

**Response by NWBC on the Matters, Issues and Questions**

**Matter 9, Allocations and supply of land for development requirements**

**9.1 NWBC11 gives completions since 2011 as 1,272 homes (superseding table 7 of the plan as submitted [CD0/1]). Table 7 of the plan gives remaining capacity on sites with planning permission as 1,135 homes. Are those figures current and are they supported by suitably detailed evidence?**

9.1. The figures are correct for the year 2016/17. The monitoring process will, inevitably need to update these figures as time and development progress. The evidence is provided through the Borough Council's Five Year Land Supply Report, the latest of which is dated March 2018 (CD8/13B) and relates to the 2017/18 housing figures and an update on completion figures is included in the report's Table in Appendix A on page 9 of that paper. The report provides detailed, site specific information on planning consents, capacity, completions, expiries and windfalls, which the Council consider sufficient, suitable, detailed evidence of the figures. The Council will provide an updated Table 7.

**9.2 With reference to NWBC18 and policy LP8 subject to MM45, MM46, MM47 [NWBC20A], is an anticipated annual contribution of 60 dwellings a year from windfall development robust with reference to NPPF2012 paragraph 48?**

9.2.1 The Borough Council believes the evidence it has prepared indicates that a windfall allowance should be included in the 5 year housing land supply because of the compelling evidence it has produced. The calculation has changed but the outcome is the same proving that the allowance should be included. See the Council's 'NWBC18 Additional Note on Windfalls October 2018' for further evidence.

**9.3 With reference to CD8/13B and PS.M8.01 are allocation yields and delivery trajectories justified and robust, including over the next five years? (noting some inevitable overlap with strategic matters 7 and 8)**

9.3.1 The Council consider these allocation yields and delivery trajectories are justified and robust. However, inevitably as the plan examination progresses there are

changes to the supply. Therefore a revised trajectory is being prepared to update the information site by site.

**9.4 Has the comparative assessment of sites resulting in those included for allocation in the plan been undertaken in a proportionate and consistent manner? (with particular regard to the SHLAA [CD8/17] and SA for site allocations, section 2 in particular [CD3/1]).**

- 9.4.1 The Borough Council believes it has. The SHLAA October 2016 and 2017 Addendum (CD8/17) call for sites were undertaken on a “policy neutral” basis and all sites assessed on the same criterion basis (Appendix 2 to CD8/17). The scope and methodology was undertaken under the aegis of the Method Statement for the planning authorities in Coventry and Warwickshire Strategic Housing Land Availability Assessments (Appendix 1 to CD8/17 and individually in document CD8/16) ensuring consistency of approach across local authority boundaries and helping compliance with Duty to Co-Operate. A “traffic light” scoring approach used indicated sites availability and deliverability over a 5yr, 10yr or longer period. Nevertheless, some sites indicated as “Amber/Red” in the SHLAA were assessed as unlikely to come forward within 10 years. However, some of these sites have been allocated in the Local Plan and have had planning applications submitted much earlier than expected (See site info in CD8/13B – Five Years land supply Mar 2018), and reflect the Council’s commitment to delivery of sites. For example:
1. Site H19 at Hartshill (application ref: PAP/2018/0140), noted as PB212 in the SHLAA (CD8/17);
  2. SHLAA site PB003 -Power station ‘B’ Site now granted consent and under construction (application ref: PAP/2016/0399);
  3. SHLAA site PB064 at Robey’s Lane, allocation reference H13 now with planning application in progress (application ref: PAP/2018/0755 ); and,
  4. SHLAA Sites PB017, 227 & 228 which have been granted planning consent subject to the signing of a S106 obligation/agreement (PAP/2014/0540 & 0542).
- 9.4.2 The SHLAA sites and assessment methodology also is consistent with, includes and reflects some earlier sites identified in the SHLAA for the Site Allocations Plan in 2013.

9.4.3 The Council consider the SA for site allocations (CD23/1) was also undertaken in a proportionate and consistent manner, covering all sites subsequently identified either as Site Allocations or appropriate Reasonable Alternatives, which were assessed using the same 20 SA Objectives, some of which do have an element of cross over with the criterion scoring used in the SHLAA process such as proximity to public transport services/routes and designated settlements or access to services. The SA on Site Allocations is also consistent with the later assessment and methodology in the Sustainability Appraisal of Site Allocations in the Submission Local Plan (CD1/2), with the updating of relevant SA objectives the only minor change in assessment and scoring of sites. This latter document and its appendices also address/cover the reasonable alternatives. The relevant documents assessing available sites provide the level of detail and consistency of approach and include; CD1/2 Sustainability Appraisal Main Report & Appendices (Regulation 19), and CD3/1 Sustainability Appraisal for the Draft Site Allocations Plan.

**(a) If any allocations have been brought forward from former plans, have they been assessed afresh?**

9.4.3 Yes. Some sites have been carried forward in whole or as integral parts of new larger site allocation areas. This includes the following sites;

1. The employment site at Holly Lane, Site allocation policy E1, was brought forward from the Site Allocations Plan and has been subject to fresh assessments in the Employment Land review CD8/6 and the Plan Sustainability Appraisal CD1/2 (pg. 746 in Appendices to CD1/2) and also other assessments such as the HEA (CD8/11 page 27, 'Employment Area 1' Table 2).
- 2.H1, Land at Holly Lane Atherstone,
3. H4 Former Leisure Centre site Coleshill,
4. H5, Land at Blythways,
- 5.H7, Land to east of Polesworth and Dordon, (part). The southern and northern parts only were allocated in the Site Allocations Plan,
- 6.H10 Former Polesworth Learning Centre, High St, Polesworth, (part) This originally only covered the older Victorian school and car park,
7. H11, Land at Windy Ridge Dunns Lane, Dordon,

8. H12, Former Chapel House site, Dordon and
9. H15, Land at Church Farm, Baddesley
10. H16, Land north of Grendon Community Hall (former Youth Centre)  
Boot Hill, Grendon,
11. H17, Land off Spon Lane Grendon (former Sparrowdale School site  
and former recycling centre site,
12. H19, Land between Church Rd and Nuneaton Rd, Hartshill,
13. H22, Land at Village Farm, Birmingham Road (part), part site has consent and  
completed,
14. H24, Manor Farm,
15. H25, Land south of Shuttington Village Hall,
16. H26, Land north of Orton Rd, )part( southern quarter adjoining Orton Rd, and
17. H28, Land south of Islington Farm, r/o 115 Tamworth Rd (part), part site has  
consent.

All former Site Allocation sites carried forward have been assessed afresh in the Plan Sustainability Appraisal and Appendices, CD1/2 and the HEA CD8/11 & CD8/12 and Archaeological Assessments CD8/21 and the STA, for the sites off the A5, B5000 and in Hartshill/Ansley Common, indicated in Tables 4 to 6 and Figure 2 of the STA, CD8/18A. All sites and former allocations that were carried over (or resubmitted at the SHLAA Call for sites) were re-assessed in both the SHLAA and the SA assessments for the Submission Local Plan, some of which have already been noted in the paragraphs 9.4.1.

**9.5 Local Plan paragraph 8.4 and policy LP7 indicates that the residential density of development should be at least 30 dwellings per hectare ('dph'). The average density for site allocations, excluding H23 Austrey, based on policy LP39 appears to be around 20.5 dph. The lowest densities at allocations H7, H18 and H19 are between 12 and 14 dph. Is the plan's approach to density appropriate?**

- 9.5.1 The Borough Council has used a density requirement of 30 dwellings per hectare on all sites. However it has used a net developable area. This means that on the largest sites over 150 dwellings a 60% of net developable area is applied, then 70% on sites of 150 dwellings or less. This is applied differently where allocated sites have or had current planning applications pending or approved already and which

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provided a clear figure for monitoring and delivery purposes. There are exceptions such as the land east of Polesworth and Dordon, which should also be noted, where a part of the 160ha site was deducted before this calculation was made, as noted below;

<b>H7 Gross Site Area</b>	<b>160.8 ha</b>
Gross Area minus the following areas to remain undeveloped.	
Hollies Wood LWS and Ancient Woodland	7.5ha
Old Orchard Woodland LWS	13.82ha
Orchard tip Spoil Heap LWS	5.98ha
Open space around Hoo Hill and the Obelisk	5 ha (1 <sup>st</sup> option), or
Open space around Hoo Hill and the Obelisk and buffer zones around historic assets	10 ha (2 <sup>nd</sup> option)
<b>TOTAL AREA</b> – remaining developable area	Between 123.5 (option 1) and 128.5ha (2 <sup>nd</sup> option)
<b>Total no of units - developable area at 30dph x 60% net</b>	Approximately 2215 (option 1) to 2300 units(option 2)

9.5.2 Applying a 30dpa figure at 60% net would deliver around approximately 2215 to 2300 units, providing some additional flexibility for provision of on-site infrastructure needs (schools, relief road, heritage setting and natural assets buffer zones) while addressing the 2000 unit minimum the site is expected/programmed to deliver. The Borough Council will produce a full table that shows the list of allocated sites, gross site areas, net site areas, density assumption and number of units expected, including where these are reflecting planning applications/consents.

9.5.3 Similarly site H19 at Hartshill includes significant land within the site area, including the Snow Hill Wood LWS and the grounds and buildings of the secondary school. Both these areas were included within the site to enable directing/focusing S106 contributions or requirements upon the need for rebuild/replacement or refurbishment of the secondary school and physical management and environmental improvements to Snow Hill Wood LWS. If the school grounds and Snow Hill Wood are taken out of the site area (as these parts of the site were never intended to accommodate housing development) the remaining site area is approximately 20.7ha, which would achieve 373 dwellings at 30dph and, to reflect its location between urban areas, we have sought a slightly higher figure of 400

units. The subsequent planning application (PAP/2018/0140) received has proposed 382 dwellings (plus small retail store) on part of the allocated site.

- 9.5.4 Many sites that are coming forward for development have a net density of around 34 dwellings per hectare, which will be identified in the table referred to in paragraph 9.5.2. The Borough Council has again allowed some flexibility within the figures in order to take account of any unforeseen circumstances or if land takes for services and facilities are greater than expected. All housing numbers are considered to be the minimum that the site would see developed.

**9.6 There are several existing employment sites referred to throughout the plan, the history or status of which is not readily identifiable. Local Plan table 8 indicates that since 2011 completions have amounted to 3.22 hectares of some form of employment land, and that extant permissions amount to around 31.58 hectares. However those figures do not readily tally with those in policy LP40 or in NWBC21. Are the figures in respect of employment land delivery and extant consents current and supported by appropriate evidence?**

- 9.6.1 The figures 3.22 ha and 31.58 ha reflect sites with extant planning consents, not employment site allocations for which applications are yet to be submitted, which is the basis for Policy LP40. Tables 1 to 5 in NWBC 12 reflect past completions of planning applications since 2011 and the figures come from the Council's site by site monitoring which feeds into the Regional Employment. Table 6 identifies those new site allocations for employment land that (at that point in time) had yet to receive planning applications. The figures in LP40 and Table 8 of the submission local plan are not directly related. Table 8 identifies the remaining employment land requirement over the Plan period, once the extant planning consents and site completions (from previous planning consents) have been subtracted from the overall requirement. Policy LP40 shows those new sites, which do not have planning consent, that are being allocated in the Plan to address that shortfall, along with any additional capacity incorporated into the new sites to address the wider than local requirements and support the Government's positive pro-growth economic strategy and the need to diversify the Council's employment base and maximise opportunities offered by the presence of MIRA.

9.6.2 The details of the individual sites with planning consents that inform the 3.22 ha figure are available to view in the attached table Appendix 1. This table clearly identifies the sites but, in addition, the table clearly shows the site delivery on the all employment sites, over the same time period. The total figure provided in the table shows 3.22ha (Column C) of local site and employment delivery plus 145.26 ha of delivery (Columns A, B & D) on the regional logistics sites (including the former Baddesley Colliery site) providing a total over the 2011 to 2016 period of 148.48 ha of employment land, clearly evidencing that the Borough is delivering and addressing both local employment and regional employment needs.

9.6.3 This also indicates the Borough is addressing the Government's Growth agenda and seeking to accommodate and enable larger than local growth while focusing it on the needs and aspiration to broaden the Borough's employment base, maximise the benefit and opportunity the presence of MIRA provides. This approach provides a more resilient and future focussed flexible employment land supply and delivery that does not concentrate solely on one specific identified planning use, or try to accommodate short term market demands for specific uses in the absence of clear direction on the scale and most appropriate location for such uses (wider than simply this Borough alone). To focus solely on one specific employment use over all others, as in the case of B8 logistics currently being promoted, does not adequately reflect on the delivery the Borough has already made in past years for such demands or reflect on the future risks from the application of automation on operations and processes in the logistics industry, identified in document AD15 on automation, to employment in the Borough. Notwithstanding the benefits in economic growth and jobs those sites/uses have provided the Borough and the businesses/operations (delivering those sites) have also benefited from, this issue is considered of significant concern to the Borough's future employment choice/opportunities, availability and diversity.

**9.7 With reference to objective 1 of the Local Plan in particular, which seeks to ensure the effective re-use of brownfield land, which allocations are wholly or partially previously developed land?**

9.7.1 There are few significant brown field opportunities still potentially available within the Borough. The two main brownfield opportunities that existed, Hams Hall Power

station site and the Birch Coppice former mine and associated operations in Dordon have already been redeveloped for employment uses and also expanded into green field land significantly in the latter case. The other potential brown field sites are noted in the SHLAA (CD8/17). The SHLAA notes submitted sites status in terms of previously developed (pdl) or green field, and assesses the potential capacity pdl sites could achieve. However, it is noted that a significant element of the pdl sites identified lie within open countryside and Green Belt locations, limiting their sustainability and potential without conflicting with national green belt policy, particularly in view of the availability of sites submitted outside of the Green Belt. There are some parts of the allocated sites that include elements of brownfield land, such as the old Depot on site H7, Land to east of Polesworth and Dordon, and many sites include existing dwellings or other structures that would qualify as pdl in isolation. However the majority are green field (in whole or in part). The only wholly pdl sites in the Plan are;

1. H4 Former Leisure Centre site, Coleshill, now has planning consent, PAP/2018/0030,
2. H17 Land off Spon Lane Grendon (former Sparrowdale School site and former recycling centre site, including playing areas which have passed the statutory 10 yr requirements for exclusion from development). Planning consent has been granted subject to signing a S106 agreement - PAP/2018/0287

- 9.7.2 The Council would also refer the Inspector to the Borough's Brown Field Register at;  
[https://www.northwarks.gov.uk/info/20027/development\\_control/1088/self\\_custom\\_build\\_and\\_brownfield\\_land\\_register](https://www.northwarks.gov.uk/info/20027/development_control/1088/self_custom_build_and_brownfield_land_register)

**9.8 Are the categorisations of settlements in policy LP2 appropriate with regard to the updated Settlement Sustainability Appraisal ('SSA')[CD6/3C]?**

**(a) Is there a conflict between bullets 3 and 4 which seek to ensure separation and connectivity respectively with peripheral settlements?**

- 9.8.1 The Council consider the categorisations of settlements in policy LP2 appropriate and justified by the updated Settlement Sustainability Appraisal ('SSA')[CD6/3C]. The differences in scoring between the updated and original Settlement Sustainability Appraisals are not considered significant enough to warrant major

change to the settlement hierarchy or the positions of the various settlements within that hierarchy. Where settlement scores have reduced as a result of loss of services it is considered reasonable and appropriate to maintain the settlements position in the hierarchy (e.g. where previously identified as Category 4 settlements) to both maintain the viability and health of these settlements through enabling new development to support remaining services (such as education, community services and retail or pubs etc..) and provide sufficient capacity to justify and/or enable the replacement or alternative provision of lost services and facilities. See paragraph 6.6 in CD6/3C.

9.8.2 I would refer the Inspector to Main modification MM23, and Appendix A of NWBC20A. This seeks to amend the Policy LP2 to make it clearer and may address the perception of conflict between bullets 3 and 4. The issue of separation applies primarily to the character of North Warwickshire and the aim to avoid identified settlements within North Warwickshire being absorbed into larger, urban settlements outside the Borough Boundary, losing that distinctiveness and separation between the settlements.

9.8.3 Connectivity relates specifically to ensuring that any development permitted on land adjoining settlements outside the Borough retain adequate links (vehicular, pedestrian cycling) to settlements within North Warwickshire, avoiding any separation from or isolation from North Warwickshire. These sites outlook and focus must not be entirely directed outside of the Borough, particularly as service and infrastructure responsibilities will fall primarily onto the Borough and County Council.

**(b) Should certain 'category 5' settlements be re-assigned based on their current scoring in CD6/3C?**

9.8.4 The Council do not currently consider any of the Category 5 settlements should be re-assigned primarily as most of the settlements affected are currently "washed over" by Green Belt, are small isolated settlements in open countryside and/or suffer from a dispersed and fragmented structure with no, or dispersed services and facilities, making it difficult to define a clear area and development boundary upon which to focus any settlement category. The scale of land that would be necessary

to remove from the Green Belt or open countryside would potentially be significant and difficult to justify on very special circumstances in view of the level of land available outside the Green Belt. See para 6.5 in CD6/3C.

- 9.8.5 Where some Category 4 settlements have lost services and their reduced scoring falls below some current category 5 settlements it should be noted that these Category 4 settlements lie either outside the Green Belt or have current development boundaries excluding their built area from the Green Belt. The Council would not seek to downgrade these settlements but support them to retain services by accommodating some growth and perhaps enable re-instatement or new services to be created. The difficulty remains that smaller category 5 settlements washed over by the Green Belt but scoring slightly better the Category 4 settlements noted above, would struggle to establish the very special circumstances required when viewed strategically given the availability of land outside the Green Belt that could accommodate additional housing development. The Council would invite the Inspector to visit the settlements affected to better appreciate these circumstances including the settlements as follows; Astley, Corley, Corley Moor/Ash, Furnace End, Maxstoke, Over Whitacre, Nether Whitacre, Lea Marston and Middleton, No Mans Heath, Seckington and Wishaw.

**(c) Proportionately, are allocations aligned with the scale and function of settlements? If not, is there compelling justification for that? NB. This question will also fall to discussions on individual sites as necessary.**

- 9.8.6 The Borough Council believe the allocations are aligned with the scale and function of settlements. The primary focus of the larger strategic sites is directed towards the category 1, 2 and 3 settlements (as submitted), all identified as providing a significant range of services and facilities or related to urban settlements and areas outside the Borough with a significant range and scale of services and infrastructure. In purely numbers and percentage terms the Category 1 settlements have 59% of development targeted towards them, Category 2 (Major settlements adjacent the Borough boundary) have 20.7%, Category 3 Local Service Centres have 16.6% and category 4 settlements have 3.7%, which reflects the Local Plan strategy so that *“development will take place in accordance to the size of the settlement taken, with its range of services and facilities and is influenced by*

*considering if the settlement is in or outside of the Green Belt. This will mean that the majority of development will take place in the larger settlements, with more limited development in the smaller rural settlements and in particular those not in the Green Belt.”* (Paragraph 7.2). Inevitably some settlements may have more development identified due to the large availability of land put forward through the SHLAA process and their location outside of the Green Belt. But the Council consider the scale and spread of sites proposed complies with and reflects the Plan strategy.

**(d) Is there a tension between LP paragraph 2.22 which, in a similar vein to NPPF2012 paragraphs 28 and 54, indicates that settlements without a development boundary should be able to grow organically, and the restrictions of policy LP2 in respect of category 5?**

9.8.7 The Council see no real tension between the Local Plan and the NPPF2012 paragraphs and would refer to our earlier response in 9.8.4. Both the Plan and the NPPF should be read as a whole and other policies and guidance within those documents clarifies the circumstances where development can be accommodated and encouraged, and where it should be resisted and discouraged, including National Green Belt policies, which would apply to and affect the ability of settlements without a development boundary and within the Green Belt to be able to grow organically. Nevertheless, it should be stressed that although the Plan is aware of the more restrictive circumstances the NPPF creates, it also reflects the NPPF, enabling “appropriate” development through exceptions, including brownfield redevelopment, affordable housing exceptions proposals as guided by the NPPF, through farm diversification and appropriate conversion and Green Belt Infill boundaries. Also the current permitted development rights being extended by the Government to commercial and certain agricultural buildings and sites also enable rural development in the countryside and rural settlements without development boundaries.

9.8.8 There may be the potential for clarifying the scope of restrictions applying to established lawful commercial development already within the countryside and modifications to LP11 proposed in the Council’s matter 10 paper. Changes are also suggested to the wording of LP2 and category 5 development. Nevertheless, the scale of development likely to be enabled by category 5 is limited and will support

the aims of Local Plan paragraph 2.2 in helping retain the rural open character of the Borough, while still accommodating the NPPF aims of supporting a rural economy and appropriately located rural businesses and housing exceptions for affordable housing, agricultural, forestry or other rural businesses.

**9.9 Do allocations for housing and employment, were they to be subject to MM9 and MM39 [NWBC20A], contain sufficient flexibility or contingency for future change and to ensure delivery in line with forecasts?**

- 9.9.1 Notwithstanding the additional flexibility that MM9 may bring in enabling an early review of the Plan to react to significant changes in housing and employment needs the Council considers the allocations within the Plan provide sufficient flexibility and contingency to accommodate future change and to ensure delivery in line with forecasts. This is reflected in housing figures being taken as “minimum”, through applying a conservative 60% net delivery to strategic sites and 70% to most other major sites while still excluding significant parts of these sites from development where they are affected by natural (Local Wildlife Sites, Ancient Woodlands) or physical (flooding areas/zones) constraints while also applying a fairly conservative 30 dwellings per hectare density. On smaller than strategic sites it is often seen that a 34 dwellings per hectare delivery is achievable but to help reflect the significant need for infrastructure and services many of the sites will require (and which are identified in the IDP – CD0/4) using 30dph helps provide the flexibility for land take and also helps justify that the delivery of said infrastructure and services which is identified as viable on the numbers proposed in the Council’s update and review of Plan viability in documents NWBC13 and 14. Where the potential of additional numbers of units per hectare are possible helps support the ability and flexibility of those sites to accommodate change, ensure delivery in line with forecasts and maintain viability while still being able to deliver the required and identified levels of infrastructure and services necessary for the sites, communities and sustainability of the Plan and its aspirations/ambitions.
- 9.9.2 In addition, the level of employment land allocated provides significantly more than simply for local needs, (see Policy LP40) being the higher requirement reflecting a balance of employment land with the increased housing being accommodated from

shortfalls in adjoining authorities, reflecting the Governments strategies for economic growth, particularly in Science and Technology and through planning for growth. The suggestions in MM39 are primarily focussed on a limited sector of the employment market and Borough area, primarily logistics and the M42 corridor and not considered necessarily relevant to or appropriate for the wider employment needs which the Plan is focussing on. The flexibility it provides for is for market demand and is not planning led. This could create a situation amounting to pre-determination where the lack of land supplies locally within the Borough for the specific large scale use generates competing applications that have no need to consider the wider regional and sub regional land availability, allocations or site supply via consents outside the Borough boundary or wider Green Belt implications.

- 9.9.3 The Plan provides further flexibilities and contingencies through the identification of significant “Reserve Sites”, RH1 and RH2 in ‘New Policy LP39 (a)’ that provides for an additional potential 748 dwellings that could be brought forward sooner if circumstances delay delivery of other sites and if there is a need to maintain supply against the annual target of 264 per annum.

**9.10 Is there a rationale for referencing certain Local Plan requirements inconsistently, such as provision of Sustainable Urban Drainage Systems in certain allocations but not others? Is there a rationale for setting only certain allocations as a minimum number? Should a consistent size threshold be set for terming a site ‘strategic’ or requiring that masterplans are prepared?**

- 9.10.1 Sustainable Urban Drainage Systems (SUDs) are referred to in certain allocations but not others because it simply highlights these particular sites sensitivity to this issue (due to location or known site issues) and it is to re-inforce the need to address drainage issues and concerns in a sustainable way. It should be noted that Plan’s policies, LP32 on Built Form in its ‘Development Principles’ and LP35 on Water Management both address drainage issues and the need for Sustainable Urban Drainage Systems and these policies apply to all site allocations. It should be stressed and re-iterated that the Plan should be “read as a whole” and site allocations should not be considered as stand-alone policies with little or no relationship or connectivity with the rest of the plan.

**Atherstone with Mancetter**

**9.11 Allocation H1, Holly Lane**

**(a) Is the allocation consistent with the approach in the Mancetter Neighbourhood Plan (adopted September 2017)?**

9.11.1 The site of H1 lies in the parish of Atherstone and so lies outside of the parish of Mancetter. The Mancetter Neighbourhood Plan therefore would only be relevant to the eastern and southern part of the Atherstone and Mancetter development boundary.

**(b) As with other substantial allocations, should the allocation refer specifically to other associated uses rather than housing alone?**

9.11.2 Policy H1 does not refer specifically to housing alone. The policy refers to “Development”, a term which covers wider than simply “housing”. The Master plan requirements include a range of other uses from health and education facilities and services to green infrastructure. Further detail is not considered necessary as the site is still also governed by the other Development Management policy requirements in the Plan such as LP24 on ‘Recreation Provision’. The allocation reflects a planning application that the Borough Council has now minded to support subject to the signing of a S106 (ref: PAP/2014/0542). The S106 has been agreed and it includes the following provisions and Heads of Terms:

- a) Education contribution,
- b) Health Contribution,
- c) Pedestrian and Cycling Infrastructure Improvements between the existing public transport facilities and Atherstone Town Centre,
- d) Public Transport contribution,
- e) Affordable Housing Provision (being 40% of the total of the site and being a mix to be agreed by the Borough Council. The Agreement is to include a second option of gifted units to the Borough Council to be investigated further),
- f) Open space and recreation contributions, including a ‘Maintenance of the On-Site Public Open Space contribution’.

**(c) Would the scheme be suitable with regards to its effects on Royal Meadow and the Innage Brook?**

9.11.3 The Council considers the scheme would be suitable with regards to its effects on Royal Meadow and the Innage Brook. The current application for the site addressed this issue through a Consultant's Report, commissioned by the Borough Council to review the information submitted as part of planning applications affecting the Innage Brook and other watercourses, or flood zones (FZ). The conclusions of the Report were that the strategy for the application and site was technically sound and sufficient to confirm the acceptability of the scheme. The strategy demonstrated there is scope to adequately manage surface water at the site and to not increase flood risk to the site itself or locations elsewhere.

9.11.4 Subsequently, further work undertaken by Consultants on behalf of the Council to address future climate change concerns raised by the Environment Agency on the Local Plan allocation (irrespective of earlier decisions and studies/reports undertaken) also addresses the impacts on Royal Meadow and the Innage Brook. This work is not expected to be available until the end of March and the Council is working with the EA on the approach for the affected sites. Suggestions have been made by the Council's consultants but the Council would prefer to wait until the details of the approach to be taken has been agreed and confirmed with the EA.

**(d) The final sentence of allocation policy H1 sets out that development should 'enable and not prevent access opportunities and routes to further potential land to the west.'. Is that a reference to allocation H2? Are allocations and H1 sufficiently closely related that they should be masterplanned collectively?**

9.11.5 The Council can confirm this is a text reference to allocation H2, which is in the same landownership as H1. The text references reflect the fact that site H1 has already undergone an outline planning application (ref: PAP/2014/0542) and a detailed application on the southern part of the site (PAP/2014/0540), both granted consent subject to the final agreement and signing of a S106 agreement and which the owner is actively seeking to develop. The two sites are closely related (within same current landownership) and the layout of any subsequent ARM application

needs to take the adjoining allocation, relationship to existing development and accessibility into account. However, in view of the current decision and S106 negotiations it is expected that site H1 will come forward sooner than site H2 and the Council are reluctant to either delay potential delivery of H1 through requiring additional work to be undertaken or prevent/discourage the marketing of the site once the decision note is issued. Nevertheless, this does not prevent the current landowner from undertaking a Master Plan approach to include sites if they so wish.

**9.12 Allocation H2, Whittington Lane**

**(a) What is the significance of the phrase ‘allocated for future growth’ in the policy?**

9.12.1 There is no particular significance to be inferred by the statement ‘allocated for future growth’. It simply refers to the future growth of the town through the development as allocated in the Local Plan and that the majority of the development will come forward later in the plan period. The Borough Council is happy to clarify this text to make the reference more specific to the Plan and its site allocations. A modification of the Site Policy text in H2 from the phrase ‘future growth’ to ‘to meet identified housing needs’ is suggested and supported by the Council.

<i>Chapter</i>	<i>Para</i>	<i>Proposed Modification</i>	<i>Main Mod or Additional Mod</i>	<i>Reason</i>
14	Site Allocation Policy H2	Amend 1 <sup>st</sup> sentence: “Some 71.2 hectares to the north-west of Atherstone is allocated <del>for future growth</del> <u>to meet identified housing needs..</u> ”	<i>Main mod</i>	<i>Clarification</i>

**(b) Are the masterplanning requirements in Local Plan paragraph 14.23, 14.14, (and for allocation H7) consistent?**

9.12.2 The Council consider the requirements in Local Plan paragraph 14.23, 14.14 are consistent and reasonable and reflected in the Policy text for H2 and H7. The aim of this approach is the same for all the policies including this requirement. Both sites are the main strategic sites allocated for development in the plan and need careful Masterplanning to both ensure delivery and identify the service infrastructure needs

of the sites in consultation with the communities affected. The Council is happy to consider a more consistent form of wording that covers the need for Master Planning, Concept Plans and Design Briefs as sought by the relevant policies, if this is felt necessary.

**(c) Is there suitable evidence to indicate the effects of the allocation on heritage assets and their setting, in particularly the incorporation of listed buildings at Whittington into a service centre?**

9.12.3 Following the publication of the additional Historic Environment assessments undertaken by the Council (AD1) to address concerns over historic asset settings, it is considered the effects of the allocation on heritage assets and their setting have been assessed and any resulting recommendations incorporated into the Site Allocation policy H2 (and others) Main modifications in agreement with Historic England (AD1A).

**(d) Notwithstanding discussions on matter 7 and 10, as with other allocations are criteria 2 and 3 sufficiently precise so as to secure appropriate infrastructure provision?**

9.12.4 The basis for criteria 2 and 3 requiring (2) health services and facilities in terms of land and financial contribution; and (3) education facilities in terms of land and financial contribution have been established in full consultation with the County Council education service and Health agencies and providers (Local Estates forum, formed with representatives from the CCG, Public Health (WCC), GP practices and George Elliot Hospital). The resulting site specific requirements arising as a result of the consultation and assessments undertaken are fed into and reflected in the IDP for the Plan (CD0/4). These are also indicated in the Statement of Common Ground on Education Needs and Infrastructure made between the Council and the County education authority (AD31). The detail in the table included within the IDP and SoCG indicate the specific requirements the site will need to address in education infrastructure terms and has been fed into the viability assessment of the Plan's strategic sites, see document NWBC13, and are considered sufficient to secure the appropriate, identified, infrastructure provision. However, this level of specific detail is considered unnecessary for the Policy. Applying a too prescriptive detailed

approach would not enable demographic changes or service and facility changes to be addressed and assessed at the point of a planning application. The current wording is considered sufficiently precise so as to secure appropriate infrastructure provision when read in conjunction with the IDP and through assessment and consideration at the point in time an application is received.

**(e) What effect would allocations H1 and H2 have on local character and distinctiveness?**

9.12.5 The impact on local character and distinctiveness will be a significant element the Master Plans for the site will be expected to address. In addition, the policies LP31 “Development Considerations” and LP32 on Built Form also require development proposals to respect and reflect the existing pattern, character and appearance of its setting. Local design detail and characteristics should therefore be reflected within the development.

**9.13 Allocation H3, Sheepy Road**

**(a) Have alternative provision and improvements to sports and leisure facilities referred to in that policy been established in line with Local Plan policy 23 ‘Loss of services and facilities’ and NPPF2012 paragraph 74?30**

9.13.1 Alternative provision for the potential loss of the football ground have not yet been identified. The site is identified for delivery in the latter part of the plan to enable alternative provision to be sought, identified and finalised prior to redevelopment of the site. As a result of further work on the EA it is expected that a change to the wording for the allocation will be required.

**(b) Is the requirement for a Strategic Flood Risk Assessment Level 2 in line with NPPF2012 paragraph 102? If the site is more vulnerable to flooding, is its allocation justified with reference to the sequential and exception tests?**

9.13.2 The site is impacted in part of its area by flood zones 2 and 3. However, the sites situation is assessed in the sequential test report and further work on an SFRA level 3 to identify the developable areas and restrict built development to outside the areas of highest risk. Subsequently, further work has been undertaken by

Consultants on behalf of the Council to address future climate change concerns raised by the Environment Agency on the Local Plan allocation (irrespective of earlier decisions and studies/reports undertaken). This work is not expected to be available until the end of March and the Council is working with the EA on the approach for the affected sites. Suggestions have been made by the Council's consultants but the Council would prefer to wait until the details of the approach to be taken has been agreed and confirmed with the EA.

**(c) Is the delivery trajectory clearly enumerated and realistic?**

**Suggested Modification:**

9.13.3 As noted in 9.13.2 above further work has been undertaken by Consultants on behalf of the Council to address future climate change concerns raised by the Environment Agency. It is expected that some development would be possible over the Plan period but the Council would prefer to wait until the details of the approach to be taken has been agreed and confirmed with the EA at the end of March before this can be confirmed.

**9.14 Allocation E1, Holly Lane**

**(a) Is the reference in paragraph 14.25 to the site representing a 'long term employment site subject to single user restrictions' consistent with the provisions of allocation policy E1 and appropriate in planning terms?32**

9.14.1 The reference to the site representing a 'long term employment site subject to single user restrictions' is considered consistent with Policy E1 as it simply reflects the particular circumstances and situation applying to this site. The site is within the ownership of Aldi and, in previous discussions, the landowner has always indicated its intention for the site to service and deliver their long term regional and national growth needs, in partnership with the adjoining national distribution centre and head office off Holly Lane. This is currently reflected in planning application submitted by Aldi, reference PAP/2018/0159, for "*Class B8 warehousing and distribution space (comprising cold handling, chiller and freezer areas), Class B1 (a) offices and multi-storey car park and other car parking, together with landscaping and other associated works. Outline planning permission sought (with all matters reserved for*

*future approval except for access) for additional B1 (a) office space” In the event the site does not come forward to address Aldi’s commercial, logistics and office needs the site policy E1 allows the site “to be safeguarded as a long term employment site for smaller scale, mixed B1 and B2 uses appropriate to the location reflecting the proximity with existing residential development to the north and accessed off Holly Lane and/or Abeles Way”, thereby providing employment land to address the local employment requirement/needs identified.*

**(b) Being ‘safeguarded’ as a long term employment site, when is delivery intended? Should the site contribute towards anticipated delivery relative to employment requirements in Local Plan policy LP6?**

9.14.2 Delivery is expected to be over the next few years, and is specifically identified in the Design and Access statement in PAP/2018/0159 for the proposed development as being brought forward/delivered by Aldi on a phased basis over the next 4 years. In the event the planning application is approved the site allocation is likely to be dropped as the consent will feed into updated information for Table 8 in the Plan for employment land supply, including extant consents and completions.

9.14.3 Nevertheless, given Aldi’s nationally stated intentions for expansion aiming to have 1,000 UK stores by 2022, for 70 new stores to be opened in 2018 and by 2020 some 850 stores to have Aldi’s updated format along with the 1 billion pounds investment programme to the end of 2018, the Council is fairly confident the site proposals/application will be delivered to address Aldi’s current and future office, logistics and infrastructure needs to support its continued growth and expansion. (Reuters - Business News March 25, 2018)

**(c) Is the allocation justified via the sequential and exception tests regarding vulnerability to flooding in the NPPF2012? Would the 10 metre semi-natural buffer requirement be sufficient to ensure any development is acceptable in this respect?**

9.14.4 The site is only affected on a minimal part/percentage of the site area. The current application includes an FRA level 2 assessment and identifies the developable area of the site. The remaining part impacted by flood zones 2 and 3 are identified for

attenuation ponds as part of a SUD system, flood storage and natural open space. Further work has been undertaken by Consultants on behalf of the Council to address future climate change concerns raised by the Environment Agency on the Local Plan allocation (irrespective of earlier decisions and studies/reports undertaken). This work is not expected to be available until the end of March and the Council is working with the EA on the approach for the affected sites. Suggestions have been made by the Council's consultants but the Council would prefer to wait until the details of the approach to be taken has been agreed and confirmed with the EA. In the event the current pending application is approved the site is likely to be removed as noted in paragraph 9.14.2 above.

**Coleshill**

**9.15 Local Plan paragraphs 14.32 and 14.29 appear to conflict. Paragraph 14.32 states that 'Due to the Green Belt beyond the development boundary of Coleshill this [the preclusion of development outside of that boundary] will continue during this plan period.' Paragraph 14.29 states 'it is considered necessary to allocate land outside current boundaries and remove land from the Green Belt.' Which is correct?**

9.15.1 The section in paragraph 14.29 should have been deleted following the Local Plan being agreed at the Executive Board meeting on 19<sup>th</sup> September 2016. At that Board meeting Members agreed to delete the suggested inclusion of the land off Maxstoke Lane, Packington Lane, Coleshill in the submission version of the Local Plan – See minutes to LDF Sub-Committee meeting of 3<sup>rd</sup> August 2016. This is referred to in document CD0/2 - Local Plan Consultation Statement page 4, and Appendix A page 13.

**(a) Are any allocations within the Green Belt justified by exceptional circumstances (NPPF2012 paragraph 83)?**

9.15.2 The allocations within and alterations to the Green Belt are:  
1. the former Power Station B site at Hams Hall;

2. relocation of the primary school at Water Orton with redevelopment of the remaining buildings; and,
3. H14, Site at Lindridge Road, adj. Langley SUE, Wishaw

9.15.3 There are no other sites being proposed or released for development within this Local Plan. There is one site/area safeguarded for release from Green Belt, for future potential, if required, which will only change through a review of the Local Plan. All the above sites are considered to be justified by exceptional circumstances (NPPF2012 paragraph 83) which have already been clarified/detailed in Matters 6, Paragraphs 6.2.10 to 6.2.20 and 6.2.22 to 6.2.24.

**(b) How do any elements of the Green Belt proposed for release perform against the purposes of the Green Belt in NPPF2012 paragraph 80?**

9.15.4 The only piece of land near Coleshill which is proposed to be released from the Green Belt is the 20 hectares to the west of Hams Hall. This site gained planning permission and is currently under construction. In the Coventry and Warwickshire Green Belt Study (CD6/9) Hams Hall Power station B site, referenced site CH1, performed poorly in Green Belt purposes, scoring a total of only 9 out of 20 potential in the Green Belt 5 purposes assessment criteria. Note the site was also a brownfield site which conforms with one of the exceptional criteria in Green Belt national policy para 89 (NPPF 2012).

9.15.5 The parcel area which included the Water Orton Primary School site scored a more reasonable 13 for the 5 purposes assessment criteria. However, this parcel is significantly impacted and subdivided by the HS2 Delta Junction proposals for the National High speed infrastructure project, which significantly impact on this assessed parcel area.

9.15.6 The Lindridge Road site lies within Broad Area 9 as assessed in the Green Belt Study (CD6/9). Overall, the Study considers this broad area makes a considerable contribution to four of the five purposes of Green Belt. However, as noted above, the site is separated from the majority of the Broad Area 9 parcel by the A38, considered to be a significant infrastructure boundary, separating the site from the wider Green Belt. In addition it should be noted that the very special circumstances

that applied to and warranted the release of the Langley SUE in the Birmingham Local Plan, are set out in the 'Issue E' in the Birmingham Development Plan, Inspector's Report March 2016, (paragraphs 134 to 174, 194-195 & 214 to 219) (AD28) and are referred to in the Councils Matters 6 Statement PS.M6.01, paragraph 6.2.20.

**9.16 Allocation H4, Former leisure centre site**

**(a) Would the allocation accord with Local Plan policy LP23 'loss of services and facilities' and NPPF2012 paragraph 74?**

9.16.1 The site allocation is considered to accord with Local Plan policy LP23 'loss of services and facilities'. The former leisure centre and its facilities/services have already been replaced by the new Coleshill Leisure Centre site, the result of a partnership between the Borough Council and The Coleshill School, secondary school, off Packington Lane, Coleshill. The former Leisure Centre building and site are available for development and benefit from a planning consent, reference PAP/2018/0030, granted on 13<sup>th</sup> February 2019 for 23 units.

**(b) Should the allocation refer to the existing leisure centre building along with its land?**

9.16.1 This site now has planning permission, see note above.

**9.17 Allocation H5, Land at Blythways**

**(a) As with certain other allocations, should an anticipated yield from the site be set out in the allocation?**

9.17.1 This site now has planning permission and is under construction by Crest Nicholson. Planning consent reference number PAP/2017/068.

**9.18 Allocation H6 and policy C1, Allotments adjacent to Memorial Park**

**(a) Allocation H6 refers to policy C1 making provision for the loss of allotments. Policy C1, Land off Maxstoke Lane, presumably cross-referenced in paragraph 14.13, however makes no provision for allotments. Should reference be included?**

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9.18.1 It is agreed the reference to allotment provision should be included in Policy C1, adjoining Coleshill. A Main Modification to include the text reference to allotments in C1 is proposed with additional text in the reasoned justification to enable alternative appropriate location's to come forward (accommodated as a 'para 89' exception to normal Green Belt restrictions as appropriate open space use within the Green Belt) to address any loss on the existing Memorial Park site. It has been noted that the current allotment area is not wholly used and discussions on future site redevelopment proposals includes alternative community uses.

<i>Chapter</i>	<i>Para</i>	<i>Proposed Modification</i>	<i>Main Mod or Additional Mod</i>	<i>Reason</i>
14	Site Allocation Policy C1	Add text reference 'and allotment' to policy : <b>"C1 Land off Maxstoke Lane, south of St Peter and St Paul's Cemetery</b> <i>Approximately 2.5 hectares of land north of Maxstoke Lane, south of St Peter and St Paul's Cemetery Coleshill will be released from the Green Belt and allocated for cemetery <u>and allotment</u> use for the Parish and Coleshill Community."</i>	<i>Main mod</i>	<i>Clarification</i>

**Polesworth with Dordon**

**9.19 Allocation H7, land to the east of Polesworth and Dordon33**

**(a) Reflecting 9.11 (b) are the masterplanning requirements for allocation H7 consistent with the approach set out in paragraph 14.14 (and 14.23)?**

9.19.1 This issue has already been addressed in Paragraphs 9.12.2 above. The Council consider the requirements in Local Plan paragraph 14.23 & 14.14 are consistent and reasonable and reflected in the Policy text for H2 and H7.

**(b) Is it appropriate to allocate the site as for 'a minimum' of 2000 homes?**

9.19.2 The Site Allocation H7, land east of Polesworth and Dordon, is a 160ha site which includes a number of large Local Wildlife Sites, some Ancient Woodland including Hollies Wood LWS and Ancient Woodland (7.5ha), Old Orchard Woodland LWS (13.82ha), the Orchard tip Spoil Heap LWS (5.98ha) and Historic Assets at Dordon Hall and Hoo Hill and Obelisk. These LWS's and buffer areas adjoining/around the historic assets have been taken into account in terms of development avoiding these areas, resulting in a developable figure of around 123 to 127 ha's. Applying a 30dpa figure at 60% net would be expected to deliver around approximately 2215 to 2300 units, so starting with a minimum figure of 2000 provides some additional flexibility for provision of on-site infrastructure needs (schools, relief road, heritage setting and natural assets buffer zones) and provides some surety that the 2000 unit minimum the site is expected to deliver will be able to be achieved. It is therefore considered appropriate to allocate a "minimum" figure of 2000 while enabling some flexibility to address any on-site infrastructure issues or additional setting issues rising around the historic assets.

**(d) Are A5 access arrangements proposed for replacement those referred to in paragraph 14.37? Has that replacement been scoped, costed and included in a list of necessary infrastructure projects?**

9.19.3 The A5 access arrangements referred to in site Allocation policy H7 refer only to those works considered essential to access the site off the A5 and for the transport infrastructure improvements necessary within the site and along the B5000. The A5 improvements referred to in paragraph 14.37 are the more major, significant infrastructure improvements necessary to the A5 trunk Road itself and currently part of the Housing and Infrastructure Fund Bid being submitted to MHCLG by the County Council Highways department with Highways England support. Additional information on this issue has been submitted as part of Matters 7, in PS.M7.14 Additional Information - Transport and Highways Statement of Common Ground between NWBC, Warwickshire County Council (WCC).

9.19.4 The A5 HiF Bid is identified as the priority Bid for the County by Midlands Connect. It has progressed to the Business Plan stage of the Bid and is expected to be approved over the next few months. Notwithstanding the success of the HiF Bid there is a significant level of development that can already be delivered through the

site access improvements and other off site works noted above, that will enable approximately 800 units to be delivered in the interim while awaiting the outcome of the HiF and other future infrastructure bids, such as for the Highways England Route Investment Strategies RIS2 (2020/21 to 2024/25) and RIS 3 (2025/26 to 2030/31).

**(e) Would any infrastructure provision undermine viability with reference to NPPF2012 paragraph 173?**

- 9.19.5 The Council do not consider it will undermine viability and would refer to a review of the Viability of the Plan (NWBC13) which includes an assessment of the Strategic sites, including H7, and applies the infrastructure requirements as identified in the IDP (CD0/4) and uses information from S106 requirements established through recent major applications near to the site and elsewhere within the Borough, issues discussed in Matter 8 previously. The Local Plan Allocations Viability Assessment and CIL Study indicates the site will deliver a surplus using the HCA Development Appraisal Tool (in NWBC13 - Appendix 8c). The Study notes that all of the strategic site appraisals were carried out at 40% affordable housing based on the number of units. On the basis of the existing use values, as calculated, all the strategic sites show a surplus that could contribute to wider infrastructure provision. It is not considered that any of the current infrastructure provision sought would undermine viability.
- 9.19.6 Nevertheless, the Plan notes in para 6.18 *“Both S106 obligations and CIL will need to have regard to viability issues to ensure the level of levy set or obligations sought does not prevent the delivery of development in general”* and in 8.18 *“In all cases viability issues will determine the nature and scale of provision, and reflect any National planning policy requirements”*. Policy LP9 also addresses viability noting *“Proposals to provide less than the targets set out above should be supported by a viability appraisal to verify that the targets cannot be met and the maximum level that can be provided without threatening the delivery of the scheme.”* The Plans development management policies also address the need for viability assessments to ensure policy requirements do not overly impact upon and threaten the viability of proposals. The Council would contend that viability issues and concerns are addressed and the plan conforms with NPPF2012 paragraph 173.

**(f) Would the effect of the scheme on ecology, the environment, and heritage assets, including ancient woodland and local wildlife sites, be appropriate?**

9.19.7 Any development will inevitably impact upon an area but the Council considers it has identified the main impacts and has tried to address these within the wording of the Policy. The effect of the scheme on ecology, the environment, and heritage assets is considered appropriate for a number of reasons. The Site Allocation Policy area is a gross of 160.8 ha but the indicated development area specifically excludes development on the Local Wildlife sites within the site, the Ancient Woodland area within the site, including a 50m “buffer” excluding development around the Ancient Woodland. An allowance is made for open areas and buffers around the Historic Assets at Dordon Hall and Hoo Hill and Obelisk, following the HEA undertaken (AD1) which addresses their setting and development impacts upon them. This leaves approximately 123 to 127 ha’s available for development upon which a conservative 30 dwellings per hectare is applied which allows significant flexibility for providing green infrastructure as an integral part of the developments Master plan that is required. The Council would therefore contend that with the flexibility built into the site allocation, the level of development sought and protections and exclusions applied, the effect of the scheme on ecology, the environment, and heritage assets is considered reasonable and appropriate.

**9.20 Allocation H8, Land west of Woodpack Farm**

**(a) have access arrangements from the B5000 been assessed such that their resolution would not impede delivery?**

9.20.1 The site now has the benefit of planning consent, reference PAP/2017/0413 and ARM/2018/0053, which is currently under construction by Cameron Homes. The site utilises the new roundabout on the B5000, the initial stage and point for the new north/south relief road proposed through the H7 site.

**9.21 Allocation H10, Former Polesworth Learning Centre**

**(a) is the allocation supported by sufficiently robust and proportionate evidence regarding likely effect on nearby heritage assets?**

9.21.1 The site has been assessed by the Historic Environment assessments undertaken by the Council on the site allocations (CD8/11 and CD8/12) which provide the supporting evidence of assessment of the potential impact on adjoining historic assets. In addition, the site was the subject of a detailed planning application, granted consent on 19<sup>th</sup> December 2018, reference PAP/2017/0425, which included a heritage statement and assessment, and subject to consultation with Historic England representatives and the County Archaeologist.

**9.22 Allocation E2, Land to the west of Birch Coppice**

**(a) Are proposed access arrangements appropriate?**

9.22.1 I would refer the Inspector to the recent Statement of Common Ground between the Council and the site owners, Hodgetts Estates that has been submitted to the Inspector in their Matter 9 Statement. The SoCG indicates alternative access arrangements from the A5 may be possible. As a result the strict requirement of an access only through the Birch Coppice Estate is to be removed from the policy. Access will be determined at the planning application stage.

<i>Chapter</i>	<i>Para</i>	<i>Proposed Modification</i>	<i>Main Mod or Additional Mod</i>	<i>Reason</i>
14	Site Allocation Policy E2	Amend Policy text in 2 <sup>nd</sup> paragraph : <b><i>“Access to the site <del>must be via the current</del> will be determined at the planning application stage but could involve the use of the Birch Coppice service road, <del>Arley Drive off Danny Morson Way and not via or a separate new access onto the A5 Watling Street..”</del></i></b>	Main mod	Clarification

**(b) Are there sufficient safeguarding for potential effects of development to the occupants of residential properties next to the A5?**

9.22.2 Development management policies (LP31 criterion 9, LP32 Built Form) and the site landscaping requirements within Policy E2 are considered sufficient to address this

issue. However, if the Inspector considers this insufficient then the Council are happy to consider additional wording either through the requirement for a specific “buffer” between the development and the properties on the A5 or, similar to Policy E3, seeking development and/or uses “uses, appropriate to the location reflecting the proximity with existing residential development”.

**(c) Are the provisions of allocation E2 sufficient to ensure the replacement of allotments in accordance with Local Plan policy 23?**

9.22.3 Yes, the provisions are considered sufficient. The land proposed to be transferred are within the same landowner control, enabling a straightforward transfer of ownership between the Council and the landowner. Discussions are ongoing with the landowner and the Council and noted in the SoCG submitted to the Inspector in the Hodgetts Estates Matter 9 Statement. There is a minor amendment to the reasoned justification text 14.48 required to reflect that it is agreed the replacement allotments and land should be ‘*provided prior to the start of construction*’, not ‘*prior to any redevelopment proposal*’ as currently worded.

<i>Chapter</i>	<i>Para</i>	<i>Proposed Modification</i>	<i>Main Mod or Additional Mod</i>	<i>Reason</i>
14	14.48	Amend paragraph text in 6 <sup>th</sup> sentence in paragraph 14.48 :  “ <b><i>The existing allotments must be replaced and relocated to the alternative location to the north of the A5, <del>prior to any redevelopment proposal being granted and provided prior to the start of construction</del>.</i></b> ”	Main mod	Clarification

**9.23 Other than in relation to the issues and questions set out above, would allocations for category 1 settlements be otherwise suitable in planning terms, and would they be capable of delivering over an appropriate timescale?**

9.23.1 Yes – There is a significant capacity that can be delivered prior to any of the major infrastructure works required to the A5 in both H2 and H7. This is assessed at

around 800 units ('STA' - CD8/18A). The current applications at H1 and Holly Lane are under negotiation on S106 contributions but are not prevented from coming forward by any identified major infrastructure requirements, beyond agreed improvements to the existing network serving the site.

**9.24 Allocation H13, Land west of Robey's Lane, adjacent Tamworth**

**(a) What effect would the proposal have on the Meaningful, or Strategic, Gap?**

9.24.1 The allocation site is not considered to have any significant effect on the Meaningful Gap as it lies outside of the proposed Meaningful Gap/Strategic Gap. Note that the current planning application does lie partly within the Gap (Reference No: PAP/2018/0755).

**(b) Would the proposal have an acceptable effect on Alvecote Priory, Alvecote Woods, and the rural landscape?**

9.24.2 The Site Allocation policy takes specific account of the presence of Alvecote Priory and Alvecote Woods, seeking 'a significant landscaped buffer' to help address any impact on these assets. The Policy requirement for a "Master Plan" for the site must take account of these requirements. In addition, Development Management policies LP31 "Development Considerations" LP32 "Built Form", LP14 "Landscape", LP15 "Historic Environment" and LP16 "Natural Environment include requirements for new development to address their impact and avoid or minimise any harm, whether in landscape terms or on specific historic or natural assets.

**(c) Would the allocation be appropriate with regards to its effects on the environment and ecology in accordance with NPPF2012 paragraph 109?**

9.24.3 The allocation is considered appropriate in regard to its effects on the environment and ecology. There are no identified or designated areas for nature conservation within the site and the Policy requires new development to minimise impacts on biodiversity through the Master Plan by requiring "*particular attention (be) given to the proximity with, and potential impact on, Alvecote Wood and Alvecote Priory, respectively an ancient woodland and scheduled monument.*" In addition Development Management policies LP31 "Development Considerations", LP14

“Landscape”, LP15 “Historic Environment” and LP16 “Natural Environment” include requirements for new development to address their impact and avoid or minimise any harm.

**(d) Has appropriate account been taken of the potential relationship of development here to Tamworth Borough Council, in respect of services and facilities and housing mix in particular?**

9.24.4 The site allocation policy seeks to focus access from the site through the adjoining Golf Course, reflecting the close relationship of the site with Tamworth and the adjoining Golf Course development and its services and facilities that is currently under construction. As well as the Borough being asked to deliver housing for Tamworth, any S106 agreements for sites adjoining Tamworth Borough boundaries will need to take into account and negotiate on the availability and capacity of services and infrastructure in Tamworth, and the relationship between service availability in Tamworth Borough, North Warwickshire Borough and the two County Council’s Warwickshire and Staffordshire. To address this specific issue a Statement of Common Ground has been agreed between the Borough Council and the two County Councils (AD3) to “*appropriately plan for the cross boundary strategic infrastructure planning issues that exist and/or likely to arise in the foreseeable future between Staffordshire and Warwickshire across the Local Planning Authority Areas of Tamworth and North Warwickshire*”. The current pending planning application affecting the H13 allocation includes co-ordinated and agreed positions in respect of the two County Councils assessments of the proposal and their potential requests for the delivery of appropriate infrastructure. It also agrees the appropriate responsibility for providing, and access to/by future residents to the necessary health and education services. The agreed positions will feed into any subsequent S106 agreements in the event the proposal is granted planning consent.

9.24.5 In terms of housing mix the primary account taken has been in relation to North Warwickshire’s housing needs and mix. Nevertheless, consultation with Tamworth was undertaken to determine whether any specific housing mix was preferred, however no response to seek or propose any specific needs or housing mix was received.

**(e) Are transport, health, education, infrastructure and open space provision requirements sufficiently clear?**

9.24.6 The IDP identifies the infrastructure requirements the site will need to address and are considered sufficiently clear, along with the Development Management policy requirements noted in LP24 'Recreational Provision', LP25 'Transport Assessment and Travel Plans', LP31 "Development Considerations. The IDP is a working document and will change over time to reflect changes to needs and requirements for infrastructure. The policy's requirement for a Master Plan for the site, which must include and address a number of specific matters helps clarify those issues and matters considered most important and relevant to the site. Nevertheless, it is stressed the Plan needs to be read as a whole and each individual Policy or Site allocation should not be considered and read in isolation. The Development Management policies and requirements apply to all new developments and as infrastructure needs and services may change over time the Site Allocation policy cannot be expected to identify a totally comprehensive and definitive list of infrastructure and service needs. The full impact on and need for services and infrastructure generated and solutions required by any development on the site must be left to assessments undertaken at the application stage. The Open Space and Recreation SPD CD6/11 also clearly and specifically identifies the standards expected site by site for S106 contributions for the allocated sites.

**(f) Are access arrangements and delivery projections robust?**

9.24.7 The Allocation provides for access through the adjoining Tamworth site that reflects the sites close proximity with and potential relationship with the adjoining Tamworth development. Pedestrian and cycles routes between the former Golf Course site and H14 will be provided. Unfortunately the opportunity for a vehicular through route has not been accommodated in the adjoining site planning consent. To reflect this current situation it is proposed the Policy should change the term "primary access" to "pedestrian and cycle access". Care will be needed to address road priority and avoid the use of Robey's Lane as a rural rat run, maintaining the section between the site and the B5000 for service/emergency and pedestrian access. This is suggested as a Main modification.

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<i>Chapter</i>	<i>Para</i>	<i>Proposed Modification</i>	<i>Main Mod or Additional Mod</i>	<i>Reason</i>
14	Site Allocation Policy H13	Amend Policy text in 2 <sup>nd</sup> bullet point from “primary access” to “pedestrian and cycle access” : “• <del>primary access</del> <b><u>pedestrian and cycle access</u></b> to be provided via the adjoining Golf Course redevelopment site (only service/emergency and pedestrian access to be accommodated onto Robey’s Lane);”	Main mod	Clarification

**9.25 Allocation H14, Site at Lindridge Road, adjacent Langley SUE, Wishaw**

**(a) Should the masterplanning requirement ensure a consistent approach with the design of the Langley Sustainable Urban Extension?**

9.25.1 Site H14 does not formally require a Master plan as the size and scale is not considered strategic or significant enough to warrant this requirement. Nevertheless, given the sites very special circumstances justified on the back of the Langley SUE and the sites relationship with the SUE and separation from the remaining area of Green Belt to the east of the A38 the site should also broadly conform with the proposed Langley SUE SPD (currently in Draft and progressing towards Adoption) to the south. The site would otherwise appear as an isolated and unrelated area of development with little or no direct boundary relationship with existing development to the west at Langley/Sutton Coldfield. Discussions have been held with Birmingham City council to include reference to this site as an extension to the SUE.

**9.26 Allocation H19, Land between Church Road and Nuneaton Road Hartshill**

**(a) Would the allocation integrate appropriate with the setting of nearby heritage and environmental assets, including Holy Trinity Church and local wildlife sites?**

- 9.26.1 The Borough considers the site can integrate appropriately with the setting of nearby heritage and environmental assets, including Holy Trinity Church and local wildlife sites. The Allocation Policy criteria specifically require an agreed Master Plan to include “*the protection and long term favourable management of designated Local Wildlife sites*” and for “*the contribution of setting to the significance of the Holy Trinity Church to be assessed and taken into account in the design and form of the future development*”.
- 9.26.2 The outlook and focus of the listed Holy Trinity Church is primarily towards Church Road, positioned between existing development/properties with a more urban/built form and outlook. Nevertheless, the current Vision document submitted with the pending planning application (PAP/2018/0140) provides for the setting to be addressed through the provision of open space/green infrastructure between the site and the Church to reflect the buildings more rural setting and outlook at the rear. Historic England has noted they have no objections to the proposed development in principle, with no objection to the application on heritage grounds. However, they do note impact of the proposals upon the setting of the grade II listed church could be high and care will needed in addressing this setting.
- 9.26.3 The application also includes a woodland management plan for Snowhill Wood, which sets out the proposed future enhancement, maintenance and management of the woodland within the site. The Wildlife Trust are seeking more natural open space buffer around the wood and greater green infrastructure corridors linking to the adjoining Local Wildlife sites at Jeas Quarry and further changes to the proposed scheme are sought. Nevertheless, it is considered the requirements of the Policy, its Master Planning and the requirements of Development Management Policies LP31 “Development Considerations”, LP14 “Landscape”, and LP16 “Natural Environment” include requirements for the development to address their impact and avoid or minimise any harm.

**(b) what are the access issues to be addressed? Would their resolution impede delivery?**

- 9.26.4 The Site Allocation Policy access and parking issues refers primarily to the current access and parking difficulties faced by the secondary and primary schools off

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Church Road and Victoria Road. The proposal is expected to enable access to the rear of the secondary school to facilitate parking, access to the site and the future provision of drop off and public transport stopping facilities. It is not expected that the resolution of these issues will impede delivery. The text of the Policy in the second bullet point and the reasoned justification could be clarified to be more specific about what these access and parking issues entail.

<i>Chapter</i>	<i>Para</i>	<i>Proposed Modification</i>	<i>Main Mod or Additional Mod</i>	<i>Reason</i>
14	Site Allocation Policy H19	Add Policy text in 2 <sup>nd</sup> bullet point: “• <b>access and parking issues addressed, <u>including enabling access to the rear of the secondary school to facilitate parking, access to the school and the future provision of drop off and public transport stopping facilities;</u></b> ”	<i>Main mod</i>	<i>Clarification</i>
14	Site Allocation Policy H19	Delete empty 4th bullet point: (No text currently included)	<i>Main mod</i>	<i>Clarification</i>

**(c) should the range of housing types reflect evidence in the Hartshill neighbourhood plan?**

9.26.5 The adoption of the Neighbourhood Plan postdates the drafting of the North Warwickshire Local Plan. Nevertheless, the Neighbourhood Plan is part of the Development Plan and should be a material consideration in any planning application. It should be noted that the current pending planning application has involved pre-application discussions with Council Officers, Hartshill Parish Council and the Neighbourhood Plan Steering Group to help the proposal reflect the requirements of the Neighbourhood Plan. It is considered unnecessary to duplicate the neighbourhood plan policies, which are more detailed and will be most relevant at the later approval of reserved matters stages.

**9.27 Allocation H20, land south of Coleshill Road (Hartshill) or land south of Ansley Common**

**(a) Local Plan paragraph 14.70 sets out that ‘access to site will need to be investigated and solutions implemented comprehensively’. Would that impede delivery?**

9.27.1 The intention of the reference to further access investigation is not solely related to the allocation but also to achieving an access solution that will address the issues highlighted at Plough Hill Road junction. If a long term access route through the site and into adjoining land, extending eventually down to Plough Hill Road to the south east can be realised/envisaged this will significantly help the transport constraints affecting the local road network as identified in the STA (CD8/18A). The site itself has a number of potential access options including the proposal to extend the access road to the northwest limit of the current development, which is not currently included/addressed by the site allocation area. Other options will be subject to the developer/landowner obtaining/purchasing land and/or properties to enable access into the site, which may impede development if suitable land/properties are not forthcoming in the market, (although direct approaches can be made to owners of sites that may be suitable). For this highway network issue reason the H20 site is also expected to include the reserved site north of Coleshill Road as part of an agreed Concept and Master Plan and the delivery of the site is not therefore expected until the later stages of the Plan. Delivery of H20 is still expected to be realised in the Plan period, reflecting the level of initial work already undertaken by the sites agents/consultants to address this issue.

**(b) Should the reference to development taking place ‘comprehensively’ along with reserve site RH2 be amended given the different timings for delivery of the two allocations?**

9.27.2 It may be appropriate to clarify that it is expected the allocated land to the south, H20, will come forward/be delivered in advance of the RH2 reserve site, reflecting the more comprehensive site analysis work already undertaken. A minor text addition to the reasoned justification clarifying this point is considered sufficient to address this. However, this can be added to the policy text if required although the Council would prefer to maintain a level of flexibility if circumstances change.

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<i>Chapter</i>	<i>Para</i>	<i>Proposed Modification</i>	<i>Main Mod or Additional Mod</i>	<i>Reason</i>
14	14.70	Add 3 <sup>rd</sup> sentence to paragraph: <u><i>"It is expected that the site allocation H20 will be delivered in advance of the reserve site, RH2, Land north of Ansley Common, identified in New Policy LP39(a), unless circumstances change."</i></u>	<i>Main mod</i>	<i>Clarification</i>

**(c) Should H20, as with H19, refer to the Hartshill neighbourhood plan particularly in respect of demographics? Should the requirements of H20 and H19 be consistent?**

9.27.3 Although the development boundary in the Submission Local Plan incorporates both the Hartshill and Ansley Common settlements, reflecting the close relationship and conjoining/contiguous nature of built development in the two settlements, they are in fact in different Parishes. The Parish of Ansley (which includes Ansley Common) declined to be involved in the Neighbourhood Plan for Hartshill and sought to re-inforce local distinctions, perceived or otherwise. It would therefore be considered inappropriate to require policies from an adjoining Parish Neighbourhood Plan to apply to sites in different Parishes where that agreement has not been given or forthcoming. The Submission Local Plan Site Allocation policy requirements for H19 and H20 are nevertheless considered to be broadly consistent while reflecting the distinctive, different issues, natures, character and requirements the two sites have.

**(d) Notwithstanding discussion on matters 7 and 10, are infrastructure (transport, health, education) requirements sufficiently evidenced and precise?**

9.27.4 The IDP (CD0/4) identifies the infrastructure requirements the site will need to address and have been established in full consultation with the County Council education service and other agencies and service/infrastructure providers. The outcome of these discussions are fed into and reflected in the IDP for the Plan as

indicated in the various Statements of Common Ground including on Education Needs and Infrastructure made between the Council and the County education authority (AD31) and health agencies (AD4). These are considered sufficiently clear and precise for current purposes and needs. Nevertheless the site allocations will still need to address Development Management policy requirements noted in LP24 'Recreational Provision', LP25 'Transport Assessment and Travel Plans', LP31 "Development Considerations". The Open Space and Recreation SPD CD6/11 also clearly and specifically identifies the standards and expected site by site S106 contribution requirements for the allocated sites.

9.27.5 The IDP is a working document and will change over time to reflect changes to needs and requirements for infrastructure. The policy's requirement for a Master Plan for the site, which must include and address a number of specific matters helps clarify those issues and matters considered most important and relevant to the site. Nevertheless, it is stressed the Plan needs to be read as a whole and each individual policy or site allocation should not be considered and read in isolation. The development management policies and requirements apply to all new developments and as infrastructure needs and services may change over time the site allocation policy cannot be expected to identify a totally comprehensive and definitive list of infrastructure and service needs. The full impact on and need for services and infrastructure generated and solutions required by any development on the site must be left to assessments undertaken at the application stage.

**(e) Are the effects of the allocation appropriate in respect of heritage, drainage, and in relation to Brett's Wood (ancient woodland)?**

9.27.6 The potential effects of the allocation in respect of heritage, drainage, and in relation to Brett's Wood (ancient woodland) are considered to be taken into account through the Site Allocation policy requirements to address "*the setting of Brett's Hall and the estate will be considered and any impacts minimised*", to prepare and implement a drainage strategy and to provide a "*50m (or as agreed) buffer*" to be "*retained and maintained to the ancient woodland of Brett's Wood*". The inclusion of the 50m Buffer was in direct response to the consultation with and consideration of the responses from Warwickshire Wildlife Trust/Natural England.

9.27.7 Historic England have not raised any specific concerns or issues in relation to the site on the setting of Bretts Hall to the west, which is screened from the site both by the topography and the presence of Bretts Wood.

**9.28 Site allocation E4, Land to the south of Horiba MIRA Technology Park & Enterprise Zone (the ‘Southern Manufacturing Park’)**

**(a) Are the effects of the allocation appropriate in respect of heritage assets (A5 Roman Road, St Chads Grade II\* Listed Church, Caldecote and Watling Street)?**

9.28.1 The potential effects the effects of the allocation in respect of impact on heritage assets is considered appropriate. Historic England have not raised any specific concerns or issues in relation to the site on the setting of the A5 Roman Road/Watling Street or St Chads Grade II\* Listed Church, Caldecote which lies approximately 750m to 1km from the site. The Site Policy requires an “*Assessment ..... of the significance of heritage assets within the site and the contribution of setting to that significance, with particular reference to Caldecote and Watling Street, to inform appropriate design of development on site*”. Also the Master Plan required by the Site Policy notes “*the final form and design of development will take into account the impact on heritage assets*”.

**(b) Is the prevention of B8, distribution, uses other than those which are ancillary, justified?**

9.28.2 The constraint on B8 uses on site is considered appropriate in regard to the aim of the Borough Council to seek greater diversification to its employment base, to maximise the opportunities provided by the presence of the (former) Regional Enterprise Zone and facility at MIRA, opposite the site focussing on advanced manufacturing and engineering consistent with the sub-regional vision established by the Coventry and Warwickshire Local Enterprise Partnership under the Strategic Economic Plan (SEP) (AD12 & AD13). The constraint also reflects recent concerns raised over the potential impacts of AI on areas with an employment base too reliant and focussed on logistics uses. North Warwickshire is identified as the 2<sup>nd</sup> most sensitive area in the UK at risk (in employment terms) from the impact of AI on

logistics development and uses (See AD15 - Localis Automation Impact Report 2018).

**(c) Is the requirement for incubator units suitably evidenced and specific?**

9.28.3 Suitable and relevant evidence is considered to be identified through the Coventry & Warwickshire Strategic Economic Plan 2016 (AD12), which notes the low business start-up rates and the need for new investment to supporting new business start-ups, increasing business resilience and improving the skills levels of residents and in the West Midlands Combined Authority Strategic Economic Plan (AD13), whose 'Business competitiveness and productivity' objectives seek "To improve the productivity (GVA) of businesses, focusing on growth sector" through ensuring "The % of start-ups reaching a turnover of £1m within three years will be above the national average". It is considered the requirement for incubator units will directly help in achieving these aims and objectives while diversifying the employment base for the Borough and supporting, benefitting from and complementing the presence of the MIRA Technology Park & Enterprise Zone.

**9.29 Other than in relation to the issues and questions set out above, would allocations for category 2 settlements, along with H19 and H20, be otherwise suitable in planning terms, and would they be capable of delivering over an appropriate timescale?**

9.29.1 The sites are considered suitable and deliverable in planning terms. There are current discussions underway on the E4 site at MIRA and with agents and landowners for both H19 and H20 in Ansley Common. Site H13, Land west of Robey's Lane is already the subject of two pending planning applications. The Trajectory (NWBC10b) broadly reflects the expected delivery programme for the housing sites (the trajectory is currently being updated and will be submitted by 21st March 2019).

**9.30 Allocation H15, Land at Church Farm, Baddesley Ensor**

**(a) Would the effects of the allocation be appropriate in respect of nearby heritage assets and the allocation's 'sensitive landscape edge'?**

9.30.1 The additional work undertaken to assess the allocation in terms of impact on heritage assets and settings (AD1) has helped inform further policy modifications to address concerns raised by Historic England (AD1A). Historic England have agreed to these Modifications (AD1B) and the Policy text is now considered to reflect and address the setting issues and national policy/legislation expectations raised in Historic England's representations. The Policy addresses the 'sensitive landscape edge' situation through requiring "*A programme of landscaping, tree planting and sensitive boundary treatment and planting will be required to address the sites sensitive setting in landscape and built heritage terms*".

**(b) Would the allocation be capable of preserving the integrity of neighbouring designated sites for nature conservation?**

9.30.2 The Council consider the allocation is capable of preserving the integrity of neighbouring designated sites for nature conservation. However, there are no designated SSSI's or Local Wildlife sites near to or adjoining the site. The nearest potential LWS is the Church Yard to the North West and the policy addresses both the setting of the Listed Church of St Nicolas and its surrounding curtilage. The nearest designated LWS is the former Mineral Railway Baddesley Ensor to Birch Coppice, which is approximately 270m or more from the site edge across open countryside. Baddesley Common LWS lies a little closer but is separated from the site by the built form of the village.

**9.31 Allocation H16, Land north of Grendon Community Hall**

No specific questions.

**9.32 Allocation H17, Land at Spon Lane, Grendon (former Sparrowdale School and former recycling centre)**

**(a) with reference to NPPF2012 paragraph 74, would the loss of a playing field be acceptable?**

9.32.1 The site now has planning consent (pending signing of a S106 agreement), reference no: PAP/2018/0287. The loss of the playing field was addressed as part of this application to the satisfaction of Sports England. The former on-site special education uses and services the school provided have been delivered elsewhere

(primarily at Coleshill) and the former school playing field/playground area has not been available for over 10 years, enabling the playing field to be redeveloped under Section 77 (school playing fields loss) regulations.

**9.33 Allocation H18, Dairy House Farm (Phase 2) Grendon**

**(a) are associated infrastructure requirements sufficiently clear so as to be effective in practice (notably there is a reference to ‘improved and/ or new recreational facilities’)?**

- 9.33.1 The IDP (CD0/4) identifies the infrastructure requirements the site will need to address and have been established in full consultation with the Councils Community and Environment team dealing with open space and recreation requirements, the County Council highways team, education service and other agencies and service/infrastructure providers. The outcome of these discussions are fed into and reflected in the IDP for the Plan on Open Space/Recreation needs and reflected in the Open Space and Recreation SPD table of site requirements and contributions required on a site by site basis (See Appendix A of IDP - CD0/4 and CD6/11 - Open Space, Sport and Recreation SPD) .
- 9.33.2 The various Statements of Common Ground including Education Needs and Infrastructure made between the Council and the County education authority (AD31) and health agencies (AD4) are also considered sufficiently clear and precise for current purposes and needs. Nevertheless the site allocations will still need to address Development Management policy requirements noted in LP24 ‘Recreational Provision’, LP25 ‘Transport Assessment and Travel Plans’, LP31 “Development Considerations” at the planning application stage.
- 9.33.3 The reference to ‘improved and/ or new recreational facilities’ is primarily a reflection of the LP24 policy in that the needs and requirements for open space and recreation can be delivered either through improvements to existing facilities (where accessible) and/or through the provision of on-site facilities, but also highlighting the specific site circumstances of Dairy House Farm. Although the Dairy House Farm site is not too distant from existing recreation facilities at the bottom of Boot Hill, the site is separated from the majority of the village and its facilities by the significant transport barrier of the A5. This may indicate that on-site provision is more

appropriate if development cannot achieve suitable acceptable and safe (in highway safety terms for pedestrians) access provision to those facilities to the south of the A5.

**(b) could the allocation be brought forward without adversely affecting the safe and efficient operation of the highway network?**

9.33.4 The site can and is being brought forward already. The site benefits from outline planning consent reference no: PAP/2017/0156 for 120 units. Warwickshire County Council as Highway Authority raised no objection subject to standard conditions. Highways England had no objection in principle to the proposal in terms of highway impacts onto the A5, although the issue of a potential signalised crossing over the A5 was raised but a crossing is “not considered necessary to facilitate the development”.

**9.34 Allocation H21, former school redevelopment site, Water Orton (and linked policy S1)**

**(a) with regard to AD30, is the relocation of the primary school by consequence of HS2 a certain prospect?**

9.34.1 This site has already been granted planning permission to address the impact of HS2 Phase 2a on the primary school. Please see paragraph 6.2.18 of the Councils Matters 6 Response (PS.M6.01). An “Additional Provision” to the HS2 Hybrid Bill secured the compulsory acquisition of a new school site and deemed planning permission for the replacement school as well as financial assistance towards cost of relocating the school to the new site, gifting the site to WCC. (See WCC Cabinet meeting Report, April 2015 – Proposed Re-location of Water Orton Primary School (AD30)

**(b) Could suitable living conditions for future occupants be achieved?**

9.34.2 The site circumstances and location reflect existing built development that adjoins the site. With suitable landscaping, screening and noise attenuation design the Borough Council consider the site is capable and suitable for future housing development. Nevertheless, future occupiers will be aware of the presence of the

HS2 High Speed line, once constructed and operational, and individual decisions can be made as to the suitability and impact on living conditions on properties from the HS2 services and structures. It should be noted there are a number of significant transport corridors/infrastructure assets in this area that exist in close proximity to housing (rail and road) and have not prevented new development from coming forward in the past.

**9.35 Allocation H23, Land off main road Austrey.**

9.35.1 No specific questions as the site benefits from consent.

**9.36 Allocation H24, Manor Farm**

**(a) Would the effects of the allocation be appropriate in respect of nearby heritage assets?**

9.36.1 This site now has outline planning consent for 14 homes, reference PAP/2016/0266 and a pending application for up to 30 homes, reference PAP/2017/0560. The application included a Historic Environment assessment on the impact of the development on the setting of the Listed building/heritage asset and associated buildings. Amendments to layout and conditions requiring archaeological assessments have been required as a result of consultations with the County Archaeological officer. The additional HEA work undertaken for the Plan, to assess the allocation in terms of impact on heritage assets and settings (AD1) has helped inform further policy modifications to address concerns raised by Historic England (AD1A). Historic England have agreed to these Modifications (AD1B) and the Policy text is now considered to reflect and address the setting issues and national policy/legislation expectations raised in Historic England's representations.

**9.37 Allocation H25, Land south of Shuttington Village Hall**

**(a) is the scale of the allocation, for 24 homes compared to a threshold of 10 indicated in Local Plan policy LP2, justified?**

9.37.1 In a plan led approach we have considered that the allocations for category 4 (now proposed as 5a in MM's) settlements are appropriate for delivery over the Plan period. Policy LP2, as recommended to be Modified, requires development in Category 4 (5a in the Modified Policy) settlements to "*be limited to that identified in*

*this Plan or has been identified through a Neighbourhood or other locality plan. It will cater for windfall housing developments usually on sites of no more than 10 units at any one time depending on viability. A Neighbourhood Plan may allocate more.”* As the site is formally allocated it complies with the Submission Plan policy and is not restricted by the 10 unit constraint applying specifically to windfall developments and is therefore wholly justified.

9.37.2 The constraint placed on windfall sites was to enable incremental increases/growth in settlements (through non-major developments), without overwhelming them in character, size and scale. The Council’s preference is to keep the Policy as drafted to provide clarity of control over future windfall applications. Nevertheless, the other option the inspector could consider would be to remove the specific number constraint and apply a judgement requirement based on the windfall application proposal size, scale and character in relation to the settlement it adjoins.

**(b) would local infrastructure and utilities provision be sufficient to support an additional 24 homes in this location?**

9.37.3 The Council consider the settlement services and infrastructure to be capable of accommodating and supporting a development on this scale. The additional development will also help support and maintain the existing village services including the pub (Wolferstan Arms), the village shop and church and the village hall and recreation field that is immediately adjoining the site to the north.

**9.38 Allocation H26, Land north of Orton Road, Warton**

**(a) for a category 4 settlement where Local Plan policy LP2 indicates that around 10 homes are appropriate, it appears to be that together allocations H26 and H27 would amount to 8.7 hectares of land and some 168 homes. Is that justified?**

9.38.1 Policy LP2, as recommended to be Modified, requires development in Category 4 (5a in the Modified Policy) settlements to “*be limited to that identified in this Plan or has been identified through a Neighbourhood or other locality plan. It will cater for windfall housing developments usually on sites of no more than 10 units at any one*

*time depending on viability. A Neighbourhood Plan may allocate more.”* As the site is formally allocated it complies with the Submission Plan policy and is not restricted by the 10 unit constraint applying specifically to windfall developments and is therefore wholly justified.

**(b) would allotments lost by consequence of the allocation be re-provided?**

9.38.2 The majority of the site was not currently operating as allotments, much of the map notation referring to previous historic uses, the areas in allotment use being a narrow strip at the front of the site. Nevertheless, the Site Allocation requires the relocation of any allotments in current use on the site elsewhere within the site and no allotments are expected or proposed to be lost by this allocation. The site has part outline planning consent, reference PAP/2017/0202, with a current pending ARM - PAP/2019/0130 for up to 56 dwellings, and a current pending planning application for 72 dwellings, reference PAP/2016/0280, which includes the provision of on-site public open space along with additional planting on site, a 16 space car park for existing residents on Orton Road, and access to the public open space to the north of the site, replacing any frontage allotment loss.

**(c) is the allocation capable of being brought forward without undue effects to highway or pedestrian safety?**

9.38.3 This site has undergone considerable discussion with local residents, the Parish and the Highway authority on a variety of options to reach an amicable agreement on the provision of off-street parking to serve existing residents and provide a layout and access road frontage that addresses concerns over traffic speeds, and highway and pedestrian safety. This issue has been consulted on and a preferred option agreed at a Planning Board meeting on the 10<sup>th</sup> December 2018. Further negotiations are currently under way to finalise the S106 agreement and contributions required from the site prior to the issuing of a planning consent.

**9.39 Allocation H27, Land off Barn End Road**

**(a) Would effects on landscape character be acceptable?**

**(b) Notwithstanding discussion on matter 7, are associated infrastructure provision requirements defined within suitable precision?**

9.39.1 This site now has consent for up to 100 homes

**9.40 Allocation H28, Land south of Islington Farm**

**(a) is the allocation for 28 homes appropriate given the provisions of LP policy LP2?**

9.40.1 Policy LP2, as recommended to be Modified, requires development in Category 4 (5a in the Modified Policy) settlements to “*be limited to that identified in this Plan or has been identified through a Neighbourhood or other locality plan. It will cater for windfall housing developments usually on sites of no more than 10 units at any one time depending on viability. A Neighbourhood Plan may allocate more.*” As the H28 site is formally allocated it complies with the Submission Plan policy and is not restricted by the 10 unit constraint applying specifically to windfall developments and is therefore wholly justified and appropriate.

**(b) What is the justification in this instance that a range of housing needs should be provided for?**

9.40.2 The text reference is simply a statement of fact. If the text is considered unnecessary the Policy can be amended as it is covered by Policy LP7. The SHMA (CD8/10) identifies the range mix of housing needed and sought and it is considered and expected that this site can provide for a range of housing needs, including family housing, elderly and/or specialised extra care housing, large ‘executive’ style housing, affordable or smaller starter homes.

**9.41 Other than in relation to the issues and questions set out above, would allocations for category 4 and 5 settlements be otherwise suitable in planning terms, and would they be capable of delivering over an appropriate timescale?**

9.41.1 The Council consider that the sites in Category 4 and 5 settlements are very suitable in planning terms, providing for a wide range of sites of differing sizes and types, providing a flexible range of opportunities for small, medium and large developers. The range of sites also provide sustainable growth to the large number

of (primarily non-green belt restricted) rural settlements in the Borough, providing additional support for rural services and infrastructure such as schools, pubs, rural village shops, village halls and recreational open space while also supporting a diversified housing market, rural businesses and economic opportunities. The Matthew Taylor Report does encourage development in the smaller settlements in order to assist with their viability and vitality. Delivery capability is wholly evidenced and justified in the examples of planning applications on a significant number of these sites that have already been submitted and are pending, or approved either in outline or detailed. The following Category 4 and 5 settlement sites identified in Site Allocations Policy LP39 have either been granted planning consent (whole or in part) or have current pending applications;

- 1) H25, Land south of Shuttington Village Hall - Pending Application Reference no: PAP/2019/0022
- 2) Part H26, Land north of Orton Rd – Part site to west - Outline Planning Consent - Reference no: PAP/2017/0202 and Pending ARM - PAP/2019/0130. Part site to east Pending Planning Application - PAP/2016/0280,
- 3) H27, Land off Barn End Road - Planning Consent Reference no: PAP/2017/0551 and Pending ARM application - PAP/2018/0687
- 4) H28, Land south of Islington Farm, r/o 115 Tamworth Rd. With part planning consent (detailed) and pending outline - Reference nos: Pending Outline application PAP/2018/0762 and Part Detailed Consent PAP/2018/0210 (4 units).

**9.42 Notwithstanding discussion under issue 9.8, is the approach to ‘category 5’ land appropriate?**

- 9.42.1 The Council consider the approach to category 5 land as appropriate as this land is predominantly rural, either open countryside and/or Green Belt, It contains mainly open agricultural fields and rural businesses (equestrian and recreation businesses, golf courses, forestry estates, etc) with small hamlets, dispersed rural villages and land outside but adjoining settlements with development boundaries, conforming with paragraph 55 and 80 of the 2012 NPPF.

**9.43 Are reserve sites suitable, developable, and is it clear what circumstances or monitoring indicators would result in their being considered for development before 2033?**

9.43.1 The Council consider the reserve sites are suitable and developable in the longer term. Discussions with landowners have already been undertaken for both sites RH1 and RH2, with the development requirements and highway infrastructure design requirements for RH1 at Grendon already under assessment and development. RH2 is at an earlier stage of consideration and requires further investigation in partnership with the allocated site south of Coleshill Road, but is still considered deliverable and developable.

9.43.2 In respect of monitoring and triggers for bringing reserved sites forward the Council is producing a monitoring report that will consider and address this issue.

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**Appendix 1**

EMPLOYMENT COMPLETIONS 2011/2016		A	B	C	D	AREA - Ha's
YEAR	SITE NAME	HAMS HALL	BIRCH COPPICE	OTHER	Former BADDESLEY COLLIERY	TOTALS
2011/12	BIRCH COPPICE BUSINESS PARK - Subsite 11:10		0.19			0.19
	BIRCH COPPICE BUSINESS PARK - Plot 1, Phase 2 , Ocado		49.35			49.35
	IAC Group Ltd, Highway Point, PAP/2011/0617			0.04		0.04
2012/13	NO RELEVANT SITES COMPLETED THIS YEAR					8.26
2013/14	BIRCH COPPICE BUSINESS PARK - PLOT 4, PHASE 2		8.26			0.25
	KINGSBURY LINK SITE, KINGSBURY			0.25		0.15
	Four Ways, Carlyon Road Industrial Estate - Land at unit 12 - PAP/2012/0039			0.15		33.08
2014/15	BMW - HAMS HALL - COLESHILL	33.08				2.3
	HAMS HALL DISTRIB & MANUF PARK COLESHILL - Plot 6 Unit 8	2.3				3.8
	BIRCH COPPICE BUSINESS PARK - PLOT E2, PHASE 2		3.8			0.12
	Volkswagen Group Uk Ltd - Plots W5 & W6			0.12		2.66
	SERTEC LTD STATION ROAD INDUSTRIAL ESTATE COLESHILL - PAP/2012/0489				2.66	2.9

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2015/16	HAMS HALL DISTRIB & MANUF PARK COLESHILL	2.9				6.27
	BIRCH COPPICE BUSINESS PARK - Phase 2 Plot 3		6.27			0.98
	BIRCH COPPICE BUSINESS PARK - Danny Morson Way		0.98			1.8
	BIRCH COPPICE BUSINESS PARK - Unit 6:03		1.8			36.33
	FMR BADDESLEY COLLIERY MEREVALE LA HURLEY RD (Classed as Regional)				36.33	<b>148.48</b>
<b>TOTALS -</b>		38.28	70.65	3.22	36.33	
<b>TOTALS for Regional Only</b>		38.28	70.65		36.33	145.26
<b>OVERALL TOTALS</b>		38.28	70.65	3.22	36.33	<b>148.48</b>