

## **Warwick Local Plan Examination:**

Hearing Statement submitted on behalf of  
IM Properties (Representation ID: 11681)  
in relation Matter 7c: Proposed housing  
allocations, safeguarded land and direction  
for growth (Site H42 – Westwood Heath)

August 2016

**Turley**

# 1. Introduction

- 1.1 This Hearing Statement has been prepared on behalf of IM Properties in respect to their land interests to the east of Cromwell Lane. The Site is available and represents a suitable and deliverable opportunity for major residential development and it is considered that the Site should be assessed favourably through the Examination of the Local Plan.
- 1.2 It is relevant to note that the site has been previously promoted throughout the plan preparation by Turley, on behalf of David Wilson Homes, Mr and Mrs Hill and Mr and Mrs McCulloch. However, the site is now controlled by IM Properties and will be promoted on this basis.
- 1.3 Our Hearing Statement centres on the grounds that:
  - The Council has failed to comprehensively assess land for release from the Green Belt; in particular there are concerns with the methodology to assess broad land parcels without a further assessment focussing on the sub-division of the broad areas into smaller parcels, which does not accord with paragraphs 83-85 of the NPPF; and
  - No sensible and thorough justification has been provided to demonstrate why land east of Cromwell Lane has been discounted during the site selection methodology and why the site remains as Green Belt, despite the release of larger Green Belt sites to the east of it, and further away from existing built development.
- 1.4 The Hearing Statement should be read in conjunction with the appended:-
  - Updated Site Vision Document (appendix 1)
  - Warwick District Council Policy and Green Belt Plan (appendix 2)
  - Landscape and Visual Appraisal (appendix 3)
  - Access Plan (appendix 4)
- 1.5 Our client trusts that the information provided within the Hearing Statement will be reasonably considered by the Inspector and we welcome the opportunity to engage and promote the Site during the programmed Hearing Sessions in September 2016.

## 2. Response to Inspector's Questions

- 2.1 This section of our Statement sets out our response on behalf of IM Properties to the questions that have been raised by the Inspector in his Matters and Issues Paper circulated on 15 July 2016.

**Issue: Whether the proposed housing site allocations, safeguarded land and direction for growth on the edge of Coventry are justified, effective and consistent with national policy.**

**Question 1: What is the current planning status of the site?**

**Question 2: How does it fit within the overall spatial strategy?**

- 2.2 Site H42 lies immediately to the east of the IM Properties (IMP) site (known as Land to the East of Cromwell Lane). Site H42 is currently designated as Green Belt, and the proposed modifications to the Plan would secure its release and allocation for residential development.
- 2.3 The proposed allocation of site is for 425 dwellings. This area of residential growth has been chosen due to its location on the edge of Coventry City, and is reflective of Warwick District Council's commitment to delivering a proportion of Coventry's housing need.
- 2.4 In proposing the allocation of this site, and safeguarding of land further to the east of the allocation (S1) the Council have accepted that the area to the south of Westwood Heath Road is the right location for residential development. As set out within the supporting text to the new policy DS1, the area is in a sustainable location with good access to transport connections, and employment and education opportunities.
- 2.5 The proposed allocation of H42 aligns with principle (b) of draft policy DS4, which underlines that where greenfield sites are required for housing, they should be generally located on the edge of urban areas in sustainable locations close to areas of employment or where community facilities are available.
- 2.6 On this basis, there does not appear to be any justified logic for not including the IMP site, land to the east of Cromwell Lane (as identified at Appendix 1) within the area of land to be released from the Green Belt.
- 2.7 HO12 'Strategic Housing Land Availability Assessment – South of Coventry' (May 2014) recognises that the potential impacts of H42 is the extension beyond a definable boundary into an areas of high landscape value with no strong recognisable boundary to the south; and the adjacent Brockendon Grange Pond & Black Waste Wood are potential SINCS.
- 2.8 In light of the above, the proposed allocation of smaller housing sites would reduce the impact on the landscape value and adjacent potential SINCS, and offer the sufficient delivery of housing in the short term. The provision of additional dwellings on land to the

east of Cromwell Lane would complement this provision, and would form a natural link between new and existing residential areas.

**Question 3: In addition to housing provision, are there other benefits that the proposed development would bring?**

2.9 No comment

**Question 4: What are the potential adverse impacts of developing the site? How could they be mitigated?**

- 2.10 The H42 site is not well related to the existing settlement of Burton Green, in that it is separated by an unnecessary area of retained Green Belt that largely comprises the site being promoted by IMP. It would seem that the Council are proposing the retention of an area of Green Belt to act as a 'buffer' between the existing and future residential areas, rather than reflecting a comprehensive review of the Green Belt as required by the NPPF.
- 2.11 Furthermore, without the inclusion of the IMP site, H42 would have a much greater detrimental impact on the landscape, as it extends further to the south into an area of high landscape value in comparison to land to the east of Cromwell Lane. An assessment of the landscape value of the IMP site has been undertaken by Barton Willmore, and is appended to this Statement (appendix 3). This assessment concludes that the IMP site could be development without significant harm, noting that it does not contain many of the features that are otherwise found within the Landscape Character Area Arden.

**Question 5: What are the infrastructure requirements/costs and are there physical or other constraints to development? How would these be addressed?**

- 2.12 The Proposed Modifications (January 2016) indicate that the infrastructure requirements of H42 will include a health centre; community facilities; and a convenience store of no more than 500 sq.m gross floorspace.
- 2.13 Despite the above, no supporting documentation or site specific policy principles has been published or formulated to indicate how and when the infrastructure requirements will be delivered for H42.

**Question 6: Is the site realistically viable and deliverable?**

- 2.14 Whilst it has been identified there are opportunities to meet housing need in Burton Green and Westwood Heath, such opportunities need to be judged against existing and proposed infrastructure requirements comprising, highway and traffic improvements, deliverability and viability matters.
- 2.15 Further information is needed to determine how the Council have assessed the proposed allocation in respect of viability and deliverability over the plan period.

**Question 7: What is the expected timescale for development and is this realistic?**

- 2.16 No housing trajectory has been identified for H42 within an updated 'Housing Trajectory Report' or 'Large Sites Delivery Assessment Paper' which were published in May 2014 and May 2015 respectively. This is despite acknowledgement at paragraph 2.24 of the Local Plan Submission Version that the Council would review the Housing Trajectory as new evidence emerges. Nonetheless, the HO12 'Strategic Housing Land Availability Assessment – South of Coventry' (May 2014) indicates that 325 dwellings can be delivered between 2019 and 2024, which is significantly below the proposed allocation of 425 in the Local Plan Proposed Modifications.

**Question 8: What would be the effect of the proposal on the purposes of including land within the Green Belt?**

- 2.17 The Joint Green Belt Study published in June 2015 considered a parcel of land defined as 'C20'. This parcel included the land proposed for release and allocation (H42), land proposed for release and safeguarding (S1), land to the east of Cromwell Lane, as well as land to the south that it is proposed will remain designated as Green Belt. The consideration of this parcel does not differentiate between each of these elements, and the assessment concluded a broad range of scores across each of the five tests.
- 2.18 If it is judged (as Warwick Council have done) that the release of H42 would meet the tests set out within the NPPF, then there does not appear to be a reasoned justification for why the release of land to the east of Cromwell Lane does not also meet this test. As is demonstrated through the Barton Willmore Landscape and Visual Appraisal at appendix 3 of these representations, it is not considered that the land to the east of Cromwell Lane makes any greater contribution to the Green Belt than land proposed for release either through the allocation of H42, or the safeguarding of site S1.

**Question 9: What would be the effect on the openness of the Green Belt?**

- 2.19 There will be an effect on the openness of the Green Belt as a result of introducing built development onto the H42 site, and in the future onto site S1. However, based on the technical assessment work undertaken by Barton Willmore (appendix 3), it is not considered that the openness of the Green Belt would be any more greatly affected as a result of the release of land to the east of Cromwell Lane. As concluded by Barton Willmore, the site does not have a strong sense of openness as existing due to the established mature vegetation on site.
- 2.20 More particularly, the changes in levels across parcel C20 as a whole are such that the land to the east of Cromwell Lane has a stronger physical relationship with existing development in Burton Green than H42, and therefore any development in this location would have a more limited impact on openness. It is therefore difficult to understand the justification for retaining land to the east of Cromwell Lane within the Green Belt when considered against the purposes set out in paragraph 79 of the NPPF.

**Question 10: Are there exceptional circumstances which justify altering the Green Belt?  
If so, what are they?**

- 2.21 Paragraph 83 of the NPPF is clear that when reviewing Green Belts an LPA should consider the intended permanence over the long term. Paragraphs 84 to 87 provide further clarification in this regard.
- 2.22 Given that there is a lack of alternative sites outside of the Green Belt to meet the Council's objectively assessed need, we consider that exceptional circumstances would apply to site H42. However; where the exceptional circumstances apply for H42, they also apply to land to the east of Cromwell Lane.
- 2.23 Therefore, in order to conclude what sites are most suitable for Green Belt release, in order to sustainably meet the District's housing need, great importance is placed on ensuring a review of the Green Belt boundary is comprehensive, as set out at paragraphs 83-84 of the NPPF. Of particular importance is ensuring the Green Belt boundary is capable of enduring beyond the plan period and boundaries are clearly defined using physical features that are readily recognisable and likely to be permanent. This is particularly relevant in the context of Policy D20 which proposes a review of the Plan in circumstances that arise from growth pressures in the area to the South of Coventry or within five years of adoption of the Plan in any event.

**Question 11: Why was safeguarded land identified, what is it intended to achieve?**

- 2.24 We acknowledge that safeguarded land has been identified to meet both the local and sub-regional housing needs with the area of growth focussed to the south of Coventry.
- 2.25 It is considered that the District should plan to allocate sufficient land to meet the long term development needs of the functional housing and economic market area within the plan period without the need for safeguarded land. This can be achieved through the proactive release of suitable Green Belt land to align with the spatial strategy in its current form.
- 2.26 Notwithstanding the above, land to the east of Cromwell Lane could contribute to longer term development needs as further safeguarded land of a scale that does not compete with S1, but which could come forward as a smaller scale scheme with more limited infrastructure requirements.

**Question 12: How was the safeguarded land identified, what options were considered and why was the land in question selected?**

- 2.27 No comment

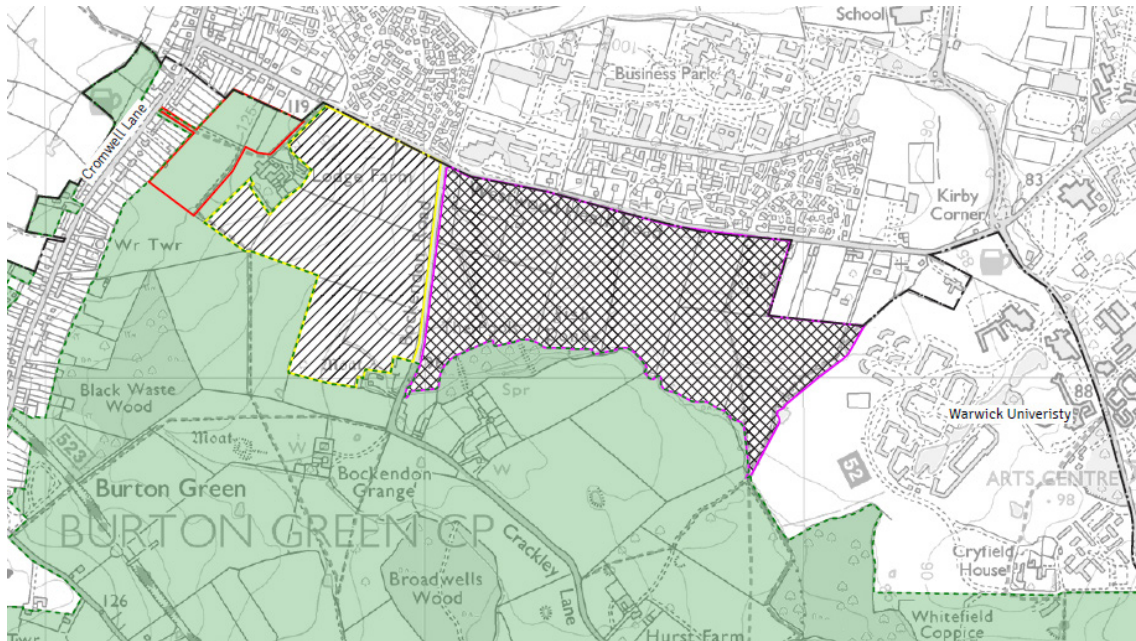
**Question 13: How does it fit within the overall spatial strategy?**

- 2.28 No comment

**Question 14: What would be the effect of the proposal on the purposes of including land within the Green Belt?**

**Question 15: What would be the effect on the openness of the Green Belt?**

- 2.29 The release of the Safeguarded land (S1) in this location would have an impact on the openness of the Green Belt. However, as set out above, this effect would be no greater if land to the east of Cromwell Lane were to be included within the proposed release.
- 2.30 As shown on the plan at appendix 2 of this Statement (and shown in the extract below), if the land to the east of Cromwell Lane remains in Green Belt it will provide an unnecessary gap between the existing settlement and development on site H42 and S1. This approach to releasing Green Belt does not meet the tests set out within the NPPF at paragraphs 83 to 86.



**Question 16: What are the potential adverse impacts? How could they be mitigated?**

- 2.31 No comment.

**Question 17: Are there infrastructure, physical or other constraints to development? If so, how could these be overcome? Is the land realistically developable?**

- 2.32 No comment.

**Question 18: Are there exceptional circumstances which justify altering the Green Belt? If so, what are they?**

- 2.33 As set out in response to question 10 (above), given the lack of alternative sites outside of the Green Belt to meet the Council's objectively assessed need, we consider that exceptional circumstances would apply to site S1 and H42. However, these exceptional circumstances are also considered to apply to land to the east of Cromwell Lane.

**Question 19: Is the overall amount of safeguarded land identified sufficient?**

- 2.34 We reserve judgement on whether the overall amount of safeguarded land identified is sufficient to meet the needs of the long term development needs.

- 2.35 Nonetheless, it is acknowledged that larger sites are important and have a role to play in ensuring a supply of new homes as stated at paragraph 52 of the NPPF. However, it is considered that they can be complemented by smaller sites such as land to the east of Cromwell Lane, which should be identified for safeguarding or Green Belt release to reduce reliance on the delivery of new road and community infrastructure on larger sites.

**Question 20: Why is a Direction for Growth necessary? What is it intended to achieve?**

- 2.36 A Direction for Growth is necessary to ensure compliance with paragraph 17 of the NPPF. Therefore, where sustainable growth locations are identified and are adjacent to the Green Belt, the District should ensure that its strategy closely aligns with paragraph 84 of the NPPF.
- 2.37 Growth to the south of Coventry is a sustainable location given that Warwick is required to accommodate a proportion of Coventry's unmet need within its boundary. In the case of Burton Green and land on Washwood Heath Road, there are a number of sustainability benefits from encouraging growth in this location and these have been set out elsewhere in this statement.

**Question 21: Does Policy DS NEW1 provide sufficient clarity and guidance as to the scale, type and location of future development in the area and the factors to be taken into account?**

- 2.38 We consider that DS NEW1 offers some clarity and guidance to the scale, type and location of future development in the area and the factors to be taken into account. However; we recommend that supporting evidence for proposed allocation H42 and safeguarded land south of Westwood Heath Road should be provided in the form of site specific policy principles for the purpose of robustness.

**Question 22: How will it be implemented in practice?**

- 2.39 We reserve judgement on how DS NEW1 will be implemented.
- 2.40 However, to enhance the implementation of DS NEW1 we consider that the delivery of housing to meet both the local and sub-regional housing needs, can be complemented by smaller sites such as land to the east of Cromwell Lane.
- 2.41 Land such as that to the east of Cromwell Lane should be identified for safeguarding or Green Belt release to reduce reliance on the delivery of new road and community infrastructure on larger proposed allocations and sites identified as safeguarded land post-adoption.

**Question 23: In overall terms is the policy justified, effective and consistent with national policy?**

- 2.42 In its current form the Local Plan is considered unsound in that the policy approach to removing land from the Green Belt has not been adequately justified, and the overall approach taken is not consistent with national planning policy as set out within the NPPF.



## **Appendix 1: Vision Document**



# LAND EAST OF CROMWELL LANE



VISION DOCUMENT | AUGUST 2016