
North Warwickshire Borough Council: Local Plan Examination

Matter 9 – Allocations and supply of land for
development requirements

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- 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 NWBC21 provides (for employment land) tables of completions, allocations and sites with planning permissions covering the period 2011/12 – 2017/18. Tables 1 – 4 provide the details for take-up of sites split between Birch Coppice (Phases 1, 2 & 3), Hams Hall and Other Sites. Table 6 deals with allocations on the Draft Local plan and Table 7 with Outstanding Sites with Planning Permission (as at March 2018).
- 9.6.2 Local Plan Table 8 deals with the calculation of Employment Land required for 2011 – 33. We have sought to understand the derivation of the figures used in the table, as set out below.
- 9.6.3 Completions in ha from 2011 – 2016 (B in Table 8)
- 9.6.4 NWBC have elected to discount land at Birch Coppice, Hams Hall and the JLR car storage area at Baddesley. Their explanation is given in para 14.12 of the draft Local Plan. The Council seek to exclude those sites on the basis that Birch Coppice and Ham Hall were originally designated as Regional Logistics Sites in RSS (albeit both schemes pre-dated RSS and did not therefore come forward as a result of a regional allocation). There is no explanation why Baddesley is excluded. The inference to be drawn is, perhaps, that car storage is not an employment use. However it is clearly an important activity associated with one of the key employers in the West Midlands, and a good (and beneficial) use relative to the quality of the site.
- 9.6.5 These sites' exclusion from the calculation of take-up:
1. is a simple device to minimise the calculated land requirement – hence a low completion rate of 3.22ha;
 2. avoids the simple conclusion that this area (along the M42 within NWBC) is highly attractive as a strategic location for both distribution and industry: it should be remembered that at Hams Hall BMW have located a major engine plant, and JLR's have located their battery assembly centre, currently under construction.
- 9.6.6 As is stated in para 14.12 those sites accounted for 145.26 ha of completions (2011 – 2106). If completions to 2017/18 are included (extracted from NWBC21) then completions increase to 160.87 ha (including additional completions at Birch Coppice (Phases 2 & 3), and land south east of J10. Their inclusion would result in a very different land supply requirement.
- 9.6.7 Exclusion will undoubtedly result in unmet need.

9.6.8 Extant Planning permissions/allocations (C in Table 8)

9.6.9 This is simply stated as 31.58 + 25 + 20 resulting in a total of 78 ha.

9.6.10 There are two principal considerations here:

1. the inconsistency in approach by NWBC; and
2. the up to date position.

9.6.11 First, land at Birch Coppice and Hams Hall (and indeed strategic land at J10) are included in land supply (sites with planning permission) but excluded from the calculation of completions. This is entirely inconsistent. The result is either that completions are understated or available land is overstated. Whichever is the case the employment land requirement must be wrong and is understated by a significant factor.

9.6.12 Second, we have reviewed the up to date land supply position (as at 1 March 2019).

9.6.13 If reference is made to NWBC21 Table 7 the 25 ha refers to land South east of J10 M42, the 20 ha refers to Hams Hall Power Station B and the balance is 33 ha. There is a discrepancy with the 31.58 ha in Local Plan Table 8.

9.6.14 We provide an up to date position on land supply (see Appendix 1) by providing comments against the land allocations (Table 6 from NWBC21) and updating the land supply for Sites with planning permission (Table 7 NWBC21) by adding columns to deal with the current available land supply with explanatory comments.

9.6.15 The development of land at both Hams Hall (Power Station B) at J9 being developed by Prologis, and Tamworth Logistics Park at J10 being developed by St Modwen, has been relatively rapid. Outline planning permission for Hams Hall Power Station B was granted in June 2017 which allowed enabling works to start in January 2018. Detailed planning permission was received in April 2018 and the first building commenced in June 2018 (for completion April 2019) consequent to a pre-let to JLR. That is a significant facility for a battery assembly centre; the batteries will power the Electric Drive Units to be produced at JLR's Engine manufacturing Centre in Wolverhampton (i54). This underwrites both the need for employment land and the interlinked nature of supply chains, both economically and locationally.

9.6.16 St Modwen have completed Phase 1 comprising three speculative units totalling 8302 sq. m and have just commenced a speculative building of 29,589 sq. m on Phase 2. That leaves capacity for 25,952 sq. m in three buildings on a site of c. 8 ha.

9.6.17 Coleshill Hall Hospital is included in Table 7. However HS2 has acquired a large part of the site (owned by IM Group) because the railway line is routed through the middle of it. Accordingly IM have been forced to relocate their HQ. It is not clear whether there is any residual land and, if there is, whether it can be accessed and developed; the supposition that there is none.

9.6.18 The net result is that the total of 78ha in Table 7 is reduced to 23.89ha as at 1 March 2019.

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 MM9 relates to paragraph 1.8, which states that there is sufficient information to progress this Plan taking into account the needs of the Coventry and Warwickshire area and the Greater Birmingham and Black Country area (including Tamworth) as agreed with those local authorities. The statement within the Plan at 7.49 however confirms that CBRE 2015 and WMSESS 2015 have made it clear that there is wider than local need for large sites. The need referred to is identified as being greatest in the M42 belt at the confluence of Birmingham, Solihull, North Warwickshire and Tamworth (WMSESS 2015 paras 4.71, 4.88, 6.5).
- 9.9.2 The Council agrees that there is a need for large industrial units for logistics and manufacturing.
- 9.9.3 As discussed at EIP on Matter 5, this need is **not** the regional demand for employment land to which the Council refer at their Matter 5 Statement para 5.2.9 and 5.3.3. No provision has been made and further consideration has not been given to meeting the need (Submission Plan 7.49).
- 9.9.4 At the West Midlands Combined Authority Housing & Land Delivery Board on 21 February 2019 a revised draft of the Spatial Investment and Delivery Plan (SIDP) was approved for publication with the intent that it be a reference point for the work of the WMCA. Part 4 of the WMCA Order 2016 (2016 no 653) confers that the functions relating to any economic development and regeneration in the constituent councils are exercisable by the WMCA.
- 9.9.5 The SIDP references the regional study (WMSESS) and its conclusions that the land supply falls severely short in the areas of highest demand including the M42 corridor, and that to satisfy these needs, larger than local policies would be a more effective way to bring forward new sites (SIDP p23). That comment was made by the WMSESS, because the North Warwickshire Core Strategy Inspector in 2014 considered that he could not apportion a share of the demand to North Warwickshire in the absence of a larger than local policy or evidence (WMSESS 4.66). The purpose of the SIDP is explained at page 11 to be: to help all parties to coordinate to focus the necessary investment to deliver the spatial priorities set out in statutory development plans, with the overriding role to identify key activities that will unblock and speed up delivery of new employment opportunities in the WM region. The SIDP seeks to provide larger than local policy so far as it is able, and restates the evidence since the NW Core Strategy Inspector's Report of 2014.
- 9.9.6 The Core Strategy Inspector's conclusions were that there should be a commitment to review the NW Plan should ongoing reviews of employment and RLS identify a need. As our Matter 5.08 Statement set out, the WMSESS, CBRE 2015, WMLC and the SIDP all endorse the evidence of need for sites for large industrial units for manufacturing and distribution in the M42 corridor in NW District.
- 9.9.7 Against that backdrop of evidence and that this Local Plan is the review of the Core Strategy, specific provision should be made in this Local Plan to meet the need that has been identified. Accordingly

allocations for employment subject to MM9 and MM39 do not contain sufficient flexibility or contingency for future change and to ensure delivery in line with forecasts.

- 9.9.8 The commitment set out at MM9 is not materially different to that set by the Inspector in relation to the NW Core Strategy 2014. In accordance with the NPPF 2012, the Plan should meet development needs of business and support existing business sectors (paras 20, 21) and strategic priorities across boundaries should be properly coordinated (para 179). This Local Plan should therefore make provision for the need and not defer it to a review.
- 9.9.9 MM9 provides no certainty of review, no clarity of what would trigger a review, and no certainty of whether such a review would meet the need or when. It does not provide a viable way for developers to deliver buildings to meet occupier needs. A plan review takes years and would then require a planning application process before any development could be delivered to meet the identified need.
- 9.9.10 MM39 as drafted runs counter to the principal that Plans should assess need and plan to meet the need. The evidence does demonstrate an immediate demand for employment land that cannot be met by land currently allocated. The favourable consideration which MM39 proposes should therefore be undertaken now at the plan preparation stage to ensure that there are sites allocated to meet the need. A policy of the type proposed by MM39 which reacts after the Local Plan is adopted, will necessarily require assessment of land outside urban areas against recently adopted policies which seek to protect such areas from development. The requirement in point 4: not to be detrimental to the wider environment, is capable of being used to oppose applications on any greenfield site and thus potentially defeat the purpose of the policy. In order for MM39 to be a reasonable alternative to allocation of land to meet the need now, it should provide clear confirmation that achievement of the criteria stated does constitute very special circumstances justifying development in the green belt to outweigh LP3 and NPPF 2019 p144.
- 9.9.11 Ultimately, businesses seeking to commit investment (whether industrial or distribution functions) through the acquisition of new buildings require certainty – of planning, timescales and deliverability; it is the role of the planning and development process to deliver de-risked opportunities. The enabling policies being proposed simply do not provide any level of certainty.

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?**
- 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?**
- 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?**

- 9.14.1 Aldi are a major employer in the district; they have a distribution centre and their HQ offices on Holly Lane. This site is allocated for their further expansion and is owned by Aldi.
- 9.14.2 The gross area stated of 6.6ha is likely to be reduced by the impact of Innage Brook and the required 10m buffer areas.
- 9.14.3 Whilst it is an allocation the site is specifically allocated for the future expansion of Aldi, is owned by the company and unless they decide against expansion and decide to dispose of the site, this site is not available as part of the general employment land supply.

9.22 Allocation E2, Land to the west of Birch Coppice

- a) Are proposed access arrangements appropriate?*
- b) Are there sufficient safeguarding for potential effects of development to the occupants of residential properties next to the A5?*
- c) Are the provisions of allocation E2 sufficient to ensure the replacement of allotments in accordance with Local Plan policy 23?*

9.22.1 No comment, other than the provision of this site would be a useful addition to land supply.

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)?*
- b) Is the prevention of B8, distribution, uses other than those which are ancillary, justified?*
- c) Is the requirement for incubator units suitably evidenced and specific?*

9.28.1 MIRA is a specialist research and testing facility primarily for automotive but more generally for transport technologies. The proposed allocation will be specifically linked to the existing Horiba MIRA and whilst it is designed to enable expansion within manufacturing, the allocation is limited to a particular market sector. That restriction, whilst understandable, means that the site is not available as part of the general employment land supply.



APPENDIX 1

EXTRACT FROM NWBC21 Employment Completions 2011 – 2018

EMPLOYMENT LAND

2011/12 – 2017/18

COMPLETIONS, ALLOCATIONS & SITES WITH PLANNING PERMISSION

Allocations

Table 6: Allocations in Draft Local Plan

| SITE | USE CLASS | SITE AREA (Ha's) | SITE AREA REMAINING (Savills) | COMMENTS (Savills) |
|----------------------------|-----------|------------------|-------------------------------|--|
| Holly Lane, Atherstone | B1/B2/B8 | 6.6 | 6.6 | Policy E1. Long term employment site subject to single user restrictions for Aldi – who own the site. |
| West of Birch Coppice | B1/B2/B8 | 5.1 | 5.1 | Policy E2. |
| Playing fields south of A5 | B1/B2/B8 | 3.5 | 3.5 | Policy E3. Allocated for low intensity, small scale, primarily B1, R&D uses reflecting, inter alia, the adjoining houses which front the A5. Dependant on relocation of existing recreation use. |
| MIRA | B2 | 42 | 42 | Policy E4. Allocated for B1 R&D and B2 to include small incubator units on 2ha. |
| TOTAL | | 57.20 ha | 57.20 ha | |

Sites with Planning Permission

Table 7: Outstanding Sites with Planning Permission As At 31 March 2018

| SITE | USE CLASS | SITE AREA (Ha's) | Stage of development | SITE AREA REMAINING (Savills) | COMMENTS (Savills) |
|---|--|--------------------------------------|------------------------------|-------------------------------|--|
| Coleshill Hall Hospital | B1/2/8 | 16.38 | U/C | 0 | The site is affected by HS2. The existing Coleshill Hall appears unaffected (apart from access) but the IM Properties building is to be demolished. Potential residual land appears to have no access. |
| Hockley Park, Dosthill | B1/2/8 | 6.76 | U/C | 6.76 | Outline planning for B1, B2 and B8, formation of new access & associated engineering works. |
| Business Park, Hall End Farm, Phase 3. Birch Coppice | Zone A Zone B Zone C Zone D Zone F | 0.60 0.36 0.52 5.42 2.73 | N/S (Zone E complete) | 0 | Fully developed. |
| Hams Hall Power Station B site | B1/2/8 | 20.00 | U/C | 8.9 | Partly developed. |
| South east of Junction 10 M42 | B1/2/8 | 25.00 | N/S | 8 | Partly developed. |
| 3 Springhill, Arley | B8 | 0.05 | N/S | 0.05* | Former Car Park, now accommodates 565.9m industrial unit to store caravans. |
| Lanes Yard, Lea Marston | B2 | 0.02 | N/S | 0.02* | Factory to replace building due to fire damage. |
| Units 7A, 8A, 9A Carlyon Road Industrial Estate, Atherstone | B2 | 0.05 | U/C | 0.05* | |
| Little Chef, Meriden | B1/2/8 | 0.05 | U/C | 0.05* | Redevelopment of site for warehouse and showroom. PAP/2018/0028 |

| | | | | | |
|--|--------|-----------------|-----|-----------------|--|
| Unit 11 Carlyon Road Industrial Estate, Atherstone | B1/2/8 | 0.06 | U/C | 0.06* | |
| TOTAL | | 78.00 ha | | 23.89 ha | |

* These sites may, in part, have been taken up – but are de minimis.