

North Warwickshire Local Plan Examination
Position Statement on behalf of IM Properties

Matter 9: Allocations and the Supply of Land
for Development Requirements

March 2019

Turley

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1. Introduction

- 1.1 This statement is submitted on behalf of IM Properties Development Ltd (IM Properties) to the North Warwickshire Local Plan Examination.
- 1.2 It follows representations submitted to the Draft Local Plan consultation in March 2017 and the Draft Submission Local Plan consultation in March 2018 (hereafter referred to as the 'March 2017 representations' and the 'March 2018 representations' respectively), and position statements and our subsequent appearance at 'Phase 1' of the Local Plan Examination.
- 1.3 IM Properties is a privately owned Midlands-based company located near Coleshill and has a strong track record for bringing forward high-quality developments across the region. It has invested £750m in development projects across the Midlands and has an investment portfolio of £900m alongside a £1bn residential land portfolio. IM Properties' record of working closely with local authorities on major developments includes Birch Coppice Business Park within North Warwickshire, which has been transformed from a disused colliery and developed to the highest standards of building design, park infrastructure, landscaping, amenities and management.
- 1.4 IM Properties also controls 70 hectares of land to the west of Junction 9 of the M42/M6 Toll, within North Warwickshire. The site was submitted to the Borough Council's Call for Sites in 2015, and provides an exceptional opportunity for a major new employment development to meet a well evidenced, significant and pressing need for strategic employment sites in this location.
- 1.5 The site is situated within the heart of the M42 corridor and benefits from excellent access to the strategic road network, proximity to labour supply and access to intermodal facilities. It can make a substantial contribution to the jobs, investment and growth agenda of the regions' Local Enterprise Partnerships (LEPs) and the West Midlands Combined Authority, and the wider objectives of the Midlands Engine Strategy.
- 1.6 Our March 2017 and March 2018 representations set out significant concerns with the emerging plan, and these concerns remain in respect of the submitted Local Plan (March 2018). The key issues which form the focus of our representations to the Examination are as follows:
 - The failure of the Plan to recognise the strong economic need for additional strategic employment land in the Borough to address the significant and growing unmet need and demand at a sub-regional level, and within the M42 corridor more specifically;
 - The spatial strategy which has been selected without first understanding the appropriate housing and employment needs to plan for, and which has been unduly influenced by seeking to protect the Green Belt, rather than a consideration of the most sustainable strategy for directing growth; and

- Allied to our concerns above, the significant and substantive procedural shortcomings with the Sustainability Appraisal, including issues arising from the failure to prepare a revised SA Scoping Report at the outset of the process, failure to carry out and consult upon an SA of the strategic Growth Options at the appropriate time, the failure to assess the preferred growth option and reasonable alternatives and the erroneous treatment of Green Belt as an environmental constraint.

1.7 This statement responds to Matter 9 of the Examination, and specifically sets out IM Properties' concerns with the approach to employment land within the Local Plan.

1.8 We have requested to appear at the Examination in respect to Matter 9.

2. Response to Issues and Questions

Q 9.1 – Q 9.5

2.1 No comments

Q 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?

2.2 There is a lack of transparency in LP40 and we would agree that the figures quoted above do not readily tally. The Council have also previously stated (in both their evidence base and within the Plan) that their supply excludes former RLS, however the council now appear (in NWBC21) to be relying on these sites to demonstrate past delivery and the forward supply. This evidently shows more land (301.45ha from completions since 2011, commitments and allocations) than is required to meet identified needs (100ha).

2.3 Reliance on Birch and Hams hall as part of the general supply, whilst misleading (in the context of what the Council has stated previously), does reinforce the point that strategic sites have formed a critical component of the North Warwickshire supply for a number of years.

2.4 To reiterate our matter 5 challenge points, there is no evidence that the sites identified within NWBC20 are responding to identified need for strategic sites – allocations aren't of a scale to meet this need and other sites (Hams and J10) are likely to be delivered in the short term. There is no forward supply to accommodate this need once these sites have been delivered.

Q 9.7 – Q 9.8

2.5 No comments

Q 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?

2.6 The evidence base identifies 81ha local need. It is unclear how this is being met through the allocations (where RLS completion are taken out) proposed in the Plan and identified in NWBC20. There would appear to be limited flexibility to meet local needs, and by virtue of their exclusion from the plan, no flexibility to meet strategic/sub-regional needs.

- 2.7 We can re-emphasise concerns with MM39 not being sufficient as the need exists now. Similarly, MM9, which deals with local plan review, is also inadequate.
- 2.8 As well as planning to meet forecast, NWBC should be planning in response to market evidence and signals to identify gaps in supply. Not evident that this exercise has been undertaken either within the plan or it's informing evidence base.

Q 9.10 – Q 9.13

- 2.9 No comments

Q 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

(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?

The site is safeguarded for expansion of a specific occupier and therefore should not form part of the overall supply that is available to accommodate needs.

Q 9.15 – Q 9.21

- 2.10 No comments

Q 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?

- 2.11 It is unclear as to how this site will be accessed. It would appear that access is required to be taken from Birch Coppice Business Park. IM Properties has not been approached in respect of this, and therefore we question the deliverability of the allocation.

Q 9.23 – Q 9.27

2.12 No comments

Q 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?

2.13 Whilst 'strategic' in scale, this site is located outside of Area A and is therefore not meeting a strategic need. The prevention of B8 uses is justified on the basis that it is not a suitable or attractive site for B8 use, and this need would be better met on sites well served by motorway junctions and in proximity to existing rail freight terminals.

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