O	APP2	X	X	X	X	X	X	O Rep
344	RAA	Greywell Property Ltd	O	APP2	X	X	X	X	X	X	O Rep
200	AP	Taylor Woodrow Strategic Developments	O	APP2	X	X	X	X	X	X	O Rep
117	AT	Langstone Homes Ltd	O	APP2	X	X	X	X	X	X	cond/wd
256	AH	T & N Limited	O	APP2	X	X	X	X	X	X	cond/wd
10	AF	Bubbenhall Parish Council	O	APP3	X	X	X	X	X	X	O Rep
1	AF	Warwickshire Wildlife Trust	O	APP3	X	X	X	X	X	X	cond/wd
148	BX	CPRE (Warwickshire Branch)	O	APP3	X	X	X	X	X	X	cond/wd
150	AL	WCC (Museum Field Services - Ecology)	O	APP3	X	X	X	X	X	X	cond/wd
149	RAA	WCC (Museum Field Services - Archaeology)	O	GLOSS	X	X	X	X	X	X	O Rep
150	AN	WCC (Museum Field Services - Ecology)	O	GLOSS	X	X	X	X	X	X	O Rep
150	RAF	WCC (Museum Field Services - Ecology)	O	GLOSS	X	X	X	X	X	X	O Rep
228	BS	West Midlands RSL Planning Consortium	O	GLOSS	X	X	X	X	X	X	O Rep
302	RAG	English Heritage (West Midlands Region)	O	GLOSS	X	X	X	X	X	X	O Rep
1	AH	Warwickshire Wildlife Trust	O	GLOSS	X	X	X	X	X	X	cond/wd
149	AG	WCC (Museum Field Services - Archaeology)	O	GLOSS	X	X	X	X	X	X	cond/wd
210	AP	English Nature	O	GLOSS	X	X	X	X	X	X	cond/wd
223	AU	Kenilworth Town Council	O	GLOSS	X	X	X	X	X	X	cond/wd
302	BP	English Heritage (West Midlands Region)	O	GLOSS	X	X	X	X	X	X	cond/wd
Chapter 12 - Inset Plans											
289	AA	Taylor Woodrow Developments Ltd.	O	INSET BAR	Hearing	07.04.06	30.03.06				Hearing

293	AA	Oldhams Transport Limited	O	INSET BAR	Hearing	07.04.06	30.03.06					Hearing
115	AC	A. Roberts	O	INSET BAR	X	X	X	X	X	X		O Rep
292	AA	Oldhams Transport Limited	O	INSET BAR	X	X	X	X	X	X		O Rep
12	AA	Mr & Mrs. K. Hope	O	INSET BAR	X	X	X	X	X	X		cond/wd
52	AH	Barford, Sherbourne & Wasperton JPC	O	INSET BAR	X	X	X	X	X	X		cond/wd
346	RAA	J. M. Glen	O	INSET BISH	Reps	24.02.06	31.01.06					FWR
346	RAC	J. M. Glen	O	INSET BISH	written reps	24.02.06	31.01.06					FWR
342	RAA	P. Smith	O	INSET BISH	Hearing	07.04.06	07.04.06	24.05.06	24.05.06	24.05.06		Hearing
118	AE	Mr & Mrs. G. Bull	O	INSET LAP	Written Rep	24.02.06	21.02.06					FWR
112	AA	J. Masters	O	INSET LAP	X	X	X	X	X	X		O Rep
119	AE	Bloor Homes Ltd	O	INSET LAP	X	X	X	X	X	X		O Rep
133	AA	N. Cole	O	INSET LAP	X	X	X	X	X	X		O Rep
170	AA	M. Wood	O	INSET LAP	X	X	X	X	X	X		O Rep
35	AA	V. Franco	O	INSET LAP	X	X	X	X	X	X		O Rep
5	AC	Mrs Christa Knight-Adams	O	INSET LAP	X	X	X	X	X	X		O Rep
56	AA	K. Chambers	O	INSET LAP	X	X	X	X	X	X		O Rep
63	AA	P. Harrison	O	INSET LAP	X	X	X	X	X	X		O Rep
97	AA	S.M. Light	O	INSET LAP	X	X	X	X	X	X		O Rep
206	AA	G. Hames	O	INSET LAP	X	X	X	X	X	X		O Rep
100	AA	J.B. Hale	O	INSET LAP	X	X	X	X	X	X		cond/wd
83	AA	H.S. Williams	O	INSET LAP	X	X	X	X	X	X		cond/wd
1	RAB	Warwickshire Wildlife Trust	O	INSET COV	X	X	X	X	X	X		O Rep
10	RAB	Bubbenhall Parish Council	O	INSET COV	X	X	X	X	X	X		O Rep
307	RAB	D. Germaine	O	INSET COV	X	X	X	X	X	X		O Rep
308	RAB	A. Patrick	O	INSET COV	X	X	X	X	X	X		O Rep
311	RAB	S. Begg	O	INSET COV	X	X	X	X	X	X		O Rep
314	RAB	S. French	O	INSET COV	X	X	X	X	X	X		O Rep
318	RAB	A. Begg	O	INSET COV	X	X	X	X	X	X		O Rep
320	RAB	S. Jordan	O	INSET COV	X	X	X	X	X	X		O Rep
325	RAB	R. Wheat	O	INSET COV	X	X	X	X	X	X		O Rep
326	RAB	G. Wheat	O	INSET COV	X	X	X	X	X	X		O Rep
328	RAB	J. Ciriani	O	INSET COV	X	X	X	X	X	X		O Rep
333	RAA	B & W. Parry	O	INSET COV	X	X	X	X	X	X		O Rep
336	RAB	A. Francis	O	INSET COV	X	X	X	X	X	X		O Rep
338	RAA	D. Francis	O	INSET COV	X	X	X	X	X	X		O Rep
340	RAB	S. Williams	O	INSET COV	X	X	X	X	X	X		O Rep
64	RAB	Leek Wootton & Guys Cliffe Parish Council	O	INSET COV	X	X	X	X	X	X		O Rep
321	RAZ	West Midlands International Airport Ltd	O	INSET AIR	PLI	07.04.06						PLI

148	BZ	CPRE (Warwickshire Branch)	O	INSET AIR	X	X	X	X	X	X	O Rep
199	RAD	J. MacKay	O	INSET AIR	X	X	X	X	X	X	O Rep
321	RAZ	West Midlands International Airport Ltd	O	INSET AIR	PLI	07.04.06					PLI
148	BZ	CPRE (Warwickshire Branch)	O	INSET AIR	X	X	X	X	X	X	O Rep
199	RAD	J. MacKay	O	INSET AIR	X	X	X	X	X	X	O Rep
Chapter 13 - Information Plans											
223	AR	Kenilworth Town Council	O	INF PL HS	X	X	X	X	X	X	O Rep
150	AK	WCC (Museum Field Services - Ecology)	O	INF PL HON	X	X	X	X	X	X	O Rep
288	RAD	Warwickshire Police Authority	O	INF PL LEE	X	X	X	X	X	X	O Rep
Chapter 14 - Proposals Map											
242	AH	Coventry City Council (P & T)	O	PROP MAP1	Written Rep	24.02.06	24.02.06				FWR
242	AJ	Coventry City Council (P & T)	O	PROP MAP1	Written Rep	24.02.06	24.02.06				FWR
167	AC	E. Brown	O	PROP MAP1	Hearing	07.04.06	07.04.06	03.05.06	03.05.06	03.05.06	Hearing
10	AE	Bubbenhall Parish Council	O	PROP MAP1	X	X	X	X	X	X	O Rep
107	AD	University of Warwick	O	PROP MAP1	X	X	X	X	X	X	O Rep
142	AB	A C Lloyd LTD	O	PROP MAP1	X	X	X	X	X	X	O Rep
148	BP	CPRE (Warwickshire Branch)	O	PROP MAP1	X	X	X	X	X	X	O Rep
150	AM	WCC (Museum Field Services - Ecology)	O	PROP MAP1	X	X	X	X	X	X	O Rep
156	AD	A. Moore	O	PROP MAP1	X	X	X	X	X	X	O Rep
226	RAK	Environment Agency	O	PROP MAP1	X	X	X	X	X	X	O Rep
239	RAA	D. Austin	O	PROP MAP1	X	X	X	X	X	X	O Rep
239	AP	D. Austin	O	PROP MAP1	X	X	X	X	X	X	O Rep
260	RAB	Baginton Parish Council	O	PROP MAP1	X	X	X	X	X	X	O Rep
353	RAB	A. Brown	O	PROP MAP1	X	X	X	X	X	X	O Rep
64	AC	Leek Wootton & Guys Cliffe Parish Council	O	PROP MAP1	X	X	X	X	X	X	O Rep
1	AG	Warwickshire Wildlife Trust	O	PROP MAP1	X	X	X	X	X	X	cond/wd
148	BY	CPRE (Warwickshire Branch)	O	PROP MAP1	X	X	X	X	X	X	cond/wd
52	AE	Baford, Sherbourne & Wasperton JPC	O	PROP MAP1	X	X	X	X	X	X	cond/wd
132	AC	KB Benfield Group Holdings Ltd	O	PROP MAP2	Written Rep	24.02.06	31.03.06				FWR
303	RAF	Racecourse Holdings Trust	O	PROP MAP2	Written Rep	24.02.06	06.03.06				FWR
303	AJ	Racecourse Holdings Trust	O	PROP MAP2	Written Rep	24.02.06	06.03.06				FWR
153	AA	Thomas Bates and Son Ltd	O	PROP MAP2	Hearing	07.04.06	24.05.06				Hearing
245	AB	Hallam Land Management and William Davis Ltd	O	PROP MAP2	Hearing	07.04.06	07.04.06	16.05.06	16.05.06	16.05.06	Hearing
246	AA	The Europa Way Consortium	O	PROP MAP2	Hearing	07.04.06	24.04.06	30.05.06	30.05.06	30.05.06	Hearing
256	AA	T & N Limited	O	PROP MAP2	Hearing	07.04.06	19.04.06	16.05.06	16.05.06	16.05.06	Hearing
139	AA	Coventry Diocesan Board of Finance Ltd	O	PROP MAP2	X	X	X	X	X	X	O Rep
142	AA	A C Lloyd LTD	O	PROP MAP2	X	X	X	X	X	X	O Rep
193	AT	Coten End and Emscote Residents Association	O	PROP MAP2	X	X	X	X	X	X	O Rep

199	RAN	J. MacKay	O	PROP MAP2	X	X	X	X	X	X	O Rep
199	AT	J. MacKay	O	PROP MAP2	X	X	X	X	X	X	O Rep
220	AA	Cala Homes (Midlands) Ltd	O	PROP MAP2	X	X	X	X	X	X	O Rep
224	RAE	Mr & Mrs. R.M. Orr	O	PROP MAP2	X	X	X	X	X	X	O Rep
227	AE	David Wilson Homes (East Midlands) Ltd.	O	PROP MAP2	X	X	X	X	X	X	O Rep
240	AE	George Wimpey Strategic Land	O	PROP MAP2	X	X	X	X	X	X	O Rep
277	AA	M. F. Dodd	O	PROP MAP2	X	X	X	X	X	X	O Rep
290	AA	H. E. Johnson	O	PROP MAP2	X	X	X	X	X	X	O Rep
291	AC	George Wimpey UK Ltd	O	PROP MAP2	X	X	X	X	X	X	O Rep
66	BC	The Warwick Society	O	PROP MAP2	X	X	X	X	X	X	O Rep
250	AD	A & J. Day	O	PROP MAP2	X	X	X	X	X	X	O Rep
122	AA	Warwick Castle	O	PROP MAP2	X	X	X	X	X	X	cond/wd
143	AA	Scottish Widows Investment Partnership	O	PROP MAP3	X	X	X	X	X	X	O Rep
192	AB	Chamber of Trade	O	PROP MAP3	X	X	X	X	X	X	O Rep
192	AD	Chamber of Trade	O	PROP MAP3	X	X	X	X	X	X	O Rep
158	AD	Tyler-Parkes Partnership	O	PROP MAP4	X	X	X	X	X	X	O Rep
193	BW	Coten End and Emscote Residents Association	O	PROP MAP4	X	X	X	X	X	X	O Rep
199	RAP	J. MacKay	O	PROP MAP4	X	X	X	X	X	X	O Rep
199	BW	J. MacKay	O	PROP MAP4	X	X	X	X	X	X	O Rep
258	AA	Sainsburys Supermarkets Limited	O	PROP MAP4	X	X	X	X	X	X	O Rep
66	RBS	The Warwick Society	O	PROP MAP4	X	X	X	X	X	X	O Rep
276	AA	M & B. Hague	O	PROP MAP5	Hearing	07.04.06	23.05.06	21.06.06	21.06.06	21.06.06	Hearing
221	RAH	Kenilworth Society	O	PROP MAP5	X	X	X	X	X	X	O Rep
136	AA	George Wimpey Strategic Land	O	PROP MAP5	X	X	X	X	X	X	O Rep
149	RAB	WCC (Museum Field Services - Archaeology)	O	PROP MAP5	X	X	X	X	X	X	O Rep
258	AC	Sainsburys Supermarkets Limited	O	PROP MAP5	X	X	X	X	X	X	O Rep
277	AB	M. F. Dodd	O	PROP MAP5	X	X	X	X	X	X	O Rep
332	RAA	R. Foskett	O	PROP MAP5	X	X	X	X	X	X	O Rep
264	AA	Cobalt Estates	O	PROP MAP5	X	X	X	X	X	X	O Rep
221	AY	Kenilworth Society	O	PROP MAP5	X	X	X	X	X	X	cond/wd

APPENDIX D

UNCONDITIONALLY WITHDRAWN OBJECTIONS

48/AA	D. Whitehead	UAP1
49/AA	Prof. T. Whitehead	UAP1
169/AA	P. Webb	Chapter 10 Policy Omission
223/AB	Kenilworth Town Council	OBJ 1C
223/AF	Kenilworth Town Council	DP1
223/AO	Kenilworth Town Council	SC9
223/AP	Kenilworth Town Council	UAP3
223/BC	Kenilworth Town Council	Chapter 9 Policy Omission
223/RAJ	Kenilworth Town Council	DP2
235/AA	Kenilworth Rugby Football Club	Proposals Map 5
235/RAA	Kenilworth Rugby Football Club	UAP1
249/AA	D. Shakespeare	Chapter 4 Policy Omission
288/AF	Warwickshire Police Authority	RAP5
310/RAA	Solihull Metropolitan Borough Council	SSP2

APPENDIX E

ACCOMPANIED SITE VISITS

14 June 2006	Europa Way Consortium	Various policies
16 June 2006	Kenilworth Rugby Football Club	Policy DAP1
7 July 2006	CPRE	Policy SSP3
14 July 2006	West Midlands International Airport	Policies SSP1 & DAP1
21 July 2006	Shirley Estates Sundial Group Mr. J. M. Glenn	Policy RAP2 Various policies Various policies
6 September 2006	West Midlands International Airport	Policy SSP7
7 September 2006	Farmers Fresh Park & Ride Round Table Session	Policy SSP2 Policy SSP5

APPENDIX F

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