

EXAMINATION IN PUBLIC OF

Warwick District Local Plan

**Hearing Statement in respect of Matter 11 – University of
Warwick and Major Sites in the Green Belt**

On behalf of Jaguar Land Rover

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1 Introduction

- 1.1 This Statement has been prepared by Gerald Eve LLP (Gerald Eve) on behalf of Jaguar Land Rover. It provides representations in relation to Matter 11 – University of Warwick and Major Sites in the Green Belt, with specific reference to Policy MS2 and the Former Honiley Airfield at Fen End, owned by Jaguar Land Rover.
- 1.2 This Statement should be read in conjunction with earlier Representations submitted in respect of the draft Plan, as well as the Hearing Statements that have been submitted on behalf of Jaguar Land Rover in respect of other matters subject to Examination.
- 1.3 As set out within the Inspector's Hearings Guidance Note, this Statement is limited only to matters considered necessary to assist consideration of the Matter and specific questions raised.

2 Question 7

2.1 Question 7 asks:

“Should the policy be more positive/definite about the prospects of development on the specific sites concerned?”

2.2 The answer in relation to Fen End should be “Yes”.

Jaguar Land Rover – Company Profile

2.3 Jaguar Land Rover is a global business and the UK’s largest automotive employer, creating both direct and indirect jobs within the UK.

2.4 Jaguar Land Rover is the UK’s largest automotive manufacturing business, and in 2015, sold 487,065 vehicles in 160 markets. More than 80% of vehicles produced are exported, generating revenue of £18.1 billion. In recognition of outstanding performance Jaguar and Land Rover won 180 awards in 2014/15.

2.5 Jaguar Land Rover's UK operations take place at various locations, with three vehicle manufacturing plants - two in the West Midlands at Castle Bromwich and Solihull, one is located near to Liverpool in Halewood - and two advanced design and engineering centres at Gaydon (Stratford District) and Whitley (Coventry). There are new facilities located at Fen End, near Kenilworth and Prologis Park in Ryton. Furthermore, Jaguar Land Rover has invested £1 billion in its Engine Manufacturing Centre near Wolverhampton, which opened in 2015. The facility is expected to provide circa 1,400 jobs and construction is underway to add 85,000 sqm of additional floorspace to the manufacturing facility.

2.6 In the last five years, Jaguar Land Rover’s turnover has tripled and its workforce has more than doubled. The company now employs over 38,000 people with over 35,000 of those people based in the UK.

2.7 As well as direct employment, Jaguar Land Rover’s activities sustain some 240,000 jobs throughout the UK at dealerships, suppliers and local businesses.

2.8 Jaguar Land Rover recognises that continual advancement is critical to maintaining competitive and advancing vehicle design and technology in a sustainable manner. Jaguar Land Rover’s commitment to advanced design and technology is reflected in the fact that the company is the biggest UK investor in R&D in the manufacturing sector and is in the 'global top 100 for R&D' spend. This is a responsible approach to ensuring the business grows in the future.

2.9 Jaguar Land Rover’s innovation is continuous. It invested £3 billion last year in product creation and capital expenditure to bring more new vehicles to market. Over the past three years the business has announced 11,000 new jobs, which is a significant step to helping the government achieve its aim of rebalancing the UK economy and meeting the objectives of the National Planning Policy Framework.

- 2.10 Jaguar Land Rover is the UK's largest automotive apprenticeship provider and some 900 apprentices have joined the company in the past five years. Its school Science, Technology, Engineering and Maths programmes engaged around 643,000 young people in the UK last year, including many schools close to its sites. In addition, almost 9,000 of its employees are enrolled in further and higher education.
- 2.11 In addition to the advanced design and engineering centres at Gaydon and Whitley, Jaguar Land Rover has invested heavily in a number of collaborative research and development programmes, in association with other partners and a number of higher education establishments in the West Midlands, to help create a workforce of highly skilled engineers, in an area long-associated with the automotive industry. These projects include the new £150 million National Automotive Innovation Centre at the University of Warwick, which Jaguar Land Rover is creating with partners including, Tata Motors European Technical Centre and WMG (Warwick Manufacturing Group). When this facility opens it will become the innovation and research hub for approximately 1,000 researchers and engineers from Jaguar Land Rover and their academic and supplier partners.
- 2.12 Jaguar Land Rover is not only one of the main employers in the West Midlands, but is an integral part of the manufacturing future of the area and the UK as a whole.

Fen End (The Former Honiley Airfield)

- 2.13 Following the purchase of the existing employment site at Fen End in September 2014 as part of its planned growth and expansion, Jaguar Land Rover has invested significantly in new facilities at Fen End and has moved quickly to ensure the site will deliver as the principal base of the Vehicle Operations Division of the Business.
- 2.14 Planning permission was granted in November 2015 for "the erection of a building to accommodate the Vehicle Operations Division of Jaguar Land Rover, and ancillary works including car parking, 'work in progress' storage areas for part-prepared vehicles, amendments to the existing vehicle track circuit, track and infield access, site access, landscaping and other ancillary works" (reference W/15/1419). This will become the principal base of the Vehicle Operations Division of the Business.
- 2.15 The developments, which have been implemented, will improve and enhance the working environment, and will result in additional employment opportunities at the site. Construction works are continuing at pace in order to deliver the Vehicle Operations development.
- 2.16 While Jaguar Land Rover welcome that the importance of the Former Honiley Airfield on the economy and the District has been identified in draft Policy MS2, it is considered that the policy does not provide an adequately positive approach, nor the certainty and clarity required by Jaguar Land Rover, as a Global business, to make global decisions for continued future investment at Jaguar Land Rover existing UK sites in order to future proof their operations within Warwick and the wider region.

2.17 Jaguar Land Rover has consistently demonstrated their ability to deliver development and employment opportunities on their sites, including at Fen End, which are essential to the local district and regional economy. It is therefore essential that the business is supported by a facilitative planning framework that allows it to continue to grow, and is appropriate that the policy should be more positive about the prospects of development at Fen End.

2.18 The principle of the objection to the policy is that the policy, as drafted, has failed to provide a suitable policy basis for the consideration of development on the Site. As drafted this policy in effect repeats the policy of the Framework in respect of the development of previously developed land located in the Green Belt as set out in paragraph 89:

“A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

*...
limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.”*

2.19 We consider that as National policy no longer recognises Major Developed sites in the Green Belt, the policy should recognise the real economic benefits to the local, regional and national economy of Jaguar Land Rovers activities at the site.

2.20 The whole of the former airfield is previously developed land (as explained in more detail at paragraph 4.13 below) and should be recognised as such.

3 Question 8

3.1 Question 8 asks:

“Should it be more specific about the types of development that may be acceptable?”

3.2 The answer is “No”.

3.3 Given the global nature of the Jaguar Land Rover business, there is a vital need to remain competitive by stimulating new economic growth, skills and opportunities in order to enhance and maintain the function of a world-class automotive site. In light of this, Jaguar Land Rover requires a flexible approach to be taken to in order to accommodate a wide range of employment generating uses.

3.4 This is particularly the case given that the business needs to ensure that it can adapt quickly to external forces such as technological advances and changes in customer demand.

3.5 The existing site at Fen End currently accommodates differing uses, including some of Jaguar Land Rover’s product research and refinement, vehicle testing and development facilities and includes a vehicle test track. The delivery of the Fen End site as Jaguar Land Rover’s principle Vehicle Operations Division requires adequate flexibility to allow for differing uses and activities to come forward.

4 Question 9

4.1 Question 9 asks:

“Should the sites be removed from the Green Belt and allocated for development?”

4.2 The answer in relation to Fen End is “Yes”.

4.3 The Fen End site is a key employment site in the District, and Jaguar Land Rover’s existing operations at Fen End are a special case. This has already been specifically acknowledged by Mr Barber of the District Council at the session on Matter 5 of the Examination.

4.4 The whole of the Fen End site is previously developed land and should be recognised as such.

4.5 The existing site at Fen End currently accommodates some of Jaguar Land Rover’s product research and refinement, vehicle testing and development facilities and includes a vehicle test track. Prior to the purchase of the site by Jaguar Land Rover, Fen End has been a long established employment site dating back to the 1950’s, with a history of accommodating land uses relating to the development and testing of motor vehicles since then.

4.6 Given the importance of Jaguar Land Rover, which we have already set out in this Hearing Statement, and the importance of the Fen End site for the existing and potential future operations of Jaguar Land Rover, we consider that it is appropriate to remove the Former Honiley Airfield site from the Green Belt and allocate the site for development.

4.7 The removal of the site from the Green Belt is particularly considered given that Jaguar Land Rover has very limited options for expansion within its West Midlands sites - many of which are largely constrained by surrounding urban form. Indeed the Former Honiley Airfield, which is now owned by Jaguar Land Rover, is a unique, previously developed, and a well screened site, which provides the business the required privacy to undertake their vehicle operation activities

4.8 Jaguar Land Rover needs to have a supply of employment land particularly around its existing Jaguar Land Rovers operations within which future needs of the business could expand into, where required, over the plan period. There is a critical demand for the Fen End site to accommodate and become the principle base for Jaguar Land Rover’s Vehicle Operations Division. The recent planning permission, which has been implemented on the site, will allow the much needed delivery of the Fen End site as the businesses principal Vehicle Operations Division. It is recognised that over the course of the plan period there may be some further demand from Jaguar Land Rover to expand at Fen End. In relation to any possible future demand from Jaguar Land Rover, the deliverability and availability of appropriately located land and premises is essential.

4.9 Jaguar Land Rover has invested heavily in the Fen End site and within the District and wider region, and it is critical that appropriate planning policies are in place to assist in delivery of

employment land for Jaguar Land Rover to future proof the business within the region throughout the plan period. It is critical, for the future of the business that Jaguar Land Rover continues to secure and develop its activities in order to facilitate the potential for continued success in the competitive global motor manufacturing industry.

- 4.10 Expansion within Warwick and the wider region is key to Jaguar Land Rover's future and an integral part of the economic future of Warwick and the West Midlands more widely.
- 4.11 The Coventry and Warwickshire Local Enterprise Partnership (CWLEP) Strategic Economic Plan (March 2014) set out that "The availability of employment sites is fundamental to attracting new investors, retaining local businesses and reshoring of manufacturing." As such CWLEP has prioritised a portfolio of sites, one of which includes Fen End. With regard to these priority sites (which includes Fen End), the Strategic Economic Plan (March 2014) states that "the CWLEP through its Major Sites Group will work with site developers and local stakeholders to identify investment priorities, freedoms and flexibilities to support future development."
- 4.12 Furthermore, the CWLEP Strategic Economic Plan (March 2014) states that:
- "Investment priorities beyond the 2015/16 Local Growth Deal will include R&D and innovation technology support programmes, development of R&D 'campus' facilities at major employment sites such as the Coventry & Warwickshire Gateway and **Fen End** and demonstrator programmes and projects and will support business growth by the provision of coaching and mentoring, targeted access to finance, initiatives to address current and future skills needs and the creation of employment opportunities and those aimed at meeting employer demand."
- 4.13 It is therefore considered appropriate to remove Fen End from the Green Belt in order to align with the objectives of CWLEP's Strategic Economic Plan (March 2014).
- 4.14 Removal of the site from the Green Belt is also considered appropriate to reflect the extent of previously developed land, including former runways, perimeter tanks, hardstanding and interstitial areas present on the site, as well as the existing situation of the implemented planning permissions for the site. (See Appendix A for Plan showing areas of previously developed land; and areas covered by extant and implemented planning permissions).
- 4.15 The NPPF states (at paragraph 83) that Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. This Hearing Statement has established that the Fen End site is a key employment site in the District, and that Jaguar Land Rover's existing operations at Fen End are a special case. It is therefore considered that the unique, previously developed site at Fen End, and Jaguar Land Rover's special operations at the site represent exceptional circumstances in which to alter the Green Belt boundary. Furthermore, the NPPF establishes a number of criteria (at paragraph 85) that local planning authorities should follow when defining Green Belt Boundaries. Of the NPPF criteria, it is noted that:

- “ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development” – Jaguar Land Rover will operate their principle Vehicle Operations Division from the previously developed Fen End site. The concept of a sustainable pattern of development has already been agreed by the granting of the extant planning permissions across large parts of the site. In relation to any possible future demand from Jaguar Land Rover, this well screened, previously development site would be the most appropriately located, available, deliverable and sustainable site to accommodate this.
- “not include land which it is unnecessary to keep permanently open” – Part of the site is already excluded from the Green Belt and defined as a Major Site in the Green Belt. The granting of the extant planning permissions across large parts of the site also demonstrates that the Warwick District Council do not consider the site is one where it is necessary to keep permanently open.
- “where necessary, identify in their plans areas of ‘safeguarded land’ between the urban area and the Green Belt, in order to meet longer-term development needs stretching beyond the plan period” – there is a long term need for employment land in the District and wider region, and as the largest employer in the region, employment land for Jaguar Land Rover is essential.
- “satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period” – The removal of the Fen End site for the possible growth of Jaguar Land Rover throughout the plan period would remove the need for future removal of the site from the Green Belt, at the end of the development plan period.
- “define boundaries clearly, using physical features that are readily recognisable and likely to be permanent” – the existing Fen End site is easily defined and recognisable through its area of hardstanding and test track that cover a large part of the site.

5 Question 10

5.1 Question 10 asks:

“Is the boundary for the Former Honiley Airfield site appropriate, should the site be extended to include the test track?”

- 5.2 As set out in our Statement, in response to Matter 5 (The economy and employment land), Jaguar Land Rover welcomes the formal policy allocation (draft Policy MS2) which includes and identifies the importance of the Former Honiley Airfield, however, the proper extent of both the site and opportunity over the plan period have not been identified (whether or not the site is to remain in the Green Belt).

Fen End (The Former Honiley Airfield)

- 5.3 The existing site at Fen End currently accommodates some of Jaguar Land Rover's product research and refinement, vehicle testing and development facilities and includes a vehicle test track. The site is a long established employment location dating back to the 1950's, with a history of accommodating land uses relating to the development and testing of motor vehicles since then.
- 5.4 Outline planning permission was granted for development of the site as an advanced engineering research and development campus (Class B1 (Business Uses) for the automotive and motor sport industries, including a Catalyst Centre, new access road and roundabout, infrastructure, parking and landscaping (including details of the Catalyst building) in 2007.
- 5.5 The outline planning permission was renewed on 1 December 2011. A Reserved Matters application pursuant to the above outline planning permission was granted on 23 October 2014 (reference W/14/1152).
- 5.6 Jaguar Land Rover purchased the site in September 2014 and as part of its planned growth and expansion, and will be investing in significant new facilities at Fen End over the plan period.
- 5.7 Following the purchase of the site, further detailed and refined proposals for a specific requirement were delivered following consultation with the District Council, Parish Council and local community.
- 5.8 Planning permission was granted in November 2015 for “the erection of a building to accommodate the vehicle operations division of Jaguar Land Rover, and ancillary works including car parking, 'work in progress' storage areas for part-prepared vehicles, amendments to the existing vehicle track circuit, track and infield access, site access, landscaping and other ancillary works” (reference W/15/1419). This will become the principal base of the Vehicle Operations Division of the Business.

- 5.9 The developments, which have been implemented, will improve and enhance the working environment, and will result in additional employment opportunities at the site. Construction works are continuing at pace in order to deliver the Vehicle Operations development.

Draft Policy MS2 – Major Sites in the Green Belt

- 5.10 Jaguar Land Rover welcome the identification of the Former Honiley Airfield as a key employment site in the District which plays an important role in the local, sub-regional and national economy.
- 5.11 Draft Policy MS2 sets out that, due to the importance of the Former Honiley Airfield “there may be very special circumstances to justify further development (within the boundary identified on the Policies Map).”
- 5.12 Within the supporting text of the Draft Plan (paragraph 3.151) the District Council has acknowledged that the site has an important role in delivering the aims of the Coventry and Warwickshire Local Enterprise Partnership (CWLEP), in relation to supporting the growth of manufacturing, particularly in the long term through the implementation of the planning permission.
- 5.13 In addition, the Council set out at paragraph 3.152 of the Draft Plan that they are supportive of the approved proposals, and recognise the unique role of the site. Paragraph 3.152 also states that:
- “In this context it is considered that significant employment generation relating to the role of the site has in meeting the objectives of the LEP and proposals set out in the City Deal, may justify very special circumstances in assessing further proposals for the site.”***
- 5.14 In light of the importance of the existing Fen End site to the local and regional economy, which is also recognised by the District Council in their policy supporting text, it is considered that the draft boundary of the Major Developed Site (MDS) at Fen End is not appropriate and also does not reflect the existing situation of the implemented planning permissions for the site. Furthermore, it does not reflect the extent of previously developed land, including former runways, perimeter tanks, hardstanding and interstitial areas present on the site.
- 5.15 One of the core planning principles of the NPPF is to encourage the effective use of land by reusing land that has been previously developed, where it is not of high environmental value
- 5.16 Although the Fen End site is largely located within the Green Belt, the site comprises the former Honiley Airfield and is made up of large expanses of hardstanding.
- 5.17 Within the glossary of the NPPF, ‘previously developed land’ is defined as:

“land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure”.

- 5.18 This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built up areas such as private residential gardens, parks, recreation grounds and allotments; and land which was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.
- 5.19 Whilst the use of the site as a functional airfield has since discontinued, the airfield itself is of permanent construction comprising the concrete and asphalt test track and associated facilities. Decisions by the Secretary of State have set out that such areas comprise previous developed land (e.g. APP/R3650/A/08/2089143 in respect of Dunsfold Aerodrome – extract attached at **Appendix B**: see paragraph 18 of the Secretary of State’s decision letter and paragraphs 355-358 of the Inspector’s Report).
- 5.20 It is therefore considered that the nature of site is such that it may reasonably be described as previously developed land.
- 5.21 Removal of the site from the Green Belt will therefore be directly in line with one of the core planning principles of the NPPF alongside ensuring that this largely previously developed site, which is reasonably well contained, and well-suited to Jaguar Land Rover’s specific uses will continue as a key sub-regional employment location.
- 5.22 Jaguar Land Rover’s existing operations at Fen End are a special case. This has already been specifically acknowledged by Mr Barber of the District Council at the session on Matter 5 of the Examination. Given the special case of Jaguar Land Rovers existing operations at Fen End, which equally is a unique well screened site and which provides the business the required privacy to undertake their vehicle operation activities, the draft boundary of the MDS at Fen End does not provide the required support and flexibility required by Jaguar Land Rover, given the nature of the business, to continue making future investments within the global context.
- 5.23 The Fen End site has the potential to contribute to the aims and objectives of the Coventry and Warwickshire LEP. As a business, Jaguar Land Rover, due to its dynamic nature, needs to ensure that it can adapt quickly to external forces, such as technological advances and changes in customer demand. Proposals for future development of the site will require adequate flexibility to allow for differing uses and activities to come forward over the life of the Plan. This will allow Jaguar Land Rover the necessary flexibility to respond to the continually evolving global market within which it operates.
- 5.24 The proposed draft boundary of the MDS at Fen End is considered to be a major barrier to the potential growth of the site over the plan period and does not reflect the existing planning permissions which have been granted at the site or its potential. The site is a key priority for the CWLEP and Jaguar Land Rover are investing in the site in order to deliver growth.
- 5.25 Given the importance of the site and investment by Jaguar Land Rover, the inflexible barrier of the current MDS boundaries will not provide any certainty for any future investment over

and above the extant planning permission, over the plan period. Nor does the current MDS boundary reflect the current extant planning permissions for the site or extent of previously developed land (See **Appendix A** for Plan showing areas of previously developed land; and areas covered by extant and implemented planning permissions).

- 5.26 This goes against the Council's own objectives and the objectives of the Strategic Economic Plan.
- 5.27 In order to make Draft Policy MS2 'sound' it is considered that the Council as a minimum re-examines the boundary of the MDS to include the test track as part of the overall site, in particular given its extensive areas of hard standing, its status as previously developed land, and recognising the fact that it has an established pattern of continued use for vehicle testing and driver training which is consistent with the principle use of the wider site.
- 5.28 It would be more appropriate, however, to go further than this and remove the entire site out of the Green Belt to ensure that the site's future use is secured and that future development of employment generating uses are not adversely constrained by the Green Belt or MDS allocation. (See **Appendix C** for the suggested amendment to the Green Belt boundary at Fen End). Paragraphs 83 to 85 of the NPPF set out when a Council should review the Green Belt designation and amend boundaries. It is clear that local authorities 'should not keep land which it is unnecessary to keep permanently open' within the Green Belt and that the concept of a sustainable pattern of development has been agreed by the granting of the extant planning permissions across large parts of the site.
- 5.29 In summary, Jaguar Land Rover requires positive planning policies that provide certainty and clarity in order to have confidence in its ability to invest, expand and broaden operations in the future as part of the long term plans for Fen End, which will be of benefit to the local, county, sub regional and national economy, and to minimise planning risk. In order to ensure that draft Policy MS2 is 'sound' and is consistent with the NPPF, the boundary of the proposed MDS should be increased to include the test track and other areas of the overall site which are subject to planning permission, as shown in **Appendix A** – whether or not the site remains in the Green Belt. It would be most appropriate to remove the entire site from the Green Belt.

Appendix A - Fen End Plan

**Appendix B - Extract from Dunsfold Aerodrome Decision Letter and
Inspector's Report (APP/R3650/A/08/2089143)**

**Appendix C - Suggested amendment to the Green Belt boundary at Fen
End**

KEY

- Fulcrum Permission Site Boundary (31.7ha)
16.4% covered by existing hardstanding (5.2ha)
- Land Ownership Boundary (79.8ha) 29.95% covered by hardstanding
- Existing Hard Standing (23.9ha)

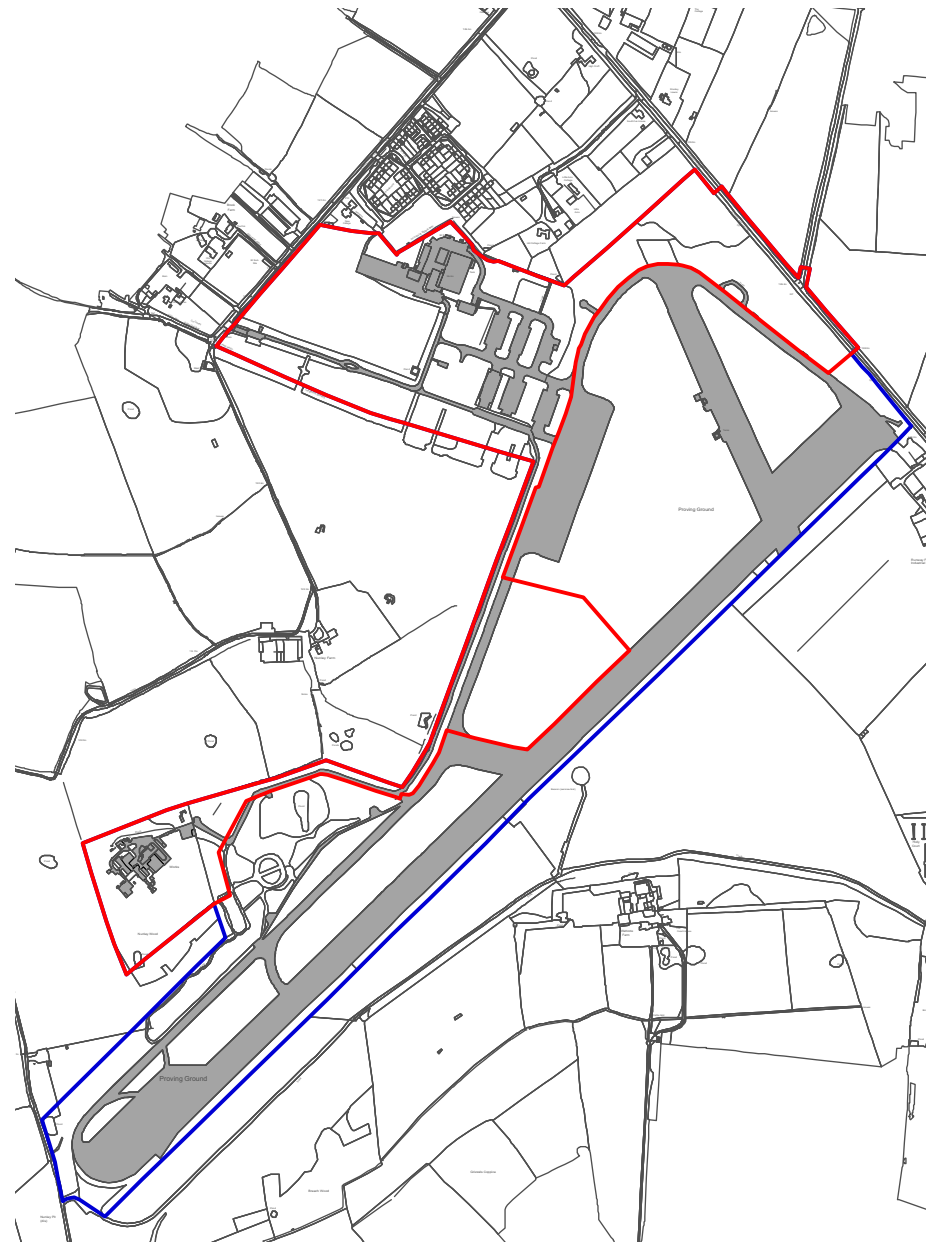
KEY

- Vehicle Operations Site Boundary (32ha)
23.23% covered by existing hardstanding (7.8ha)
- Land Ownership Boundary (79.8ha) 29.95% covered by existing hardstanding
- Existing Hard Standing (23.9ha)

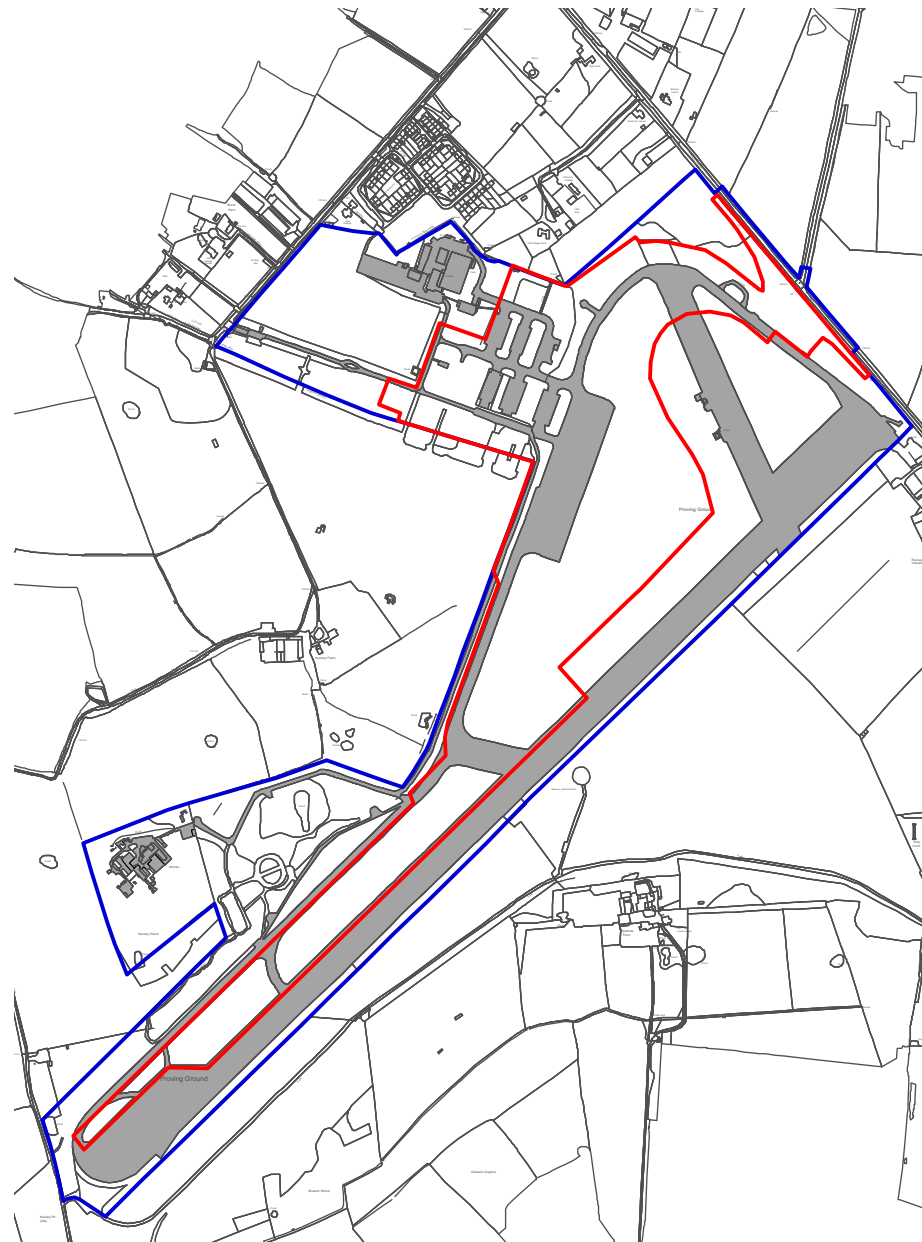
KEY

- Fulcrum Permission Development Area (31.7ha)
- Vehicle Operations Development Area (32ha)
- Overlapping Development Area (13.9ha)
43.85% of Fulcrum Permission covered by Vehicle Operations

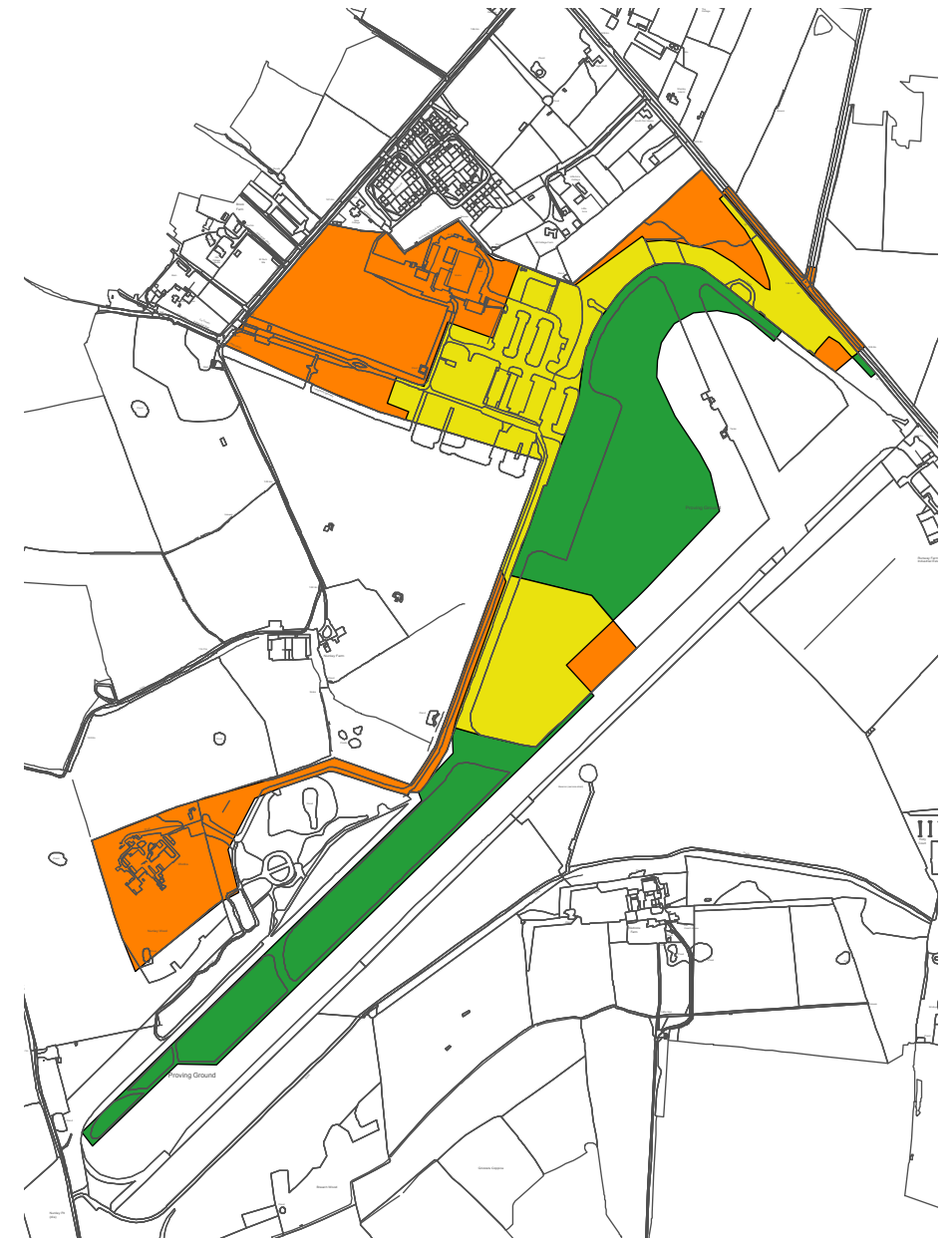
Fulcrum Permission



Vehicle Operations



Comparative Plan



Revisions:
First Issue- 10/10/2016 AD

Fulcrum & Vehicle Operations Permissions

Fen End

Client: Jaguar Land Rover

DRWG No: **J.0146_08**

Drawn by : AD

Date: 10/10/2016

Scale: 1:10,000 @ A3

Sheet No: **1/2** REV: **_**

Approved by: SC

Pegasus
Environment



KEY

- Fulcrum Permission Site Boundary (31.7ha)
- Land Ownership Boundary (79.8ha)
- Fulcrum Permission Built on Area (9.65ha)

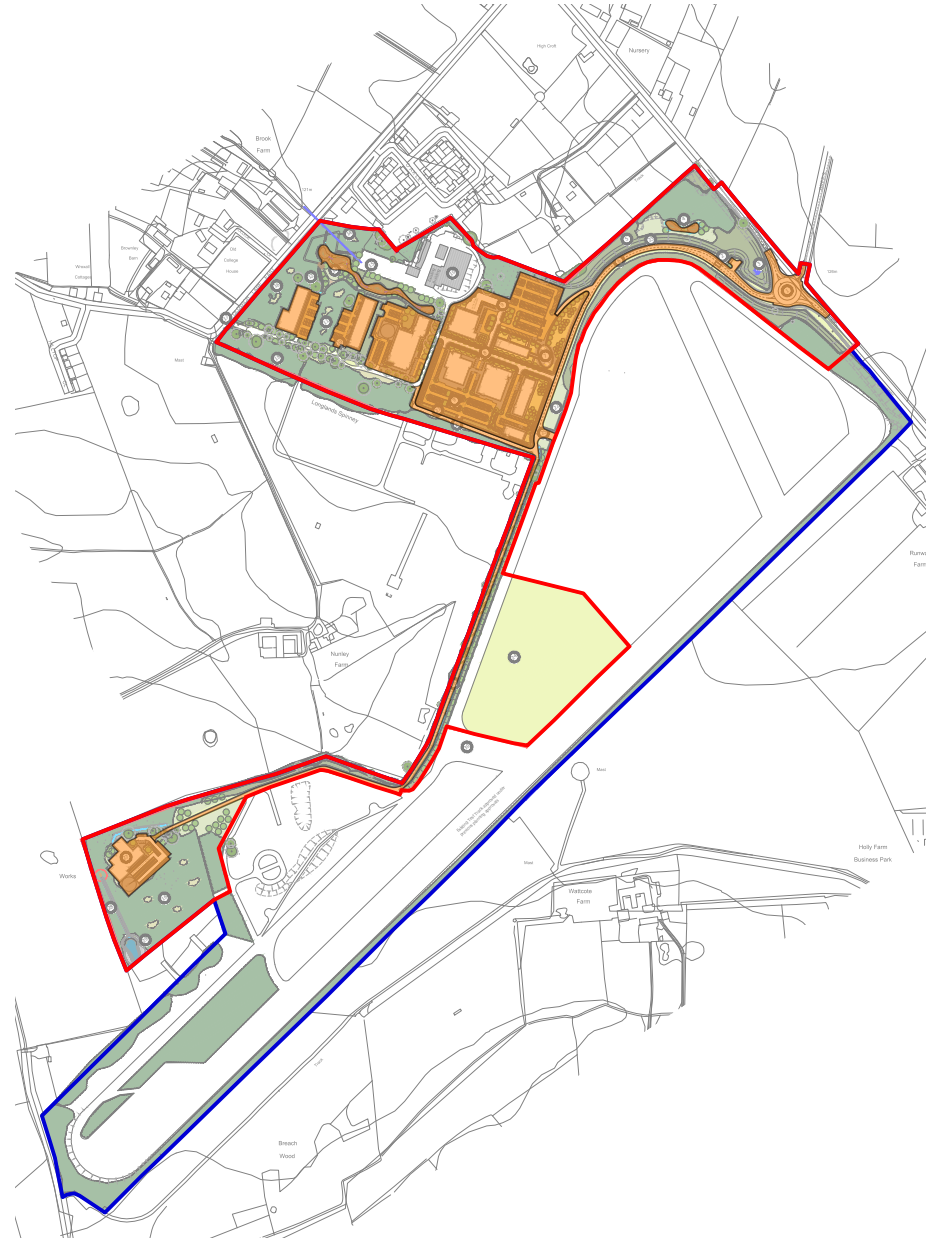
KEY

- Vehicle Operations Site Boundary (32ha)
- Land Ownership Boundary (79.8ha)
- Vehicle Operations Built on Area (18.56ha)

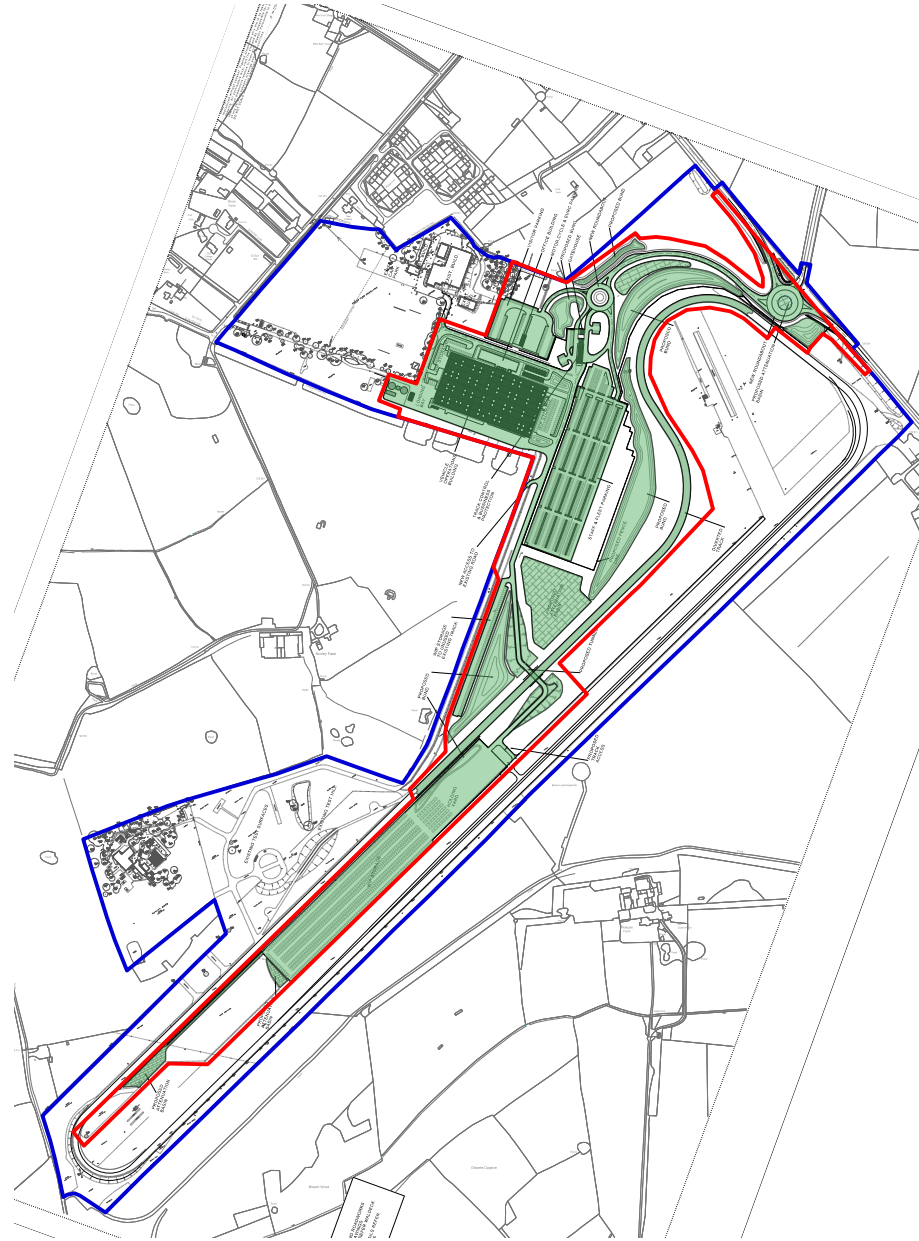
KEY

- Fulcrum Permission Built on Area (9.65ha)
 - Vehicle Operations Built on Area (18.56ha)
 - Overlapping Built on Area (4.51ha)
- 46.74% of Fulcrum built on area covered by Vehicle Operations built on area

Fulcrum Permission



Vehicle Operations



Comparative Plan



Revisions:
First Issue- 10/10/2016 AD

Fulcrum & Vehicle Operations Permissions

Fen End

Client: Jaguar Land Rover

DRWG No: **J.0146_08**

Drawn by : AD

Date: 10/10/2016

Scale: 1:10,000 @ A3

Sheet No: **2/2** REV: _

Approved by: SC

Pegasus
Environment



24 September 2009

Mr Colin Peck
Davies Arnold Cooper
6-8 Bouverie Street
London
EC4Y 8DD

Our Ref: APP/R3650/A/08/2089143
Your Ref:

Dear Sir,

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78
APPEAL BY DUNSFOLD PARK LIMITED
AT DUNSFOLD PARK, CRANLEIGH, GU6 8TB
APPLICATION: WA/2008/0788**

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, Mr A J Davison BA(Hons) LLB (Hons) MSc MBA Dip LD RIBA FRTP, who held a public local inquiry between 10 March and 3 April 2009 into your clients' appeal against a decision of Waverley Borough Council to refuse planning permission for a new settlement with residential development comprising 2,601 units made up of (i) 2,405 Use Class 3 dwellings; and (ii) 196 units of Use Class C2 residential institutions (up to a maximum of 14,000sqm); shops (Use Class A1) up to a maximum of 1,035sqm; restaurants and cafes (Use Class A3) up to a maximum of 230sqm; public house (Use Class A4) up to a maximum of 115sqm; hot food take-away (Use Class A5) up to a maximum of 115sqm; business uses including offices, and research and development industry (Use Class B1a and B1b) up to a maximum of 9,440sqm; light and general industry (Use Class B1c and B2) up to a maximum of 6,099sqm; storage and distribution (Use Class B8) up to a maximum of 7,624sqm; hotel (Use Class C1) up to a maximum of 7,015sqm; non-residential institutions including health centre, two schools, place of worship, museum and community centre (Use Class D1) up to a maximum of 9,906sqm; assembly and leisure uses including sports centre (Use Class D2) up to a maximum of 2,185sqm; monument; open space including water bodies, outdoor sports, recreational facilities and nature conservation areas; public transport routes, footpaths and cycleways; landscaping; all related infrastructure including roads, car and cycle parking, combined heat and power plant and associated equipment, water supply, telecommunications, drainage systems, waste treatment facilities and helicopter landing pad and hangar; the retention of

Department for Communities and Local Government
Christine Symes, Decision Officer
Planning Central Casework Division,
1/J1, Eland House
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Tel: 020 7944 8722
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Email: PCC@communities.gsi.gov.uk

13. The Secretary of State has taken into account the fact that the saved policies within the Surrey Structure Plan (2004) no longer form part of the development plan and he gives them no weight.
14. Other material considerations which the Secretary of State has taken into account include: Planning Policy Statement 1 (PPS1): *Delivering Sustainable Development*; Planning Policy Statement: *Planning and Climate Change* (supplement to PPS1); Planning Policy Statement: eco-towns (supplement to PPS1) (PPS - Eco-Towns); Planning Policy Statement 3 (PPS3): *Housing*; Policy Guidance note 4 (PPG4): *Industrial, Commercial Development and Small Firms*; Planning Policy Statement 7 (PPS7): *Sustainable Development in Rural Areas*; Planning Policy Guidance note 13 (PPG13): *Transport*; Circular 11/95: *Use of Conditions in Planning Permission*; and Circular 05/2005: *Planning Obligations*.
15. The Secretary of State notes that the draft PPS1 – Eco Towns formed part of the inquiry evidence and was discussed at the inquiry. The final version of the supplement was published on 16 July, after the Inspector had completed his report. Having given careful consideration to the changes between the draft and the final versions of the PPS1 supplement, the Secretary of State does not consider that any of the changes are such as to require him to refer back to parties following publication of the final version.
16. The Secretary of State has also taken into account draft PPS4: *Planning for Prosperous Economies*, published for consultation on 5 May 2009. However, as this document is still at consultation stage and may be subject to change, he affords it little weight.

Main issues

17. The Secretary of State considers that the main issues in this case are.
- a) The relationship of the proposal to the development plan;
 - b) Development in the countryside;
 - c) Sustainability;
 - d) Housing land supply;
 - e) Allocation of affordable housing;
 - f) Conditions; and
 - g) Obligation.
18. Having had regard to the Inspector's comments at IR352-354 about the fall-back position, for the reasons given in those paragraphs, the Secretary of State agrees with him that there is scope for a considerable intensification of the existing use of the site without the need for further development (IR354). The Secretary of State has also taken account of the Inspector's comments at IR355-358, and he agrees with the Inspector that the operational part of the aerodrome, including the runways and interstitial grassed areas, is previously developed land (IR358).



Report to the Secretary of State for Communities and Local Government

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an Inspector appointed by the Secretary of State
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Date 15 July 2009

REPORT ON AN APPEAL

by

DUNSFOLD PARK LIMITED

against

WAVERLEY BOROUGH COUNCIL

Inquiry opened on 10 March 2009 and closed on 3 April 2009

Dunsfold Park, Cranleigh, GU6 8TB

File Reference: APP/R3650/A/08/2089143/NWF

CONCLUSIONS

Figures in square brackets refer to paragraphs in the main body of the report.

The Main Issues

351. The main issue in the appeal is the suitability of the proposed development on this site in the context of national, regional and local planning policies governing: the principle of development in the countryside, including the impact on its character and appearance; the sustainability of the proposed development with particular regard to the transport infrastructure; the relationship between the development and the supply of housing land in the Borough; and the provision of affordable housing.

The Fall Back Position

352. Dunsfold Park has been an aerodrome since 1942 and now has the benefit of planning permission for various other uses in addition to activities directly related to aviation [101-105]. If the appeal proposals do not go ahead the status quo will be maintained [102]. The Council has said that it is in favour of continuing the present situation [190, 191, 234-236, 304].

353. Aviation activity is currently at a relatively low level, with the number of flights being well below the 5,000 annual limit. The Appellants have explained that this is due not to a lack of opportunity – they have drawn attention [101] to expressions of interest from a range of prospective tenants – but to their own reluctance to agree to long term tenancies pending the outcome of the appeal.

354. The extent to which the existing use conveys PD rights on the Appellants is a matter of dispute [103-105]. However, given the general policy backing for aviation use and in the absence of any specific proposals it is idle to speculate on what additional development might or might not be allowed. What is clear is that there is scope for a considerable intensification of the existing use without the need for further development.

Previously Developed Land

355. There are parts of the site which all parties agree are not PDL and which the Appellants are not proposing to develop. There are, however, conflicting views regarding the extent to which the rest of it should be regarded as PDL. There is no dispute that the area containing the hangars and other buildings in the north of the site constitutes PDL [98-100,193]. The Rule 6 parties maintain that this is the only PDL on the site [241, 249, 250].

356. The aerodrome has been in existence for the best part of a century and has to be considered as a whole. Many of the hangars and other buildings in the northern part of the site are actively used for aviation purposes such as the storage and repair of aircraft. There are also other buildings and structures, such as fuel storage tanks, scattered about elsewhere. All of these either were or still are associated with the aviation use.

357. The rest of the land is open [281] but that does not mean that it is undeveloped. The runways, taxi ways and perimeter road are central to the functioning of the aerodrome [100]. They are engineering structures that quite clearly constitute development.

358. The grassed areas in between the runways are functionally related to them. They provide safe run off areas for aircraft and a means of direct access to them for emergency vehicles. They are managed so as to maintain the necessary visibility for aircrew, air traffic controllers and emergency staff. They include a grass runway for aircraft that can not land on concrete. These areas are all ancillary to and essential to the established use of the site. In short, the operational part of the aerodrome, including the runways and interstitial grassed areas, is developed land.

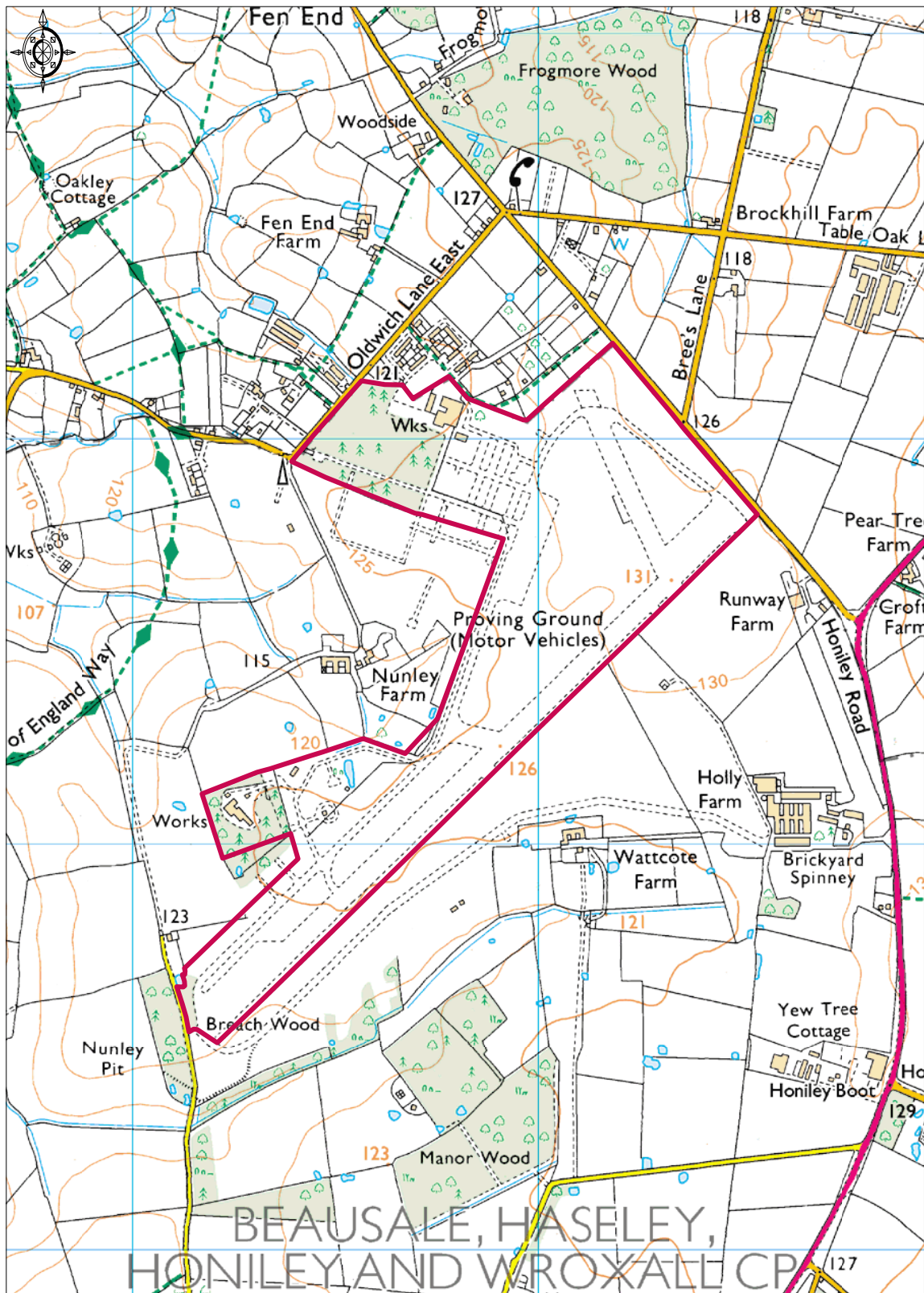
Development in the Countryside (Issue 1)

359. National and local planning policy seeks to protect the countryside for its own sake and to achieve sustainable forms of development. I shall deal with sustainability as a separate issue and shall restrict consideration under this heading to matters relating to the character and appearance of the countryside.

The Existing Situation

360. The site is set in a rural area of great character and natural beauty, close to the Surrey Hills AONB. It adjoins and is partly within an area designated as an AGLV in the Local Plan [108, 110, 152, 153, 298, 305]. Because it is surrounded by the woodland that is characteristic of the area views into and out of the site are very restricted. It can only really be appreciated in distant views from elevated vantage points in the hills and even then it is only possible to see parts of the site.
361. The airfield itself is a functional, flat and featureless stretch of mown grass and concrete. It was, quite literally, blasted out of the Surrey countryside as a wartime expedient. The hangars and other buildings associated with it have a strictly functional appearance and are of no aesthetic value. The undeveloped area, which is within the AGLV, is not accessible to the public and, being cut off from most views from outside the site, can not be appreciated by the public [107, 108, 336].
362. Although the site itself is inconspicuous the aerial activity associated with its permanent use as an aerodrome has a significant impact on the tranquillity of the surrounding area. The same applies to the commercial uses on the site, which have involved the manufacture and testing of military aircraft and, more recently the maintenance and repair of passenger jets as well as noisy activities such as making of BBC "Top Gear" and the testing of high performance McClaren Mercedes cars.
363. Particular concern has been expressed about the impact that the development would have on views from the Surrey Hills AONB [212, 257, 259]. The viewpoints in question are a considerable distance away [112]. The nearest, Hascombe Hill, is 2.5km distant. From these vantage points very little can be seen of the existing buildings and the most prominent feature is a Boeing 747 permanently parked on the runway. The village would feature in these views [112] but it does not follow that it would be obtrusive. For practical reasons, airfields are usually sited in the countryside but they and their associated activities and structures are hardly traditional features of the rural scene. In contrast, the sight of a distant village is something to be expected in a panoramic view of the English countryside [113].

The former Honiley Airfield, Oldwiche Lane East, Wroxall, Kenilworth
Suggested Amendment to Green Belt Boundary



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