



CHARNWOOD LOCAL PLAN 2021-2037

Examination Statement by Charnwood Borough Council

**MATTER 10:
LEICESTER AND LEICESTERSHIRE HOUSING AND
EMPLOYMENT LAND NEEDS**

September 2022

10.1 What is the up to date position with the signing of the SoCG (Exam 43) by the Leicester and Leicestershire authorities (including the County Council)? Are there any implications for Plan preparation by the authorities and if so, what are they?

10.1.1 The Statement of Common Ground (SoCG) (Exam 43) is currently going through the different governance processes of the various authorities and the timetable for this to be completed is shown below.

Authority Name	SoCG Process Dates
Charnwood	Agreed 9 th June 2022 Cabinet (Delegated authority to sign off new amendments)
Oadby and Wigston	Agreed 12 th July 2022 Council
Melton	Agreed 13 th July 2022 Council
Blaby	Agreed 19 th July 2022 Council
Leicester	Agreed 31 st August 2022 by Mayoral decision
North West Leicestershire	Agreed 6 th September 2022 Council
Leicestershire County	Considered at Scrutiny on 7 th September 2022 Agreed 23 rd September 2022 Cabinet
Hinckley and Bosworth	The Council has announced that the submission of their Local Plan will be delayed. As such, they are unable to endorse the SoCG at this time. A future date for consideration of the SoCG is to be confirmed.
Harborough	Scrutiny - 13 th October 2022 Cabinet - 14 th November 2022 Council - TBC

10.1.2 Hinckley and Bosworth Borough Council issued a press statement on 7th September 2022 pledging to continue to work on progressing their Local Plan for submission, but revising the timetable with an anticipated submission later in 2023. Their statement does not make a direct reference to the signing of the SoCG but it does refer to their concerns regarding the number of additional houses that they would be required to accommodate from Leicester City's unmet need target. They have stated that they will be commissioning further work to address new and emerging requirements and to give their infrastructure partners further time to complete their assessment on matters such as highway impacts, educational needs which they have said will take them well into next year.

10.1.3 It is anticipated that each authority will provide a separate response setting out its latest position in relation to the SoCG and their respective Local Plans.

10.1.4 In terms of the implications for Plan preparation by the Leicester and Leicestershire authorities, the purpose of the SoCG is to provide certainty to the partner authorities on the scale and distribution of housing and employment need in Leicester and Leicestershire.

- 10.1.5 The various stages at which the different authorities in the housing market area (HMA) find themselves in the plan-making process mean that it is not practical or desirable to delay progress in plan preparation until the scale and distribution of housing and employment need, including unmet need from Leicester, has been identified in an adopted development plan for the City of Leicester and the distribution has then been formally agreed by all partners across the housing and functional economic market areas.
- 10.1.6 The Government continues to state its commitment to Local Plan making and highlights the importance for local authorities in ensuring an up-to-date development plan is in place with Councils being urged to progress plan preparation as quickly as possible. Most recently, in November 2021, the Chief Planner wrote to the head of local planning authorities and strongly encouraged them to continue in the preparation and adoption of local plans. To wait until everything across the Leicester and Leicestershire HMA is aligned would not allow this to be achieved in a timely manner. It is also noted that the Duty to Co-operate is not a duty to reach agreement – although in this case the majority of partner authorities are supportive.
- 10.1.7 There are several instances around the country where plan preparation, examination and adoption of a Local Plan has continued without the local authorities across an HMA being completely aligned and all issues having been fully resolved. Unmet need may not have been identified through adopted development plans or its distribution formally agreed by all Councils across the housing market area. However, this has not prevented other Local Plans in the HMA proceeding to adoption. For example, the Hart District Council Local Plan has been adopted accommodating unmet need from Surrey Heath Borough Council which had only been identified in the Issues and Options/Preferred Options consultation of the Surrey Heath Local Plan (Appendix 1 – Paras 33 – 40). Furthermore the Warwick District Local Plan proceeded to adoption without all Councils in the housing market area agreeing to the proposed distribution of unmet need from Coventry (Appendix 2 – Paras 70 – 77).
- 10.1.8 In summary, the implications for Charnwood are that the Charnwood Local Plan should incorporate the outcomes of the Statement of Common Ground and that the borough’s housing requirement should be increased to 1,189 dwellings per year.

Issue 1 – The Assessment of Housing Need

Context – The Planning Practice Guidance (PPG) states that there is an expectation that the standard method for assessing housing need will be used and that any other method will be used only in exceptional circumstances. The PPG also indicates that the standard method provides a minimum starting point and that there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates. Such circumstances would include where an authority agrees to take on unmet need from neighbouring authorities, as set out in a SoCG. (PPG References 2a-003-20190220 and 2a-010-20201216).

10.2 Is the HENA (Exam 44a) assessment of Leicester and Leicestershire's housing need from 2020 to 2036 (91,408 dwellings) based on a robust assessment of relevant factors? Are there any exceptional circumstances which would justify planning for a lower or a higher figure?

- 10.2.1 The Council considers the Housing and Economic Needs Assessment (HENA) to provide a robust assessment of housing need for the period until 2036. This position is supported by the other local authorities in the Housing Market Area as set out in the June 2022 Statement of Common Ground (Exam 43 Paras 3.6 – 3.7).
- 10.2.2 Section 8 of the HENA (Exam 44a) considers whether there is a case for adjustment to the local housing need. Scenarios for economic growth are considered, with the analysis in Table 8.3 showing that the standard method could support between 89,400 – 93,000 jobs (Table 8.3) which exceeds jobs growth in both the Baseline Scenario (26,900 jobs) and Aspirational Economic Growth Scenario (63,200 jobs) as shown in Table 6.3. There is therefore no case for increasing the housing need across the HMA to meet economic growth.
- 10.2.3 Wider considerations identified in the Planning Practice Guidance (PPG) are considered in the HENA in Paras 8.36, 13.25 and 13.27. The area is not an identified growth area. There are not strategic infrastructure improvements envisaged which are expected to have an upward impact on housing need. The standard method (5,713 dpa) is above previous assessments of housing need, such as the previous HEDNA 2017 (4,716 dpa) and historical housing delivery over the 2006-20 period (4,113 dpa). In boosting housing delivery overall, it will help to deliver additional market and affordable housing.
- 10.2.4 The HENA has also considered demographic dynamics and the latest official ONS demographic projections, which are examined in Section 5. It finds similar population growth in the 2014- and 2018-based Sub-National Population Projections (Para 5.41) and whilst the household formation assumptions in the 2018-based Household Projections would support lower housing numbers, the HENA concludes that these build-in suppressed household formation and the assumptions in the 2014-based set should be preferred (Para 5.48). It concludes that there is no basis for demographic adjustments or setting housing need below the standard method (Para 13.23).

10.3 What implications, if any, do the levels of net migration in the 2018 Sub National Household Projections compared with the 2014 projections (on which the standard method is based) have for the standard method of assessing housing need for Leicester and Leicestershire? Is the use of an alternative internal migration assumption justified and if so, why? (Table 5.13)

- 10.3.1 The HENA (Exam 44a) reveals that the 2018-based SNPP (Principal Projection) show stronger population growth in Leicestershire than the 2014-based Projections (+41,219 – see Table 5.12) but weaker population growth in Leicester (-23,412 – see Table 5.11).

- 10.3.2 However, the principal projection is based on just two years of data (Para 5.24). The HENA states that the ONS ‘alternative internal migration variant’ is likely to be a more robust trend-based projection (Para 5.31). This results in a very similar level of population growth across the HMA (148,700 persons to 2041 as against 146,400 in the 2014-based SNPP – see Tables 5.11 and 5.12).
- 10.3.3 The Council does not consider that there are exceptional circumstances to move away from the use of the 2014-based Household Projections. This is within the context whereby Para 2a-015-2019020 in the PPG states that:

“Any method which relies on using household projections more recently published than the 2014-based household projections will not be considered to be following the standard method as set out in paragraph 60 of the National Planning Policy Framework. As explained above, it is not considered that these projections provide an appropriate basis for use in the standard method.”

10.4 Is the minimum local housing need figure for Charnwood from 2020 to 2036 of 1,111 dwellings set out in the HENA (Table 13.1) robust and justified? Does the evidence in the HENA update any of the assumptions used in the Charnwood Housing Needs Assessment (EB/HSG/1)?

- 10.4.1 Yes. The figure of 1,111 dpa is based on household growth between 2021-31 of 903 households per annum (HENA Exam 44a: Para 8.10 and Table 8.1) and an affordability uplift of 23% based on the 2020 median house price to income ratio (Para 8.13). It uses the correct data at the point of submission of the Plan to inform the Standard Method calculation. This is consistent with Para 2a-008-20190220 (see Q10.5). The Plan was submitted in December 2021.
- 10.4.2 This calculation updates the assumptions within the Charnwood Housing Needs Assessment (EB/HSG/1) which used household growth of 901 per annum (Figure 3.1) and a marginally different affordability uplift based on the 2019 affordability ratio. The scale of difference in the need shown (1,111 dpa as opposed to 1,105 dpa) is minimal.

10.5 Notwithstanding that the Charnwood Local Plan has been submitted for Examination, is the use of 2020 affordability data for Charnwood (HENA para 8.13) justified? Would the use of 2021 affordability data for Charnwood feeding into the standard method affect the calculation of housing need for Charnwood in Table 8.1? If so, how?

- 10.5.1 Yes, the use of 2020 affordability data for Charnwood is justified. This is the data which was used to inform the standard method calculation at the point of submission of the plan, consistent with PPG Para 2a-008-20190220 which sets out:

“The housing need figure generated using the standard method may change as the inputs are variable and this should be taken into consideration by strategic policy-making authorities.”

However, local housing need calculated using the standard method may be relied upon for a period of 2 years from the time that a plan is submitted to the Planning Inspectorate for examination.”

- 10.5.2 This element of the PPG was introduced alongside the standard method in 2018. It follows the recommendations set out to Government by the Local Plans Expert Group (LPEG) on speeding up the process of preparing local plans, with the intent of avoiding new data being published post submission ‘destabilising’ plan preparation. It is part and parcel of the standard method reforms which seek to speed up plan preparation.
- 10.5.3 A calculation which uses the 2020 affordability ratio for Charnwood is therefore consistent with the standard method and therefore sound.
- 10.5.4 The 2021 affordability data for Charnwood was published after the new Local Plan had been submitted for examination. In terms of the theoretical impact that the latest figures would have, the Local Housing Need (LHN) figure for Charnwood rises from 1,111 dpa to 1,160 dpa, principally as a result of the affordability ratio increasing from 7.68 to 8.41. The calculation of LHN using the latest data is set out below.

	Charnwood
Change in Households (2022-32)	906.2
Affordability Ratio (2021)	8.41
Affordability Uplift	127.6%
Stage 2 Need	1,160
Urban Uplift (35%)	-
Cap Applicable	No
Total Need (dpa)	1,160
2020 Standard Method Need	1,111
Change (dpa)	49
% Change	4%

- 10.5.5 The standard method figure at the point of submission (1111 dpa) already represents a very significant increase of 35% on the Objectively Assessed Need and housing target in the Council’s adopted Core Strategy; and its delivery will contribute to Government’s objectives to significantly increase housing supply.

10.6 What are the implications, if any, of Charnwood having a 12% increase in population 2011-19 but a 9.2% increase in dwelling stock over the same period as indicated in the HENA (Table 5.16)? Does this point to a level of suppressed household formation which would justify an uplift in the level of need? Does this trend have any implications for the future distribution of development as indicated at paragraph 5.36 of the HENA?

- 10.6.1 The population growth of 12.0% between 2011-19 shown in Table 5.16 was based on ONS Mid-Year Population Estimates. Firstly it is notable that Charnwood does have a slightly younger population than other parts of the County, in part due to the large student population in Loughborough.
- 10.6.2 Since the publication of the HEDNA, initial 2021 Census data has been released. For Charnwood, the Census shows a population of 183,900 which is lower than the ONS had estimated it to be in 2019 (185,851) and 2020 (188,416). It therefore seems possible that the stronger population growth in Charnwood simply reflects population growth in the Borough having been over-estimated by ONS.
- 10.6.3 The data on population and housing growth can therefore be updated to consider the full 2011-21 decade. This is shown in the table below.

Comparison of Growth in Dwelling Stock and Population (2011-21)

	% change in stock	% change in population
Charnwood	11.9%	10.7%
Leicester and Leicestershire	11.2%	10.2%

Source: ONS Census data and DLUHC

10.6.4 This shows:

- Population growth across Leicester and Leicestershire of 10.2%, which is slightly lower than growth in the dwelling stock over this period of 11.2%; and
- A consistent pattern in Charnwood with population growth of 10.7% which is slightly lower than growth in the dwelling stock of 11.2%.

10.6.5 As a result there does not seem to be evidence of suppressed household formation which would justify an uplift in the level of need or impact on the distribution of development.

Issue 2 – The Scale of the Unmet Need for Housing

Context – The SoCG (Appendix B) (Exam 43) states that Leicester’s minimum local housing need from 2020 - 2036 is 39,242 dwellings (2,464 dwellings per year) and the supply over the same period is 20,721 dwellings. The SoCG (paragraph 3.20) indicates that the residual unmet need of 18,700 dwellings will be tested through the Leicester Local Plan.

10.7 Is the 18,700 dwelling figure a reasonable working assumption for Leicester’s unmet need from 2020 to 2036 as set out in the Housing Distribution Paper (paragraph 3.7) (Exam 45) and the SoCG (paragraph 3.19), pending further testing through the Leicester Local Plan? Is it a reasonable basis on which to apportion the unmet need across the Leicestershire authorities?

10.7.1 Yes, it is a reasonable working assumption based on the information available at the current time. As set out in the SoCG Paras 3.19 and 3.20 (Exam 43), it is based on

the difference between Leicester's standard method LHN (39,424 dwellings, 2020-36) and the housing land supply in the 2020 Draft Leicester Local Plan 2019-20 (20,721 dwellings) generating an unmet need of 18,700 dwellings (rounded).

- 10.7.2 It is understood that the Pre-submission Leicester Local Plan is due to be published for consultation during fourth quarter of the 2022 calendar year. . Consequently, the Regulation 19 version of the Leicester Local Plan may become available before the October 2022 hearing sessions commence. This will provide the most up to date information, although it is noted that it will be further tested through the subsequent Examination of the Leicester Local Plan.
- 10.7.3 As is acknowledged by the SoCG (Para 3.20), the scale of unmet need could change as the preparation of Leicester's local plan progresses, and through the Leicester Local Plan Examination process, but this is an agreed working assumption between the authorities in the HMA based on the current evidence.
- 10.7.4 The scale of unmet need is influenced by the Cities and Urban Areas Uplift which was introduced into the standard method in December 2020 with a view to ensuring that in the aggregate across England, the standard method met the Government's ambition to deliver 300,000 homes a year. The PPG sets an expectation that the additional dwellings will be met within cities/urban areas and prioritises brownfield or under-utilised sites (Para 2a-035-20201216), in a Leicestershire context the Leicester urban area does extend beyond the administrative area and the authorities recognise their legal duty to cooperate to address any unmet needs arising.

10.8 Why is an unmet need of 15,900 dwellings tested through the Sustainability Appraisal (Exam 47a) and how was this figure arrived at? Has the figure of 18,700 dwellings been tested?

- 10.8.1 As set out in paragraph 3.1.1 of the Sustainability Appraisal (Exam 47a), following revisions to the Standard Method for calculating housing need in December 2020, Leicester City identified, as a working assumption, an unmet need of 15,900 dwellings between 2020 and 2036. This was therefore used as one of the scenarios to be tested. In order to address the potential for the scale of unmet need to change, two other scenarios were also tested: the working assumption plus 25% (20,000 dwellings) and the working assumption minus 50% (7,950 dwellings). The 18,700 dwelling figure sits within this range.
- 10.8.2 The figure of 18,700 dwellings is a result of using the updated Standard Method calculation of Leicester's housing need based on March 2022 figures. This resulted from Leicester's need for 2020 to 2036 increasing from 36,656 to 39,424 dwellings.
- 10.8.3 Yes, the figure of 18,700 dwellings has been tested. Following the work described above a preferred option was identified that used the 18,700 figure and the distribution of unmet need set out in the SoCG (Exam 43). This option was assessed, and the result of that assessment is set out in part 7 and appendix C of Exam 47a.

10.9 If the scale of the unmet need of 18,700 dwellings changes as a result of the Leicester Local Plan Examination, how would this be addressed by the respective Leicester and Leicestershire local authorities under the Duty to Cooperate? What would the implications be for plan making in other authorities in the Housing Market Area?

- 10.9.1 As set out in the SoCG Paras 5.4 and 5.5 (Exam 43), the Duty to Cooperate is an ongoing process and should the amount of unmet need change significantly, the apportionment of this would need to be jointly reviewed and updated. The HMA authorities would work together to assess the implications and how this would be dealt with. The track record of constructive engagement between Leicester and Leicestershire authorities is set out in Exam 43 (Para 3.1).
- 10.9.2 The implications on authorities within the HMA would be influenced by the extent to which the scale of unmet need changes, the stage of preparation of respective local plans, and the provisions to meet unmet need already made within current or emerging local plans.
- 10.9.3 It however seems likely that as preparation of a number of local plans across Leicestershire are progressing in advance in the Leicester City Local Plan, and are likely to make provision for contributions to meet Leicester's unmet need, by the time the City's Plan reaches examination the scale of residual unmet need may change.

Issue 3 – Apportionment of the Unmet Housing Need

Context – The PPG states that the cities and urban centres uplift is expected to be met by the cities and urban centres themselves, rather than the surrounding areas, unless it would conflict with national policy and legal obligations (PPG Reference: 2a-035-20201216).

10.10 The Housing Distribution Paper (paragraph 7.3) (Exam 45) refers to the proposed distribution of the unmet need as an 'interim arrangement'. What does this mean, is it justified and how would any changes to the evidence or other circumstances be dealt with?

- 10.10.1 Para 7.3 in the Housing Distribution Paper (Exam 45) should be read alongside Paras 1.1 – 1.2 therein and Para 3.5 within the SoCG (Exam 43).
- 10.10.2 As set out in the Housing Distribution Paper in Paras 1.1-1.2 (Exam 45), the intention is that the review of the Strategic Growth Plan (SGP) will set out the long-term distribution of housing need to 2050. The current SGP (EB/DS/6) recognises the need to address unmet needs of authorities within the HMA but the plan requires updating to respond to new circumstances, such as the 35% urban areas uplift, and the latest evidence. The SGP review will be informed by the evidence in the HENA as well as Strategic Transport Assessment and Strategic Growth Options and Constraints Mapping, which are referred to in the SoCG Paras 3.3 – 3.5 (Exam 43). These latter assessments include consideration of alternative options for strategic development across the HMA such as major urban extensions.

10.10.3 However, it was recognised that there can be a lead-in time of 10 years or more for the delivery of strategic sites, particularly where they require delivery of new strategic infrastructure. There was therefore a need to consider an interim distribution of housing need covering the period to 2036 which is what the Housing Distribution Paper does, with the intention of allowing the current round of plans to progress (and address unmet need to 2036) in advance of the SGP and joint decisions around major strategic growth in the HMA. The review of the SGP in due course can then inform decisions around the distribution of development from the mid-2030s through to 2050.

10.11 Are the following factors set out in the Housing Distribution Paper a robust and logical basis for the apportionment of the unmet need of 18,700 dwellings to 2036:

- ***the functional relationships between the respective Leicestershire authorities and Leicester City based on migration and commuting patterns;***
- ***balancing the provision of jobs and homes;***
- ***deliverability, based on potential supply, the rate of housing growth and adjustments to support a sustainable and deliverable distribution of development.***

Are there any other relevant factors which should be taken into consideration?

10.11.1 Yes, it is considered that the Housing Distribution Paper (Exam 45) provides a robust and logical basis for apportioning unmet needs. It needs to be understood within the context set out in Q10.10 and is intended to allow rapid progress with local plans in advance of a more comprehensive assessment of long-term strategic development options through the review of the Strategic Growth Plan.

10.11.2 Guidance on 'Maintaining effective cooperation' is set out within the PPG Section on Plan-making (Section 61). This outlines the role of Statements of Common Ground between local planning authorities in undertaking the Duty to Cooperate and what these Statements should contain. Paras 61-011-20190315 and 61-012-20190315 set out that such Statements should set out (amongst other things) the extent of an unmet need within the area, and agreements on the process for distributing this (or the process for doing so) and any areas of disagreement. No specific guidance is provided on how the redistribution of unmet need should be determined.

10.11.3 However, it is clear from the Guidance that the distribution of housing need is an issue for consideration and determination by the local authorities. National policy and guidance provide the authorities with considerable freedom and flexibility to determine and agree what they consider to be the appropriate distribution (in so far as it does not cause conflict with other policy/ legislative requirements).

10.11.4 The Paper (Exam 45) sets out three broad considerations – as outlined in this question and summarised in Section 2 therein. Its aim is to deliver an approach which

takes account of the strength of relationship with Leicester and the potential residential land supply in different authorities; seeks to balance the distribution of homes and jobs across Leicester and Leicestershire to limit the need to travel and reduce travel distances; and puts forward a distribution of development which has a reasonable prospect of delivery and thus meeting housing need across the HMA. It provides a rational and logical basis for addressing unmet needs.

10.11.5 These factors set out a logical, stepped approach which will provide a robust and appropriate distribution of unmet housing need and in doing so do not require any other factors to be introduced to ensure the approach can be considered sound.

10.12 Is the proposed 1.4% 'cap' to the redistribution of housing provision justified as a general approach and in relation to Charnwood in particular? What effect does the 1.4% cap applied to Charnwood have on the redistribution of the residual unmet need across the other Leicestershire authorities?

10.12.1 Yes, the final stage in the methodology is considered justified. The National Planning Policy Framework (NPPF) sets out that plans should be deliverable (Para 16b), whilst the soundness tests (Para 35) set out that to be effective, plans must be not just based on effective joint working but should be deliverable over the plan period. As these are tests for individual plans, it is important that agreement on the distribution of development is deliverable, as it is intended to inform the development of deliverable plans.

10.12.2 The Housing Distribution Paper (Exam 45) in Chapter 6 considered a range of issues related to the deliverability of the distribution of development arising from the previous steps. It adjusts upwards Melton's contribution to align with what is already planned within its adopted Local Plan. It takes account of land supply which constrains the ability of Oadby and Wigston to meet the redistribution arising from the previous steps. It applies a cap to the redistribution to Charnwood based on market capacity issues, and it makes adjustments to other authorities based on the potential job creation associated with known development projects and/or to improve the balance between jobs and homes (which in turn influence deliverability in different areas). These considerations should be taken together.

10.12.3 The approach in the Housing Distribution Paper has been considered and discussed with the HMA local authorities as part of the HENA's preparation. It is agreed by the majority of authorities in the HMA, the exception being Hinckley and Bosworth Borough Council (HBBC). As set out in Section 4 of the SoCG (Exam 43), HBBC disagrees that a) the use of stock growth rates to consider deliverability and the consequent capping of the redistribution to Charnwood; and b) the methodology in Exam 45 Paras 6.21-6.24 and final proposed redistribution in Table 6.9 in the Distribution Paper.

10.12.4 Stock growth rates are used in the Paper (Exam 45) as a means of considering the comparative rate of housing growth implied by potential levels of housing provision in different areas. They are used to consider and assess the potential local market capacity to deliver housing (and therefore to contribute to meeting unmet need). The

approach recognises that the sizes of local authorities within the HMA varies and that historical completions in individual authorities will have been influenced by past planning policies. A comparison against wider areas within the region is therefore considered.

- 10.12.5 Hinckley and Bosworth Borough Council has suggested through the HENA preparation that past annual average housing completions figures should be used. The HENA data showed however that the standard method housing need (5,713 dpa) exceeded historical completions over both the 2015-20 period (5,255 dpa) or longer term (average 4,133 dpa 2006-20), and is indeed 38% above longer-term completions trends, meaning that historical delivery could not be treated as a cap. There are also clear influences of past planning policies on delivery. Annual housing completions in Hinckley and Bosworth since 2006 of 436 dpa represents 97% of what was planned for in its Core Strategy which set a target equivalent to 450 dpa. The approach of considering stock growth rates allows consideration of a wider range of data and areas to be used to consider what delivery rates are feasible.
- 10.12.6 Table 6.6 in the Paper (Exam 45) considers the stock growth (compound annual growth rate) implied by the previous stages of analysis, which would vary between 1.0% (Oadby and Wigston) and 1.6% (Charnwood). Iceni then undertook analysis of historical rates of housing delivery achieved in local authorities across the East and West Midlands (Table 6.7), over the period from 2013-20 (a period of stronger housing market performance) and 2001-20 (a longer-term period covering the full economic cycle). Table 6.8 provided a similar analysis of delivery performance for local authorities in the Leicester and Leicestershire HMA. The analysis shows that no authority in the HMA has sustained a growth rate of over 1.2% pa across the economic cycle, whilst just 6 authorities across the two regions had done so. Planning on the basis of a 1.4% pa housing growth is therefore aspirational – and at the top end of what has been achieved elsewhere. There are considerable risks (in terms of local market capacity) to sustaining housing delivery rates above this level (Para 6.19). Evidence contained in the HENA (Exam 44a) regarding Charnwood’s housing market and economic dynamics/growth potential do not point to an ability to support 1.6% stock growth in the Borough.
- 10.12.7 Planning on the basis of 1.4% pa growth in Charnwood (1189 dpa) is already above its historical delivery rate (with completions averaging 1,055 dpa over the last 5 years (2016-21) and just 829 dpa since 2006), but this is not treated as a cap, and it is considered achievable taking account of the Borough’s geography which includes places around the northern side of the Leicester urban area, together with Loughborough and smaller settlements. It would see the Borough taking 21% of the HMA’s housing growth which is above its existing share of population (17.5% - HENA (Exam 44a) Table 5.1); share of GVA (14% - HENA (Exam 44a) Table 2.2); and share of Employment (14% - based on HENA (Exam 44a) Table 2.7). Charnwood also has house prices which are average for the HMA (HENA (Exam 44a) Table 4.1 and 4.4).

- 10.12.8 A distribution which over concentrates development and creates localised market capacity issues is not equitable and risks under-delivery against the HMA's overall housing need, contrary to the NPPF's objectives.
- 10.12.9 An approach based simply on functional relationships cannot be taken forward as the evidence indicates that Oadby and Wigston cannot fully meet the need generated on this basis. This is influenced by the small size of the Borough and review of its potential land supply. This means that an approach which simply removes the final distribution stage cannot be taken forwards.
- 10.12.10 The economic scenarios in the HENA (Exam 44a) are principally a demand-based analysis, taking account of economic structure and sectoral growth opportunities, and do not specifically take account of supply-side factors (such as major development sites). The final stage in the Distribution Paper (Exam 45) also seeks to promote a sustainable distribution of housing within the HMA which limits the need to travel, taking account of the existing relationship between jobs and homes in different areas and the potential of key initiatives / schemes to influence the distribution of future employment growth, as identified in Para 6.21 of the Distribution Paper (Exam 45). As Table 5.2 in the Paper sets out, Charnwood has a much lower density of employment than almost all other parts of the HMA, and therefore a strong concentration of housing within the Borough risks increasing commuting distances. Instead, the distribution proposed seeks to limit the need to travel.
- 10.12.11 The distribution of additional homes to Hinckley and Bosworth recognises the accessibility of the Borough to employment opportunities within and beyond it. It is noted that a Development Consent Order is due to be submitted shortly for a Hinckley National Rail Freight Interchange on land to the south of Elmesthorpe which the promoters identify could deliver 8,400 jobs, and growth potential at Mira Technology Park. Similarly the adjustments to North West Leicestershire recognise potential job creation associated with the designation of the East Midlands Freepport.
- 10.12.12 The effects of the final stage adjustments to support deliverability and manage commuting are set out in Table 6.9 in Exam 45. The redistributed housing provision is adjusted downwards in Charnwood, but upwards for Blaby, Hinckley and Bosworth and North West Leicestershire.

10.13 Have land supply, capacity and constraints issues been assessed in the apportionment of the unmet need? If not, how will these matters be addressed?

- 10.13.1 Appendix B in the SoCG (Exam 43) sets out the potential housing land supply in each of the HMA authorities. This includes commitments, current and emerging allocations, evidence from Strategic Housing Land Availability Assessments and potential windfall rates and is based on information provided by each authority. The total potential supply is then replicated in Table 6.4 in the Housing Distribution Paper (Exam 45).

- 10.13.2 The Sustainability Appraisal (Exam 47a) has then considered potential distribution scenarios having regard to land availability, strategic development constraints, and the SA Framework. The SA Framework covers biodiversity, health, housing, economy, transport, climate change, landscape, agricultural land, cultural heritage, flooding, water supply, and minerals issues (see Table 4.1, Exam 47a).
- 10.13.3 It shows that, overall, the proposed distribution approach will have positive effects on housing delivery and supporting economic growth; and support the delivery of homes close to services, jobs and public transport. Significant negative effects on all environmental receptors can be avoided. The strongest negative effects are identified for landscape and land but are unavoidable if the housing need is to be met. Mixed impacts in relation to congestion are also identified (see Table 7.3, and paragraphs 7.1.5 to 7.1.9, Exam 47a). Further information about the Sustainability Appraisal is provided in the response to Q10.15.
- 10.13.4 As set out in the SoCG (Exam 43 Para 5.5), the proposed housing distribution figures are to be tested through each authority's Local Plan process.

10.14 What role will the review of the Strategic Growth Plan (EB/DS/6) have in the distribution of housing growth across the Leicester and Leicestershire Housing Market Area in the longer term?

- 10.14.1 As set out in the Housing Distribution Paper (Exam 45 Paras 1.1-1.2), the intention is that the review of the Strategic Growth Plan (SGP) sets out the long-term distribution of housing need to 2050. This will be informed by the evidence in the HENA as well as the Strategic Transport Assessment and Strategic Growth Options and Constraints Mapping, which are referred to in the SoCG (Exam 43 Paras 3.3–3.5). These latter assessments include consideration of alternative options for strategic development across the HMA such as major urban extensions or new settlements.

10.15 How has the SoCG Sustainability Appraisal report (Exam 47a) informed the apportionment of the unmet need?

- 10.15.1 The purpose of the Sustainability Appraisal is to assess whether different reasonable alternative options for the amount and distribution of unmet need can be accommodated in a sustainable way, i.e. without leading to significant negative effects.
- 10.15.2 The SoCG Sustainability Appraisal (Exam 47a) tested three levels of unmet need and five distribution options for housing (Tables 3.2, 3.3 and 3.4) and three levels of unmet need and four distribution options for employment land (Table 3.8) against a framework containing 13 objectives (Table 4.1). The purpose of the appraisal was to identify the effects of the options (positive or negative and significance) on each of the sustainability objectives. The results of the appraisal are set out in part 5 and appendix A of Exam 47a for housing and part 6 and appendix B for employment land.

- 10.15.3 Following this work a preferred option for the distribution of unmet housing need set out in the SoCG (Exam 43) was also assessed. The results of that assessment are set out in part 7 and appendix C of Exam 47a.
- 10.15.4 The conclusion from the assessment of the initial housing options was that: The findings in the SA demonstrate that the different distribution options perform fairly similarly, with each having strengths and weaknesses. However, relatively speaking, the HENA distribution option performs as well or better than the alternatives for most sustainability topics (paragraph 5.6.3). This conclusion was confirmed by the additional analysis set out in part 7 and appendix C of Exam 47a.
- 10.15.5 In the case of employment land, the conclusions of the assessment supported the HENA distribution, while identifying that other options performed better in some respects. The overall conclusion was that: The findings of the options appraisal are broadly supportive of this approach, demonstrating that there would be limited negative effects, whilst still bringing potential positive effects on the economy (paragraph 6.2)
- 10.15.6 The Sustainability Appraisal report includes a number of recommendations in relation to housing mitigation and enhancement (table 5.4) which will be considered by individual authorities bringing forward local plans. Those plans will be subject to their own, more detailed, Sustainability Appraisals.

10.16 Overall, is the apportionment of 78 dwellings per year to Charnwood over the period 2020 - 2036 to contribute towards the unmet need of 18,700 dwellings justified by the evidence, robustly based and will it support a sustainable pattern of development as required by NPPF paragraph 11?

- 10.16.1 Yes, the Council consider that the apportionment is justified by the evidence and will support a sustainable, and deliverable distribution of development across the HMA. It has been derived using an evidence-based, logical process which has closely involved the HMA authorities and is agreed by the majority of authorities within the HMA.
- 10.16.2 It represents a reasonable interim approach to delivering growth across Leicester and Leicestershire pending the update of the Strategic Growth Plan and demonstrates a commitment of the authorities collectively to meeting Leicester's unmet needs and recognition of the need to make provision for this within the current round of local plans.

Issue 4 – The Assessment of Employment Need

Offices

10.17 Does the labour demand model provide the most robust method of representing future needs and does the use of a ‘sensitivity’ model of a 30% reduction in the labour demand need for office space (paragraph 7.20) (HENA) provide sufficient certainty around the parameters for office floor space and job needs post-pandemic?

10.17.1 The labour demand model with sensitivity approach is considered the most robust approach available in determining jobs and office floorspace requirements post pandemic.

10.17.2 The PPG establishes that labour demand modelling is one of the signals that should be considered in plan making, alongside labour supply, past take up and consultation with business / other relevant organisations (Para: 027 Reference ID: 2a-027-20190220). It is therefore appropriate that this is considered alongside other approaches in determining future needs.

10.17.3 Local property agents Innes England supported Icen Projects in the production of the HENA [Exam 14], drawing on the latest data available at summer / autumn 2021. Innes England’s market information is that office downsizing is typically occurring at a rate of 30% in Leicester and Leicestershire (HENA Para 3.24 and 3.37). It is also reported that the smaller end of the market is not seeing the degree of restructuring of larger corporates at the nationwide level (Para 3.41) although data available at the time suggests that a 30% reduction is representative of publicised corporate office space repositioning (Para 7.19).

10.17.4 The study notes “monitoring of office losses would be prudent in order to consider changes in market activity particularly post pandemic” (Para 7.42), reflecting some future market uncertainty.

Research and Development (R&D)

10.18 What is the justification for including R&D gross completions data within overall office needs (paragraph 7.32) (HENA)(Exam 44a)? Is the use of gross completions data rather than the labour demand figures a robust basis for assessing R&D land needs?

10.18.1 The use of gross completions data rather than the labour demand figures is considered a robust basis for assessing R&D land needs.

10.18.2 As noted in HENA [EXAM 14] Para 7.32 “the R&D labour demand figures are generally higher than the completions. Planning for the labour demand risks overprovision of land for this requirement.” The method of apportioning labour demand growth sectors to use classes involves assumptions around future sector business demand. The requirements for different business sectors in utilising premises for R&D is often less certain than for other uses such as office, industrial

and warehousing. As a result, it is important to consider local take up trajectories as well as labour demand modelling (as per PPG Para: 027 Reference ID: 2a-027-20190220). Activities in R&D premises are considered less susceptible to changing working from home type patterns (compared to offices) due to the need to use specialised equipment. Therefore, on balance the local past trend is considered the most robust in determining future needs. This does not negate the potential of any inward investment opportunities which would be facilitated by land at Loughborough University Science and Enterprise Park.

Industrial and Local Distribution and Warehousing (less than 9,000 sqm)

10.19 Is the assumption that older premises will continue to be lost, and thus will need replacing, robust (paragraph 7.33) (HENA)? Is the use of projected gross completions a robust basis for assessing industrial land needs?

10.19.1 The use of gross completions data is considered a robust basis for assessing industrial land needs as is the assumption that older premises will continue to be lost, and thus will need replacing.

10.19.2 The HENA [Exam 14] reports on completions trend by authority (table 7.8) however only gross and not net completions are provided for Charnwood. This reports a positive trend, indicating demand for industrial stock. This is clearly reinforced by the commercial market assessment data and local commercial agent engagement commentary covering both warehousing and manufacturing premises as “The recent demand picture has been of very strong demand for industrial premises, with a record level of activity in 2020...Set against strong demand, particularly for warehouse space from Third Party Logistics Providers (3PLs) and retailers as well as from manufacturing firms, there is a lack of stock. Innes England report that demand is pretty strong across size bands.” (Para 3.64 and 3.65). Industrial rents have risen continually (figure 3.29) and “The industrial market is as strong as it has ever been.” (Para 3.73).

10.19.3 In this context the negative levels of industrial floorspace need set out in the labour demand models as per table 7.12 would be highly counter intuitive and are not a suitable basis for considering future needs. Table 7.12 also indicates that across the Leicester and Leicestershire study area as a whole there have been ongoing losses of industrial stock as represented by the net position (even when accounting for Leicester’s particular effect on the overall outcome) which reinforces the likelihood of ongoing losses and the need for replacement.

10.20 What local employment land study work has taken place to date to assess the potential for, and the likelihood of, the recycling of sites on existing industrial areas?

10.20.1 The ‘Charnwood Borough Council Employment Land Review 2018’ [EB/EMP/2] provides information on local employment sites. Appendix A reviews the existing designated employment sites and allocations and notes the potential for recycling (column 33). A number of references are made to the potential for redevelopment / intensification of sites although these are not quantified or aggregated.

10.21 Is the 7.5% uplift to improve vacancy rates in industrial and local distribution in relation to churn and market choice, robust (paragraph 7.38) (HENA)?

10.21.1 The 7.5% uplift to improve vacancy rates in industrial and local distribution in relation to churn and market choice is considered robust. As per HENA [Exam 14] Para 7.38, “it is widely recognised by property professionals that a level of vacancy in property markets needs to be maintained of 5-10% of total stock (with 7.5% as a central marker) to ensure that businesses have space to grow, downsize or for inward investment opportunities.” Low vacancy rates cause excessive rental rises and can deter business growth or inward investment. Therefore, additional space being supplied into the market to support future forecast growth should also include this frictional vacancy element. This is particularly important for the industrial market where long- term low vacancy (see HENA figure 3.17) has led to continual rent rises (figure 3.29) of more than 50% over the last decade. Levels of vacancy are so low in the industrial market (with a Leicester and Leicestershire average of 1.6% as per HENA table 7.20) that an additional supply injection is considered warranted to alleviate vacancy and improve business growth conditions.

10.22 How will assessments of market performance and thus the appropriateness of planning policy figures be monitored to ensure planning policy is sufficiently responsive over the plan period?

10.22.1 Market performance will be monitored through a combination of three sources. Firstly, the Charnwood Local Plan (SD/2) includes a monitoring framework at appendix 1. The indicators set out for Policy DS1 include a number for the delivery of different types of employment development. Secondly, the Council’s Economic and Regeneration Team uses its contacts with local land agents to provide intelligence on market performance in different areas of economic activity. Finally, once the Local Plan is adopted, attention will then focus upon the following Local Plan, and the Council will be commissioning employment land evidence, and is expected this will be informed by assessment of market performance in accordance with national guidance.

Issue 5 – Apportionment of the Unmet Need for Employment

10.23 Are the following factors set out in the Employment Distribution Paper (Exam 46) a robust and logical basis for the apportionment of the unmet need for 23 hectares of employment land to 2036:

- **Location of authorities adjoining Leicester given their accessibility to the city and associated supply of labour (Charnwood, Blaby, Harborough, Oadby and Wigston);**
 - **Proximity to the City, preferably adjacent to the existing urban area;**
 - **Sites well connected to the City by A roads and ideally connected to the wider strategic network (A road/motorway network).**
-

10.23.1 The factors above are considered a robust and logical basis in apportioning Leicester's unmet need.

10.23.2 Whilst Leicester and Leicestershire is the whole functional economic market area (FEMA), providing employment land sought by the Leicester economy in areas of greatest proximity to this urban and population centre is appropriate. It generates the most sustainable solution, insofar as it minimises the travel of the labour pool from the City to places of work, bearing in mind it is the needs of Leicester and not the FEMA as a whole which are being considered. It also best meets market demand, which is identified as being around the Leicester urban area and on arterial routes. This is reflected in the Employment Distribution Paper (Exam 46) (Para 1.5) and cited from the HENA (Exam 14) (Para 3.77) as reported by local agents. Therefore, locations further from the City would be less sustainable and less well suited to meet market requirements.

10.24 Is meeting all of the unmet need for 23 hectares of employment land within Charnwood justified? Will it meet the need for different types of employment land in a choice of locations and promote sustainable patterns of development as required by paragraph 11 of the NPPF?

10.24.1 Meeting all of the unmet need for 23 hectares of employment land within Charnwood is considered justified.

10.24.2 Table 1.1 of the Employment Distribution Paper (Exam 46) sets out that based on the data available Charnwood has an anticipated over supply of employment land in excess of 30 hectares whereas others have less than 5 ha or under 10 ha combined. These sites are available now and can be allocated now in suitable locations to address Leicester's unmet need without the delays which would arise if some of the provision was to be allocated to other districts around the edge of Leicester, requiring provision through the preparation of new local plans. It is therefore logical for Charnwood to absorb the needs.

10.24.3 The Employment Distribution Paper (Exam 46) goes on to set out that the majority of Charnwood's supply (excluding the Loughborough Science and Enterprise Park, not included in this balance exercise) comprises two sustainable urban extensions (North East of Leicester and North of Birstall) both of which are in close proximity to Leicester with North of Birstall particularly well connected to the wider road network. Their delivery as part of urban extensions improves their prospect of forming sustainable patterns of development as does their proximity to the City.

10.25 Should some of the unmet need be apportioned to any of the other Leicestershire authorities based on the factors outlined above?

10.25.1 As per the response to Q10.24, the quantum of Charnwood's planned employment supply and its adjacencies to the Leicester urban area indicate it is best placed to absorb the unmet employment need of Leicester. In the future, the apportionment of additional employment land (post 2036) from Leicester City to other Leicestershire

authorities will be addressed through the new Strategic Growth Plan. The current availability of sites in Charnwood to address Leicester's unmet need for employment land means that this need can be met now without unnecessary delays being introduced through the plan preparation process.

10.26 What consideration has been given to meeting a proportion of the unmet need in Blaby over the longer-term in order to contribute towards maintaining an attractive supply of employment sites in the Leicester area?

10.26.1 As noted in the Employment Distribution Paper (Exam 46) there is potential for Blaby to meet a proportion of Leicester's unmet employment need in the long term given its proximity to the City and its encompassing of M1 and M69 junctions which are likely to be highly attractive to employment development and business occupiers. However, the latest available data indicates that Blaby has a shortfall in meeting its own needs exceeding 15 ha; and there are questions over the delivery and timing of infrastructure investment which needs to be considered by the authority as part of the plan making process, whereas Charnwood's sustainable urban extensions already have planning permission and employment land can be provided in the short/medium term. The current agreement in the SoCG relates in particular to addressing more immediate needs over the period to 2036.

10.26.2 On balance this is concluded to be an issue for the next plan period (post 2036) rather than in terms of the current SoCG. There is additional employment land allocated and available in Charnwood so it would seem counter-intuitive not to address the City's unmet need now rather than the possibility of waiting, for an unknown period, for other plans to be adopted.

10.27 Is the apportionment of all of the unmet need for employment land to Charnwood justified by the evidence and will this be effective in meeting the employment land needs of the Functional Economic Market Area as a whole? Does this allow for flexibility and choice?

10.27.1 As per responses to Qs 10.23 and 10.24, Charnwood can provide for the unmet employment needs of Leicester given its current surplus of supply and proximity of sites to the Leicester urban area. Although the FEMA extends to the county level, it is the needs of Leicester which are being considered which derive from its large business and labour concentration, therefore spreading sites widely across the FEMA is not sustainable or appropriate in terms of the market or commuting. Sites near to the City should be prioritised and Charnwood is able to offer several allocations in accessible locations.



The Planning Inspectorate

Report to Hart District Council

by Jonathan Manning BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Date: 10 February 2020

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Hart District Council Local Plan – Strategy and Sites

The Plan was submitted for examination on 18 June 2018

The examination hearings were held between 20 November and 18 December 2018

File Ref: PINS/N1730/429/11

Abbreviations used in this report

AOS	Area of Search
BMV	Best and Most Versatile
DPA	Dwellings Per Annum
DPD	Development Plan Document
DtC	Duty to Co-operate
ELR	Employment Land Review
FEA	Functional Economic Area
GIS	Geographical Information System
GTAA	Gypsy and Traveller Accommodation Assessment
HDT	Housing Delivery Test
HMA	Housing Market Area
HRA	Habitats Regulations Assessment
IDP	Infrastructure Delivery Plan
IWMS	Integrated Water Management Strategy
LAP	Local Play Area
LDS	Local Development Scheme
LEAP	Local Equipped Area for Play
LPA	Local Planning Authority
MM	Main Modification
NE	Natural England
NEAP	Neighbourhood Equipped Area for Play
NPPF	National Planning Policy Framework
OAHN	Objectively Assessed Housing Need
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
RBC	Rushmoor Borough Council
SA	Sustainability Appraisal
SANG	Suitable Alternative Natural Greenspace
SCI	Statement of Community Involvement
SHBC	Surrey Heath Borough Council
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPA	Special Protection Area

Non-Technical Summary

This report concludes that the Hart District Council Local Plan – Strategy and Sites provides an appropriate basis for the planning of the District, provided that a number of main modifications [MMs] are made to it. Hart District Council has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

All the MMs were proposed or agreed by the Council and were subject to public consultation over a six-week period between 5 July and 19 August 2019. In some cases, I have amended their detailed wording and/or added consequential modifications where necessary. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- A change to the Plan period;
- To refer to flood risk in the Plan’s vision;
- Changes to the strategic objectives to ensure compliance with national policy;
- The addition of a strategic objective in relation to previously developed land;
- Changes to the Key Diagram;
- Alterations to the housing requirement (including Policy SS1) to correspond with the SHMA and to accommodate Surrey Heath Borough Council’s unmet need;
- Changes to the housing trajectory and updates to the components of supply;
- Alterations to the criteria of Policy SS2 ‘Hartland Village’.
- The removal of Policy SS3 ‘New Settlement at the Murrell Green / Winchfield Area of Search’ and its supporting text;
- Modifications to require the Council to prepare and submit for examination a Gypsy, Traveller and Travelling Showpeople DPD by January 2022;
- Changes to the criteria of Policy H1 ‘Housing Mix’; Policy H2 ‘Affordable Housing’; Policy H3 ‘Rural Exception Sites’; Policy H4 ‘Specialist and Supported Accommodation’; Policy H5 Gypsies, Travellers and Travelling Showpeople’; and Policy H6 ‘Internal Space Standards’ to ensure the Plan is effective and consistent with national policy;
- Alterations to the criteria of: Policy ED1 ‘New Employment’; Policy ED2 ‘Safeguarding Employment Land and Premises’; and Policy ED3 ‘The Rural Economy’ to ensure the Plan is effective and consistent with national policy;
- The change of the Bartley Wood, Hook site from a strategic employment site to a locally important employment site;
- To ensure the Plan is effective and consistent with national policy, changes to Policy ED4 ‘Town, District and Local Centres’; Policy ED5 ‘Fleet Town Centre’; and Policy ED6 ‘District and Local Centres’.
- Changes to the natural and built environment policies, in terms of sustainable development, development in the countryside, landscape, the Thames Basin Heaths SPA, biodiversity, flood risk, historic environment, design, renewable energy and pollution to ensure compliance with national policy and that the Plan is effective;
- The removal of Policy NBE2 ‘Gaps Between Settlements’ and its supporting text;

- Modifications to Policy I1 ‘Infrastructure’; Policy I2 ‘Green Infrastructure’; Policy I3 ‘Transport’; Policy I4 ‘Open Space, Sport and Recreation’; Policy I5 ‘Community Facilities’; and Policy I6 ‘Broadband or Successor Services’ to ensure compliance with national policy and that the Plan is effective;
- Changes to the Council’s implementation and monitoring strategy; and
- Alterations to the glossary and appendices.

Introduction

1. This report contains my assessment of the Hart District Council Local Plan – Strategy and Sites in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan’s preparation has complied with the duty to co-operate. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework 2012 (NPPF) (Paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The revised NPPF was published in July 2018 and further revised in February 2019. It includes a transitional arrangement in Paragraph 214 which indicates that, for the purpose of examining this Plan, the policies in the NPPF 2012 will apply. Similarly, where the Planning Practice Guidance (PPG) has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement. Therefore, unless stated otherwise, references in this report are to the NPPF 2012 and the versions of the PPG which were extant prior to the publication of the NPPF 2018.
3. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Hart District Council Local Plan – Strategy and Sites, submitted in June 2018 (CD1) is the basis for my examination. It is the same document as was published for consultation in February 2018.

Main Modifications

4. In accordance with section 20(7C) of the 2004 Act the Council requested (EXAM62) that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearing(s), are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in Appendix 1.
5. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out Sustainability Appraisal (SA) of them. The MM schedule was subject to public consultation for six weeks between 5 July and 19 August 2019. I have taken account of the consultation responses in coming to my conclusions in this report and in this light, I have made some amendments to the detailed wording of the main modifications and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and SA that has been undertaken. Where necessary I have highlighted these amendments in the report.

Policies Map

6. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to

provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted Plan. In this case, the submission policies map comprises the set of plans identified as Hart District Council Local Plan – Strategy and Sites Policies Map and associated inset maps as set out in EXAM2 to EXAM45.

7. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plan’s policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective. These further changes to the policies map were published for consultation alongside the MMs (EXAM64).
8. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan’s policies, the Council will need to update the adopted policies map to include all the changes proposed in EXAM2 to EXAM45 and the further changes published alongside the MMs (EXAM64).

Assessment of Duty to Co-operate

9. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan’s preparation.
10. The Council has provided as part of its evidence a statement (CD9), which sets out how it considers the Duty to Co-operate (DtC) has been met. This sets out that the key strategic planning issues considered were: housing; the Thames Basin Heaths Special Protection Area (SPA); employment land; traveller site provision; flood risk; water supply and waste water; and infrastructure (transport, healthcare facilities, education). In each case the Council has identified in detail how it has met the DtC and what agreements were made with the relevant parties during the Plan’s preparation.
11. I consider that the statement illustrates that the Council has made extensive efforts to engage with all relevant organisations and prescribed bodies during the Plan’s preparation. It is evident that many of the changes made during the Plan’s preparation prior to its submission have resulted from consultation with relevant parties, to address their concerns in a constructive and proactive manner.
12. I am content that matters associated with providing sufficient Suitable Alternative Natural Greenspace (SANG) to mitigate impacts on the Thames Basin Heaths SPA were suitably discussed with neighbouring authorities in the Housing Market Area (HMA) and with other relevant stakeholders.
13. Whilst some concerns have been raised in relation to accommodating unmet housing need from Surrey Heath Borough Council (SHBC), I am mindful that the DtC is not a duty to agree and it is clear to me from the Council’s statement (CD9) and through oral evidence at the hearing sessions that there has been significant discussions between the Council and SHBC on this matter.

14. It has been suggested that the Council should consider unmet need from London, Basingstoke and Deane and Guildford. However, I have not been provided with any substantive evidence to suggest that this is necessary and none of the authorities have requested that the Council accommodate any of their unmet need.
15. I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the DtC has therefore been met.

Assessment of Soundness

Main Issues

16. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified 12 main issues upon which the legal compliance and soundness of the Plan depends. This report deals with these main issues in turn. It does not respond to every comment or issue raised by representors. Nor does it refer to every policy or policy criterion in the Plan.

Issue 1 – Whether the objectively assessed need for housing and the housing requirement are justified.

Objectively Assessed Housing Need (OAHN)

17. The Plan at Policy SS1 sets out a housing requirement of 388 dwellings per annum (dpa), which at the time of publishing the Regulation 19 Pre-Submission Plan for consultation in February 2018 was based on the then proposed Government standard methodology for calculating local housing need, with an uplift applied. The justification for the uplift is set out in Appendix 2 ‘Housing Numbers and Trajectory’ of the Plan. The ‘cap’ in the methodology was removed and then an uplift of 25% was applied as a contingency in case of a change in methodology or alterations to data, such as new household projections or affordability ratios. Reference was also made to the benefits of boosting the supply of housing, including the delivery of affordable units.
18. In terms of a contingency for a change in methodology or alterations to data, the standard methodology was incorporated into the NPPF 2018 as it was previously set out during the consultation that was undertaken upon it. There is therefore no support in national policy for the amended standard methodology calculation undertaken by the Council. Further, the Council has provided little substantive evidence to justify an uplift of 25% in preference of any other figure. In addition, it is clear under the transitional arrangements that the Plan should be examined against the NPPF 2012.
19. Given the above, I am of the view that there is insufficient justification and evidence to support the Plan’s housing requirement, in terms of its formulation based on the Council’s amended standard methodology. Alterations are therefore needed (**MM21**, **MM26** and **MM138**) for the Plan to be justified to remove reference to the Council’s amended standard methodology.

20. The Council produced a Joint Strategic Housing Market Area Assessment (SHMA) (HOU1a & b) in November 2016, with Rushmoor Borough Council (RBC) and SHBC. Together the authorities constitute the HMA and there is no reason before me to consider that this is inappropriate.
21. The SHMA (HOU1a & b) was based upon the 2012 household projections. This identified a demographic starting point of 247 dpa for Hart, uplifted to 254 dpa once adjusted for vacancy rates. Shortly before the SHMA’s publication, the 2014 household projections were released. However, given the stage at which the SHMA’s preparation had reached it was published based on the 2012 household projections.
22. Nonetheless, given the requirements of the PPG, 2012 (Paragraph: 016 Reference ID: 2a-016-20150227), the Council undertook a review of the SHMA (HOU2a & b) and tested a number of alternative scenarios, with the more recent 2014 household projections, including a partial return to trend of household formation rates for younger people and differing migration trend periods. This found that whilst the 2014 household projections were lower at 207 dpa, once such other factors are taken into account the demographic starting point in the SHMA (HOU1a & b) remains valid. For example, the 2014 household projections, with a partial return to trend of household formation rates for younger people, results in a demographic starting point of some 232 dpa. I am not of the view that this represents a meaningful change in the housing situation in Hart.
23. There has been some concern raised that the moratorium associated with the Thames Basin Heaths SPA, which temporarily suspended planning permissions being granted for housing in Hart, constrained housing delivery between 2008 – 2011. Whilst I accept that this may have influenced the 2012 and 2014 household projection figures, particularly as they look at a five year migration trend, I am mindful that the SHMA review (HOU2a & b) did test longer migration trend patterns, where any dampening effect caused by the moratorium would be much less influential. For example, the 2014 based sub national population projections mid year estimates and a part return to trend household formation rates, with a 10 year migration trend scenario sets out a figure for Hart of 251 dpa, very similar to the SHMA demographic starting point. Whilst the SHMA review did look at 15 year migration trends which resulted in higher figures of up to 323 dpa, I have concerns in relation to relying on trends dating back as far as 1999, a significant period of time ago.
24. The PPG 2012 (Paragraph: 016 Reference ID: 2a-016-20150227) advises that the calculation of housing need should use the most up-to-date information. The 2016 household projections have been published more recently. The Government has expressed concerns with regard to the 2016 household projections and has advised that the 2014 household projections should, for the time being, be used to calculate housing need when using the standard methodology. On this basis, I consider at the current time some caution should be applied to the 2016 household projections.

25. Notwithstanding all of the above, I am also mindful that the final OAHN for Hart, as discussed later, is nonetheless economically driven in terms of job growth. The demographic starting point could therefore be seen as being somewhat academic. This is because, if the demographic starting point was lowered then a greater uplift in terms of job growth would be needed to ensure that there is a sufficient workforce in Hart and vice versa. Consequently, in this context a change to the demographic starting point through more recent household projections does not, in my view, represent a meaningful change in the housing situation in Hart.
26. The SHMA applies an uplift above the demographic starting point for market signals. The affordability ratio in Hart is very high and the SHMA recommends a market signals uplift, due to affordability issues of 15%. I have been referred to other higher examples of uplifts by Inspectors examining other Plans in the South East. Whilst a 15% uplift is lower than some examples elsewhere, in my view, this would still have an important and positive impact on affordability in Hart. In addition, as will be discussed below, the most recent economic forecasts suggest lower figures in terms of job growth in the HMA than were anticipated at the time the SHMA (HOU1a & b) was produced. If this were to be realised, less homes would be needed to accommodate the additional workforce that would migrate into Hart, which would provide more homes for the existing population in Hart, further improving affordability.
27. Following an uplift for market signals the SHMA considers any uplift required to ensure that there would be a sufficient workforce to meet forecast job growth. The forecast models considered varied substantially from 900 to 1500 jobs per annum, which reflects the challenges of long-term forecasting. The SHMA adopted a mid-point of the forecast scenarios with the HMA anticipated to see growth of 1,200 jobs per annum. The SHMA analysed historic trends, the growth potential within the area and included an expectation of some increase in household formation rates. I consider the assumptions and approach adopted in the SHMA in terms of job growth are appropriate and robust. To meet Hart’s proportion of job growth in the HMA a sizeable further uplift of 69 dpa, is applied on top of the 15% uplift for market signals.
28. As mentioned above, the SHMA review (HOU2a & b) identified that the most recent economic forecasts are now lower than those used in the SHMA. This was identified as largely being a result of a stall in employment during 2015 and 2016, notably in Surrey Heath and Hart. I am particularly mindful that long term economic forecasting is extremely challenging and forecast models from different sources can vary significantly. Further, as set out above, any new homes not required to meet future job growth would have the benefit of further improving affordability within Hart. Therefore, I consider that a change to the OAHN is unnecessary and there has not been a meaningful change.
29. The SHMA then applies a final uplift of 21 dpa for concealed families to reach the OAHN of 382 dpa. Based on the evidence provided in the SHMA, I

consider this to be appropriate. The most up-to-date data provided by the Council suggests that concealed families in Hart has slightly increased, but I am not of the view that it is of such significance to require a change to the OAHN.

30. An alternative ‘stock based’ approach to calculating housing need has been suggested. However, there is no clear support for such an approach in national policy.
31. It is important to emphasise that the calculation of housing need is not an exact science. Overall and having regard to all of the above findings, I consider that an OAHN of 382 dpa is robust and should be used as the starting point for the consideration of the housing requirement in the Plan. As a consequence, it is necessary to correlate the start of the Plan period, with the base date of the SHMA, which is 2014, particularly as this results in a greater level of overall need, given its longer timeframe (2014-2032). The Plan needs to therefore be clear that the Plan period is 2014 to 2032 and changes are needed (**MM1, MM18, MM19, MM21, MM23, MM121** and **MM140**) for the Plan to be effective. The housing trajectory and completion figures (from 2014) in the Plan therefore also need to be amended (**MM139** and **MM140**) to reflect this change. This will also ensure the Plan is effective and in accordance with national policy.
32. There has been some suggestion that the Plan period should be extended. The Plan looks forward 13 years after anticipated adoption, which is below the preferred 15 year time period set out in Paragraph 157 of the NPPF. However, the NPPF’s preference is not a set requirement and I consider 13 years to be an appropriate time scale in this instance, particularly as there is now a requirement to review plans every five years.

The housing requirement and unmet need

33. At the hearing sessions, representatives from SHBC provided an update in relation to unmet need, which results from the heavily constrained nature of Surrey Heath. SHBC has published an Issues and Options/Preferred Options consultation of its Local Plan, which identifies a shortfall in supply of 731 dwellings over its plan period (2016-2032). SHBC advised that although there are on-going attempts to try and find more sites, this is unlikely to significantly reduce. The Council had set out that any unmet need from SHBC would occur towards the end of the Plan period, however, this view was not shared by SHBC at the hearing session, who set out that the unmet need is imminent.
34. RBC the other authority in the HMA has received its Inspector’s Report following their Plan’s examination. The Rushmoor Plan does not make any provision for any unmet need from SHBC. There is a surplus in supply identified in the Rushmoor Plan of around 1,000 dwellings. However, it is clear that this is necessary to mitigate risks from some large sites in that Plan failing to deliver as anticipated and should not be seen to be off-setting any unmet need from SHBC.

35. It was accepted by the Council at the hearing sessions that Hart is the least constrained authority in the HMA. Given this, the matters discussed above and the fact that the Rushmoor Plan is unlikely to be reviewed for a period of 5 years following its adoption, I consider that this Plan should seek to meet the identified unmet needs of SHBC of 731 dwellings, which represents the most up-to-date figure at this point in time.
36. I am not of the view that it is premature to require the Plan to accommodate the unmet needs of SHBC or that it will prejudice the plan making process in Surrey Heath. The SHBC unmet need figure is within a formal consultation document and is based on a recognised method of calculating housing need encouraged by national policy. Further, SHBC’s Issues and Options/Preferred Options consultation is supported by a SHLAA, which provides an assessment of potentially suitable sites. I am also mindful that to be positively prepared the Plan should seek to meet unmet requirements from neighbouring authorities, as set out in Paragraph 182 of the NPPF.
37. In terms of any potential additional impacts on the environment and infrastructure from accommodating the unmet need, I have found under Matter 4 that the Plan can accommodate the unmet need from SHBC without the need to include additional sites, albeit with a relatively modest shortfall of 230 dwellings during the last year of the Plan period.
38. It has been suggested that SHBC is able to provide circa 350 units per annum between 2023-2027 whilst in the latter years they are only able to demonstrate approximately 130 dpa. However, even if I was to accept that this was the case, this would appear to ignore more immediate needs before 2023.
39. If in the future, the SHBC unmet need changes either positively or negatively, this will need to be considered in a future review of the Plan or could trigger an early review if necessary. Notwithstanding this, I am mindful that housing requirements are not maximums and Hart accommodating the currently identified unmet needs of SHBC would not rule out sustainable development being permitted in SHBC.
40. Accommodating SHBC’s unmet need would add 41 dpa to the housing requirement over the revised Plan period (2014 to 2032), which would result in a total housing requirement of 7,614 dwellings over the Plan period, which equates to 423 dpa. Modifications (**MM10, MM19, MM21, MM26 and MM139**) are therefore necessary to the strategic objectives, Policy SS1, its supporting text and the housing trajectory to amend the housing requirement. This will ensure that the Plan is positively prepared and in accordance with national policy.

Affordable housing

41. The SHMA calculates the level of affordable housing need within the HMA and for each of the authorities. In Hart the identified need for affordable housing

is 306 dpa (126 dpa for subsidised rented accommodation and 180 dpa for affordable home ownership). This equates to the need for some 5,500 affordable homes over the Plan period (2014 to 2032). I see no reason to disagree with the findings of the SHMA and the assumptions used in this regard and I consider the calculation of affordable housing need to be robust. Notwithstanding this, as is discussed below, the identified need is significantly higher than the amount of affordable housing that is likely to be delivered.

42. The Council are in a relatively unusual position whereby a very large proportion of the necessary supply over the Plan period already has planning permission and as a result, there is a fair level of certainty in relation to how much affordable housing is likely to be delivered. The Council (EXAM56b) has provided a trajectory of the anticipated delivery of affordable housing. This identifies that between 2016 and 2032 it is forecast that 1,633 affordable units would be delivered. Based on a tenure split of 65% subsidised rented accommodation and 35% affordable home ownership, the Plan would meet 47% of the identified need for subsidised rented accommodation. I am mindful that the trajectory provided by the Council is from 2016 to 2032. Given my findings above that the Plan period should be from 2014 to 2032 to correlate with the SHMA, this figure is likely to be higher to take into account any affordable homes delivered in 2014 and 2015. However, any increase is likely to be modest.
43. The PPG 2012 (ID 2a-029-20140306) states that an increase in total housing figures should be considered where it could help deliver the required number of affordable homes. A housing requirement of 423 dpa, is in the region of 67% above the demographic starting point identified in the SHMA (254 dpa). Providing for this level of increase will result in significantly more affordable housing being delivered than if the household projections had been used. I consider that to uplift the housing requirement further could result in open market dwellings being provided when there is no evidence of need, which could lead to an imbalance between homes and jobs and unsustainable commuting patterns.
44. I am also mindful that there are other ways that additional affordable housing could be delivered, for example through rural exception sites under Policy H3 of the Plan. In addition, although the Council set out at the hearing sessions that there are currently no plans to provide affordable housing themselves, this could change during the Plan period.
45. Given all of this and despite the views expressed in the Council’s Affordable Housing Background Paper (HOU5) (March 2017), I am not persuaded that a further uplift to the housing requirement is justified in this case. It is therefore likely that some of those with affordable housing needs will continue to be dependent on the private rented sector, in some cases supported by housing benefit.

Conclusion on main issue 1

46. I consider that with the recommended modifications, the OAHN and the housing requirement are justified.

Issue 2 – Whether the spatial distribution of housing growth in the Plan is sound.

The Spatial Strategy of the Plan

47. The spatial distribution of housing in the Plan is set out in Policy SS1 ‘Spatial Strategy and Distribution of Growth’. This identifies that new homes will be delivered over the Plan period through: existing completions; existing commitments (sites with planning permission); further development and redevelopment within settlement boundaries; Policy SS2 (delivery of Hartland Village); Neighbourhood Plans; Policy H3 (rural exception sites); and Policy NBE1 (development in the countryside).
48. Due to the large level of existing completions and commitments the Plan only allocates one site, Hartland Village for approximately 1,500 dwellings (approximately 1,368 to be delivered over the Plan period). Hartland Village is largely previously developed land and is in an accessible location. The pre submission Sustainability Appraisal (SA) (CD5a) found that the delivery of Hartland Village was the most sustainable growth option to meet housing needs over the Plan period. For reasons set out later in my assessment of legal compliance, I consider that the pre submission SA to be robust. I am satisfied that the allocation of Hartland Village to meet the remaining housing need after existing completions and commitments are taken into account is the most appropriate and sustainable strategy and is therefore justified. In any event, I am mindful that Hartland Village now benefits from planning permission, and I understand that the first phase is under construction.
49. I acknowledge that there are no medium and/or small site allocations directed towards other settlements in the District. However, it can be seen from the existing completions and commitments that most of the defined settlements in the Plan have or will receive some growth over the Plan period. Further, whilst it has been argued that more development should be diverted to the more rural communities to ensure their viability and vitality, I am mindful that Policy SS1 does allow for Neighbourhood Plans to deliver new housing. This would allow those communities who feel that the delivery of more housing would be of benefit to their community to be able to do so.
50. Policy NBE1 allows development in the countryside in certain circumstances. It has been suggested that Policy NBE1 should only apply to isolated development. Whilst, I acknowledge that Paragraph 55 of the NPPF seeks to avoid isolated new homes in the countryside, it does not suggest, in my view, that all housing in the countryside that is not considered isolated is acceptable in principle. The NPPF makes clear that it should be read as a whole. Further, I have found the Council’s spatial strategy to be justified and it does not depend on any notable housing outside of settlement boundaries. Policy NBE1 also includes the consideration of all types of development and not just housing. Given all of this, I am not of the view that it is necessary for Policy NBE1 to refer to isolated development to be consistent with national policy.

51. It has also been suggested that as a priority, settlements outside of the Thames Basin Heaths SPA buffer zones should have received growth first. However, it has been sufficiently demonstrated that any adverse impacts on the integrity of the SPA from the Plan can be suitably mitigated. Nonetheless, I am mindful that the vast majority of the supply needed over the Plan period benefits from planning permission.
52. On a related matter, although the Plan does not expressively rely upon it to deliver its spatial strategy, the introductory text to the Plan does identify a settlement hierarchy. This sets out that: the main urban area is Fleet (including Church Crookham and Elvetham Heath); the primary local service centres are Hook, Yateley and Blackwater and Hawley; the secondary local service centres are Hartley Wintney and Odiham and North Warnborough. These are based on the findings of the Settlement Hierarchy for Hart District Council, 2010 (OTH1). This considered each settlement in terms of its population, facilities and services. Whilst this was produced some time ago, I consider that it offers a reasonable basis to identify the settlement hierarchy in this Plan.
53. The Council had suggested modifications to remove the settlement hierarchy from the Plan as the spatial strategy was not reliant upon it. However, setting out the settlement hierarchy is likely to provide useful context for future windfall developments and is sound.
54. It has been suggested that all settlement boundaries should have been reviewed and expanded to meet the identified housing needs. However, I consider that this is not necessary to meet the identified housing need within this Plan and therefore the current settlement boundaries are appropriate.

Policy SS3 – New Settlement

55. The Plan’s strategy also includes Policy SS3, which sets out the Council’s commitment to preparing a New Settlement Development Plan Document (DPD) after the adoption of this Plan. Policy SS3 and its supporting text identifies an Area of Search (AoS) at Murrell Green / Winchfield for the delivery of up to 5,000 dwellings through the production of a New Settlement DPD. The Plan states that it is not required in this Plan period to meet identified housing needs. Despite this, the Council anticipate that some 1,500 homes from the proposed new settlement would be expected to be delivered within the Plan period.
56. I acknowledge that such delivery would help to meet the relatively modest shortfall in supply at the end of the Plan period identified under Matter 4. However, I have a number of fundamental concerns with regard to the soundness of Policy SS3. The Council and the site promoters have suggested that because the Plan does not rely on any delivery of housing from the proposed new settlement that Policy SS3 in itself cannot be found unsound. However, the policy sets out that *‘Permission will be granted for the development of a new settlement to be identified from the area of search identified on the Policies Map following the adoption of a New Settlement Development Plan Document and agreed comprehensive masterplan’*. The

Plan is therefore establishing the principle of a new settlement as the most appropriate growth strategy for meeting the Council’s long-term needs. It is also establishing a relatively confined area of search for a new settlement.

57. The tests of soundness require the Plan to be justified and therefore *‘the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence’* (Paragraph 182 of the NPPF). To find Policy SS3 sound, I must therefore be satisfied that a new settlement within the identified AoS is the most appropriate growth strategy to meet long-term needs, when considered against reasonable alternatives.
58. The SA (CD5a) that accompanied the pre-submission Regulation 19 consultation on the Plan did not test reasonable alternatives to a new settlement and it was considered as a ‘constant’ as part of all reasonable alternatives that were appraised. On this basis, I am not of the view that the pre-submission SA, in its own right, appropriately or robustly considers reasonable alternatives to a new settlement as a long-term growth strategy.
59. The Council has, however, produced a ‘Post Submission Interim Sustainability Appraisal Report’ (post submission SA) (CD5c) to supplement the pre-submission SA. This did test a number of alternative growth strategies to a new settlement. Putting aside the concerns raised in terms of legal compliance of the post submission SA, in terms of consultation, I am concerned by the way in which the new settlement has been considered and ranked against reasonable alternatives. These concerns were set out in detail in a post hearing letter to the Council (EXAM60) and related to the rankings given for the historic environment, land and other resources, flood risk, landscape, climate change and water. I will not repeat such details here.
60. I accept that the AoS by its very nature leads to some uncertainties, but in this case, the boundary of the AoS is, in my view, relatively confined and the indicative concept plan provided by the site promoters, once the requirements for SANG are taken into account, shows much of the AoS boundary being utilised as part of the proposed new settlement. It is therefore not, in my view, significantly different to that of a site allocation boundary.
61. I acknowledge that some evidence has been provided by the site promoters, particularly in support of their Regulation 19 representations. However, these represent very high-level broad overviews, with little in the way of detail. I am not of the view that there is sufficient evidence before the examination to support the rankings given to the AoS for the new settlement within the post submission SA or to allow a suitably robust comparison of reasonable alternatives to be undertaken, based on proportionate evidence. As a result, I consider that Policy SS3 and its supporting text are not justified, as, on the currently available evidence, it cannot be determined that it represents the most appropriate long-term growth strategy.
62. Further, the post submission SA is not robust and should not be relied upon in support of the Plan. Consequently, there is no need to address concerns

raised with regard to consultation and legal compliance of the post submission SA.

63. In addition, there is little evidence to demonstrate that a site can actually be delivered in terms of infrastructure, viability and landownership within the identified AoS. The Council’s Infrastructure Delivery Plan (IDP) does not include any consideration of the proposed new settlement other than a brief mention of the potential secondary school and the viability assessment has not directly considered a proposed new settlement in the AoS. Again, whilst there is some information from the site promoters in relation to such matters, it is not of any great substance.
64. Evidence was also provided at the hearing sessions that shows a significant parcel of land cutting across the middle of the AoS that is not either in the ownership of the site promoters or land that is available to them. It was set out by Winchfield Parish Council at the hearing sessions that the owner of the land is not willing to release it as part of the development. This was not disputed by the Council or the site promoters. There is consequently some doubt, at this time, whether a comprehensive and inclusive new community can be delivered as required by Policy SS3 and its supporting text. Given all of this, I am not sufficiently content based on the evidence available to the examination that Policy SS3 is deliverable and is therefore not effective.
65. I am of the view that a significant level of further supporting work would be required for Policy SS3 to be found sound in its current form, which would need to include appropriate and proportionate area/site assessments, infrastructure considerations, viability testing, evidence in support of deliverability and further SA work, which would need to be done in an impartial manner with sufficient evidence to support its findings and comparisons with alternative options. Any further SA work would also need to include additional standalone consultation. This would have all led to a significant delay in the examination to allow such work to be undertaken.
66. It was suggested at the hearing sessions that such detailed work and assessment would be undertaken as part of the preparation of the New Settlement DPD. However, the Plan is establishing the principle of a new settlement as being the most appropriate strategy in the long-term, over other growth options such as smaller strategic urban extensions to existing settlements to name one example. Based on the Council’s approach it is evident that potential growth options, alternative to a new settlement, would not be considered through the production of the New Settlement DPD. Logically, the only reasonable alternatives considered would be potential site options within the already defined AoS boundary. Consequently, I am of the view that there needs to be sufficient evidence now to support the proposed new settlement AoS, to allow a robust comparison to be undertaken with reasonable alternative long-term growth strategies and to allow me to take a view that there is a real likelihood that a site could come forward in the AoS that would not have unacceptable impacts. For the reasons set out above, at the current time, I do not consider this to be the case.

67. Given my findings in terms of the housing requirement and that Policy SS3 is not required for the Plan to be sound (Matter 4) and in light of my findings above, I consider that for the Plan to be justified modifications (**MM6, MM7, MM11, MM12, MM19, MM20, MM22, MM25, MM32, MM36, MM53** and **MM146**) are required to remove Policy SS3, its supporting text and other references to the New Settlement from the Plan. The Council will also need to remove the area of search from the policies map on adoption for the Plan to be effective.

Conclusion on main issue 2

68. I consider that with the recommended modifications the Plan’s spatial strategy is the most appropriate and is therefore justified. The Plan is therefore sound in relation to this main issue.

Issue 3 – Whether the site allocation and the settlement boundaries are justified and sound.

Site Selection

69. The Council’s approach to site selection and assessment is set out in the Site Assessment Methodology Report, 2017 (within HOU6). The sites promoted for housing were assessed using this methodology through the High Level Site Assessments and the Detailed Site Assessments (HOU6). Site selection was also informed by the Hart Strategic Housing Land Availability Assessment (SHLAA) (HOU3a and HOU3b) and the pre-submission SA (CD5a).
70. There have inevitably been concerns raised with regard to the scoring and ranking of some promoted sites, particularly in relation to those that have not been selected for allocation in the Plan. However, I am mindful that these matters are subjective and require judgement to be applied. I am content that the Council’s judgements are within the realms of reasonableness. The adequacy of the pre-submission SA is also examined later on in this report.
71. Overall, I am satisfied that the Council’s approach to site selection and the appraisal of reasonable alternatives, has been robust and is sound.

Hartland Village

72. The Plan includes one site allocation at Hartland Village for approximately 1,500 dwellings. The site is allocated by Policy SS2, which includes a number of provisions and criteria. The site now benefits from planning permission. In order to ensure that the Plan is effective several changes (**MM27, MM28, MM30** and **MM31**) are needed to Policy SS2 and its supporting text to ensure that it reflects that which has now been granted permission. This includes the provision of leisure facilities. Further, the modifications remove reference to the provision of older persons housing and delete reference to the level of affordable housing being reviewed at each phase of the development. Whilst both of these changes have raised some concerns, the permitted development does not include these provisions and is currently being implemented. This was considered acceptable by the Council for reasons associated with viability. However, to ensure the Plan is positively prepared, it is necessary to amend

the supporting text at Paragraph 121 (**MM30**) to state that should a future planning application be submitted that results in the total number of dwellings exceeding 1,500, then the scheme would be subject to the requirements of Policy H1 in full.

73. Criterion b) of Policy SS2 requires the provision of a local neighbourhood centre. However, to ensure consistency with national policy, an alteration (**MM28**) is needed to set out that residential use may be appropriate above retail or commercial units providing the active frontage is not compromised and that satisfactory residential amenity can be achieved. Again, to ensure consistency with national policy, a modification (**MM29**) to criterion k) of Policy SS2 is necessary to refer to the protection of bridleways.
74. The Council has proposed to alter the policies map to show the area of SANG adjacent to the site allocation. I consider this to be appropriate and will ensure that Policy SS2 is effective. In addition, it has come to my attention that Policy SS2 does not refer to the policies map. In order for the Plan to be effective a modification (**MM27**) to Policy SS2 is necessary to address this matter. Whilst this alteration was not subject to consultation, I consider it to be a relatively minor change.

Settlement boundaries

75. The defined boundaries of each settlement are set out on the policies map as proposed to be amended (CD2 and EXAM2 to EXAM45). This includes several changes to expand settlement boundaries to include completed and permitted major developments, which I consider to be appropriate. In addition, the Council has proposed changes to the Dogmersfield settlement boundary to encompass recently permitted development and changes to the Odiham Settlement Boundary to ensure consistency with the Odiham & North Warnborough Neighbourhood Plan. These changes were consulted upon alongside the MM schedule. Again, I consider these changes to be appropriate. In order, to ensure the Plan is effective these changes will need to be made to the policies map when the Plan is adopted.
76. On a related matter, Policy SS1 sets out that one source of new homes will be from sites within settlement boundaries. Paragraph 103 of the supporting text notes that settlement boundaries will be reviewed through future development plan documents. However, a change (**MM24**) is needed to also refer to the fact that settlement boundaries could also be changed through Neighbourhood Plans.

Conclusion on main issue 3

77. I consider that with the recommended main modifications, the site allocation and the settlement boundaries are justified and sound.

Issue 4 - Whether the Plan’s assumption in terms of supply are sound, whether the Plan will meet the identified housing need and whether there is a reasonable prospect of a five year supply of deliverable housing sites on adoption.

Components of supply

Hartland Village

78. Hartland Village forms the only site allocation in the Plan and is allocated through Policy SS2. As set out above, the site benefits from planning permission. This is in the form of outline planning permission for 1,500 homes and full planning permission for the first phase (181 dwellings). At the hearing sessions the site promoter set out that site clearance works have started on site and I see no reason to question the lead in times anticipated by the Council, which would see the site start to deliver completions early this year. In terms of anticipated delivery rates, the Plan currently projects that Hartland Village will deliver 1,428 dwellings over the Plan period. However, during on-going discussions between the Council and the site promoter during the examination this has altered, and it is now anticipated that the site will deliver 1,368 new dwellings over the Plan period. For the Plan to be effective alterations are needed to reflect this change and this is addressed by **MM23**, **MM139** and **MM144**. The anticipated delivery rates peak at 132 dpa in 2022/23, with numerous other years close to this figure.
79. Whilst I acknowledge that for a single house builder, the delivery of up to 132 dpa and an average, over the life of its development, of 105 dpa is challenging, it has nonetheless been achieved within Hart in the past. The Council has provided details of a site at Queen Elizabeth Barracks, where a single developer delivered an average of 130 dpa, with several years being over 200 dpa. I acknowledge that the site delivered a greater level of affordable units than will be delivered at Hartland Village, which can aid the quantity of housing delivered per year. However, even so, the Queen Elizabeth Barracks site delivered, at its peak, significantly more homes than is anticipated at Hartland Village.
80. Furthermore, I accept the Council’s view that Hartland Village is somewhat unique and will be an attractive new community to reside, particularly given the large area of SANG that will be delivered alongside the new homes. I am also particularly mindful that Hart is a sought after location to live, which is supported by the fact that very few planning permissions lapse. Having regard to such matters, I am content that the Council’s projected delivery of new homes from Hartland Village is reasonable.

Other aspects of supply

81. Appendix 2 of the Plan illustrates the housing trajectory. As set out above, I consider that it is necessary to alter the Plan period to reflect the SHMA. Alterations to the housing trajectory and completions table to include 2014/15 and 2015/16, are therefore necessary for the Plan to be effective and this is

addressed by **MM139** and **MM140**. As a result of MM140, the level of existing completions over the Plan period increases from 798 to 2,217.

82. In addition, the Council has sought to update the components of supply to reflect more up-to-date information about their delivery, which includes a base date of 1 April 2018. I consider this to be reasonable and necessary for the Plan to be effective and up-to-date. These updates are made through **MM19**, **MM22**, **MM23**, **MM141**, **MM142**, **MM143**, **MM144** and **MM145**. This base date also correlates with the Council’s five year housing land supply statement (HOU4). Having regard to the MM consultation responses, a change is needed to MM23 to clarify that sites within settlement boundaries can include those identified through neighbourhood plans. This will ensure the Plan is effective.
83. The Council is in the fairly unusual position whereby the vast majority of supply needed over the Plan period benefits from planning permission. The Plan (as amended in MM141) identifies that at 1 April 2018, 3,652 dwellings benefit from planning permission. However, the Council has set out that of this, 5 dwellings have now lapsed and 385 dwellings relate to prior approvals where they cannot be legally implemented until they have acquired SANG to mitigate impacts on the Thames Basin Heaths SPA and should therefore not be considered deliverable. The Plan (as amended in MM141) therefore considers that 3,262 dwellings are deliverable (this excludes Hartland Village, which is included under site allocations).
84. The Council has confirmed that the delivery assumptions for large sites of 10 or more dwellings with planning permission have been informed by discussions with the site promoters. I consider that there is no reason for me to disagree with the Council’s assumptions made in terms of delivery from such sites, which are reasonable.
85. The next component of supply relied upon by the Council relates to sites within settlement boundaries. The Plan (as amended by MM142) assumes that 150 dwellings will be delivered through 6 sites over the Plan period. This is based on site assessments in the SHLAA. Again, there is no reason for me to disagree with the assumed delivery of these sites, which are reasonable.
86. The Plan as currently drafted includes supply from ‘Deliverable Sites’. However, as part of the updated information the Council set out that there were now no sites that fit within this category. I understand that this is largely as a result of planning permissions being granted and these sites now being considered within the identified commitments. For the Plan to be effective, **MM23** and **MM143** is therefore needed to delete the table setting out the ‘Deliverable Sites’.
87. In terms of site allocations, Hartland Village has been discussed above. However, the Plan also relies on the supply of 111 dwellings from site allocations within the made Odiham & North Warnborough Neighbourhood Plan. The delivery rates from these have been criticised for being too conservative. Whilst, this could well be the case, I do not consider that

making conservative assumptions, particularly having regard to the evident healthy level of supply early in the Plan period, results in the Plan being unsound and no changes are needed.

88. The final component of supply is a windfall allowance. The Plan (as amended by MM145) and its housing trajectory assumes that 23 dwellings will be delivered per annum from 2020/21 until the end of the Plan period, a total of 276 dwellings. This is based on clear evidence of historic windfall delivery rates. I consider this to be a reasonable approach.
89. Policy SS1 notes that supply may also be gained through permitting rural exception sites and other housing where it is essential for the proposal to be located in the countryside. I agree with the Council that this source of supply is unlikely to generate significant numbers of new dwellings and there is little evidence to base a robust allowance on within the housing trajectory. Consequently, I am content that the Plan does not need to include an allowance in relation to rural exception sites and other housing where it is essential for the proposal to be located in the countryside.
90. The Council’s assumptions on supply do not include any lapse rates. The Council’s Matter 5 Hearing Statement sets out that over the past seven years only a small number of permissions have lapsed and that all of these relate to developments of 10 dwellings or less. The same hearing statement calculates that if the average lapse rate is drawn from the last four years (where there has been a noticeable rise) the average lapse rate for sites of 10 dwellings or less is 6.3%. If this is then applied to outstanding planning permissions for sites of up to 10 dwellings relied upon in the supply, it would reduce by just 13 dwellings. I do not consider this to be a significant figure that affects the soundness of the Plan. On this basis, I consider that based on the historical evidence provided, there is no need to incorporate lapse rates into the Plan’s supply assumptions. Overall, the Plan (as amended) anticipates the delivery of 7,384 dwellings.

Whether the Plan will meet the identified housing need?

91. Based on the revised trajectory set out in MM139, I calculate that a housing requirement of 423 dpa over the Plan period (7,614 dwellings in total) results in a shortfall of supply of 230 dwellings. I also calculate that this shortfall would occur in the last year of the Plan period (2031/32). The Council agrees with this assessment.
92. The NPPF 2012 at Paragraph 47 sets out that to boost significantly the supply of housing, local planning authorities should (amongst other things) be able to demonstrate a five year housing land supply and identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 (to meet identified needs).
93. The Plan would provide for specific, developable sites for 11 years following the adoption of the Plan. I consider that this would meet the requirements of Paragraph 47 of the NPPF and the shortfall of 230 dwellings during the last

year of the Plan period does not result in the Plan being unsound, particularly as the Plan would need to be reviewed in 5 years’ time in any event. A modification (**MM22**) is required to set this position out within the Plan.

94. There is clear evidence that over recent years, very few sites in Hart see their planning permissions lapse, particularly for sites over 10 dwellings. I am also mindful that in the short term there is forecast to be a very healthy level of supply over and above the housing requirement in the first five years of the Plan following adoption. This means that a review of the Plan in 5 years’ time would ensure that any under or non-delivery from sites in the longer term can be suitably addressed if necessary at that time. It is also feasible that additional windfall development could come forward over the Plan period that would meet the relatively modest shortfall.

Five year housing land supply

95. The Council’s five year housing land supply statement (HOU4) sets out that against a housing requirement of 388 dpa the Council can demonstrate a 9.53 year supply. I have found that the housing requirement should be increased to 423 dpa to address unmet need from SHBC. Given that this finding was after the close of the hearing sessions, I did not request the Council to produce a revised housing land supply position to take this into account. This was on the basis of the very healthy level of supply anticipated over the next five years.
96. Table 3 of the Council’s five year housing land supply statement (HOU4) illustrates the historic performance of the Council since 1996/97. Table 3 shows that there has been peaks and troughs. However, I consider that the Council, through Table 3, has sufficiently demonstrated that it has overdelivered against the relevant housing requirements (which have changed during this period) over the past 20 years.
97. Further, in the past 5 years (2013/14 to 2017/18) where completions are confirmed, the Council has also overdelivered, even against the increased housing requirement of 423 dpa. Given all of this, the Council does not have a persistent record of under delivery and I consider that a 5% buffer should be applied.
98. I have found that all aspects of the Council’s supply have been based on reasonable assumptions. I am content that even at a greater housing requirement of 423 dpa that the Council will have a healthy five year housing land supply on adoption of the Plan.
99. I acknowledge that the majority of supply is front loaded towards the beginning of the Plan and that the housing trajectory shows supply significantly reducing below the housing requirement from 2025/26 onwards. My attention has also been drawn to the requirement in the NPPF (Paragraph 47) to maintain delivery of a five year supply of housing land to meet the housing target.

100. I consider that previous oversupply during the beginning of the Plan period should be taken into account during the calculation of the Council’s five year housing land supply. Consequently, towards the end of the Plan period where supply falls below the housing requirement, the five year land supply calculation at that point in time should take into account the oversupply above the housing requirement during the early years of the Plan.
101. I am also mindful that in practice, the delivery of some sites may slip and therefore result in a more even spread of supply during the early and middle parts of the Plan period. Given the very healthy supply during the next five years, this offers a good level of flexibility to allow some slippage to later on in the Plan period.
102. The issue of the newly introduced Housing Delivery Test (HDT), which will be relevant to decision making, was discussed. The Council in its Matter 5 Hearing Statement (Table 13) calculated that it could start dipping below 95% from 2025/26. I am mindful that a review of the Plan within 5 years of the adoption of the Plan can address any implications associated with the HDT at that time.

Conclusion on main issue 4

103. I consider that with the recommended modifications, the Plan is sound in relation to this main issue and the Council will be able to demonstrate a five year housing land supply on adoption of the Plan.

Issue 5 - Whether the Plan’s approach to the delivery of affordable housing is sound.

104. Policy H2 sets out the Plan’s approach to the delivery of affordable housing. This requires no less than 40% of developments for new homes to be affordable housing. Having regard to the supporting Whole Plan and CIL Viability Study 2016 (ECO3a) I consider this percentage to be justified. However, I consider that ‘no less than’ could mean that the Council could seek to secure higher levels of affordable housing. The Council confirmed that this was not their intention and I am mindful that the Whole Plan and CIL Viability Study 2016 (ECO3a) indicates that higher levels of affordable housing could make developments unviable. Consequently, a change (**MM38**) is needed to remove ‘no less than’ to ensure the Plan is justified. For the same reason, a subsequent change is also needed (**MM44**) to the penultimate paragraph of Policy H2.
105. Policy H2 sets out that developments of 11 or more units (or exceeding a gross internal area of 1000 square metres) will be required to make provision for affordable dwellings. This complies with the guidance in the PPG. However, I am mindful that the NPPF 2019 requires major developments (10 or more dwellings or the site has an area of 0.5 hectares or more) to make provision for affordable units. Whilst this Plan is being examined under the transition arrangements, I consider that it would be appropriate to modify Policy H2 in this regard (**MM38**) so that it is consistent with national policy moving forward.

106. For the same reason and to aid the decision-making process, I also consider that it would be appropriate to amend the supporting text of Policy H2 (**MM37** and **MM45**) to refer to the latest definition of affordable housing in the NPPF 2019 and to update the definition in the Plan’s glossary (**MM134**). Further, I also consider that it is appropriate to update the tenure mix definitions in Policy H2 (**MM39**) and its supporting text (**MM37**) to reflect those in the latest definition of affordable housing in the NPPF 2019.
107. National policy requires that affordable housing for rent should be used solely for that purpose and remain at an affordable price for future eligible households, or the subsidy should be recycled for alternative affordable housing provision. However, this is not included within Policy H2 and therefore a modification is required to add a new criterion to the policy to address this matter (**MM43**). This will ensure compliance with national policy.
108. Criterion d) of Policy H2 requires that at least 15% of the affordable units will be accessible and adaptable as defined by requirement M4(2) of the Building Regulations. Based on the need for accessible and adaptable homes in the Council’s topic paper (TOP5) and the viability evidence set out in the Whole Plan and CIL Viability Study 2016 (ECO3a) and its Addendum (ECO3d), I consider this to be justified. Further, I am content that this proportion is appropriate. However again, the criterion refers to ‘at least’, which could indicate that the Council may seek more than 15%, which I consider could have the potential to make developments unviable. A change (**MM40**) is therefore needed to remove ‘at least’ for the Plan to be justified.
109. The policy at criterion e) considers the requirements of Building Regulations M4(3) and sets out that where evidenced by local need, a proportion of affordable dwellings should be built as wheelchair user dwellings. I consider this to be vague and ineffective. The Council has suggested a modification to overcome this matter, that sets out that based on local need one or more of the affordable dwellings will be built as wheelchair user dwellings to meet, or exceed where justified, the requirements of Building Regulations M4(3). Having regard to the need for accessible and adaptable homes in the Council’s topic paper (TOP5) and the viability evidence set out in the Whole Plan and CIL Viability Study 2016 (ECO3a) and its Addendum (ECO3d), I consider this to be appropriate and **MM41** is required for the Plan to be justified and effective. To reflect this change, an alteration to the supporting text is also necessary (**MM47**) to set out the circumstances when it might be justified to exceed the standard in Building Regulations M4(3) and to state that wheelchair user dwellings will be negotiated on a site by site basis recognising viability considerations.
110. Further, a change (**MM42**) is necessary to insert a footnote for criteria d) and e) to set out ‘Or as otherwise amended by the Building Regulations’. This will ensure any future changes to the building regulations can be suitably considered.
111. The supporting text to Policy H2 makes it clear that the policy applies to specialist and supported housing schemes. Concerns have been raised that the ability for such schemes to deliver 40% affordable housing can be difficult due to other costs associated with such housing. I accept this view and therefore consider that a modification is necessary (**MM46**) to set out that as

much affordable housing as is viable (up to 40%) will be sought for specialist and supported housing, on a site by site basis. This will allow the merits of each individual case to be considered and is required for the Plan to be justified and effective.

112. It has been brought to my attention that Policy H2 refers to ‘exceptional circumstances’, which does not comply with national policy. I have therefore amended **MM44** to remove reference to exceptional circumstances. Whilst, such a change was not consulted upon, I consider it to be minor and does not alter the overall meaning of the policy.
113. Policy H3 of the Plan considers rural exception sites for affordable housing. The policy current states that an element of market housing will be supported where at least 70% of the total number of proposed dwellings would be affordable housing for subsidised rent. At the hearing sessions it was discussed where the 70% figure had originated. I am not of the view that there is sufficient evidence to justify this threshold and it could lead to much needed affordable housing not being delivered. Subsequently, to ensure compliance with national policy, there is a need to alter Policy H3 (**MM49**) to set out that some market housing will be supported as part of a rural exceptions scheme where it would facilitate the provision of affordable accommodation to meet local needs. This would allow the merits of each individual case to be considered. It has come to my attention that a subsequent change to the supporting text of Policy H3 to reflect this change is necessary and I have amended **MM50** in this regard.
114. The supporting text to Policy H3 sets out that it is envisaged that rural exception sites would be for developments of up to 20 dwellings. However, for the Plan to be effective and consistent with national policy, it is necessary to clarify that where there is an established local need, developments could be greater in size. **MM50** is therefore required to address this matter.
115. On a related matter, the supporting text to Policy H3 at Paragraph 189 states that the Council may use compulsory purchase powers to deliver rural exception sites. For the Plan to be effective and consistent with national policy, it is necessary to set out (**MM48**) that this would be as a last resort.

Conclusion on main issue 5

116. I consider that with the recommended modifications, the Plan’s approach to the delivery of affordable housing is sound.

Issue 6 - Whether the Plan makes adequate provision to meet the needs of gypsies and travellers and travelling showpeople.

117. The Plan is supported by the Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2016) (the GTAA), which assesses the additional need for pitches and plots over the Plan period. The GTAA sets out that there is currently an over provision of 5 pitches for Gypsies and Travellers who meet the definition set out in the Government’s Planning Policy for Traveller Sites (2015) (the PPTS). However, the GTAA also notes that an additional 10 pitches are required for non-travelling gypsies and travellers. This represents a shortfall of 5 pitches. I am particularly mindful of the requirements of the Housing and Planning Act 2016 and the Public Sector Equality Duty.

Consequently, I consider that the Council should be seeking to positively meet this need and the reliance on the criteria based Policy H5 results in the Plan not being positively prepared and unsound.

118. Identifying additional pitches to meet this future need would not be a quick process and to allow the rest of the Plan to be adopted without undue delay, the Council agreed at the hearing sessions to produce and submit for examination a Gypsy and Traveller DPD within two years of the adoption of this Plan. Consequently, to ensure the Plan is positively prepared and consistent with national policy, changes are needed (**MM54 and MM55**) to Policy H5 and its supporting text to secure the production of the Gypsy and Traveller DPD within two years of the adoption of this Plan or by January 2022 (whichever is soonest). I have altered the timescale to January 2022 to reflect the passage of time since the MM consultation took place.
119. In addition, I also have concerns in relation to the robustness of the GTAA itself. This primarily relates to the duration and time of year that the interviews were undertaken. The interviews undertaken of the gypsy, traveller and travelling showpeople that underpinned the evidence of the GTAA were conducted between May and June 2016. I consider this to be a limited period of time and was at a time of year when traditional gypsy horse fairs occur and consequently when many gypsy and travellers are travelling. This appears to be evident in the GTAA as 14 households were not present to be interviewed. As a result, I consider that the GTAA should not be relied upon when considering the need for future proposals, as there is a realistic probability that need has been underestimated.
120. Therefore, for the Plan to be justified **MM54** and **MM55** are necessary to remove reference in the Plan to the GTAA. The Council had proposed to publish a new GTAA in 2019 and have referred to this within MM55, which I consider to be appropriate. However, again to reflect the passage of time, I have amended this timeframe to 2020.
121. MM54 includes alterations that make clear that before the adoption of the Gypsy and Traveller DPD, future proposals will be considered against Policy H5 (as amended) and will need to demonstrate a need for the proposal. In the absence of a robust GTAA, I consider that this is an appropriate approach and is necessary to ensure soundness. However, having regard to the MM consultation responses, I consider that it should be made clear that this would only apply to sites within the open countryside to be consistent with national policy. I have therefore amended MM54 to this effect. MM55 also includes additional supporting text to clearly set out to future applicants what will be considered when establishing whether or not there is a need for the proposed development, which is necessary for the Plan to be effective.
122. It is also necessary within MM54 to make alterations to ensure that Policy H5 applies to both travelling and non-travelling gypsy and travellers. This will ensure the Plan is positively prepared.
123. Further, some other more minor alterations are needed to the criteria of Policy H5 (**MM54**) to ensure the Plan is effective. This includes amending criterion c) to refer to services and facilities being ‘suitably’ accessible rather than ‘readily’ accessible as currently drafted. I consider that this is needed to reflect the intentions of the PPTS.

124. MM54 alters criterion d) to refer to the significance of heritage assets. During the MM consultation it has been raised that this does not accord fully with the NPPF. I consider that Policy NBE9 of the Plan suitably addresses matters associated with the Historic Environment and consequently there is no need for repetition within Policy H5. I have therefore removed its reference in criterion d). This will ensure the Plan is effective.
125. The Council has suggested alterations to criterion g) to set out that sites should not be inappropriately screened and should not create a sense of isolation from adjoining communities. I consider this to be in accordance with the PPTS and is necessary for soundness.
126. On a related matter, I consider criterion j) of Policy H5 to be consistent with the PPTS, which sets out at Paragraph 13 that sites should not be located in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans.
127. The Plan currently contains definitions of gypsies and travellers and travelling showpeople in the glossary that do not reflect those in the PPTS. Changes (**MM135** and **MM137**) are therefore needed to ensure compliance with national policy.

Conclusion on main issue 6

128. I consider that with the recommended modifications, the Plan makes adequate provision to meet the needs of gypsies and travellers and travelling showpeople and is sound.

Issue 7 - Whether the other housing policies of the Plan are soundly based.

Housing mix

129. Policy H1 of the Plan sets out the Council’s approach to the housing mix from market housing. Criterion d) refers to site suitability for self and custom build homes. However, the Plan currently does not set out what will be considered when determining if a site is suitable such housing. A change is therefore needed (**MM35**) to set out that site suitability will be considered on a case by case basis and considerations will include the scale of the development, its layout and the type of dwellings proposed. For example, for a block of flats, it would not be feasible to have a proportion of self build, as the flat(s) could not be separated for a self build purpose.
130. Criterion d) of Policy H1 sets out that for developments of 20 dwellings or more, 5% of plots should be for self and custom built homes, subject to site suitability and the need shown on the self and custom build register. MMs were consulted upon (MM34, MM36 and MM128 of EXAM64) to remove the 20 dwelling threshold. However, I am mindful that in order for developments to be able to provide a 5% provision that they would need to be at least 20 dwellings in size. I have therefore not recommended these modifications as they are not required for soundness.
131. I am not of the view that the Plan’s approach to self build and custom housing in Policy H1 is contrary to national policy, which sets out that Council’s should

encourage their delivery through various mechanisms. I am mindful that the PPG (Paragraph: 025 Reference ID: 57-025-201760728) sets out that relevant authorities should consider how they can best support self-build and custom housebuilding in their area, include developing policies in their Local Plan for self-build and custom housebuilding. I consider the Council’s approach complies with this guidance and therefore Policy H1 complies with national policy in this regard. Further, given the evidence provided in the Whole Plan and CIL Viability Study 2016 (ECO3a) and its Addendum (ECO3d), I am content that a requirement of 5% of dwellings on suitable sites to be self and custom build plots would not make developments unviable.

132. The supporting text to Policy H1 also notes at Paragraph 176 that if such plots are not taken up by the public after being marketed for at least two years then they will be allowed to revert to conventional build plots. I agree with concerns raised that a two year marketing period is excessive and the Council has suggested that this should be reduced to one year. For the Plan to be justified and effective, I consider that a change (**MM35**) is needed to alter the marketing period to one year.
133. Criterion b) of Policy H1 requires that at least 15% of new dwellings will be accessible and adaptable as defined by requirement M4(2) of the Building Regulations. Having regard to the Council’s Topic Paper on Accessible Homes (TOP5), I am satisfied that the imposition of this optional technical standard is justified and consistent with national policy. Further, based on the Whole Plan and CIL Viability Study 2016 (ECO3a) and its Addendum (ECO3d), I am content that this threshold is appropriate and would not make developments unviable.
134. Similarly to criterion d) of Policy H2, as discussed under main issue 5, criterion b) of Policy H1 refers to ‘at least’, which could indicate that the Council may seek more than 15%, which I consider could have the potential to make developments unviable. I have therefore amended **MM33** and **MM34** to include this change to Policy H1 and its supporting text. This will ensure the Plan is consistent, justified and effective.

Housing for older people

135. The SHMA contains an assessment of need for housing for older people. The PPG (Paragraph: 021 Reference ID: 2a-021-20150326) sets out that: ‘...*The age profile of the population can be drawn from Census data. Projection of population and households by age group should also be used... The future need for specialist accommodation for older people broken down by tenure and type (e.g sheltered, enhanced sheltered, extra care, registered care) should be assessed and can be obtained from a number of online tool kits provided by the sector. The assessment should set out the level of need for residential institutions (Use Class C2)...*’.
136. The SHMA (HOU1a) at Pages 210 to 217 takes the approach advocated in the PPG and utilises census data, population projections and utilises the Strategic Housing for Older People (SHOP) analysis toolkit. This identifies a need for sheltered accommodation (52 units per annum), enhanced sheltered accommodation (14 units per annum), extra care housing (8 units per

annum), residential care (33 units per annum) and nursing care (22 units per annum). It is clear that this is a significant need.

137. I appreciate that the use of other data sources may result in differing or higher levels of need. However, the SHMA has followed the approach suggested by national policy. Whilst the Plan is being examined under transitional arrangements, it is also worth noting that the new PPG guidance (Paragraph: 004 Reference ID: 63-004-20190626), now specifically refers to the SHOP analysis tool kit as being an appropriate toolkit. Given all of the above, I consider the assessment of need for housing for older people to be in accordance with national policy and is therefore sound.
138. The Plan seeks to meet the needs of older people in a number of ways. Policy H1 requires as part of the housing mix provision to be made for specialist/supported housing where appropriate. Policy H1 and Policy H2 also require a proportion of new market and affordable dwellings to be accessible and adaptable homes.
139. It has been suggested that the Plan should allocate sites for specialist/supported housing. The Council confirmed at the hearing sessions that no sites that it considered to be appropriate and/or deliverable were put forward. Several omission sites have been promoted and I acknowledge that the site promoters disagree with the Council’s site assessments. However, as set out above in relation to the site selection process, such assessments are often a matter of judgement that can be somewhat subjective, and I have found that the judgements made by the Council in the SA (CD5a), SHLAA (HOU3a and HOU3b) and High Level and Detailed Site Assessments (HOU6) to be within the realms of reasonableness.
140. It has also been pointed out to me that the majority of supply required to meet housing needs over the plan period has already been granted planning permission and therefore Policies H1 and H2 are unlikely to deliver any significant levels of housing for older people. I also acknowledge that for viability reasons Hartland Village the only site allocation in the Plan has been granted planning permission without any provision for older people’s housing.
141. Notwithstanding this, the Plan does recognise these matters and includes Policy H4 that specifically addresses specialist and supported housing. This takes a more flexible approach to meeting such needs and where certain criteria are met would allow proposals outside of settlement boundaries and therefore in the countryside to come forward. Given the above, I consider this to be a pragmatic approach that in the circumstances is justified and results in the Plan being positively prepared. This approach would allow suitable windfall sites to be delivered and could also allow the promoted omission sites to be considered through the decision-making process on their merits.
142. However, it is clear that the Council will need to monitor the delivery of housing for older people carefully and I am mindful that the Plan will be reviewed within the next five years, in any event, where such matters can be addressed if necessary.

143. Turning to the wording of the policies that relate to the provision of older peoples housing in the Plan, Policy H1 includes criterion c) that requires housing proposals to make provision for specialist/supported accommodation where appropriate. It is not clear from Policy H1 or its supporting text when the Council will consider it appropriate for housing schemes to make provision for specialist/supported accommodation. Changes are therefore needed to Policy H1 (**MM33**) and its supporting text (**MM34**) to refer to the need for the development, as evidenced in the SHMA and the factors (such as scale, location, design and layout) that will be considered when determining if provision should be made. This will ensure the Plan is effective. During the MM consultation, it was suggested that at the time of determining an application, there may be other relevant evidence in relation to need that should be considered. I accept this view and I have amended MM33 to also refer to other relevant evidence. I do not consider it necessary to include the consideration of need in MM34, as this is addressed by MM33.
144. Policy H4 sets out that proposals for specialist and supported dwellings will be permitted within a) settlement boundaries and Hartland Village and b) on sites within the countryside, where certain criteria are met. The criteria include: where there is a demonstrable need; that there are no available or viable alternatives within settlement boundaries and the site is well related to an existing settlement with access to appropriate services and facilities either on or off site.
145. The MM schedule as consulted upon (MM52 and MM53 of EXAM64) included alterations to criterion b) i) of Policy H4 and its supporting text. This included the need for applicants to demonstrate a ‘local’ need for the scheme. However, I have had regard to the consultation responses on the MM schedule and I accept that need is best established on a district level, as identified in the SHMA and that this could place an unreasonable burden on future applicants. I have therefore not included this modification in the MM schedule to this report.
146. In a similar manner, the MM schedule as consulted upon (EXAM64) also set out changes to criterion b) i) to state that ‘there are no available or viable alternatives sites within settlement boundaries where the need arises’. However, given my above findings in terms of ‘local’ need, this would not be appropriate. The wording of Policy H4 criterion b) i) of the Plan (as submitted) could be interpreted to mean that all sites within settlement boundaries in the District would need to be considered, in terms of whether they were available and viable for the development proposed. I consider that this would place an unreasonable burden on future applicants. Consequently, to ensure that the Plan is justified and consistent with national policy, a change (**MM52**) to the supporting text of Policy H4 is required to set out that a proportionate level of evidence should demonstrate that there are no suitable sites within defined settlements, that are in the vicinity of the application site and that it will not be necessary to investigate all settlements in the District.
147. Whilst the wording of **MM52**, in this regard, is different from that in the MM schedule that was consulted upon (EXAM64) (as a result of my findings with regard to local need), I consider that it establishes the same principle that applicants should not be expected to examine all defined settlements in the

District for alternative sites when seeking to ensure compliance with criterion b) of Policy H4. Therefore, I am of the view that the alteration that I have made to MM52 is not significantly different from that which has been consulted upon. Depending on the site’s location, the defined settlements that should be considered for alternative sites would be considered on a site by site basis and would be a matter of judgement for the decision maker.

148. As already set out above, criterion b) i) requires that there are no available or viable alternatives within settlement boundaries. However, having regard to consultation responses on the MMs, I consider that alternative sites should be both available and viable. I have therefore amended **MM51** to address this matter. This will ensure the policy is effective.
149. There have been concerns raised more generally about the sequential approach of Policy H4 by only allowing sites in the open countryside if there are no available and viable sites within settlement boundaries. However, I consider that the approach of Policy H4 is consistent with national policy that seeks to steer development towards settlements that offer the greatest level of services and facilities.
150. Policy H4 at criterion b) ii) requires sites to be well related to an existing settlement with access to appropriate services and facilities either on or off site. However, it is not clear in the Plan what appropriate access might be or what factors will be considered when determining such matters, such as for example the nature of potential occupants. A modification to the supporting text to Policy H4 (**MM52**) is therefore needed to address this matter and to ensure the policy is effective.
151. Finally, to ensure consistency with alterations to Policy SS2, as discussed above, it is necessary to remove reference to Hartland Village from Policy H4 (**MM51**). This will ensure the Plan is effective.

Space standards

152. Policy H6 requires development proposals for new homes to meet or exceed the nationally described space standard. I consider the Council’s Topic Paper: Internal Space Standards for New Homes (TOP3a) and its Appendix (TOP3b) provide robust justification for its implementation and is therefore justified and consistent with national policy. However, there is no evidence to suggest that it would be appropriate to seek developments to exceed the space standards. A modification (**MM56**) is therefore needed to address this matter and for the Plan to be justified.
153. To ensure the Plan is consistent with national policy and is effective, it is necessary (**MM57**) to set out that the space standards apply to market and affordable housing, including conversions and change of use proposals. Further, it is also necessary (**MM57**) to set out that if a development does not comply with the space standards then it must be supported by evidence of viability. This will ensure consistency with national policy.
154. The Council has also suggested a modification (**MM58**) to refer to the requirements of other policies in terms of adaptable and accessible homes in the supporting text to Policy H6. I consider that this is appropriate to aid future applicants and is necessary for the Plan to be effective.

Conclusion on main issue 7

155. I consider that with the recommended modifications, the other housing policies of the Plan are soundly based.

Issue 8 - Whether the strategy for job growth and employment is sound.

156. The Plan is supported by the Hart, Rushmoor and Surrey Heath Joint Employment Land Review Update, 2016 (ECO2a) (the ELR). This considers the employment land needs of the Functional Economic Area (FEA) comprised of the three authorities. I consider that the ELR complies with the guidance in the PPG and considers future employment needs based on employment labour demand; employment land supply; and past take up trends.

157. The ELR concludes that there is sufficient floorspace for office use in the FEA but that industrial land is tight. Its conclusions took account of both quantitative and qualitative factors. I see no reason to disagree with the findings of the ELR, in terms of its assessment of need and I consider it to be robust.

158. Policy ED1 of the Plan sets out the Council’s approach when considering planning applications for new employment. A change is needed (**MM59**) to refer to the policies map. This will ensure the policy is effective. Further, Policy ED1 under criterion d) refers to an overriding need having to be demonstrated to justify new employment provision in the countryside. The NPPF encourages a strong rural economy and does not refer to there having to be an overriding need. To ensure compliance with national policy, changes are needed (**MM60** and **MM61**) to Policy ED1 and its supporting text to remove reference to overriding need.

159. Policy ED2 of the Plan addresses the safeguarding of employment land and premises. It identifies 6 strategically important sites and 13 locally important sites. A change is needed (**MM62**) to refer to the policies map, to ensure the policy is effective.

160. The policy sets out that strategic employment sites are safeguarded from other uses and that locally important sites can be considered for other uses in certain circumstances. It has been suggested that the same flexibility should be applied to strategic sites. I acknowledge that Paragraph 22 of the NPPF sets out that planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. However, in this case the ELR has considered the suitability of the strategic employment sites and reinforces the importance of safeguarding existing provision to ensure that there is sufficient employment land over the Plan period. Further, the Plan will need to be reviewed within the next 5 years, where the role of each site can be re-considered. Given this, I consider that the Council’s approach to safeguarding strategically important sites is sound.

161. The strategically important sites identified in Policy ED2 include a site known as Bartley Wood, Hook. It has been drawn to my attention that there have been several prior approvals granted for office to residential use. It is evident that this has affected the strategic importance of the site. Consequently, I consider that a modification (**MM63**) is necessary to remove Bartley Wood,

Hook from the strategic sites and to safeguard the site as one of local importance, where there is a greater level of flexibility to allow alternative uses, where this would be appropriate. To ensure Policy ED2 is effective this change will also need to be made to the policies map. During the MM consultation it has been raised that further prior approvals have been granted and that the site should not be safeguarded at all. However, it remains unclear to me whether the more recently permitted prior approvals remove all buildings from the site that are in employment use. Further, I consider that Policy ED2 (as amended by MM63) allows a suitable level of flexibility.

162. In a similar manner, concerns have been expressed about the suitability of Ancells Business Park, Fleet to be considered a locally important site. I am content the sites designation as a locally important site is appropriate, given that the policy allows some flexibility as discussed above.
163. The Council has proposed changes to the boundaries of: Waterfront Business Park; Blackbushe Business Park; Eversley Storage; and Optrex Business Park on the policies map to correct errors. I consider this to be appropriate and will ensure that Policy ED2 is effective.
164. On a related matter, at the time of the hearing sessions the Council were seeking to enforce an Article 4 Direction to stop permitted development rights for office to residential conversions. The appropriateness of this was not for me to consider as part of this examination. I understand that the Article 4 Direction has now been implemented. MM67 of the MM schedule (EXAM64) that was consulted upon was written in a manner that reflected that the Article 4 direction had not, at that time, been implemented. I have therefore amended the MM accordingly to address this change in circumstance. **MM66** is needed to alter the supporting text of Policy ED2 to refer to this matter. This will ensure that the Plan is effective.
165. Policy ED2 does not offer any protection to existing employment uses outside of the strategically and locally important sites. Given the importance that employment uses make to the rural economy and to ensure compliance with national policy, I consider that changes are needed (**MM64**) to Policy ED2 to set out the circumstances when the loss of other existing employment sites will be justified.
166. During the examination, interested parties raised concern that the Council’s guidance on the allocation of Council owned or managed SANG does not allow it to be allocated to sites that are designated as strategic or locally important employment sites. Given the flexibility associated with locally important employment sites, which would allow the potential for residential development in certain circumstances, this is an area of concern. I consider that it would be unreasonable for proposals that met the requirements of Policy ED2 to be subsequently refused Council owned or managed SANG provision that could in effect, block its delivery. Alterations (**MM65** and **MM67**) are therefore needed to Policy ED2 and its supporting text to make clear that if a development proposal meets the requirements of Policy ED2 then the loss of employment land would not be a reason for refusing an allocation of Council owned or managed SANG.

167. Policy ED3 considers the rural economy and sets out a number of circumstances where development proposals for economic uses will be supported in the countryside. In order for the policy to be effective, a change (**MM68**) is needed to remove ‘or’ at the end of criteria b) and d). This ensures that the policy reads as intended.

Conclusion on main issue 8

168. I consider that with the recommended modifications, the Plan’s strategy for job growth and employment is sound.

Issue 9 - Whether the strategy for town, district and local centres and retail is sound.

169. Policy SS1 of the Plan sets out that over the Plan period an additional 5,900 square metres (net) of convenience and 3,960 square metres of comparison floorspace (net) is required. These figures reflect those identified in the Retail, Leisure and Town Centres Study 2015, Part 1 and Part 2 (ECO5a and ECO5b) (the Retail Study). I consider this to be a robust assessment.

170. The Plan does not allocate any specific sites to meet this need, other than the provision of a local neighbourhood centre at Hartland Village within Policy SS2. However, this will not meet all of the identified need. The Council confirmed at the hearing sessions that no sites considered suitable were promoted during the Plan’s preparation and whilst the Retail Study did identify sites, these did not have any landowner or developer backing and therefore their deliverability could not be ensured.

171. The Council has set out that the Retail Study indicated that existing units would help to accommodate growth, in terms of increased turnover densities and a reduction in vacancy rates. However, the Council conceded that this, in itself, would not be sufficient to meet the identified need.

172. The Plan seeks to meet the identified need in several ways. Firstly, through the identification of the town, district and local centre boundaries in Policy ED4 that provide some certainty regarding the areas in which retail and main town centre development will be encouraged, but also provides flexibility by potentially allowing any site within the centre to come forward.

173. Secondly, Policy ED5 identifies a Primary Shopping Area (PSA) within Fleet Town Centre, which has been significantly extended to include land previously described as a secondary retail area. I consider this additional area to be well connected and significantly increases opportunity for new retail and main town centre use floorspace.

174. The Council also set out that neighbourhood plans may also allocate sites and that there are many neighbourhood plans being drafted, which cover the town, district and local centres.

175. Given that no deliverable and acceptable sites were put forward during the Plan’s preparation, I consider that the Council’s approach to meeting the identified need to be justified. However, the Council will need to monitor the delivery of additional floorspace carefully. I am mindful that the Plan will

need to be reviewed within the next 5 years, where such matters could be revisited if necessary.

176. Policy ED4 of the Plan sets out the Plan’s approach to maintaining and improving the vitality and viability of the town, district and local centres. This includes the identification of a hierarchy: with Fleet as the only town centre; Blackwater, Hook and Yateley being district centres; and Hartley Witney and Odiham designated as local centres. Having regard to the evidence within the Retail Study, I consider the hierarchy to be justified.
177. Policy ED4 includes a threshold that requires development for town centre uses exceeding 1,000 square metres to be supported by an Impact Assessment. Based on the evidence provided in the Retail Study, I consider this threshold to be justified. However, a modification (**MM69**) is necessary to set out that this relates to gross floorspace and not net floorspace as this was an error. This will ensure the Plan is effective.
178. It has been brought to my attention that Policy ED4 requires proposals for ‘main town centre uses’ outside of town centres to undertake a retail impact assessment. However, the NPPF only seeks an impact assessment for ‘retail, leisure or office development’. Further, the NPPF 2019 requires only ‘retail and leisure’ development to undertake an impact assessment. Consequently, I have altered MM69 to reflect the wording of the NPPF 2019 to ensure compliance with national policy moving forward. To reflect this change and to ensure consistency with national policy, alterations are also needed to the supporting text of Policy ED4 and I have added these to **MM69**. For the same reasons, a further main modification (**MM149**) is also needed to amend the glossary definition of retail impact assessments.
179. Whilst these additional changes have not been consulted upon, I consider that they are necessary to address inconsistencies with national policy and are not significant ones. Further, I am mindful that the NPPF 2019 will be a significant material consideration for decision making in any event and it is appropriate to bring Policy ED4 in line with the latest position of national policy to aid decision making.
180. Policy ED5 relates to Fleet town centre. This includes several criteria that proposals within the identified primary shopping area must meet. The NPPF at Paragraph 23 recognises that residential development can play an important role in ensuring the vitality of centres. To be consistent with national policy, a change is needed to Policy ED5 (**MM70**) to set out that residential use may be appropriate above retail or commercial units providing the active frontage is not compromised and that satisfactory residential amenity can be achieved. In addition, for the same reason changes are needed to Policy ED6 that addresses development in district and local centres (**MM71**) and the introductory text at the front of the Plan (**MM3**).
181. Interested parties have set out that more should have been done to regenerate Fleet’s town centre and I acknowledge the feasibility study provided in this regard by one party. Further, I acknowledge the suggestion that the provision of mixed-use developments that include residential might help to meet future housing needs in the longer-term. However, no deliverable sites with sufficient landowner or developer backing have been put forward for such developments within Fleet town centre or any other district

or local centre. Although, I am mindful the modifications discussed above (MM70 and MM71) would allow such mixed-use developments to come forward as windfall. Nonetheless, the Council will need to ensure that all options for meeting future housing needs are considered fully in future reviews of the Plan, including the potential for regeneration.

Conclusion on main issue 9

182. I consider that with the recommended modifications, the Plan’s strategy for town, district and local centres and retail is sound.

Issue 10 – Whether or not the key issues, vision, strategic objectives and policies associated with the natural and built environment in the Plan are soundly based.

183. The Plan identifies 14 key issues that the Plan must address. In order to ensure compliance with national policy, changes (**MM4** and **MM5**) are needed to refer to the need to consider the public rights of way network and to appropriately refer to the District’s heritage assets.

184. The Plan’s vision does not refer to the important matter of flood risk. To ensure that the Plan is consistent with national policy a modification (**MM8**) is necessary to address this matter. Further, **MM9** is needed to ensure the vision appropriately refer to heritage assets in accordance with the NPPF. Having regard to the MM consultation responses, it has been suggested that the vision should include reference to ancient woodland and ancient or veteran trees in accordance with the NPPF. I consider this to be appropriate and necessary for the Plan to consistent with national policy. I have therefore amended MM9 accordingly.

185. The NPPF and the Plan both promote the use of previously developed land. However, this is not reflected in the strategic objectives. To ensure compliance with national policy, a modification (**MM16**) is required to add an additional strategic objective to the Plan to address this matter and a change is also needed (**MM136**) to add the NPPF definition of previously developed land to the glossary. In addition, changes are needed to strategic objectives 9 (**MM13**) 10 (**MM14**) and 13 (**MM15**) to appropriately refer to heritage assets, refer to the provision of sustainable transport and to make reference to public rights of ways respectively. These will ensure the Plan is consistent with national policy.

186. Policy SD1 of the Plan identifies its approach to sustainable development. The last paragraph reflects Paragraph 14 of the NPPF 2012. However, I am mindful that the equivalent paragraph (11) in the NPPF 2019 has been amended. I consider it is appropriate to ensure the policy is consistent with national policy moving forward and a change is needed in this regard (**MM17**).

187. The Plan’s approach to development in the countryside is set out by Policy NBE1. This identifies the countryside as being outside of settlement boundaries. However, I am mindful that the Plan also designates strategic and locally important employment sites. These should not be considered as countryside and therefore, for the Plan to be effective, changes (**MM72**, **MM74** and **MM75**) are needed to Policy NBE1 and its supporting text to set

this out. Having regard to the MM consultation responses, this amended also needs to be reflected in **MM73** and I have amended this modification accordingly.

188. Paragraph 261 of the supporting text to Policy NBE1 sets out the context to the policy. I consider that this goes beyond the protection afforded by the NPPF and alterations (**MM73**) are needed to ensure compliance with national policy. It has been raised that Paragraph 261 should clarify that a more restrictive approach to development in the countryside is taken than for development within the defined settlement boundaries and designated Strategic and Locally Important Employment sites. I agree that this is necessary for the Plan to be effective and I have amended MM73 accordingly. I am not of the view that that Paragraph 261 should include reference to historic landscape character, as this is covered by Policy NBE3 of the Plan and there is no need for duplication.
189. Policy NBE1 at criterion g) sets out that replacement dwellings or extensions to existing dwellings would be considered suitable in the countryside. I am mindful that the NPPF, 2019 also allows for the subdivision of an existing dwelling. I consider it is appropriate to ensure the policy is consistent with national policy moving forward and a change is needed (**MM76**). Criterion h) of Policy NBE1 allows the conversion of previously used permanent buildings or redundant agricultural buildings to be developed for appropriate uses. However, neither the policy nor the supporting text sets out what is an appropriate use. A change is needed (**MM77**) to add a footnote that explains an appropriate use is one that is consistent with other development plan policies. This will ensure the Plan is effective.
190. The NPPF allows housing development in the countryside where it would secure the optimal viable use of a heritage asset and is of exceptional quality or truly innovative in design. Further, the PPTS also considers that gypsy and traveller sites may also be considered appropriate in the countryside. For Policy NBE1 to be consistent with national policy, a modification (**MM78**) is needed to add these additional criteria.
191. Paragraph 267 of the Plan sets out that applications for rural worker dwellings which are primarily made on the grounds of providing security will not generally be supported. However, there may be certain circumstances where this could be justified. An alteration (**MM79**) is therefore needed to set out that rural worker dwellings for such reasons need to be robustly justified and explain why alternative security measures are inadequate.
192. Paragraph 271 of the Plan sets out that the redevelopment of suitable previously developed land in the countryside will be encouraged provided that the site is not of high environmental value and that the proposed use and scale of development is appropriate to the site’s rural context. The Council has sought to modify this paragraph (**MM80**) to clarify that such proposals should not cause harm to areas of high environmental value. I consider this to be necessary for the Plan to be effective.
193. Policy NBE2 designates indicative gaps between settlements. These are illustrated on the key diagram and policies map. The policy sets out that the precise boundaries of the gaps will be determined through a separate development plan document or through neighbourhood plans. I consider that

the identification of indicative gaps which have ambiguous boundaries shown on the policies map is ineffective. This is because, firstly it is unclear to me how this could be reasonably applied during decision making and secondly, such an approach could lead to arguments about whether a site is located within the indicative gap or not. Having regard to the evidence provided by the Council and the discussions that took place at the hearing sessions, I am not satisfied that there is sufficient evidence to allow the gap boundaries to be formalised within this Plan. Consequently, to ensure the Plan is justified, I consider that modifications (**MM81**, **MM147** and **MM148**) are needed to remove Policy NBE2, its supporting text and references to it from Appendix 4 and 5 from the Plan.

194. I have also become aware that a subsequent change is needed to Policy SS2 ‘Hartland Village’ and its supporting text to remove reference to the site’s location in a gap. I have amended **MM28** and **MM31** to include this change. This will ensure the Plan is consistent and effective.
195. I am not of the view that the deletion of Policy NBE2 and the removal of Saved Policies CON19 ‘Strategic Gaps – general policy’, CON20 ‘Strategic Gaps: Blackwater Valley’ and CON21 ‘Local Gaps’ from the list in Appendix 5 of the Plan (MM148) weakens the protection provided by the development plan. This is because modifications are also recommended to Policy NBE3 ‘Landscape’. The Council has proposed modifications (**MM82** and **MM83**) to Policy NBE3 and its supporting text. I consider that reference to the avoidance of physical or visual coalescence of settlements, or damage to their separate identity, either individually or cumulatively with other existing or proposed development is consistent with the NPPF. I therefore consider MM82 and MM83 to be appropriate and necessary to ensure compliance with national policy.
196. I am not of the view that Policy NBE3 or its supporting text (as modified by MM82 and MM83) would restrict all potential development between settlements. But, instead, it would allow matters such as coalescence to be considered on a case by case basis, where it is of relevance. Further, I consider the use of ‘perception’ in the supporting text (MM83) to be justified, as there may be circumstances where settlements can be perceived to have coalesced even if they have not physically done so.
197. MM83 also sets out that policies to designate specific areas or ‘gaps’ between settlements can be prepared through subsequent Development Plan Documents and Neighbourhood Plans. This also raised concern during the MM consultation. I am mindful that the designation of gaps is relatively common and the Council could seek to identify gaps in future development plan documents, such as the planned Development Management DPD, but would need to be sufficiently evidenced at that time. In addition, the same would apply to gaps designated in neighbourhood plans, where the justification for such designations would need to be robustly evidenced for any future examiner to find them appropriate.
198. The Thames Basin Heaths Special Protection Area (SPA) is the subject of Policy NBE4. A number of changes (**MM84**, **MM85** and **MM86**) are needed to Policy NBE4 and its supporting text to ensure that it reflects the decision by the Court of Justice of the European Union in the People Over Wind and

Sweetman v Coillte Teoranta case in April 2018 and to ensure that there will be no adverse effect on the SPA, in accordance with national policy.

199. It has been brought to my attention that the changes to the supporting text proposed in MM85 and MM86 are not entirely consistent with Policy NBE4. This relates to proposals for 50 or more net new dwellings that would be located within 5 to 7 kilometres of the SPA. Policy NBE4 sets out that such developments may be required to provide mitigation measures. It also sets out that this will be assessed on a site by site basis in consultation with Natural England (NE) and where necessary an appropriate assessment may be required. However, the changes to the supporting text to Policy NBE4 that were consulted upon in the MM schedule (MM86 and MM87 of EXAM64) set out that all developments of 50 or more net new dwellings that would be located within 5 to 7 kilometres of the SPA will need to undertake an appropriate assessment.
200. I consider that it is not necessarily the case that all such developments will have a likely significant effect and therefore it should not automatically be the case that they will need to undertake an appropriate assessment. Consequently, I have amended MM85 and MM86 to ensure the supporting text is consistent with Policy NBE4, which I consider sets out the correct approach to such developments, in accordance with the Thames Basin Heaths SPA Delivery Framework (ENV3) and national policy. I am also mindful that NE has not raised any concerns with regard to the wording of Policy NBE4 in relation to this matter.
201. I am not of the view that MM85 seeks to pre-empt the assessment stage. The additional text sets out that for proposals between 400 metres and 5 kilometres from the SPA, an appropriate assessment will be necessary where there is a net increase in dwellings. Further, to provide guidance to future applicants the additional text sets out the probable outcome of the assessment if contributions are made to the Thames Basin Heaths Avoidance Strategy. The role of the Thames Basin Heaths Avoidance Strategy is to ensure no adverse effect on the integrity of the SPA arises from new housing development via recreational pressure. Consequently, I consider that it is appropriate to set out to future applicants that compliance with the Thames Basin Heaths Avoidance Strategy would likely result in a conclusion of no adverse effect on the integrity of the SPA.
202. I consider that the use of the word mitigate in MM85 is also appropriate, given that mitigation measures may result in no harm arising. I am also mindful that NE has not raised any concern with regard to the wording of MM85.
203. I do not consider that Policy NBE4 should contain additional criteria in relation to SANG provision. I am mindful that the supporting text to Policy NBE4 sets out that proposals for new SANG must be approved by the Council (as competent authority) following advice from NE and will be expected to follow NE’s SANG guidelines. As a result, I do not consider that there is a need to duplicate such guidelines within Policy NBE4 or its supporting text.
204. I acknowledge that SANG provision is sometimes made in areas of flood risk, which might affect their usability. I am mindful that the NPPF sets out within its core objectives that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food

production). It is therefore clear that it can be appropriate for open land to be multifunctional. Further, the supporting text to Policy NBE4 notes that if the SANG is used for publicly accessible open space, then it must be of high quality in accordance with the Hart Open Space Study, 2016. This at Appendix 2 sets out a quality scoring matrix that includes whether the site is with a flood zone. Given all of this, I consider that the usability of the site will be an important focus, including factors such as flood risk, when the suitability of a proposal for SANG is being considered by the Council and NE. On this basis, I consider that no changes are needed in this regard. Further, it is relevant to note that NE do not share any of the above concerns.

205. On a related matter associated with the Thames Basin Heaths SPA, the introductory text of the Plan at Paragraph 26, sets out that the Habitats Regulation Assessment (HRA) confirms that the recreational impacts of proposed development on European sites can be avoided or mitigated. It also confirms that air quality is not likely to cause a significant effect on the SPA. However, the Plan itself does not refer to increases in nitrogen deposition that can adversely affect the SPA. A change is needed (**MM2**) to address this matter and to set out that the Council is committed to working with partners to monitor roadside air quality that may affect the Thames Basin Heaths SPA. This ensures compliance with national policy.
206. Policy NBE5 addresses the matter of biodiversity. When consulted upon, MM88 of EXAM64 included an alteration to set out that development should conserve or ‘where possible’ enhance biodiversity. I am mindful that Paragraph 8 c) of the NPPF 2019 refers to protecting and enhancing. Consequently, I consider that it is not necessary to make such a change and I have removed the modification from the schedule, this will ensure the policy is consistent with national policy moving forward. Several alterations (**MM87**, **MM88** and **MM89**) are needed to Policy NBE5 and its supporting text to ensure compliance with national policy and to refer appropriately to the Conservation of Habitats and Species Regulations 2017.
207. Managing flood risk is the subject of Policy NBE6. Changes (**MM90** and **MM91**) are needed to the policy to appropriately refer to national policy and guidance on flood risk. This ensures that the policy is effective and consistent with national policy.
208. Policy NBE8 requires all new homes to meet the water efficiency standard of 110 litres per person a day. Having regard to the evidence in the Hart, Rushmoor and Surrey Heath Water Cycle Study and appendices, 2017 (ENV5a and ENV5b), I consider that this is justified. Further, I am content that it would not result in developments becoming unviable and the cost of such measures is low, as shown in the Whole Plan and CIL Viability Study, 2016 (ECO3a).
209. To ensure compliance with national policy in terms of the historic environment, several changes (**MM92**, **MM93** and **MM94**) are needed to Policy NBE9 and its supporting text, to ensure its wording reflects that in the NPPF.
210. Policy NBE10 of the Plan relates to design. To ensure the policy is consistent with national policy, modifications (**MM95** and **MM96**) are required to refer to

public rights of way within criterion b) and reducing opportunities for crime and anti-social behaviour in criterion g).

211. Proposals for renewable and low carbon energy are considered by Policy NBE11. A change (**MM97**) is needed to criterion c. to appropriately refer to heritage assets in accordance with the NPPF. To ensure compliance with national policy, a modification (**MM98**) to Policy NBE12 ‘Pollution’ is needed to refer to cumulative impacts.

Conclusion on main issue 10

212. I consider that with the recommended modifications, the key issues, vision, strategic objectives and policies associated with the natural and built environment in the Plan are soundly based.

Issue 11 - Whether the Plan’s approach to infrastructure is justified and consistent with national policy.

213. In support of the Plan, an Infrastructure Delivery Plan (IDP), 2018 (INF1) has been produced by the Council. I consider that the Council’s consideration of infrastructure to be robust and the IDP and Transport Assessment, 2018 (INF2) sufficiently demonstrates that the Plan (as modified) is deliverable. However, I consider a modification (**MM100**) is necessary for the Plan to be effective, that explains the role of the IDP and how any funding gaps will be delivered. I am also mindful that the vast majority of the supply needed to meet the housing requirement already benefits from planning permission, including Hartland Village. Consequently, the individual needs of sites have been considered through the decision-making process and it has been found that they can be delivered appropriately with any necessary infrastructure secured.
214. Highways England has raised concern that the increased housing requirement to accommodate the unmet needs of SHBC could result in increased impacts on the Strategic Highway Network that have not been assessed. However, as already set out above, I do not consider that additional sites are necessary for this Plan to be sound. In the future, when the Plan is reviewed and the identified modest shortfall in supply in the last year of the Plan period is addressed, new evidence will be required to demonstrate how housing needs, at that time, can be suitably delivered without unacceptable impacts on the highway network.
215. In relation to SANG capacity, the HRA identifies at Paragraph 5.17 that even after the allocation of housing provided by the Plan (including 265 windfall dwellings) and the quantum of SANG allocated for use by neighbouring RBC, that SANG sites under the Council’s control have remaining capacity for 916 units (dwellings). I have been provided with no substantive evidence to doubt this position. Further, I am mindful that the vast majority of supply needed to meet the housing requirement benefits from planning permission, where the provision of suitable SANG will have been considered where necessary. Given that I have found the Plan’s spatial strategy to be sound, I am not of the view that additional SANG capacity needs to be delivered in parts of the District where there is an existing deficit, as development in these areas is not necessary.

216. Policy I1 sets out the Plan’s approach to the delivery of infrastructure. The policy sets out that all development that requires planning permission must make appropriate provision for infrastructure, on and off-site, or through financial contributions to off-site provision. However, I am mindful that there may be circumstances that sufficient infrastructure already exists and this is not necessary. Changes (**MM101** and **MM102**) are therefore needed to address this matter to set out that this is will be required to make otherwise unacceptable development acceptable. This will ensure compliance with national policy.
217. The Council confirmed at the hearing sessions that it was not its intention to seek tariff based planning obligations for developments of 10 dwellings or less and that the viability assessment had not considered the ability of developments of such size to be able to make such contributions. Changes (**MM102** and **MM104**) are therefore required to make this clear and to ensure the Plan is consistent with national policy. I appreciate that such thresholds have been removed in the NPPF 2019 and latest PPG guidance (with the exception of affordable housing). On this basis, it could be suggested that the policy should remain as it is without the above recommended modification. However, given that such requirements have not been tested in the viability assessment, this would in itself be unsound. Nonetheless, the NPPF 2019 and the latest PPG guidance, will be a significant material consideration in determining planning applications.
218. The Council accepted at the hearing sessions that the Policy I1 should refer to financial viability, in accordance with national policy, as there may be instances where the sought contributions would make a proposal unviable. A change to the policy (**MM103**) and its supporting text (**MM105**) is therefore necessary to make this clear and to set out what will be required of applicants in such circumstances. I consider that it is appropriate for these changes to reflect the NPPF, 2019 in terms of viability to ensure that the Plan is consistent with national policy moving forward.
219. The supporting text to Policy I1 at Paragraphs 381 and 382 considers waste water supply, surface water, foul drainage and sewage treatment capacity. Thames Water has advised that the provision of water treatment (both wastewater treatment and water supply) is met by its asset plans and as of 1 April 2018, network improvements will be from infrastructure charges per new dwelling. Modifications (**MM106** and **MM107**) are therefore needed to reflect this matter and to ensure the Plan is effective. It has been suggested that these modifications reduce the protection offered by Policy I1 and that capacity issues should be properly investigated and addressed prior to any development. However, I am mindful that Policy I1 requires developers to demonstrate that there is adequate waste water capacity and surface water drainage both on and off the site to serve the development and that it would not lead to problems for existing or new users.
220. Paragraphs 373 and 384 provide supporting text to the Infrastructure section and Policy I1. Changes (**MM99** and **MM108**) are needed to include public rights of way. This ensures compliance with national policy.
221. Policy I2 sets out the Plan’s approach to green infrastructure. The PPG at Paragraph: 029 Reference ID: 8-029-20160211 sets out that ‘*Local Plans*

should identify the strategic location of existing and proposed green infrastructure networks’. As currently drafted the Plan does not identify the existing green infrastructure network within the District. At the hearing sessions, the Council set out that it was possible to show the green infrastructure network on the policies map. A modification (**MM109**) is therefore required to criterion a) of Policy I2 to refer to the existing green infrastructure network being shown on the policies map. The Council will also need to ensure that the green infrastructure network that was consulted upon alongside the MM schedule is shown on the policies map on adoption of the Plan for Policy I2 to be effective.

222. Policy I3 relates to transport. To reflect national policy, a change (**MM110**) is needed to set out that development should promote the use of sustainable transport modes rather than offering maximum flexibility as currently drafted. Further, to ensure Policy I3 is effective and reads as intended, alterations (**MM110**) are needed to criterion f) and h). Paragraph 398 of the supporting text to the policy refers to Travel Plans. The Council has suggested a modification (**MM111**) to this paragraph to set out that consideration should also be given to the Hampshire Countryside Access Plan and Rights of Way Improvement Plans. I consider this to be required for the Plan to be consistent with national policy.
223. The Plan’s approach to open space, sport and recreation is set out by Policy I4. The policy sets out that existing open space, sports and recreational buildings and land including playing fields should not be built on, other than in three specific circumstances. However, it is not clear where the existing open space is located. The Council confirmed at the hearing sessions that the existing open space can be illustrated on the policies map. A change (**MM MM112**) to Policy I4 is therefore necessary to refer to the policies map for it to be effective. The Council will also need to ensure that when the Plan is adopted that the policies map includes the open space map that formed part of the consultation on changes to the policies map that was undertaken alongside the MM schedule. This will ensure that Policy I4 is effective.
224. At the hearing sessions, the Council confirmed that, in a similar manner to Policy I1, it is not seeking tariff based planning obligations from development of 10 or less dwellings. A modification (**MM112**) to Policy I4 and its supporting text (**MM113**) is therefore needed to make this clear. The supporting text to the policy at Paragraph 403 sets out that the exact nature of any on-site provision will need to be agreed on a case-by-case basis. Further, it states that where necessary, contributions to off-site improvements to open space, sports and recreational facilities will be required. However, it is not clear under what circumstances an off-site contribution will be considered suitable. For the policy to be effective, an alteration (**MM113**) is needed to the supporting text to address this matter and to provide clarity to future applicants.
225. Table 2 of the Plan that supports Policy I4 sets out the open space standards that will be applied to development proposals. This refers to Local Play Areas (LAPs), Local Equipped Area for Play (LEAPs) and Neighbourhood Equipped Areas for Play (NEAPs). Table 2 does not, however, set out what size these should be, to offer suitable guidance to future applicants. Consequently, a modification (**MM114**) is needed to set these out within Table 2. Table 2 also

sets out the requirement for natural and semi-natural green space to be delivered. However, the relationship between the need for this and proposals that also require the provision of SANG to mitigate impacts on the Thames Basin Heaths SPA is not clear within the Plan. For the Plan to be effective, a change (**MM115**) is therefore necessary to set out that natural and semi-natural space will not be requested in addition to the provision of SANG (either on-site or through financial contributions) where required to mitigate impacts on the Thames Basin Heaths SPA.

226. Policy I5 of the Plan addresses community facilities. A change (**MM116**) to criterion ii. is required to ensure that the policy reads as intended and is therefore effective.
227. Policy I6 sets out the Plan’s approach to broadband or successor services. Concern has been raised that the policy could place an unreasonable burden on developers. However, the Council set out at the hearing sessions that developers are only expected to deliver the necessary infrastructure within their site. Changes are therefore needed to Policy I6 (**MM117**) and its supporting text (**MM118**) to make this clear and also to set out that the Council will work with Hampshire County Council as well as the telecommunications industry to maximise access to superfast broadband. This will ensure the Plan is effective and consistent with national policy. I am not of the view that the requirements of Policy I6 (as modified) would affect the viability of developments.
228. Policy I7 safeguards land at Phoenix Green for a flood alleviation system. The Plan sets out that up to 80 properties are at risk of flooding. I am satisfied that there is a need to deliver the scheme, as set out in the Summary Technical Note - Outline Business Case for the Phoenix Green Flood Alleviation Scheme (INF4). Concerns have been raised by the landowner about the impact of the scheme on the agricultural holding on which it would be located. Further, it has been suggested that the Council has not demonstrated that it has the resources likely to be needed to implement the flood alleviation scheme and therefore it does not comply with Section 19(2) (i) of the Planning and Compulsory Purchase Act 2004. However, the Council has set out that the scheme is a formal flood alleviation scheme on the Environment Agency’s Programme of flood and coastal erosion risk management schemes and is being funded through the Flood Defence Grant in Aid process. The Council also set out that the works can be undertaken using the Land Drainage Act 1991 section 14 (A) 1 which allows the Council to serve notice and undertake the works so compulsory purchase is not necessary. I see no reason to disagree and given the clear need for the scheme, I consider Policy I7 to be justified. However, the Council will need to monitor this position closely and if the scheme is not delivered then a review of Policy I7 may be necessary in the near future.
229. The changes to the policies map were consulted upon alongside the MMs. This included changes to the area of land safeguarded for the flood alleviation scheme to reflect the most up-to-date position on the land necessary to deliver the scheme. The Council will need to ensure that this change to the boundary is made to the policies map on adoption, to ensure that Policy I7 is effective.

230. Policy I8 safeguards land for education at Robert May’s School and Calthorpe Park School. I consider that the evidence provided by the Council shows that there is a need to safeguard such land to meet future educational needs and on this basis Policy I8 is justified. Proposed changes to the policies map that were consulted upon alongside the MMs included minor changes to the area of land safeguarded at Calthorpe Park School to reflect an updated position of the school’s needs. The Council will need to ensure that this change to the boundary is made to the policies map on adoption, to ensure that Policy I8 is effective.

Conclusion on main issue 11

231. I consider that with the recommended modifications, the Plan’s approach to the delivery of infrastructure is sound.

Issue 12 – Whether the Plan’s delivery, monitoring and review framework is sound.

232. The Plan contains a delivery, monitoring and review framework, which includes a number of indicators. The Plan currently sets out that the Council will commence a review of the Plan in 2021 unless triggered sooner by other factors. However, during discussions at the hearing sessions it became clear that this was an error. Consequently, for the Plan to be effective, a change is needed (**MM119**) to correct this and to set out a review will be undertaken within five years of the adoption of the Plan or sooner if triggered by factors that are set out in Paragraph 427 of the Plan. It has been suggested that the Plan should contain firmer commitments for an early review if certain circumstances arise, such as if any unmet need from SHBC were to increase above that considered in the Plan (as modified). However, the review framework includes DtC issues such as housing and I consider that this is sufficient to monitor and trigger the need for an early review if necessary.
233. MM119 also includes a reference to the Council having aspirations to plan ahead for long-term growth needs, to reduce the risk of policies (particularly housing policies) becoming out of date and would provide greater certainty over the longer term. It also notes that all reasonable growth options, including the potential for a new settlement, would need to be fully considered in a future review of the Plan or a subsequent DPD. Reference to the Council’s aspiration for a new settlement has raised numerous concerns during the MM consultation. However, it must be borne in mind that it is an aspiration and MM119 makes clear that all reasonable growth options will need to be considered in the future. I therefore consider MM119 to be appropriate in this regard. Notwithstanding this, it has been suggested that the words ‘and evidenced’ should be included in MM119 to ensure that any long-term growth options are fully considered and supported by sufficient evidence. I consider this to be necessary for the Plan to be justified and effective and I have therefore altered MM119 to this effect.
234. A number of changes are needed to the monitoring framework objectives themselves to reflect other MMs. This includes: updating the housing completions and delivery assumption figures (**MM121, MM122 and MM123**); the deletion of references to Policy SS3 (**MM120, MM124, MM126, MM127, MM128 and MM130**); and to reflect the deletion of Policy NBE2 and

alterations to Policy NBE3 (**MM129**, **MM131** and **MM132**). Further, an alteration (**MM125**) to indicator 4d is necessary to make clear that the annual target should be that 15% of new homes delivered in any given year are accessible and adaptable. These will ensure the Plan is effective.

235. Policy SS1 sets out that development will be focused on (amongst other things) previously developed land. However, there is no monitoring objective that considers this matter. For the Plan to be effective, a new monitoring objective is necessary (**MM133**).

Conclusion on main issue 12

236. I consider that with the recommended modifications, the Plan’s delivery, monitoring and review framework is sound.

Assessment of Legal Compliance

237. My examination of the legal compliance of the Plan is summarised below.

238. The Local Plan has been prepared in accordance with the Council’s Local Development Scheme (EXAM63) (LDS).

239. Consultation on the Local Plan and the MMs was carried out in compliance with the Council’s Statement of Community Involvement (SCI) (CD7).

240. I have set out above that the post submission SA (CD5c) that was primarily produced to consider the proposed new settlement area of search subject to Policy SS3 is not robust and should not be relied upon. However, I consider that the pre-submission SA (CD5a) that has been carried out is adequate to support the Plan (as modified).

241. A number of criticisms have been made of the pre-submission SA (CD5a). I consider that the pre-submission SA does appropriately look at different spatial strategies. Whilst this is done through different site combinations, it is clear that the reasonable alternatives include a single new large settlement (Hartland Village), strategic sites and non-strategic smaller sites that are dispersed throughout the District or several combinations of strategic and non-strategic sites. I consider that this offers a reasonable range of differing spatial strategies.

242. I acknowledge the concerns of the promoters of some of the sites who set out that because their site was considered along with a combination of other sites and that the low scoring of other sites affected the overall ranking of the reasonable alternative in which their site was appraised. However, it is clear that to meet the housing needs of the District many of the smaller non-strategic sites would have needed to be delivered together. I consider that such an approach is therefore acceptable. Further, to consider every possible combination of sites available would have led to dozens of reasonable alternatives and would have made the pre-submission SA unmanageable. Overall, I consider that the pre-submission SA considers an appropriate range of reasonable alternatives.

243. In terms of testing different housing levels to be delivered, this is also undertaken thorough the differing reasonable alternatives and site

combinations appraised in the pre-submission SA. These range from 397 dpa to 490 dpa, which I consider offers a suitable range. Whilst I know that the post submission SA set out that it had also been produced (as well as to consider the proposed new settlement) to test a higher housing figure, I consider 490 dpa to be a reasonable maximum figure to test, which is significantly above the housing requirement in the Plan even as modified.

244. To inform the selection of reasonable alternatives a large number of proposed sites were appraised using a Geographical Information System (GIS). I consider that this approach and the criteria adopted to be an appropriate way of appraising a large number of sites, including those in relation to SANG, SINC and ancient woodland. It is inevitable that many site promoters disagree with the scoring of their site. In many instances, judgement is needed, and some considerations are clearly subjective. I have considered carefully the concerns raised by site promoters and I am content that based on the information that the Council had before them at the time of producing the pre-submission SA, its scoring was reasonable.
245. It should also be noted that it is not for the Council to suggest to site promoters how their site could be improved or what further information or clarification is needed to improve a site’s score. To do so for all promoted sites would be an unmanageable task. Further, it has been suggested that some of the scores for the sites should have been updated to reflect additional information provided as part of planning applications or clarifications submitted by site promoters. This would require the SA to be regularly updated. This simply isn’t practical, and I am mindful that at some point the Council has to draw a line under the evidence base and submit a Plan for examination.
246. Further to the above, I am particularly mindful that even if some of the scores were improved for the disputed sites, even significantly so, I am satisfied that Option 1 (Hartland Village only) would still be ranked the highest, given its location and previously developed nature. In addition, Hartland Village does benefit from planning permission and is currently being constructed. The spatial strategy for the Plan to meet the identified housing need has therefore, in the main part, already been set through existing planning permissions.
247. I note that a promoted site called Rye Common was not considered to be a reasonable alternative to those considered in the pre-submission SA. However, it was considered as an area of search alternative alongside the Murrell Green / Winchfield (area of search) for a new settlement in Appendix III. Rye Common was therefore appraised by the same criteria as the reasonable alternatives. I consider that this offers sufficient information to allow me to be content that had Rye Common been considered as a reasonable alternative that it would not have ranked higher than Option 1 (Hartland Village only), which is the spatial strategy adopted in the Plan (as modified).
248. There has been some suggestion that the SA addendum (EXAM65) to support the MMs should have considered further reasonable alternatives based on the increase in the housing requirement to 423 dpa. However, as I have already

found, further supply is not required to make the Plan sound. Consequently, this is unnecessary.

249. Overall, I am content that the pre-submission SA provides an adequate basis to inform the Plan.
250. The Habitats Regulations Assessment June 2018 (ENV13) sets out that a full assessment has been undertaken and that the Plan may have some negative impacts which require mitigation and this mitigation has been secured through the Plan as modified.
251. The Plan (as modified) includes a vision, strategic objectives and Policies NBE6, NBE8, NBE10, NBE11 and Policy I3 designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change.
252. The Local Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.
253. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including the provision of gypsy and traveller sites, housing for older people and accessible and adaptable housing.

Overall Conclusion and Recommendation

254. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.
255. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix 1, the Hart District Council Local Plan – Strategy and Sites satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Jonathan Manning

INSPECTOR

This report is accompanied by Appendix 1 containing the Main Modifications.



Report to Warwick District Council

by Kevin Ward BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Date 28 July 2017

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Warwick District Local Plan

The Plan was submitted for examination on 28 January 2015

The examination hearings were held between 6 and 12 May 2015 and between 27 September and 15 December 2016

File Ref: PINS/T3725/429/5

Abbreviations used in this report

CE	Cambridge Econometrics
CWLEP	Coventry and Warwickshire Local Enterprise Partnership
HMA	Housing Market Area
LDS	Local Development Scheme
MM	Main Modification
MoU	Memorandum of Understanding
NPPF	National Planning Policy Framework
OAN	Objectively assessed need
ONS	Office for National Statistics
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SEP	Strategic Economic Plan
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment

Non-Technical Summary

This report concludes that the Warwick District Local Plan provides an appropriate basis for the planning of the District, provided that a number of main modifications are made to it. Warwick District Council has specifically requested me to recommend any main modifications necessary to enable the Local Plan to be adopted.

The main modifications all concern matters that were discussed at the examination hearings. The Council has provided the detailed wording for the main modifications, many of which are based on suggestions it put forward during the examination. Following the hearings, the Council carried out sustainability appraisal of the main modifications and they were subject to public consultation over a seven-week period. I have recommended their inclusion in the Local Plan after considering all the representations made in response to consultation on them and the sustainability appraisal.

The main modifications can be summarised as follows:

- Increase the housing requirement for the plan period to 16,776 dwellings (an average of 932 per year), clarify that this is to be regarded as a minimum and make clear that this includes a commitment to meet unmet needs from Coventry (an average of 332 dwellings per year);
- Establish an annual average housing requirement of 600 dwellings per year between 2011/12 and 2016/17 and 1,098 dwellings per year from 2017/18 onwards;
- Amend the spatial strategy to also focus growth on the southern edge of Coventry in addition to the urban areas of Warwick, Leamington Spa, Whitnash and Kenilworth;
- Add a number of additional housing site allocations to ensure sufficient housing land is available;
- Add an area of safeguarded land at Westwood Heath on the edge of Coventry;
- Delete the housing site allocation at Red House Farm, Lillington;
- Delete a number of housing site allocations where development is already well progressed and amend the estimated capacity on a number of others to reflect up to date evidence;
- Set out a realistic and justified housing trajectory including a significantly reduced windfall allowance;
- Include clear commitments to review the Local Plan;
- Add site allocations for outdoor sports at Kenilworth;
- Add new policies in relation to self-build housing and electronic communications;
- Delete a number of policies that are not effective, justified or consistent with national policy or are unnecessary;
- Amend the wording of a number of policies to ensure that they are effective by providing necessary clarity and/or flexibility, that they are justified and are consistent with national policy; and
- Include a list of policies in the extant Warwick District Local Plan that will be superseded by policies in this Local Plan.

Introduction

1. This report contains my assessment of the Warwick District Local Plan (the Local Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Local Plan's preparation has complied with the duty to co-operate. It then considers whether the Local Plan is sound and whether it is compliant with the legal requirements. Paragraph 182 of the National Planning Policy Framework (NPPF) makes it clear that in order to be sound a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the Council has submitted what it considers to be a sound plan. The Council published and consulted upon a number of focussed changes to the Publication Draft Plan prior to submission. These were subject to sustainability appraisal. The basis for the examination is the submitted Local Plan which is the same as the Publication Draft Plan dated April 2014 (LP10) as amended by the schedule of focussed changes (LP13).
3. Initial hearings for the examination were held in May 2015. Following these hearings I informed the Council that whilst I considered that it had complied with the duty to co-operate (see below), the submitted Local Plan was not sound in terms of the overall provision for housing and the supply and delivery of housing land. The Council subsequently undertook further work in co-operation with the other authorities in Coventry and Warwickshire on housing needs, made commitments to meeting housing needs in full and set out a clear and focussed timetable for additional work and consultation. On this basis the examination was suspended in October 2015.
4. Following this additional work and co-operation with the other authorities in Coventry and Warwickshire, the Council published a schedule of suggested modifications to address the issues of soundness identified after the initial hearings. These included increasing the planned provision for housing and additional housing site allocations. These suggested modifications were subject to public consultation and sustainability appraisal. I have taken account of representations made on them and the sustainability appraisal.
5. The examination was resumed and further hearings took place between September and December 2016. In addition to the submitted Local Plan, the Council's suggested modifications were considered during the further hearings. Those who had made representations on them were given the opportunity to speak at the hearings.

Main Modifications

6. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications necessary to rectify matters that make the submitted Local Plan unsound and /or not legally compliant and thus incapable of being adopted. My report explains why the recommended main modifications are necessary. The main modifications are referenced in bold in the report in the form **MM1**, **MM2**, **MM3** etc., and are set out in full in the Appendix.

7. As noted above, the basis for the examination is the submitted Local Plan. The main modifications which I recommend in this report would be modifications to the submitted Local Plan.
8. The main modifications relate to matters that were discussed at the examination hearings. The Council has provided the detailed wording of the main modifications, many of which are based on suggestions it put forward during the examination and in some cases are those it suggested and consulted upon during the suspension of the examination.
9. All of the main modifications have been subject to public consultation and sustainability appraisal following the examination hearings, including those previously suggested and consulted upon by the Council. I have taken account of consultation responses and the findings of the sustainability appraisal in writing this report. Following the period of consultation, I have made minor amendments to the detailed wording of main modifications **MM4**, **MM8**, **MM41**, **MM58** and **MM59** to address typographical errors and to show more clearly the extent of deleted text etc. I have also made a minor amendment to the wording of **MM54** to provide additional clarity in relation to the location of two areas of search for park and ride facilities north of Warwick/Leamington Spa. None of these minor amendments alter the substance or meaning of the main modifications.

Policies Map

10. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted Local Plan. In this case, the submission policies map comprises the set of plans set out in the Publication Draft Plan (LP10) and the schedule of focussed changes (LP13).
11. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the main modifications to the Local Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective. These further changes to the policies map were published alongside the main modifications.
12. When the Local Plan is adopted, in order to comply with the legislation and give effect to the Local Plan's policies, the Council will need to update the adopted policies map to include all the necessary changes.

Assessment of Duty to Co-operate

13. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Local Plan's preparation. The preparation of the Local Plan concerns the period up to the point of submission. As noted above I reached a conclusion on compliance with the duty to co-operate following the initial hearings. For completeness, I reiterate my findings below.

14. There are a number of strategic matters which required co-operation during the preparation of the Local Plan. The overall provision for housing is of particular importance however, given that Warwick District forms part of the wider Coventry and Warwickshire Housing Market Area¹ (the HMA), the links between authorities in terms of migration, commuting and housing markets and the interrelationship between Warwick District and Coventry.
15. I am satisfied that the Council has engaged actively with the other authorities in the HMA and beyond throughout the plan preparation process in terms of overall housing provision. The key question is whether engagement has been constructive and the extent to which co-operation has maximised the effectiveness of the preparation of the Local Plan.
16. The duty to co-operate does not bring with it a specific requirement to have reached agreement on the level of housing need and how this will be met across the HMA however. It is the actions and approach of the Council which are critical to my consideration of this matter. I have also taken account of the position taken by other authorities, none of which raised concerns over the level of housing provision proposed in the Local Plan or the Council's compliance with the duty to co-operate.
17. The Council acknowledges that co-operation between the HMA authorities received greater impetus following the findings of the Inspector examining Coventry's Core Strategy in 2013. This led to joint working on the Coventry and Warwickshire Joint Strategic Housing Market Assessment (the 2013 SHMA) and an Addendum in 2014 (the 2014 SHMA Addendum), along with other collaboration in terms of evidence. The 2013 SHMA set out figures for objectively assessed need (OAN) for housing across the HMA as a whole and for individual authorities. The overall provision for housing in the submitted Local Plan was based on the 2013 SHMA.
18. Joint working and co-operation continued after the publication of the 2014 SHMA Addendum, notably through the Economic Prosperity Board which met in October and November 2014 and subsequent formal endorsement by each authority. There was an agreement regarding the OAN for the HMA, a recognition that Coventry would not be able to accommodate the higher level of OAN indicated in the 2014 SHMA Addendum and agreement that the figures for each authority set out in the 2013 SHMA represented a starting point for distribution of housing across the HMA. It was agreed that this would accommodate some of Coventry's needs subject to additional work on capacity being undertaken. It was also recognised that additional work on capacity may identify a further shortfall from the Warwickshire Districts. A process and timeline for evidence gathering and plan review was also agreed.
19. At the time the Local Plan was submitted, there was no agreement between the authorities in terms of the distribution of the full OAN for the HMA. I deal with this in relation to soundness below. However in terms of the duty to co-operate, considerable effort was made by the Council, in conjunction with the other HMA authorities to attempt to address the issue in a constructive fashion through agreement and commitments to continued joint working. The Council

¹ HMA consists of Coventry, Rugby, North Warwickshire, Nuneaton and Bedworth, Stratford-on-Avon and Warwick local authority areas (see analysis in 2013 SHMA)

submitted a Local Plan based on overall housing provision of 714 dwellings per annum (as in the Publication Draft Plan), despite the fact that the 2014 SHMA Addendum indicated that a lower figure of 606 per annum was required in the District. Whilst I have concerns as to the soundness of this level of provision, and indeed the evidence on this matter has subsequently evolved, the Council clearly accepted the need to make a significant contribution to accommodating unmet needs from elsewhere in the HMA in principle.

20. The Council has demonstrated constructive, active and ongoing engagement with local authorities and relevant organisations on the other strategic matters. The issues have been resolved effectively and there are no concerns from these authorities and organisations regarding compliance with the duty to co-operate.
21. Taking all of the above factors into account I am satisfied that the Council has engaged constructively, actively and on an ongoing basis in terms of overall housing provision and other strategic matters. I conclude therefore that the Council has complied with the duty to co-operate.

Assessment of Soundness

Main Issues

22. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings I have identified the following main issues upon which the soundness of the Local Plan depends. Under these headings my report deals with the main matters of soundness rather than responding to every point raised by representors.

Issue 1 – Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the overall provision for housing

Background

23. Given the national policy context provided by the NPPF, it is necessary for me to consider and indeed report upon evidence concerning housing needs and the ability to meet them in the wider HMA. It would not be possible to reach conclusions on the soundness of the Local Plan in terms of the overall provision for housing without first considering the housing needs of the HMA and whether there will be unmet needs from other authorities. It must be emphasised however, that this examination only concerned the Local Plan for Warwick. References to other authorities are made within this context and Local Plans in these other areas, along with the evidence base for them, will need to be examined independently in due course. Nothing in my report should be considered to pre-determine the outcome of current or future examinations elsewhere.
24. The submitted Local Plan sought to make provision for 12,860 new homes between 2011 and 2029 (an average of 714 dwellings per year) and was prepared on the basis of evidence from the 2013 SHMA which identified an OAN for Warwick of 720 dwellings per year between 2011 and 2031. For the HMA as a whole, it identified an OAN of some 3,750 - 3,800 dwellings per

year. The 2013 SHMA utilised data from the 2011-based Interim Household Projections which were the most up to date at the time.

25. The 2014 SHMA Addendum took into account the 2012-based Sub National Population Projections and identified a demographically based figure of 606 dwellings per year between 2011 and 2031 for Warwick and 4,004 dwellings per year for the HMA. It emphasised that the figure for the HMA should be regarded as a minimum and that the figures for individual authorities were indicative and should be subject to further work in terms of economic growth prospects.
26. As set out above in respect of the duty to co-operate, the 2014 SHMA Addendum provided the basis for an agreement between the HMA authorities in October and November 2014. In the case of Warwick, whilst the figure of 606 dwellings per year was recognised as providing the most up to date assessment of need, it was agreed that provision should be made for 720 dwellings per year. The agreed level of provision in each of the Warwickshire authorities was considered as a starting point in addressing likely unmet needs in Coventry.
27. Although the Local Plan was submitted after the 2014 SHMA Addendum was published and following the agreement between the HMA authorities, it made no reference to either and made no specific commitment to meeting a proportion of unmet needs from Coventry.
28. The Council, along with the other HMA authorities accepted that Coventry would not be able to accommodate its own housing needs and that the scale of likely unmet needs would be substantial. At the time the evidence pointed to a shortfall of at least 12,500 dwellings between 2011 and 2031 and potentially significantly more.
29. The agreed distribution of housing simply reflected the figures for individual authorities from the 2013 SHMA. There was no analysis of the particular relationships of individual Warwickshire authorities to Coventry in terms of commuting, migration and housing markets etc. and no assessment of the implications of updated evidence from the 2014 SHMA Addendum in this respect. Specifically for Warwick, I considered that there was no basis to suggest that a figure of 720 dwellings per year was necessarily appropriate.
30. The agreement would still have left a significant shortfall in unmet need (4,680 dwellings). This was in the context of the figure for OAN in the HMA being seen very much as a minimum and some uncertainty that Coventry would in fact be able to accommodate the level of growth indicated. There was no evidence, and indeed the HMA authorities did not argue, that there were constraints preventing the OAN for the HMA being met in full.
31. For these reasons, following initial hearings held in May 2015, I concluded that the submitted Local Plan was not sound in terms of the overall provision for housing. I also concluded that the submitted Local Plan was not sound in relation to the supply and delivery of housing land.
32. The HMA authorities subsequently undertook further work to update evidence on OAN and assess the capacity to accommodate housing. They also set out a clear intention to work towards a new agreement on the distribution of

housing with a view to meeting the housing needs of the HMA in full, including unmet needs from Coventry. The Council indicated a willingness to consider an increase in housing provision to accommodate an agreed amount of unmet need from Coventry and to address my concerns regarding the supply and delivery of housing land.

33. An Updated Assessment of Housing Need for the HMA was published in September 2015 (the 2015 SHMA) and took account of updated information, including the 2012-based Household Projections. This informed a Memorandum of Understanding (MoU) which was endorsed by all of the HMA authorities apart from Nuneaton and Bedworth Borough Council. This MoU contained a strategy for the distribution of housing to meet the identified needs of the HMA in full, including unmet needs from Coventry. The Council set out a programme to identify, assess and consult upon potential additional housing site allocations.
34. Taking all of this into account I agreed to suspend the examination in October 2015 to allow further work and consultation to take place.

OAN for Warwick and the HMA

35. The Council's evidence on OAN has evolved over time, including during the examination, largely as a result of updated national population and household projections. The Council's position, and that of the other HMA authorities, is that the 2015 SHMA provides the basis for the assessment of OAN for the HMA and individual authorities.
36. Following the publication of the 2015 SHMA and prior to the resumption of the examination hearings, 2014-based Sub National Population Projections and Household Projections were made available. The HMA authorities commissioned work to consider the implications of these projections and to take account of 2015 Mid-Year Population Estimates. The report (EXAM 50) was made available just prior to the resumed examination hearings. It is not intended to replace the 2015 SHMA and does not revise key assumptions such as those relating to economic growth potential.
37. The analysis undertaken in EXAM 50 indicates that the OAN for the individual Warwickshire authorities (other than North Warwickshire) would be lower than that set out in the 2015 SHMA and for Coventry it would be higher. However at the HMA level this would effectively balance out with the estimated OAN being less than 1% below the figure set out in the 2015 SHMA. In light of this, the HMA authorities consider that the 2015 SHMA is not rendered out of date and that it currently continues to provide the most appropriate basis to assess OAN. Given the evidence, I consider this to be a reasonable and pragmatic approach. EXAM 50 does however provide useful evidence and analysis which has helped to inform my conclusions on this issue.
38. The national Planning Practice Guidance (PPG) states that the household projections published by the Department for Communities and Local Government should be the starting point in establishing future needs for housing. It emphasises that they are statistically robust and based on nationally consistent assumptions. Whilst it recognises that alternative assumptions regarding underlying demographic projections and household formation rates can be considered, it makes clear that any changes should be

justified on the basis of established sources of robust evidence. Account should also be taken of the most recent demographic evidence including population estimates by the Office for National Statistics (ONS).

39. Taking the 2012-based Sub National Population Projections and using 2014 Mid-Year Population Estimates to rebase the projections from 2014, the 2015 SHMA indicates population growth of some 149,200 in the HMA between 2011 and 2031 (17.3% increase), with particularly strong growth projected in Coventry (28.1% increase). For Warwick, a growth in population of some 17,300 (12.6% increase) is projected. To put this in context, the projected population growth for the West Midlands as a whole is 10.7% and for England 13.8%.
40. The 2015 SHMA included a sensitivity analysis using four alternative approaches to the 2012-based Sub National Population Projections. These a) took into account more recent data from the 2013 and 2014 Mid-Year Population Estimates in terms of migration, b) considered the implications of assuming that all of the unattributable population change was associated with the recording of migration and c) and d) took into account 10 year migration trends (constant and variable). The effects of this sensitivity analysis varied from authority to authority and depending on the particular alternative approach used.
41. For the HMA as a whole, applying 10 year migration trends would increase the projected population growth whereas the other alternatives would reduce projected growth. For Warwick, the 10 year migration trend (variable) would result in increased projected population growth whilst the other alternatives would see a reduction in projected growth.
42. I accept that using longer term migration trends (10 years compared with the 5/6 year trends used in the Sub National Population Projections) may be appropriate in some circumstances and taking a longer term trend overcomes some concern regarding the peaks and troughs of the economic cycle. The policy of housing restraint applied in Warwick from 2005 to 2009 clearly had an effect on housing supply and is likely to have had some effect on migration trends during this period and that immediately after. It is important to note however, that the same period saw an increase in housing delivery in Coventry, the desired effect of the policy of restraint. It is not clear to what extent the policy of restraint affected the overall amount of housing delivered in the HMA or its distribution, particularly given wider recessionary influences for much of the time it had an effect. There is no evidence as to the specific effect that the policy had on migration trends or that it was necessarily significant.
43. Unattributable population change was a significant element in the annual change in the population of the HMA recorded by the ONS between 2001 and 2011 (in the order of -1,300 per year). The 2015 SHMA rightly treats unattributable population change with some caution given the uncertainties surrounding it. However, it could be that the migration component of population change between 2001 and 2011 may have been over-estimated. If unattributable population change was due to international migration, it is likely that the greatest impacts would have been in the early part of the decade (2001-2011) due to improvements to migration estimates in later years.

44. Whilst it considered 10 year migration trends as part of the sensitivity analysis, the 2015 SHMA raises doubts as to their robustness. In the case of the constant projection, it does not take account of the impact of changing population structure as the Sub National Population Projections do. The variable projection raised some concerns in terms of outputs for individual authorities, particularly Warwick where projected levels of migration were significantly above trends for either 5 or 10 years. A consistent approach in terms of methodology and assumptions across the HMA and for authorities within it is important.
45. All of this leads to some uncertainty as to the merits of using 10 year migration trends and I consider that there is insufficient basis to depart from the Sub National Population Projections in this respect. As noted above the 2012-based Sub National Population Projections (rebased using 2014 Mid-Year Population Estimates) indicate strong population growth across the HMA, significantly above the regional and national averages.
46. In terms of households, the 2015 SHMA also rebases the 2012-based household projections to take account of the 2014 Mid-Year Population Estimates and projects annual average household growth between 2011 and 2031 of 4,074 in the HMA and 582 in Warwick. The projected rate of growth in households in the HMA and Warwick is above that for the West Midlands and England. Again particularly strong growth (31.7%) is projected for Coventry.
47. The 2015 SHMA identifies some concern in relation to household formation rates in the 25-34 year age group which fell between 2001 and 2011, indicating a degree of suppressed household formation. Whilst some recovery in household formation rates is projected after 2012, it would remain below historical rates i.e. those up to 2001. The 2015 SHMA identifies a logical and reasonable link between affordability/the supply of affordable housing and household formation rates for this age group. In simple terms an improvement in affordability and the supply of affordable housing is likely to result in some recovery in household formation rates. Sensitivity analysis was undertaken to quantify the additional amount of housing that would be needed to return household formation rates for 25-34 year olds back to 2001 levels by 2025 and then to track the 2012-based projections thereafter.
48. The results of this analysis influence the conclusions of the 2015 SHMA on full OAN, essentially giving an uplift of 75 dwellings per year for the HMA. This is dealt with further below but I consider it is a justifiable approach.
49. Given the relationship between male and female household formation rates, the methodology employed in arriving at household projections and evidence of a levelling off in the decline of couple households, it would be inappropriate to upwardly adjust male and female household formation rates in younger age groups independently.
50. Notwithstanding the specific issue concerning 25-34 year olds, there is no compelling evidence to suggest that other adjustments to household formation rates would be appropriate or to justify planning on the basis of household formation rates returning to those set out in the 2008-based projections. Analysis of the 2014-based Household Projections (EXAM 50) shows that there

is very little difference in projected household formation rates when compared with the 2012-based projections.

51. Applying a 3% allowance for vacant and second homes, the 2015 SHMA takes the projected increase in households and identifies a demographic based need for 4,197 dwellings per year in the HMA and 600 per year in Warwick between 2011 and 2031. I consider that this is a robust assessment, justified by the evidence.
52. The 2015 SHMA then goes on to consider potential employment growth using 2013 forecasts from Experian and Cambridge Econometrics (CE). It identifies issues with the accuracy of forecasts for 2011-2013 when compared with statistics from ONS on workforce jobs estimates. Given the availability of this ONS data for 2011-2013 and demographic information up to 2014, the 2015 SHMA looks at employment growth forecasts from 2014 to 2031. I consider this to be a reasonable and justified approach.
53. An updated forecast from CE was obtained in 2015. The 2015 SHMA considers this to provide a realistic assessment of future employment growth in the HMA. This indicates growth of some 45,400 jobs in the HMA between 2014 and 2031 (annual average growth of 0.7%). For Warwick it indicates a growth of some 9,900 jobs over this period (annual average growth of 0.8%).
54. The Strategic Economic Plan 2014 (SEP) for the Coventry and Warwickshire Local Enterprise Partnership (CWLEP) refers to the delivery of some 94,500 additional jobs by 2031. This is based however on CE forecasts from 2013 which have since been updated. The SEP also envisages population growth of some 203,000 in the HMA up to 2031 which I understand is derived from 2010 based projections. This is clearly well in excess of the population growth indicated in the more recent 2012 and 2014-based projections. It must also be borne in mind that understandably, the SEP takes an ambitious and aspirational view of future growth prospects.
55. The Employment Land Use Study by CBRE in 2015 (the CBRE Study) considered a range of factors to assess potential needs for employment land. In terms of demographic projections it suggests a need for between 60,000 and 126,000 jobs to be created up to 2031. However, this range is influenced by estimates of potential labour market capacity which rely on significant reductions in unemployment and changes to activity rates. In overall terms the CBRE Study concludes that between 500Ha and 660Ha of employment land is required and that sites should be identified for the upper end of this range to provide flexibility and choice. The upper end of this range is based on strong recent take up rates.
56. An updated forecast from Experian in 2015 indicates growth of some 94,500 jobs in the HMA between 2011 and 2031. This would involve high levels of growth in the very early years of this period followed by a levelling of growth rates to an annual average of between 0.6% and 0.7%. The growth rates for 2011 to 2013 would appear to be out of line with data from ONS, referred to above. The level of population growth to provide for this growth in jobs would need to be significantly in excess of that shown in the 2012 and 2014-based projections.

57. Forecasting employment growth is notoriously difficult. This point is illustrated well by the range of growth estimates and the changes in estimates from the same forecasting houses over time. I consider the approach taken in the 2015 SHMA to be realistic and justified, taking into account a range of factors including past rates of growth and the potential implications for population growth. It is based on continued strong employment growth in Warwick and the wider HMA.
58. The 2015 SHMA then makes what I consider to be reasonable and soundly based assumptions on commuting ratios and double jobbing (where people have more than one job) to indicate that there would need to be a growth in the resident workforce of some 41,500 in the HMA and 8,600 in Warwick. Applying what are again reasonable and justified assumptions on changes in employment rates, it indicates that 3,584 dwellings per year would be required in the HMA and 602 in Warwick to sustain the employment growth forecast (using CE 2015 forecasts).
59. Taking account of particular circumstances and additional evidence for individual authorities in terms of economic growth potential, upward adjustments are then made to the figures for Coventry and Nuneaton and Bedworth and the figure for North Warwickshire is reduced. The net effect is to increase the economic led figure for housing need in the HMA to 3,730 dwellings per year. It is estimated that this would see employment growth of some 48,200 in the HMA between 2014 and 2031 (approximately 63,800 between 2011 and 2031).
60. For the HMA overall, the economic led figure for housing need is below the demographic based need. The situation varies for individual authorities however. For Coventry and Rugby the demographic based need is higher whereas for North Warwickshire, Nuneaton and Bedworth and Stratford on Avon it is lower. For Warwick, demographic and economic led need is effectively the same (600 and 602 dwellings per year respectively).
61. There are variations in evidence relating to market signals between authorities in the HMA. Average house prices in Warwick and Stratford on Avon have been consistently above those in the rest of the HMA, the West Midlands and England and Wales. Following a decline in prices from 2007 there has been some growth since 2012. In the 10 years to 2014, prices in Warwick grew by some 3% per year, in line with national trends. Sales levels across the HMA have broadly followed regional and national trends, dipping significantly after 2007, levelling off and then seeing some recent improvement.
62. Average rental costs in Warwick and Stratford on Avon are again higher than the rest of the HMA, the West Midlands and England. There has been particularly strong recent growth in rental costs in Warwick (22% between 2011 and 2015).
63. The affordability ratio in 2013 (the relationship between lower quartile house prices and lower quartile earnings) for the HMA (6.54) was broadly in line with the England average (6.45). The figures for Warwick (7.82) and Stratford on Avon (8.89) were above the HMA average. The affordability ratio in Stratford on Avon was consistent with that seen in 2007. In the other authorities,

including Warwick, there had been some improvement in affordability i.e. the affordability ratio had fallen from 2007 levels.

64. Despite variations across authorities and particular issues such as the recent increase in rental levels in Warwick, taken as a whole relative to national trends, the evidence on market signals does not justify an upward adjustment to OAN.
65. The 2015 SHMA identifies a need for an average of 280 affordable homes per year in Warwick and 1,462 in the HMA between 2011 and 2031. The 2012-based household projections already assumed some recovery in household formation rates. Taking this into account along with adjustments proposed to support economic growth in some authorities, the 2015 SHMA identifies the need for a further uplift of 75 dwellings per year in the HMA. This is likely to assist an improvement in affordability and further recovery in household formation rates. It is estimated that the scale of overall adjustments to housing need would address fully the issue of homeless and concealed households with other aspects of affordable housing needs being considered through the demographic analysis (newly forming households) or through the release of existing property to another household (e.g. overcrowded households).
66. For Warwick, the 2012-based household projections assumed sufficient recovery in household formation rates and no additional uplift is identified. For the other authorities relatively modest additional uplifts are identified as necessary.
67. Bringing all of this analysis together, the 2015 SHMA concludes that at the HMA level the demographic need is 4,197 dwellings per year and that an upward adjustment of 75 dwellings per year should be made to improve affordability and reflect further recovery in household formation rates giving a total OAN of 4,272 dwellings per year. It concludes that at the HMA level there is no basis to increase OAN to support economic growth.
68. For individual authorities it concludes that an uplift to support economic growth is required in North Warwickshire, Nuneaton and Bedworth and Stratford on Avon. For Warwick no uplift is identified as being required above the demographic based need of 600 dwellings per year.
69. Taking all of the available evidence into account I am satisfied that the 2015 SHMA provides an up to date and robust assessment of housing needs and I consider that on this basis the OAN for the HMA is 4,272 dwellings per year and for Warwick it is 600 dwellings per year over the period 2011 to 2031.

The housing requirement for Warwick

70. All of the HMA authorities accept the findings of the 2015 SHMA and the figures it provides for OAN for the HMA and individual authorities. They also accept, on the basis of an up to date Strategic Housing Land Availability Assessment (SHLAA), that Coventry will be unable to meet all of its own identified housing needs and that the shortfall would be up to 17,800 dwellings between 2011 and 2031 (890 per year).

71. In relation to the redistribution of unmet needs from Coventry, the MoU was based on a logical and justifiable analysis of the functional relationships between authorities in terms of commuting flows and migration patterns, having taken account of the effects of the increase in OAN for North Warwickshire, Nuneaton and Bedworth and Stratford on Avon to support economic growth.
72. This analysis concludes that an additional 332 dwellings per year (some 37% of the unmet need in Coventry) should be provided for in Warwick. Added to its own OAN, this results in 932 dwellings per year in Warwick.
73. I consider that the MoU provides a clear, robust and justified basis for the distribution of housing in the HMA and in particular the amount of housing required in Warwick. It sets out a positive and effective strategy to meet housing needs in the HMA in full including unmet needs from Coventry. I conclude therefore that the housing requirement for Warwick is an average of 932 dwellings per year (16,776 dwellings over the plan period 2011 to 2029).
74. The Council accepted that this is the case and made a commitment to delivering this amount of housing when publishing the schedule of suggested modifications during the suspension of the examination. It reconfirmed its position at the resumed examination hearings.
75. Nuneaton and Bedworth Borough Council did not agree the MoU due to uncertainties over the ability to identify sufficient housing land. They subsequently completed an updated SHLAA and published a Local Plan for consultation (The Nuneaton and Bedworth Borough Plan January 2017). This has now been submitted for examination. The 2015 SHMA concludes that the OAN for Nuneaton and Bedworth is 502 dwellings per year including an uplift of 73 to support economic growth (a total of 10,040 between 2011 and 2031). The MoU sets out a total figure of 14,060 dwellings on the basis that Nuneaton and Bedworth would contribute 4,020 dwellings to Coventry's unmet needs, in addition to that arising from the increase to support economic growth.
76. However, the Borough Plan sets out to provide for 13,374 dwellings. The intention is that this would meet the OAN for the Borough (10,040 dwellings), provide flexibility and allow for some non-implementation of sites and contribute 2,118 dwellings to Coventry's unmet needs. On this basis there would be a shortfall of 1,902 dwellings to meet Coventry's needs compared with the figures in the MoU.
77. The other HMA authorities made representations on the published Borough Plan raising concerns on this issue although discussions between the authorities have continued with a view to resolving these concerns and a statement of common ground has now been agreed between Nuneaton and Bedworth Borough Council and Coventry City Council. Nevertheless, at this point in time, the issue of a potential shortfall has not been resolved and the outcome of the examination into the Borough Plan is uncertain.
78. However, the shortfall would equate to an average of only 95 dwellings per year. Furthermore, there is a clear commitment to review the MoU if evidence demonstrates that the figures within it cannot be delivered. Importantly, in terms of this examination, Nuneaton and Bedworth sits to the north and east of Coventry whereas Warwick is to the south and west. Given this and the

different functional relationships between authorities, I share the Council's view that it would be unlikely that Warwick could reasonably be expected to accommodate a significant proportion of the shortfall identified above. Despite the lack of agreement from Nuneaton and Bedworth Council and its position in terms of the Borough Plan, on the basis of information currently before me I see no grounds to further increase the housing requirement for Warwick, above the figure of 932 dwellings per year set out above.

79. There is some overlap between the Coventry and Warwickshire HMA and the Greater Birmingham HMA. This affects Stratford on Avon and North Warwickshire. Discussions have taken place and are ongoing regarding addressing unmet housing needs from Birmingham. The figures for OAN in Stratford on Avon and North Warwickshire include an economic uplift which potentially could accommodate an element of need from Birmingham. Close working between these authorities and Birmingham City Council continues to take place. Whilst the issue of unmet needs from Birmingham is yet to be fully resolved, evidence does not indicate that Warwick should accommodate such needs.

Conclusion on overall provision for housing

80. The overall provision for housing in the submitted Local Plan (12,860 dwellings between 2011 and 2029) would not provide for the housing requirement set out above (16,776 dwellings). In this regard, the submitted Local Plan is not supported by evidence, nor does it reflect the position now taken by the Council and the agreement between the HMA authorities (other than Nuneaton and Bedworth Borough Council). It would not ensure that the OAN for Warwick is met in full whilst making an appropriate and justified contribution to unmet needs from Coventry. In addition, it does not make a clear commitment to meeting these unmet needs. In these respects the submitted Local Plan is therefore not positively prepared, justified, effective or consistent with national policy. Main modifications **MM1**, **MM3** and **MM33** are necessary to address these concerns.

Issue 2 – Whether the spatial strategy is justified, effective and consistent with national policy

81. The submitted Local Plan aims to focus growth and development on the urban areas of Leamington Spa, Warwick, Whitnash and Kenilworth. It also seeks to direct a proportionate scale of development to ten Growth Villages across the District. In addition, a number of smaller villages are identified where only limited infill development is envisaged. Whilst it highlights the need to direct allocations to previously developed land within urban areas, the submitted Local Plan acknowledges that greenfield sites will be required and considers that there are exceptional circumstances to alter the boundaries of the Green Belt to allow for development in some cases.
82. The Green Belt covers approximately 80% of the District. Only the areas to the south of Leamington Spa, Warwick and Whitnash, including the Growth Villages of Barford, Bishop's Tachbrook and Radford Semele, are outside of the Green Belt. The urban area of Kenilworth is tightly surrounded by Green Belt in all directions. In the north of the District, the Green Belt also runs right up to the urban edge of Coventry and the administrative boundary.

83. Given the nature of the District and its settlements, there are limited areas of previously developed land with potential for development, for example there are no large areas of former industrial land.
84. The urban areas provide the main focus for jobs, services and public transport and have potential, with improved infrastructure where necessary, to accommodate significant levels of growth in a sustainable fashion. The Council has undertaken an objective, transparent and robust assessment of the potential capacity of villages to accommodate further development, taking account of their existing size, services and facilities and accessibility.
85. Given the above, on the basis of the level of housing growth envisaged at the time, the overall approach to the distribution of development set out in the submitted Local Plan was appropriate. It would steer most growth to the urban areas, either on previously developed land or on greenfield sites well related to the built up area, whilst allowing for development on a reasonable scale in Growth Villages to sustain and enhance their roles and local services. It would provide for a good range and choice of potential development sites in different locations to assist in deliverability and meeting local needs for affordable housing.
86. However, the amount of additional housing required is significantly above that set out in the submitted Local Plan. The Council accepts this and also took account of my concerns in relation to the supply of housing land, particularly in respect of the allowance to be made for windfalls and the need to ensure a five year supply of deliverable housing sites. With this in mind it identified additional sites to accommodate further housing growth and included them in its suggested modifications published for consultation during the suspension of the examination.
87. A number of factors need to be taken into account when considering the options for identifying additional housing sites. A significant proportion of the increased housing requirement is as a result of the commitment to contribute towards unmet needs from Coventry. Proximity and accessibility to Coventry and the jobs and services it offers is an important consideration therefore.
88. To assist in the delivery of the significant amount of new housing required it is also important to ensure that there is a good range and choice of sites available in terms of size and location.
89. The submitted Local Plan already proposed substantial housing site allocations to the south of Leamington Spa, Warwick and Whitnash on land outside of the Green Belt. Planning permissions for significant additional amounts of housing were then granted through appeals concerning land at The Asps and Gallows Hill in January 2016.
90. The combined scale of housing growth committed and proposed in this area will result in the need for considerable infrastructure improvements, particularly in terms of the transport network. There are legitimate concerns, based on the Strategic Transport Assessments about significant further housing growth beyond this level in this area and the capacity to accommodate it. Whilst there is clearly strong demand from developers and the schemes under construction appear to be progressing well, any further significant increase in the concentration of housing in this relatively small

geographical area would also raise concerns over deliverability, given potential competition between sites. There are also environmental constraints, not least the potential effect on the significance of heritage assets. In addition there is a need to avoid coalescence with the villages of Bishop's Tachbrook and Radford Semele.

91. In other directions the built up area of Warwick and Leamington Spa is bounded by the Green Belt. To the west and north-west of Warwick is the strong physical barrier of the A46. There is also a need to maintain the separate identity of surrounding villages such as Leek Wootton and Cubbington and avoid significant reductions in the gap to Kenilworth.
92. I return to the issue of specific site allocations and exceptional circumstances for altering the Green Belt in more detail later in my report. However, given the significant scale of committed and proposed housing sites within the urban areas of Leamington Spa, Warwick and Whitnash and to the south of the urban areas outside of the Green Belt, along with the constraints identified above, I do not consider that it is appropriate or indeed necessary to allocate housing sites on land which is currently in the Green Belt around these urban areas. Exceptional circumstances for altering the Green Belt in this part of the District do not exist.
93. Compared with other parts of the District, Kenilworth has seen limited new development in recent years and in principle it provides the opportunity to accommodate further growth given that it is well related to Coventry in terms of accessibility and functional links. However, in addition to being surrounded by the Green Belt, the capacity to accommodate growth is also affected by the need to retain a distinct identity for the town with a clear gap to the edge of the urban area of Coventry to the north. There is also a need to maintain the separate identity of Leek Wootton to the south and to avoid significant reductions in the gap to Warwick and Leamington Spa. The potential for the expansion of the urban area is also affected by the strong physical barrier provided by the A46, the proposed route of HS2 and environmental constraints to the west of the town including the potential effect on the significance of Kenilworth Castle.
94. Whilst the Growth Villages offer scope for some additional development, above that proposed in the submitted Local Plan, the amount of growth needs to take account of existing commitments, reflect the level of services available and consider the potential impact on the scale and character of the villages concerned. Seven of the Growth Villages are within that part of the District covered by Green Belt. The three that are not, Barford, Bishop's Tachbrook and Radford Semele are in the south of the District and the functional relationship with Coventry is clearly affected by this.
95. The Council put forward the concept of a direction for growth in an area of Green Belt land immediately to the south of the urban area of Coventry but within Warwick District as part of its suggested modifications during the suspension of the examination. This included two substantial housing site allocations and an area of safeguarded land. These were alongside other additional suggested site allocations at Leamington Spa, Warwick and Whitnash, Kenilworth and a number of the Growth Villages. The Council's approach is supported by Coventry City Council and there have been

considerable efforts to co-ordinate work on the respective Local Plans and continue co-operation to address the strategic issue of housing needs and related infrastructure provision.

96. I discuss the merits of individual site allocations and alterations to the Green Belt in detail below. However, taking account of the above analysis, the scale of additional housing sites required and the agreement to contribute towards meeting housing needs from Coventry, I consider that the Council's suggested strategic approach in relation to the edge of Coventry is appropriate and justified.
97. However, the submitted Local Plan was not prepared on the basis of significant growth on the edge of Coventry and as noted above it did not contain an explicit commitment to addressing some of Coventry's unmet housing needs. Whilst I consider that the proposed direction for growth is justified and necessary to ensure that the Local Plan is effective and consistent with national policy in terms of meeting housing needs, it would involve a change to the spatial strategy.
98. Main modification **MM2** is necessary to ensure that Policy DS4 sets out an effective and justified revised spatial strategy and to make clear the approach of focussing significant growth on the urban areas and the southern edge of Coventry whilst promoting some development in Growth Villages. It is also necessary to clarify the approach to the development of greenfield sites and to ensure that the detailed wording in relation to heritage assets and to the Green Belt is fully consistent with national policy.
99. In relation to Policy DS19, main modification **MM15** is required to ensure clarity on the application of national policy to development within the Green Belt and to reflect other modifications in terms of site allocations. Main modification **MM17** would introduce a new policy (DSNEW1) which is necessary to provide clarity on the scope, purpose and policy approach to the direction for growth south of Coventry. Main modification **MM34** is required to ensure that Policy H1 effectively reflects the spatial strategy and provides sufficient clarity, flexibility and consistency with national policy with regard to the approach towards housing development within and adjacent to settlements and in the open countryside.
100. Subject to these main modifications the spatial strategy is justified, effective and consistent with national policy.

Issue 3 – Whether the proposed housing site allocations are justified, effective and consistent with national policy

101. Before dealing with individual settlements and housing site allocations, it is appropriate for me to address the overall scale of allocations needed across the District and the approach to annual average housing requirements including the calculation of a five year housing requirement. Along with the context provided by the modified spatial strategy discussed above, these are key factors which influence my consideration of housing site allocations across the District and in addressing them first I aim to avoid undue repetition.

The scale of housing site allocations required

102. Policy DS7 of the submitted Local Plan set out a potential total supply of 12,964 dwellings between 2011 and 2029. As a result of the initial hearings, the Council confirmed that it estimated overall potential supply to be 12,711 dwellings. Even this relied on what I considered to be an unrealistic and unjustified allowance for windfalls (2,276 dwellings).
103. Given the housing requirement of 16,776 dwellings and taking a more realistic and robust assessment of windfalls, there is a need to substantially increase the potential supply of housing land. The Council fully accepts this point. Whilst there have been further completions and a significant increase in planning permissions since the Local Plan was submitted, the overall scale of housing site allocations proposed in the submitted Local Plan would still fall well short of that needed to meet requirements. In this respect the submitted Local Plan is not justified, effective or consistent with national policy.
104. I deal with the supply and delivery of housing land in more detail later in my report. However, given other sources of supply, there is a need to identify housing site allocations with a total potential capacity of at least some 10,500 dwellings. Although in reality a number of these sites now benefit from planning permission (either across the whole site or part of it) I consider it necessary, in the interests of certainty and clarity, to allocate them unless construction is well progressed.

Annual housing requirements and a five year requirement

105. The requirement as far as a five year supply of housing land is concerned is also a key element in the context for site allocations. The scale of additional housing site allocations required above those in the submitted Local Plan is significant and it has been necessary for the Council to identify further potential sites relatively quickly, compared with the time normally associated with plan preparation. Given the specific requirement to address unmet needs from Coventry, the modified spatial strategy and the limited availability of alternatives, the scale of additional housing sites required on the edge of the urban area of Coventry is significant. A realistic view of the lead in time and development rates for sites of this strategic scale is required, given the need for site preparation and infrastructure works.
106. It is also important to stress that development timescales for these sites, and a significant number of other site allocations, are affected by the need to alter the Green Belt boundaries through this Local Plan and that this process will not be complete until the Local Plan is adopted.
107. As set out above the housing requirement for Warwick stems from its own OAN of 600 dwellings per year and an element of unmet need from Coventry of 332 dwellings per year. Taking all of this into account it is appropriate to stagger the annual average housing requirement so that it initially reflects Warwick's own OAN of 600 dwellings per year from 2011/12 up to and including 2016/17 (broadly coinciding with the anticipated adoption of the Local Plan) and then increases to 1,098 dwellings per year from 2017/18 to ensure that overall the average requirement is 932 dwellings per year for the plan period. Main modification **MM3** would provide the necessary clarity and ensure that the Local Plan is effective in this respect.

108. Housing completions in the first three years of the plan period fell well below the figure of 600 dwellings. Taking a ten year timeframe, completions in two out of the four years between 2007/08 and 2010/11 fell below the housing requirement of 395 dwellings in place at the time. However, completions in 2014/15 and 2015/16 exceeded 600 dwellings per year and based on the most up to date monitoring (EXAM 176), evidence points to the figure being exceeded again in 2016/17. Therefore, whilst completions have been below the requirement in five of the last ten years and total completions over this time have fallen below the total requirement, there has been a sustained improvement in the situation in recent years. On this basis I consider that there has not been persistent under delivery of housing and a buffer of 5% should be applied to the five year housing requirement.
109. Taking the Council's estimate of completions for 2016/17 of 1,159 dwellings, there will have been a total shortfall of 390 completions in the plan period up to that point. Adding this to the basic annual requirement of 1,098 dwellings per year and then applying a 5% buffer gives a five year requirement as of 2017/18 of 6,174 dwellings.
110. The Council's estimate of supply during this five year period from existing commitments, windfalls and unallocated SHLAA and regeneration sites totals 5,048 dwellings.

The approach to housing site allocations – an overview

111. Given the above, there is a need for housing allocations on a significant scale to ensure housing requirements for the plan period are met and to provide for a five year supply of housing land. In line with the modified spatial strategy, these should be focussed on the urban areas of Leamington Spa, Warwick, Whitnash and Kenilworth and the southern edge of Coventry with appropriate scale development planned for Growth Villages.
112. Evidence supports the Council's case that there is a relatively limited potential supply of previously developed land and that the submitted Local Plan seeks to maximise its use for housing. In order to provide for the level of housing required, greenfield sites will need to be allocated on the edge of settlements. In a number of cases the development of some best and most versatile agricultural land will be necessary. In considering proposed site allocations I have taken into account the economic and other benefits of such land but have weighed this against the need for housing development and the lack of realistic and suitable alternatives which would be consistent with the modified spatial strategy.
113. For Kenilworth, the edge of Coventry and seven of the Growth Villages, site allocations will involve land currently in the Green Belt, given that there are insufficient alternatives in these locations and there are limitations to the scale of housing that can be realistically and appropriately accommodated outside of the Green Belt, elsewhere in the District.

Housing site allocations – Leamington Spa, Warwick and Whitnash

114. Leamington Spa, Warwick and Whitnash are closely related physically and functionally and the built up areas have effectively merged over time. There are a wide range of employment opportunities, retail and other main town

centre uses and social and community facilities. The combined urban area is well connected to the wider road network and has good public transport links including by rail. It provides an appropriate and sustainable location for significant housing growth within the District.

Previously developed sites within the urban area

115. The submitted Local Plan proposed a number of housing site allocations on previously developed land within the existing built up area of Leamington Spa, Warwick and Whitnash.
116. The site at Court Street, Leamington (H16) consists of a former BT Depot, a Council owned car park and a collection of other buildings. The former BT Depot is currently being redeveloped for student accommodation and there are two other planning permissions for small scale residential development within the overall site. Adequate car parking serving this part of the town would remain following the development of the site. The site is adjacent to the retail area within the Town Centre and the proposed allocation provides the opportunity to deliver regeneration and physical enhancements. It would make a valuable contribution to housing supply and to the range of housing types available.
117. The Garage Site, Theatre Street, Warwick (H17) benefits from planning permission for 39 affordable and low cost dwellings. It is well located adjacent to the retail area within the Town Centre. Allocation of the site, which is currently occupied by a vacant and unattractive building, provides the opportunity to improve its appearance and to enhance the character and appearance of the Warwick Conservation Area. Again it would make a valuable contribution to housing supply and to the range of housing types available.
118. The land at Montague Road, Warwick (H11) consists of a former school and playing pitch, fire station and Council Depot. The Council's Playing Pitch Strategy does not identify the playing pitch as necessary for retention. The proposed allocation provides the opportunity to make effective use of previously developed land within the urban area and to make a significant contribution (estimated 140 dwellings) to housing supply. Whilst the site does not benefit from planning permission and still requires clearance, it is being actively marketed by the County Council as landowners and sits adjacent to a well-established residential area.
119. The Riverside House site in Leamington (H14) is currently in use as Council offices and car parking. However the Council is proposing to relocate to another site within the Town Centre. Whilst the development of the Riverside House site would need to take into account issues such as the setting of heritage assets, protected trees and the fact that a proportion of the site is in higher flood risk zones, these are matters that could be readily addressed through appropriate site layout and design. The proposed allocation would make a valuable contribution to housing supply in an attractive location close to the Town Centre.
120. None of the above sites are subject to any fundamental constraints which would affect their development for housing. They are all realistically deliverable within the time frames envisaged by the Council. They provide the

opportunity to make effective use of previously developed land in appropriate locations within the urban area. Subject to a modification to reflect the number of dwellings with planning permission at the Garage Site, Theatre Street, Warwick (H17), the proposed site allocations above are justified, effective and consistent with national policy.

121. Following the submission of the Local Plan, it was decided to retain the Leamington Fire Station site (H15) in operational use rather than release it for housing development. Accordingly it is no longer genuinely deliverable and in order to ensure that the Local Plan is effective in this respect, the proposed site allocation should be deleted.
122. The sites at Station Approach, Leamington (H10), Soans site, Sydenham Drive (H13) and Opus 40, Birmingham Road, Warwick (H39) all benefit from planning permission and development is well underway. To ensure that the Local Plan is effective in reflecting these circumstances, the proposed site allocations should be deleted.
123. The Council has carried out a comprehensive and robust assessment of potential housing site allocations within the urban areas of Leamington Spa, Warwick and Whitnash. Development is likely to come forward on smaller sites identified through the SHLAA (between 5 and 50 dwellings), from windfalls and from canalside and employment regeneration areas. However, I am satisfied on the basis of the evidence available that there are no other areas of previously developed land within the urban areas which could be allocated and the Council has maximised the potential supply of housing from this source.

Greenfield sites on the edge of the urban area

124. The submitted Local Plan proposed four housing site allocations on greenfield land on the edge of the urban area of Leamington Spa, Warwick and Whitnash. This included one site currently within the Green Belt at Red House Farm, Lillington.
125. In January 2016, during the suspension of the examination, outline planning permissions were granted on appeal at Gallows Hill (up to 450 dwellings) and The Asps (up to 900 dwellings). Neither site had been included as an allocation in the submitted Local Plan. Taking these changed circumstances into account, the Council proposed that both of these sites, along with additional land at Gallows Hill, should be allocated for housing. It also proposed an additional smaller allocation at Hazelmere and Little Acre, Whitnash on land adjacent to a committed housing site currently under construction and a site allocation and area of safeguarded land north of Milverton on land currently within the Green Belt. It included these proposals in its suggested modifications put forward during the suspension of the examination.
126. Along with the sites proposed in the submitted Local Plan, I consider these additional proposals from the Council in the context of the need for further site allocations to ensure an adequate supply of housing land.

Sites not in the Green Belt

Land West of Europa Way (H01)

127. The housing site allocation proposed in the submitted Local Plan included land currently occupied by Myton Secondary School. At the time it was envisaged that the school would be extended to provide additional capacity for the area. Given the significantly increased scale of housing commitments to the south of Warwick as a result of the appeals at Gallows Hill and The Asps, it is now necessary to provide a new school in addition to retaining and expanding the existing facility. The Council's suggested modifications put forward during the suspension of the examination addressed this issue and sought to amend the boundary of the housing site allocation accordingly.
128. Two outline planning permissions for housing and associated community facilities have been granted on the site. These would provide for up to 735 dwellings on the northern part of the site and up to 425 dwellings on the southern part respectively. A small residual area of land has an estimated capacity of 50 dwellings. The total capacity of the site is estimated at 1,210 dwellings therefore.
129. The proposed site allocation would make a significant contribution to housing supply including a substantial amount of affordable housing (33% on the northern part and 40% on the southern part). The housing would be developed along with a wide range of social and community facilities including a neighbourhood centre. These facilities are secured through planning obligations associated with the planning permissions.
130. The development of the site would result in the loss of a significant amount of greenfield land and would inevitably have an impact on the character and appearance of the immediate locality. However, the site is between the Warwick Technology Park and the Heathcote Park and Tachbrook Park industrial/business areas. Development would be seen within this context and also that of the Leamington Shopping Park and existing residential areas at Myton. Over time it will also be seen in the context of substantial housing developments to the south at Gallows Hill, The Asps and South of Harbury Lane. The scale of the site will allow for substantial areas of public open space and structural landscaping which will help to mitigate the visual impact of development.
131. In relation to the setting of Warwick Castle (Grade I Listed Building and part Scheduled Monument), Warwick Castle Park (Grade I Registered Park) and the Warwick Conservation Area the site lies behind the Warwick Technology Park and development would also be seen in the context of substantial existing and committed development and the wider urban area. Given this and the distance involved, there would be no harm to the significance of these designated heritage assets.
132. The development of the site, along with others proposed and committed in this area south of Warwick will significantly increase traffic volumes and impact on the transport network in the immediate locality and further afield. The Council, along with the County Council is taking a holistic and comprehensive approach and has set out a package of requirements for a wide range of mitigation measures and improvements, which include the dualling of Europa

Way and key junction enhancements. Clear plans are in place to fund and bring forward such improvements and mitigation.

133. Other detailed concerns including those relating to the potential impact of development on biodiversity and the setting of the listed Heathcote Hill Farmhouse could satisfactorily be dealt with through specific proposals.
134. There is clear and strong interest in bringing the site forward for development and as noted above, outline planning permissions have already been granted. There are no fundamental constraints to development and clear proposals and mechanisms to deliver necessary infrastructure are in place. There is a strong market for new housing in this locality and I am satisfied that the development would be viable and realistically deliverable.
135. I deal with the issue of the timescale and rate of delivery for this site together with others south of Warwick below, given concerns in relation to the particular concentration of sites in this area.

Land South of Harbury Lane (H02)

136. The majority of the proposed housing site allocation is greenfield although it includes an area of previously developed land (the former sewage treatment works). Whilst Policy DS11 of the submitted Local Plan identifies these elements separately, they are included within a single site boundary.
137. With the exception of the former sewage treatment works and an area to the west of it, the site has planning permission for residential development along with community and social facilities. The site is currently being brought forward as two development areas. The Lower Heathcote Farm area is subject to full planning permission for a total of 785 dwellings and construction is underway. The Grove Farm area has full planning permission for 90 dwellings and an additional 630 dwellings have outline planning permission. Again construction is underway. In total there are planning permissions for 1,505 dwellings. The estimated capacity of the former sewage treatment works is 215 dwellings and an estimated 100 dwellings could be accommodated on the residual land. Overall the capacity of the proposed site allocation is now estimated at 1,820 dwellings, an increase of 100 from that set out in the submitted Local Plan.
138. The proposed site allocation would make a substantial contribution to the supply of housing and provide for a significant amount of affordable housing (40% of the total). The housing would be developed along with a wide range of social and community facilities including a neighbourhood centre. These facilities are secured through planning obligations associated with the planning permissions. The development would also help to facilitate the provision of a substantial area of land adjoining the Tach Brook as a country park (Policy DS13) and it would bring about remediation of the former sewage treatment works.
139. The development of the site would involve a large extension of the built up area into what is currently open countryside and would significantly affect the character and appearance of the immediate locality. However, the proposed country park would run along the southern edge of the site and reinforce a clear edge to the urban area. It would also help to maintain a clear separation

between the urban area and Bishop's Tachbrook. In time, the development will also be seen in the context of substantial housing developments to the west at Gallows Hill and The Asps.

140. The former sewage treatment works and residual land adjacent to it form an important element linking the two main areas of development already committed. They provide the opportunity to develop the overall site comprehensively, including facilitating a spine road and in themselves would make an important contribution to housing land supply.
141. In terms of the setting of Warwick Castle, Warwick Castle Park and the Warwick Conservation Area, development on the site would be seen in the context of the wider urban area, it would also in time be set behind development at Gallows Hill and The Asps. Given this and the distance involved, there would be no harm to the significance of these designated heritage assets.
142. As set out above, the cumulative impacts on traffic flows and the transport network are being addressed comprehensively through a range of mitigation and improvement measures.
143. Significant steps have been taken to bring forward the site for development in terms of gaining planning permissions and construction is already underway and progressing well. There are no fundamental constraints to development and clear proposals and mechanisms to deliver necessary infrastructure are in place. I am satisfied that the development would be viable and realistically deliverable.

East of Whitnash/South of Sydenham (H03)

144. The site is currently open agricultural land and is not subject to any planning permissions for residential development. The submitted Local Plan identified an estimated capacity of 300 dwellings for the site. This was affected by concerns relating to highway capacity and the need to take account of site constraints, including the Whitnash Brook Local Nature Reserve which runs along the eastern boundary. The promoters of the site submitted a masterplan and the Council and County Council have subsequently accepted that with appropriate highway mitigation and improvement works, the site could accommodate approximately 500 dwellings.
145. Development of the site would further extend the built up area to the east, beyond the railway line. It would significantly affect the character and appearance of the immediate locality. However, it would broadly follow the line of the built up area of Sydenham to the north, which itself extends up to the Whitnash Brook. New housing is currently being built on the site immediately to the north.
146. Appropriate detailed layout and landscaping proposals would help to mitigate the visual impact of development and provide a generous buffer to the Whitnash Brook and the railway line. They would also be able to address specific issues relating to flood risk on parts of the site and the public right of way that crosses it.

147. The proposed site allocation would make an important and sizeable contribution to the supply of housing land and would add to the range and choice of locations available on the edge of the urban area. It would also provide for a significant amount of affordable housing.
148. Whilst there are some specific issues to address, particularly in terms of access and highway mitigation, there are no fundamental constraints to development. Developments currently underway immediately to the north and south west are well progressed and at the time of my visits appeared to be nearing completion. I am satisfied that development on the proposed site would be viable and realistically deliverable.
149. The Council envisage 100 dwelling completions on the site in 2019/20 followed by 120 in each of the next three years and the remaining 40 being completed in 2023/24. The site could readily accommodate two or three sales outlets and progress on adjacent sites points to a strong market in the locality. The proposed site is intended to follow on from these adjacent sites. Given the location of the site to the east of the urban area and the proposed access arrangements, the potential for direct competition with the sites to the south of Warwick would be limited. Taking these factors into account, the timescale and rate of delivery envisaged by the Council are realistic.

Hazelmere and Little Acre (H45)

150. This site was not included as a proposed allocation in the submitted Local Plan but was put forward by the Council during the suspension of the examination. At the time it considered that the site had potential capacity for 75 dwellings. Subsequently, based on advice from the County Council in relation to highway capacity, the Council estimates that 59 dwellings could be safely accommodated.
151. The site would in effect be an extension to the development currently underway and nearing completion immediately to the north. It would make a relatively modest but important contribution to housing land supply and deliver 40% affordable housing. It would add to the variety of locations available for housing development on the edge of the urban area.
152. Whilst development would represent a further extension of the built up area, the site consists of two existing dwellings in large grounds. It is well contained visually by topography and existing vegetation and sits between the Golf Course and the railway line.
153. There are no fundamental constraints to development and detailed issues could be addressed through specific proposals. Following discussions at the hearing sessions, the Council acknowledged that completions on site were not likely to take place until 2020/21. Again, the location of the site to the east of the urban area and the proposed access arrangements would mean that the potential for direct competition with the sites to the south of Warwick would be very limited. On the basis of the above, I consider that development on the site would be viable and realistically deliverable within the timescale envisaged by the Council.

Gallows Hill (H46a)

154. Again, this site was put forward by the Council during the suspension of the examination. This followed the granting of outline planning permission on appeal in January 2016 for up to 450 dwellings and associated infrastructure works on the eastern part of the site. The appeal was recovered for determination by the Secretary of State. The western part of the site, which the Council estimates has capacity for approximately 180 dwellings, does not benefit from planning permission for residential development. The total capacity of the site is estimated at 630 dwellings.
155. A key issue in the appeal at Gallows Hill was the potential impact on the significance of designated heritage assets. The Secretary of State agreed with the Inspector that there would be a negligible impact on the significance of Warwick Castle and that there would be limited, less than substantial harm to the significance of the Castle Park and Warwick Conservation Area which share a common boundary in this locality.
156. The Council and the promoters of the western part of the site agreed a statement of common ground (SOCG7) which includes an illustrative masterplan.
157. Development on the Gallows Hill site (both the eastern and western parts) would sit some way from Warwick Castle. Inter-visibility would be limited by existing and proposed landscaping and the housing development would be seen against the backdrop of the Warwick Technology Park, the wider urban area and committed development sites. I consider that there would be no harm to the setting and therefore the significance of the Castle.
158. The Grade II listed Tollhouse sits just beyond the site at the junction of Banbury Road and Gallows Hill. However, it is surrounded on all sides by roads and is on what is in effect a traffic island. The illustrative masterplan shows the potential to set built development well back from the Tollhouse and to retain and enhance existing landscaping. I consider that there would be no harm to the significance of the Tollhouse.
159. Due to the close proximity, housing on the scale proposed would have an impact on views from the Castle Park and this part of the Warwick Conservation Area. The impact would be greater from the western part of the site given that it extends up to Banbury Road and its junction with Gallows Hill. However, these views would be screened to a significant degree by existing trees along the boundary of the Castle Park/Conservation Area which runs along Banbury Road and by existing and proposed landscaping on the opposite side of Banbury Road and within the site itself. The illustrative masterplan shows the potential to set built development well back from the road and to incorporate substantial areas of green space and landscaping.
160. I find that whilst there would be some harm to the setting and therefore the significance of the Castle Park and Conservation Area, this would be less than substantial. Having regard to the statutory duties relating to the preservation of such assets, I have given this harm considerable importance and weight.
161. The proposed site allocation would make a sizeable contribution to the supply of housing including a substantial amount of affordable housing (40% of the

total). It would also have some benefit in terms of providing publically accessible open space and improved pedestrian and cycling links towards Warwick Town Centre. I consider that these public benefits are very significant and outweigh the less than substantial harm to designated heritage assets identified above.

162. The proposed site allocation would extend built development beyond Gallows Hill onto what is currently agricultural land. The development of the whole site would have a significant impact on the character and appearance of the area. The illustrative masterplan shows the potential for substantial areas of open space and landscaping around the boundaries of the site and within it. This would help to soften and reduce the visual impact of built development. Over time the development would also be seen in the context of other committed development in this area south of Warwick.
163. As with the other major sites to the south of Warwick, the cumulative impacts on traffic flows and the transport network are being addressed comprehensively through a range of mitigation and improvement measures.
164. Other detailed issues including those relating to the potential impact of development on biodiversity and flood risk along the southern boundary could satisfactorily be dealt with through specific proposals.
165. Given the size of the western part of the site and the need to take account of its sensitive location next to the Castle Park and Conservation Area through layout, design and landscaping, the Council's estimate of 180 dwellings is reasonable. It may be that a suitable detailed scheme could come forward with more dwellings. Policy DS11 (as modified) would allow for such flexibility.
166. There is clear and strong interest in bringing the site forward for development and as noted above, outline planning permission has already been granted on a large part of the site. There are no significant physical or other constraints to development and mechanisms to deliver necessary infrastructure are in place. I consider that the development would be viable and realistically deliverable.

The Asps (H46b)

167. The site at The Asps was also put forward by the Council during the suspension of the examination following the granting of planning permission on appeal. Again, the appeal was recovered for determination by the Secretary of State. Outline planning permission was granted for up to 900 dwellings, a school, local centre, park and ride facility and other associated development. The planning permission relates to the whole of the proposed site allocation.
168. As with the Gallows Hill appeal, a key issue was the potential impact on heritage assets. Although the Secretary of State took a different view from the Inspector in terms of the overall planning balance, he agreed with the Inspector's conclusions regarding the impact on heritage assets. These were that there would be no direct harm to Warwick Castle or any other listed building but that there would be less than substantial harm to the setting of The Aspens and the non-designated Asps Cottage. He also agreed that there

would be an adverse impact on the setting of the Castle Park and the Warwick Conservation Area which again share a common boundary in this locality but that this harm would be less than substantial.

169. The Secretary of State considered the combined impacts of the appeal schemes at Gallows Hill and The Asps and concluded that the cumulative harm would remain less than substantial.
170. Development on The Asps site would be set well away from Warwick Castle. Inter-visibility would be limited by existing and proposed landscaping and the housing development would be seen in the context of other committed development sites. I consider that there would be no harm to the setting and therefore the significance of the Castle. Given the proximity to the site and the change to the open farmland context, there would be a limited impact on the setting of the listed The Aspens and the non-designated Asps Cottage, although the harm to their significance would be less than substantial.
171. Built development on the scale proposed would have a substantial urbanising effect, extending the built up area of Warwick significantly to the south over a large area of currently open agricultural land which forms an important part of the setting of the Castle Park and Conservation Area. Although views would be screened by existing trees along the boundary of the Castle Park and Conservation Area and by existing and proposed landscaping within the site itself, there would be an adverse impact on the setting of these designated heritage assets. I share the Inspector's and Secretary of State's view however that the harm to the significance of these heritage assets would be less than substantial.
172. Having regard to the statutory duties relating to the preservation of such assets, I have given this harm considerable importance and weight.
173. The proposed site allocation would make a very sizeable and important contribution to the supply of housing including 40% affordable housing. It would also provide for a park and ride scheme. I consider that these public benefits are very significant and outweigh the less than substantial harm to designated heritage assets identified above.
174. The scale of the extension of the built up area and the urbanising effect of development would have a significant effect on the character and appearance of the landscape and the area generally. Detailed proposals for layout and landscaping could help to soften and reduce the visual impact of built development and over time the development would also be seen in the context of other committed development in this area south of Warwick.
175. Again, the cumulative impacts on traffic flows and the transport network are being addressed comprehensively through a range of mitigation and improvement measures.
176. Other detailed issues including those relating to the potential impact of development on biodiversity could satisfactorily be dealt with through specific proposals.
177. There is clear interest in bringing the site forward for development and outline planning permission has already been granted. There are no significant

physical or other constraints to development and mechanisms to deliver necessary infrastructure are in place. I am satisfied that the development would be viable and realistically deliverable.

Timescales and rates of delivery for sites south of Warwick

178. The Council is proposing four significant greenfield housing site allocations in close proximity to each other to the south of Warwick. The sites on land West of Europa Way, South of Harbury Lane, Gallows Hill and The Asps would have a total estimated capacity of some 4,560 dwellings. This is undoubtedly a substantial amount of housing proposed in a relatively concentrated area. However, other than the proposed site allocations to the east of the urban area (H03 and H45), the previously developed sites within the urban area discussed above and a small number of other committed sites, there are limited opportunities for housebuilding elsewhere in or on the edge of the urban area, certainly on a significant scale, given the range of constraints in place, not least the Green Belt.
179. The Council estimates (EXAM147) that there will be completions in 2016/17 for those parts of the land South of Harbury Lane with full planning permission. For those sites or parts of sites with outline planning permission, completions are estimated to occur from 2018/19 onwards or in the case of The Asps site 2019/20. Parts of the sites without planning permission are anticipated to see completions from 2019/20 onwards at Gallows Hill (West), 2020/21 onwards on land West of Europa Way and from 2021/22 South of Harbury Lane. I consider these to be reasonable and realistic estimates which reflect the planning status of the sites and allow for some staggering of construction timescales.
180. Cumulatively, the Council's estimates show significant numbers of annual completions from these four sites, particularly between 2018/19 and 2022/23 when they would all be fully on stream. Completions from these sites and other committed sites south of Warwick are estimated to peak at 723 dwellings in 2021/22.
181. Together Leamington Spa, Warwick and Whitnash form a large urban area with a wide range of employment opportunities and social and community infrastructure. As discussed above under Issue 1, strong population and household growth is projected for the District. Evidence in terms of sites coming forward for development and progress with committed schemes indicates strong demand for new housing in, and on the edge of the urban area. The majority of the land covered by the four sites referred to above benefits from planning permission.
182. The Council's estimate of the annual number of dwelling completions on each site is reasonable and realistic given the strength of the market, the potential for sites to be developed through a number of sales outlets and the mix of market and affordable housing proposed and permitted. I accept that the cumulative estimates of annual completions for sites in close proximity are optimistic and would depend on a strong housing market over a sustained period and continued good progress in terms of bringing sites forward for development. However, taking account of the above points and given that

there are likely to be limited alternative sites for housebuilding in and around the urban area, I consider that they are realistic.

Conclusions on greenfield sites on the edge of the urban area – not in the Green Belt

183. The three site allocations included in the submitted Local Plan and the three further sites put forward by the Council during the suspension of the examination would all involve extensions of the built up area. Other than the site at Hazelmere and Little Acre, development of the sites would result in the loss of substantial areas of open, largely agricultural land and have a significant effect on the character and appearance of the areas concerned, notwithstanding the potential to mitigate the visual impact of development through site layout and landscaping. Development on the sites at Gallows Hill and The Asps would also have an impact on the significance of designated heritage assets, although the harm would be less than substantial.
184. However, there is a need for substantial additional housing land to be identified to meet housing requirements and to provide for a five year supply of housing land. The urban area of Leamington Spa, Warwick and Whitnash provides an appropriate and sustainable location for significant housing growth in line with the spatial strategy. Given the Green Belt and other constraints around the urban area, there are very limited options for growth. The potential to accommodate development within the urban area on previously developed sites has been maximised.
185. There would be very significant benefits in allocating the sites, primarily in terms of the contribution to housing land supply and the provision of substantial amounts of affordable housing. The sites in question, along with existing commitments and sites within the urban area, would help to ensure that an adequate supply of housing land is available. These benefits would outweigh the adverse impacts.
186. In considering the proposed site allocations I have given significant weight to the fact that much of the land in question already benefits from planning permission for housing and is likely to come forward for development in any case.
187. For these reasons, subject to a modification to reflect up to date estimates of dwelling capacity the proposed site allocations on land West of Europa Way (H01), South of Harbury Lane (H02) and East of Whitnash/South of Sydenham (H03) are justified, effective and consistent with national policy.
188. Again for these reasons and to ensure that adequate provision is made for housing land, the further site allocations put forward by the Council at Hazelmere and Little Acre (H45), Gallows Hill (H46a) and The Asps (H46b) are also required to ensure that the Local Plan is justified, effective and consistent with national policy.

Red House Farm (H04)

189. The submitted Local Plan proposed removing the site at Red House Farm from the Green Belt and allocating it for housing development. The Council estimates that the site has a capacity for some 250 dwellings. The NPPF

makes it clear that Green Belt boundaries should only be altered in exceptional circumstances.

190. The site is currently open land in agricultural/equestrian use and occupies an elevated position on the edge of Lillington, which forms part of the urban area of Leamington Spa.
191. Despite the potential for additional landscaping, residential development on the scale envisaged on the site would represent a clear and noticeable encroachment of the built up area into the surrounding countryside. It would have a significant effect on openness.
192. Over time, additional landscape planting could soften the edge of the built up area compared with the current situation but overall, development on the site would have a significant effect on the character and appearance of the area.
193. In terms of exceptional circumstances to alter the Green Belt, the Council put forward two key points. Firstly that development on the site would help to facilitate regeneration in the adjoining part of Lillington and secondly that it was necessary to ensure housing requirements were met.
194. In relation to regeneration benefits, I have carefully considered the case and evidence put forward by the Council and the promoters of the site, both in writing and during the hearing sessions. This includes the Lillington Regeneration Master Planning and Feasibility Study. I accept that evidence points to some issues of deprivation in the locality and my own observations confirmed that some of the existing housing stock on the adjacent estate would benefit from remodelling or redevelopment. I also acknowledge that new housing on the Red House Farm site would provide investment to the local area and help to support local services. It would also broaden the mix of housing types available and provide the potential opportunity to replace some existing housing stock.
195. However, the proposed site allocation is self-contained and does not cover any of the existing housing areas. There is little if any evidence to link the development of this greenfield site directly with physical regeneration on the adjoining estate. Nor is there any evidence to link the two areas functionally, financially or through land ownership. Overall it has not been demonstrated that the allocation of the site for housing is necessary to achieve regeneration in this part of Lillington or that it would have a significant role in facilitating it.
196. In terms of housing requirements, there would be a considerable amount of housing land allocated on other sites within and on the edge of the urban area of Leamington Spa, Warwick and Whitnash (including those proposed by the Council during the suspension of the examination). None of these allocations would require the boundaries of the Green Belt to be altered. Whilst the larger allocations would be to the south of the built up area, a range of sites within the urban area will also be available.
197. Excluding the site at Red House Farm, the overall scale of housing land in Leamington Spa, Warwick and Whitnash would still be sufficient to ensure that the urban area makes a substantial and adequate contribution to meeting housing requirements in the District and fulfils its role as one of the key focal points for growth. I deal with housing land supply in the District in more

depth later in my report. However, taking account of my conclusions on proposed site allocations elsewhere and other issues, the site at Red House Farm does not need to be allocated in order to ensure that the District's housing requirements are met or that a five year supply of housing land is provided for.

198. In short, there is no strategic need for the site to be allocated for housing nor is there a specific need for a site to be allocated in this particular part of the urban area.
199. Exceptional circumstances to justify altering the boundary of the Green Belt in this specific location or indeed generally around the urban area of Leamington Spa, Warwick and Whitnash do not exist. The proposed housing site allocation is therefore not justified, effective or consistent with national policy and should be deleted.

Land North of Milverton

200. During the suspension of the examination, the Council proposed removing land from the Green Belt North of Milverton, on the edge of the urban area of Leamington Spa for a housing site allocation and safeguarded land. The estimated capacity of the housing site was 250 dwellings and the safeguarded land some 1,000 dwellings.
201. Development of the land in question would involve a substantial expansion of the built up area into currently open countryside to the north of Leamington Spa. It would have a significant adverse impact on the openness of the Green Belt and the character and appearance of the area.
202. As with the Red House Farm site and for the same reasons, the site North of Milverton does not need to be allocated in order to ensure that the District's housing requirements are met or that a five year supply of housing land is provided for. Sufficient housing land would be available elsewhere in and on the edge of the urban area of Leamington Spa, Warwick and Whitnash outside of the Green Belt. Exceptional circumstances to justify altering the boundary of the Green Belt and allocating the site for housing do not exist.
203. Given that the boundary of the Green Belt around Leamington Spa, Warwick and Whitnash would remain otherwise unaltered, it would be unnecessary and inappropriate to identify safeguarded land at this point in time. A longer term strategy for locations of growth around the urban area and the District generally could be considered as part of a review of this Local Plan. There is no need to modify the submitted Local Plan as suggested by the Council therefore.

Other housing sites put forward

204. Other potential housing sites were put forward in representations and discussed at the hearing sessions. Given my findings above in relation to the site allocations proposed by the Council and the supply of housing land, there is no need to allocate any additional sites for housing in and around Leamington Spa, Warwick and Whitnash.

205. The three sites put forward at Blackdown, at Loes Farm and on additional land at Red House Farm are all in the Green Belt. For the reasons set out above exceptional circumstances to justify altering the boundary of the Green Belt in these locations do not exist. The site at Goggbidge Lane, although not in the Green Belt, forms part of the supply of identified employment land. It is a narrow site adjacent to the A46 which is elevated on this stretch and housing on the site would be affected by noise from the road. There may be some potential for development on land at Asps Cottage (adjacent to the larger Asps site) although this is affected by the presence of the listed building. In any case the potential capacity of the site is below that suitable for an allocation in the Local Plan.

Housing site allocations – Kenilworth

206. Although Kenilworth is smaller than the combined urban area of Leamington Spa, Warwick and Whitnash it provides employment opportunities and a range of retail and other main town centre uses and social and community facilities. It is well connected to the wider road network, has good public transport links and is well related to Coventry in terms of accessibility and functional links.

207. Kenilworth therefore provides an appropriate and sustainable location for significant housing growth within the District including meeting some of Coventry's unmet housing needs.

208. There are very limited opportunities for housing development on any scale within the built up area. Other than one area of land at Crackley (see below), there is no potential to allocate housing sites on the edge of the urban area without altering the boundary of the Green Belt.

209. These factors, along with the scale of housing requirements and limited opportunities outside of the Green Belt elsewhere in the District, amount to exceptional circumstances which justify altering the boundaries of the Green Belt around Kenilworth.

210. As discussed in relation to the spatial strategy, there are physical and environmental constraints which affect the options for growth on the edge of the town.

211. The submitted Local Plan proposed four housing site allocations at Kenilworth. These included land currently in the Green Belt at Thickthorn (H06) and land partly in the Green Belt at Kenilworth Sixth Form College (H12). During the suspension of the examination the Council proposed two additional housing site allocations on land east of Kenilworth (H40) and East of Warwick Road (H41). In both cases the land is currently in the Green Belt. It included these proposals in its suggested modifications.

212. Along with the sites proposed in the submitted Local Plan, I consider these additional proposals from the Council in the context of the need for further site allocations to ensure an adequate supply of housing land.

213. The development of the proposed housing site allocations in Kenilworth would significantly increase traffic volumes and impact on the transport network in the immediate locality and further afield. The Council, along with the County Council is again taking a holistic and comprehensive approach and has set out

a package of requirements for a wide range of mitigation measures and improvements to junctions and key routes including Thickthorn roundabout and the A452 Corridor. Clear plans are in place to fund and bring forward such improvements and mitigation.

Crackley Triangle (H07)

214. Although greenfield land on the edge of the built up area, this site is not in the Green Belt. Development would be reasonably well contained visually between existing residential areas on two sides and it would not bring the built up area of Kenilworth any closer to Coventry.
215. Outline planning permission has been granted for 93 dwellings on the site. There are no fundamental constraints to development and detailed issues including access arrangements could be satisfactorily addressed through specific proposals. Following discussions at the hearing sessions, the Council acknowledged that completions on site were not likely to take place until 2018/19. On the basis of the above, I consider that development on the site would be viable and realistically deliverable within the timescale envisaged by the Council.
216. The proposed site allocation would make an important contribution to the supply of housing land and affordable housing provision and would add to the range and choice of sites available.

Kenilworth School (H09) and Kenilworth Sixth Form College (H12)

217. Currently the main secondary school buildings and sixth form for Kenilworth School occupy different sites, some distance from each other. This causes duplication of activities and operational difficulties. A number of existing buildings are now dated and in need of refurbishment/replacement. The School is already operating at capacity and existing facilities would not be able to accommodate the increase in pupil numbers as a result of the scale of housing growth planned. Having considered options, including expanding or redeveloping on the existing sites, the Kenilworth School Trust, supported by the County and District Councils is proposing to relocate to a single site.
218. The submitted Local Plan proposed a site allocation for a new school including sixth form on land currently in the Green Belt at Southcrest Farm. I return to that specific proposal in more detail later in my report, however I consider that the strategy of relocating the school and sixth form onto a single site and therefore releasing the existing sites for development is appropriate and justified.
219. The Kenilworth School site (H09) sits entirely within the built up area and is surrounded by existing housing. The Council estimates that the site has capacity for some 250 dwellings. In addition to school buildings and playing fields, the site currently includes an indoor sports centre with community use.
220. The buildings on the Sixth Form College site (H12) are within the existing built up area of the town. The site also includes playing fields which are in the Green Belt. The Council estimates that the site could provide for 130 dwellings.

221. Existing housing surrounds the site on three sides and it is well contained visually from the surrounding area. Development would not extend the built up area any further south. The loss of the playing fields to development would clearly represent some reduction in openness but given the immediate context of existing development this would not be significant. It would not have a significant effect on the purposes of including land in the Green Belt in this case.
222. For both sites it is proposed that the existing sports facilities would be replaced with at least equivalent provision on the site for the new school at Southcrest Farm.
223. The redevelopment of the sites for housing would be compatible with the established residential character of the localities concerned and issues such as access arrangements could be addressed through detailed proposals.
224. Clearly the redevelopment of the sites would need to follow on from the provision of a new school and would require demolition and site clearance. With this in mind the Council has taken what I consider to be a realistic view and estimated that dwelling completions will occur from 2023/24 onwards. I am satisfied that redevelopment of the sites would be viable and deliverable within this timeframe.
225. The proposed site allocations would make an important contribution to the supply of housing land and affordable housing provision and would add to the range and choice of sites available. As set out above there are exceptional circumstances which justify altering the boundaries of the Green Belt around Kenilworth. These apply to that part of the Sixth Form site within the Green Belt.

East of Kenilworth (Thickthorn) (H06)

226. The proposed housing site allocation at Thickthorn is within the Green Belt. It is predominantly open land which sits between the existing built up area and the A46. It is currently in use for agriculture and outdoor sports pitches and there are some buildings associated with the sports uses. The Council estimates that the site has capacity for some 760 dwellings and it is expected that the development would incorporate a local centre and new primary school.
227. Development of the site would represent a clear and substantial extension of the built up area into adjoining countryside and remove the largely open character of the land in question. It would significantly affect the character and appearance of the area.
228. However, the site is contained to the south-east by the A46. This is a strong and dominant physical and visual feature which has created a clear distinction between Kenilworth and its immediate setting on one side of the road with more open and expansive countryside on the other. The presence of the A46 in this location would enable a well-defined and defensible edge to the extended built up area to be provided.
229. It is intended that the layout and design of the development would incorporate buffer zones and areas of substantial new landscape planting and open space.

To some extent this would soften the visual impact of development. With this in mind and along with the potential for specific noise attenuation measures I am also satisfied that detailed proposals would be able to provide adequate mitigation in relation to noise and other impacts from the A46 and that harm to biodiversity interests on the site could be avoided. Likewise, detailed layout and design would be able to avoid harm to the significance of heritage assets within and near to the site including the Glasshouse Roman Settlement Scheduled Monument, Stoneleigh Abbey Registered Park and Garden and the listed building at Thickthorn Manor.

230. During the suspension of the examination the Council proposed site allocations for outdoor sports use at Castle Farm and Warwick Road with the intention that both sites would remain in the Green Belt. Whilst I deal with these proposals specifically later in my report, they would provide the opportunity to replace the existing sports pitches and facilities at Thickthorn with those of at least equivalent quantity and quality in a suitable location.
231. The proposed site allocation would make a substantial contribution to the supply of housing land and affordable housing provision. It is necessary to ensure that housing requirements are met and that Kenilworth fulfils its role as a focus for growth within the spatial strategy. These are significant benefits which outweigh the adverse impacts that would occur.
232. As set out above there are exceptional circumstances which justify altering the boundaries of the Green Belt around Kenilworth. These apply to the proposed site allocation at Thickthorn.
233. The Council acknowledged at the hearing sessions that completions on the site were not likely to take place until 2019/20, in part due to the need to relocate the existing sports facilities. Given the scale of the site, limited alternative housebuilding opportunities elsewhere in Kenilworth and the potential for a number of sales outlets, the estimate of 100 dwelling completions per year is reasonable. I consider that development on the site would be viable and realistically deliverable within the timescale envisaged by the Council.

East of Kenilworth (H40)

234. The Council put forward this housing site allocation during the suspension of the examination. The site incorporates agricultural land and buildings on land at Crewe Gardens and Southcrest Farm and conference facility buildings and grounds at Woodside Training Centre. The site is entirely within the Green Belt.
235. The Council anticipate that the whole of the site proposed for a new school at Southcrest Farm will not be required for educational purposes and that there would be potential to also accommodate some housing development. For this reason it overlaps entirely with the proposed housing site. Whilst I assess the proposed school allocation in more detail later in my report, I consider that this is an appropriate and justified approach. It provides the necessary certainty to assist in the delivery of such an important element of community infrastructure whilst providing some flexibility as to the mix and layout of development on the site and the opportunity to add to housing land supply.

236. It is intended that the buildings at Woodside Training Centre would be retained. The Council estimates that in total the proposed site allocation could deliver in the order of 640 dwellings. This estimate includes approximately 70 dwellings on residual land as part of the school site.
237. Development of the site would result in a large extension of the built up area into adjoining countryside. It would remove the essentially open character of the land and would reduce the gap to the southern edge of Coventry, particularly when combined with the proposed site allocation at Kings Hill (considered later in my report). It would significantly affect the character and appearance of the area.
238. However, again the site is contained to the south-east by the A46 which would enable a well-defined and defensible edge to the extended built up area to be provided. Crewe Lane which runs along the northern part of the site and is bounded along much of its length by trees would provide for a well-defined edge to built development in this direction.
239. There would still be a substantial and meaningful gap to the edge of Coventry, reinforced by undulating topography and the route of HS2 which is proposed to cross the area.
240. The layout and design of the development is intended to incorporate buffer zones and areas of substantial new landscape planting and open space which would help to reduce the visual impact. Given this, along with the potential for specific noise attenuation measures, I am also satisfied that detailed proposals would be able to provide adequate mitigation in relation to noise and other impacts from the A46 and that harm to biodiversity interests on the site could be avoided. Likewise, detailed layout and design would be able to avoid harm to the significance of heritage assets within and near to the site including the Glasshouse Roman Settlement Scheduled Monument and Stoneleigh Abbey Registered Park and Garden.
241. Again, the proposed site allocation would make a substantial contribution to the supply of housing land and affordable housing provision. It is necessary to ensure that housing requirements are met and that Kenilworth fulfils its role as a focus for growth within the spatial strategy. These significant benefits outweigh the adverse impacts that would occur.
242. As set out above there are exceptional circumstances which justify altering the boundaries of the Green Belt around Kenilworth. These apply to the proposed site allocation East of Kenilworth.
243. The Council estimate dwelling completions on the site from 2018/19 onwards with the annual rate building up from 25 to 75 and then 100 by 2020/21. Given the scale of the site, limited alternative housebuilding opportunities elsewhere in Kenilworth and the potential for a number of sales outlets, this is reasonable, even when taken cumulatively with potential completions on the Thickthorn site. I am satisfied that development on the site would be viable and realistically deliverable within the timescale envisaged by the Council.

East of Warwick Road (H41)

244. This site allocation was also put forward by the Council during the suspension of the examination. The land is currently in agricultural use and within the Green Belt. The Council estimates that the site could accommodate approximately 100 dwellings.
245. Development of the site would represent an extension of the built up area into adjoining countryside, removing the open character of the land and affecting the character and appearance of the area.
246. Although the development of the site would bring the main built up area of Kenilworth closer to the village of Leek Wootton, the gap would remain substantial and there would be no perceptible loss in the sense of separation between the settlements. Development would extend no further than existing buildings on the other side of Warwick Road at Wootton Grange.
247. The visual impact of development would be to some extent reduced by screening from existing trees along Warwick Road and the southern field boundary, the fact that the eastern boundary is formed by the railway line and given that part of the site is set back from the road behind the cricket ground and pavilion. Appropriate layout, design and additional landscaping would further reduce the visual impact.
248. There are no fundamental constraints to development and detailed issues including the need to provide a buffer along the boundary with the railway line and to take account of the presence of the cricket ground could be satisfactorily addressed through specific proposals.
249. With this in mind the Council's estimate of 100 dwellings on the site is reasonable. It may be that a suitable detailed scheme could come forward with more dwellings. Policy DS11 (as modified) would allow for such flexibility. There is a clear intention to bring the site forward for development and I consider that development on the site would be viable and realistically deliverable within the timescale envisaged by the Council.
250. The proposed site allocation would make an important contribution to the supply of housing land and affordable housing provision and would add to the range and choice of sites available. It is necessary to ensure that housing requirements are met and that Kenilworth fulfils its role as a focus for growth within the spatial strategy. These are significant benefits which outweigh the adverse impacts that would occur. The exceptional circumstances which justify altering the boundaries of the Green Belt around Kenilworth apply to the proposed site allocation East of Warwick Road.

Conclusions on the proposed housing sites at Kenilworth

251. Given the scale of housing requirements and its role as a focal point for growth in delivering the spatial strategy, there is a need to identify sites for a significant amount of housing at Kenilworth. There are very limited opportunities to do so within the built up area or on sites not currently within the Green Belt. There are exceptional circumstances to justify altering the boundary of the Green Belt to accommodate housing development.

252. Taking account of the physical and environmental constraints, the approach to locations for growth around the town put forward by the Council following the suspension of the examination is appropriate and justified, as is the overall scale of housing development now proposed. This would ensure that sufficient housing land is identified.
253. The proposed housing sites, including those put forward by the Council during the suspension of the examination, are necessary to ensure that an adequate supply of housing land is available. The benefits in relation to housing land supply would outweigh the adverse impacts.
254. For the above reasons, subject to a modification to reflect the number of dwellings granted planning permission on the Crackley Triangle site, the proposed site allocations at Crackley Triangle (H07), Kenilworth School (H09), Kenilworth Sixth Form College (H12) and East of Kenilworth (Thickthorn) (H06) are justified, effective and consistent with national policy.
255. Again for these reasons and to ensure that adequate provision is made for housing land, the further site allocations put forward by the Council on land East of Kenilworth (H40) and East of Warwick Road (H41) are also required to ensure that the Local Plan is justified, effective and consistent with national policy.

Other housing sites put forward

256. Other potential housing sites were put forward in representations and discussed at the hearing sessions. They are all in the Green Belt. Given my findings above in relation to the site allocations proposed by the Council and the supply of housing land, there is no need to allocate any additional sites for housing in and around Kenilworth and exceptional circumstances for further alterations to the Green Belt do not exist.
257. Development on land at Rouncil Lane, to the south of the proposed site at Kenilworth Sixth Form College, would result in an extension of the built up area into open countryside, well beyond the existing form of development. A site allocation at Kenilworth Golf Club would result in a very substantial further extension of the built up area, significantly reducing the gap to the edge of Coventry. Development on land north of Crewe Lane would breach the clear physical boundary provided by the road and in any case the potential capacity of the site put forward is below that suitable for an allocation in the Local Plan.

Housing site allocations – Edge of Coventry

258. I have already considered the spatial strategy and the need for modifications to ensure that it is capable of delivering sufficient housing land to meet requirements, including those unmet needs from Coventry. I have concluded that the Council's suggested strategic approach (following the suspension of the examination) in relation to the edge of Coventry is appropriate and justified. This involves identifying a direction for growth immediately to the south of the urban area of Coventry but within Warwick District.
259. There is no potential to allocate housing sites on the edge of the urban area of Coventry without altering the boundary of the Green Belt.

260. These factors, along with the scale of housing requirements and limited opportunities outside of the Green Belt elsewhere in the District, amount to exceptional circumstances which justify altering the boundaries of the Green Belt to the south of the urban area of Coventry.
261. In addition to the southern administrative boundary of Coventry and its urban area, there are a number of factors which affect the broad extent of the direction for growth and potential development sites within it. The western extent of the direction for growth is readily defined by the administrative boundary of Warwick District and the linear village of Burton Green. To the south it is limited by the need to maintain a clear and separate identity for Kenilworth and by the proposed route of HS2. To the east, the A46 forms a very strong physical boundary and provides a well-defined edge to the built up area of Coventry.
262. There are issues with the capacity of the existing highway network in the Westwood Heath area, particularly in relation to Crackley Lane and Gibbet Hill Road. This affects the scale of housing development that can currently be accommodated in this locality.
263. I discuss the Council's additional proposals for housing site allocations and safeguarded land below, having first considered the site at Oaklea Farm, Finham which was included in the submitted Local Plan.

Oaklea Farm, Finham (H08)

264. Although just within the administrative area of Warwick District, this site forms part of a small pocket of land on the other side of the A46 which is visually and physically associated with the residential area of Finham, part of the urban area of Coventry. It is currently within the Green Belt.
265. The site is a relatively narrow triangular shaped area of land between the A46 and Howes Lane. There are residential areas to the north east and on the opposite side of Howes Lane. There are existing buildings on part of the site. The A46 provides a very strong and clear boundary to the built up area for this part of Coventry.
266. Given its relationship to existing residential areas and position relative to the A46, the site has minimal benefit in terms of providing openness and does not serve the purposes of including land in the Green Belt.
267. Taking account of constraints affecting the site including the proximity of the A46 and existing trees, the Council estimates that approximately 20 dwellings could be developed. Whilst this would be a small contribution to overall housing supply it would add to the variety and choice of sites available. Subject to detailed matters being addressed through layout and design, there are no fundamental constraints to development and I am satisfied that the site is realistically viable and deliverable within the timescale set out by the Council which envisages the site being developed fully during 2018/19.
268. For the above reasons there are exceptional circumstances which justify altering the Green Belt in this case. The proposed site allocation at Oaklea Farm is justified, effective and consistent with national policy.

Westwood Heath (H42) and Safeguarded Land (S1)

269. The updated Strategic Transport Assessment (TA14PM) and further analysis from December 2016 (EXAM133) provide robust and convincing evidence that the current local highway network cannot satisfactorily accommodate more than 425 dwellings in the Westwood Heath area. This analysis took account of the other proposed development sites both in Warwick District and Coventry.
270. The Council, County Council and other organisations including Coventry City Council and the University of Warwick are supportive of a project to significantly increase highway capacity and improve accessibility to the wider area. Referred to as the A46 Link Road, it is envisaged that the scheme would be brought forward in three phases. The first phase would involve major improvements at the Stoneleigh junction on the A46. This is currently at the design stage and it is anticipated that works could be completed by mid-2019. The intention is to seek a reallocation of already committed Growth Deal monies to fund the scheme.
271. Phase 2 would involve a new road linking the A46 at Stoneleigh with Westwood Heath. Amongst other things this would help to facilitate development at the University of Warwick and overcome highway capacity issues for new development in the Westwood Heath area. Funding to develop a business case for this element of the scheme was announced in November 2016. However, this phase of the scheme is still at an early stage of development and the County Council confirmed that the "aspiration" was to see delivery by around 2022/23, but that this was dependent on funding, land acquisition and other statutory processes (see EXAM96).
272. The third and final phase would involve land in Solihull Borough and would link Phase 2 to the A45 or A452. This is at an early exploratory stage and delivery is not anticipated until the last few years of the plan period at the earliest.
273. There is clearly significant support and commitment for the A46 Link Road project from a wide range of organisations. However, despite some progress in terms of planning, design and funding to develop a business case, the implementation of the scheme and the potential timescales involved remain uncertain, particularly for those elements beyond Phase 1. Whilst the potential for Phase 2 of the Link Road and the consequences for potential housing development in the Westwood Heath area is a factor which I have taken into account, this is in the context of this uncertainty.
274. The Council proposed a housing site allocation at Westwood Heath (H42) during the suspension of the examination. The site is open land in agricultural use and entirely within the Green Belt. On the basis of evidence in relation to highway capacity, I consider that the Council's approach to limit the number of dwellings on the proposed site allocation to 425 is justified.
275. Westwood Heath Road provides a clear, well-defined edge to the existing urban area of Coventry with built development including recent housing to the north and open countryside to the south. The development of the proposed housing site would result in a substantial extension of the built up area beyond Westwood Heath Road into the surrounding countryside. The openness of the site would be lost and development would have a significant effect on the character and appearance of the site and the wider area.

276. However, an area of Green Belt between the site and Burton Green would remain. The gap would be sufficient to ensure the continued separate identity of the village relative to the urban area of Coventry. Detailed issues relating to the development of the site could be addressed through specific layout and design proposals.
277. The site would make a significant contribution towards meeting housing requirements and affordable housing needs. As a site on the southern edge of Coventry it would add to the range and choice of housing land available. It is in single ownership and there is a housebuilder actively pursuing development on the site with a view to submitting a hybrid planning application during 2017. There are no significant constraints to the development of up to 425 dwellings and no substantial infrastructure requirements. I am satisfied that the site is viable and deliverable and that it could realistically deliver new dwellings from 2018/19 onwards at the rate envisaged by the Council, making a significant contribution to the supply of housing land in the short term. These are substantial benefits which outweigh the adverse impacts.
278. The Council also proposed removing land from the Green Belt to provide an area of safeguarded land at Westwood Heath (Policy DSNEW2 – S1) during the suspension of the examination. Paragraph 85 of the NPPF makes it clear that when defining Green Belt boundaries, local planning authorities should, where necessary, identify areas of safeguarded land between the urban area and the Green Belt in order to meet longer term development needs beyond the plan period. In line with national policy, proposed Policy DSNEW2 explains that the safeguarded land is not allocated for development at the present time and that the status of the land would only change through a review of the Local Plan following an assessment of development needs and the most appropriate locations for development.
279. As I have discussed above, the identification of a direction for growth to the south of Coventry is appropriate and justified. Given the factors which affect the broad extent of this direction for growth, the land intended to be safeguarded to the south of Westwood Heath (S1) is one of a limited number of realistic options for growth and could play a key role in bringing forward housing development and delivering the spatial strategy. However, as noted above, the potential scale of housing in this particular area is currently limited by highway capacity.
280. Taking all of this into account, I consider that whilst allocating land for more than 425 dwellings in the Westwood Heath area is not currently justified, this may well change in the future. Given that the boundary of the Green Belt would need to be altered to accommodate the site allocation (H42), it is appropriate and justified to also identify safeguarded land in this particular case to enable additional land to be considered for allocation through a future review of this Local Plan without further alterations to the Green Belt. This would not pre-empt such a decision but would allow for circumstances at the time, including the situation relating to a link road, to be taken into account.
281. Whilst the land in question is not being proposed for development in this Local Plan, I have considered the implications of its removal from the Green Belt and potential future development at some point. Development of the land covered by S1 would again result in a substantial extension of the built up area beyond

Westwood Heath Road into the surrounding countryside. The openness of the land would be lost and development would have a significant effect on the character and appearance of the site and the wider area. However, it would sit between existing and planned development at the University of Warwick and the housing development proposed on site H42. There would also be a strong southern boundary provided by the brook and substantial tree cover. The significant benefits of providing safeguarded land outweigh the adverse impacts.

282. The Council estimates that the safeguarded land (S1) could accommodate in the order of 770 dwellings, although the site promoter indicates that there is potential for some 900 dwellings.
283. Due to the current level of uncertainty regarding the implementation of the A46 Link Road, particularly Phase 2 and beyond, the allocation of site S1 (as opposed to it being safeguarded) would not be appropriate or justified at this point in time as there is insufficient basis to conclude that highway capacity issues would be resolved. Given the number of dwellings involved being well above the highway capacity limit of 425, this conclusion applies both to the site being considered in addition or as an alternative to the proposed allocation (H42).
284. In assessing the relative merits of allocating site S1 for development as an alternative to site H42, I have also taken account of the evidence before me that it is in multiple ownerships and development is not being actively pursued by a housebuilder. There is less confidence that it would be able to contribute to housing delivery in the short term. I have also considered the suggestion of phasing with later stages of development subject to highway capacity improvements through Phase 2 of the Link Road. This approach would be inappropriate due to the degree of uncertainty regarding the delivery of the Link Road in the plan period.
285. Main modifications referred to elsewhere would commit the Council to consider a review of the Local Plan before the end of March 2021 and in any event to carry out a partial review specifically for the direction for growth within five years of the Local Plan's adoption. This will enable any progress with the Link Road scheme to be taken into account and if appropriate and justified, the status of the safeguarded land to be reconsidered through a review of the Local Plan.
286. In light of the above and my wider conclusions in relation to land to the south of Coventry there are exceptional circumstances which justify altering the boundaries of the Green Belt at Westwood Heath. The proposed further site allocation (H42) and safeguarded land (S1) put forward by the Council would represent part of a comprehensive review of the Green Belt in the Westwood Heath area which also includes land at the University of Warwick. They are required to ensure that the Local Plan is justified, effective and consistent with national policy.

Kings Hill (H43)

287. The Council also proposed a housing site allocation at Kings Hill during the suspension of the examination. The site is largely open land, predominantly in agricultural use and entirely within the Green Belt. This is the largest

individual site put forward by the Council and has an estimated total capacity for some 4,000 dwellings. Whilst the Council does not intend to place any restriction on the amount of housing on the site, it estimates that realistically it could deliver in the order of 1,800 dwellings in the plan period, with development of the rest of the site continuing beyond 2029.

288. Development of the site is not affected by the highway capacity issues that currently limit housing growth at Westwood Heath although it would require a range of enhancement and mitigation measures including the improvements to the Stoneleigh junction referred to above. It is intended that the development would help to fund these improvements.
289. The development of the site would represent a major extension of the urban area of Coventry into the surrounding countryside. The openness of the site would be lost and development would have a significant effect on the character and appearance of the site and the wider area.
290. It would substantially reduce the gap between the southern edge of Coventry and Kenilworth. However, it would not extend any further south than existing development at Gibbet Hill, and Stoneleigh Road would provide for a strong and clear boundary. There would still be a substantial and meaningful gap to Kenilworth, even with the proposed development on site H40. This gap would be reinforced by undulating topography and the route of HS2.
291. To the south-east, development would be contained by the A46 which would enable a well-defined and defensible edge to the extended built up area to be provided, with land beyond continuing to be in the Green Belt.
292. The size of the site provides the opportunity for significant areas of land within it to remain undeveloped and for the layout and design of development to incorporate large buffer zones and other mitigation measures to avoid harm to areas of nature conservation value such as Wainbody Wood and the significance of heritage assets including the Scheduled Monument at Hill Farm. Detailed proposals for layout and design would also be able to address other specific issues such as flood risk on part of the site and noise from the A46.
293. The scale of development would also enable significant social and community infrastructure to be provided on the site in a comprehensive and integrated manner, including new schools, health facilities and retailing. The planned upgrade to Finham Sewage Treatment Works will enable the scale of additional housing proposed to be satisfactorily accommodated.
294. The site would make a very substantial contribution to housing requirements and affordable housing needs during the plan period and in the years following. As a site on the southern edge of Coventry it would add to the range and choice of sites available and make a contribution to unmet housing needs arising from the City. There would of course be substantial infrastructure requirements to bring a site of this size forward for development. However, there are clear and realistic mechanisms to deliver this infrastructure in a timely and co-ordinated fashion. There are no fundamental constraints to the development. These are very significant benefits which outweigh the adverse impacts.

295. The Council accepted at the hearings that it is likely that there would be a build-up in the rate of completions on the site and adjusted its estimated trajectory accordingly. This envisages 50 completions in 2020/21 followed by 150 in 2021/22 and then 230 in following years. Whilst I acknowledge that such annual rates of completions are ambitious, they are also realistic given the potential for multiple sales outlets and the strength of the market. I am satisfied that the site is viable and deliverable on the timescale envisaged by the Council.
296. In light of the above and my wider conclusions in relation to land to the south of Coventry there are exceptional circumstances which justify altering the boundaries of the Green Belt at Kings Hill. The proposed further site allocation (H43) put forward by the Council is required to ensure that the Local Plan is justified, effective and consistent with national policy.

Other housing sites put forward

297. Other potential housing sites were put forward in representations and discussed at the hearing sessions. They are all in the Green Belt. The housing site allocations proposed by the Council and discussed above would ensure that sufficient housing land is identified. There is no need to allocate any additional sites for housing on the edge of Coventry and exceptional circumstances for further alterations to the Green Belt do not exist.
298. A site allocation on land at Cryfield Grange would not be appropriate given the current restrictions on highway capacity referred to above. Compared to site H42, it would not be part of a comprehensive approach to Green Belt review and would have more of an impact on the gap between Coventry and Kenilworth.
299. The small site at The Moat is in different ownership to the adjacent site H42 and is not required to assist in delivering the larger development or to ensure sufficient housing land is provided.
300. On the basis of specific evidence put forward on likely traffic movements, the Council and County Council accept that highway capacity exists for the site east of Cromwell Lane to be developed for up to 130 dwellings and that a suitable access could be achieved. However, the site occupies what would be the gap between development proposed on site H42 and existing dwellings and their gardens along Cromwell Lane. Development of housing on the site would remove the gap and the separation between Burton Green and the urban area of Coventry. The separate identity of Burton Green as a village would be severely undermined.
301. The site put forward on land to the south of Baginton would not be on the edge of Coventry. Baginton is a village in its own right which is clearly separated from the built up area of Coventry by the A46. This would still be the case with the development of the proposed sub-regional employment site in the vicinity of Coventry Airport. The scale of development envisaged (up to 1,000 dwellings) would be incompatible with the character of the village and the level of services and facilities available. It would be inconsistent with the spatial strategy.

Housing site allocations – Growth Villages

302. The ten Growth Villages were identified by the Council following an objective and robust analysis of rural settlements in terms of their size, services and accessibility. Beyond the urban areas and the edge of Coventry, they provide the most suitable locations to focus development. Appropriate levels of new housing will help to sustain and enhance their roles and local services. It will also provide for a good range and choice of potential development sites in different locations to assist in deliverability and meeting local needs for affordable housing.
303. Taking into account the increased housing requirements and the need to provide for some of Coventry's unmet needs identified during the suspension of the examination, the Council updated its assessment of the potential to accommodate development in each of the Growth Villages (V18PM). This assessment includes an indicative capacity for additional dwellings in the villages concerned.
304. The Council arrived at these indicative capacities by applying a 20% increase in the number of existing dwellings and then adding to this depending on the strength of the relationship to Coventry. Whilst this approach was simplistic, it results in a consistent and rational starting point to consider appropriate levels of growth. It allows for other specific factors to be taken into account and is not intended to set a strict limit on the level of additional housing or indeed to identify the minimum amount of housing required.
305. During the suspension of the examination the Council proposed additional housing site allocations in Growth Villages and included these proposals in its suggested modifications. Along with the sites proposed in the submitted Local Plan, I consider these additional proposals from the Council in the context of the need for further site allocations to ensure an adequate supply of housing land and the modified spatial strategy. Prior to the further hearing sessions, the Council provided information on the total supply of housing land in each village taking account of completions since 2011, commitments and proposed site allocations (EXAM51A).
306. My conclusions below in relation to each Growth Village and the proposed sites would result in site allocations with a total capacity of some 968 dwellings². When combined with existing commitments (559) and completions since 2011 (126) there would be an estimated total supply of some 1,653 dwellings within the plan period, excluding any windfalls that came forward. The Local Plan does not set a figure for the amount of additional housing considered appropriate for Growth Villages, but the scale of growth that would be provided for is a significant element in overall supply in the District (approximately 9.5%). Whilst it would be marginally below the combined indicative capacities of the Growth Villages, it would ensure that they made a sizeable and adequate contribution to meeting housing requirements for the District which was consistent with the spatial strategy.

² The figure of 968 dwellings consists of 890 dwellings shown in the modified housing trajectory as village allocations plus 58 dwellings with planning permission on sites H20 and H49. It also includes 20 dwellings on site H18 (Former Aylesbury House) which is in the wider rural area.

307. I deal first with those Growth Villages not set within the Green Belt; Barford, Bishop's Tachbrook and Radford Semele.

Barford

308. Barford had a population of approximately 1,300 in 2011. The indicative capacity identified by the Council is 181 dwellings. Supply from completions since 2011 and commitments is 120 dwellings. The A429 bypass forms a strong physical and visual feature which contains existing and potential further development to the west of the village.
309. The proposed site allocation south of Barford House (H20) is a small area of land which is well contained within the existing built form of the village. It has full planning permission for 8 dwellings.
310. The site at the former Sherbourne Nursery (H21) has full planning permission for 60 dwellings and development of the site was substantially complete at the time of the hearings.
311. Land off Bremridge Close (H22) has an estimated capacity of 12 dwellings. Development on the site would not extend the village beyond the existing built form including the recently developed houses on Bremridge Close. A suitable access could also be provided through this estate. Detailed issues including drainage and the effect on existing vegetation are matters that could be addressed through specific proposals.
312. The Council put forward an additional site allocation on land south of Westham Lane (H48) during the suspension of the examination. It is estimated that it has capacity for 45 dwellings. Development of the site would represent an extension of the built up area of the village onto open land to the south of Westham Lane. However, it would sit within the area contained by the bypass and would be seen in the context of the recent development on the former Sherbourne Nursery site on the north side of Westham Lane which has extended the built form of the village close to the bypass. Suitable access could again be achieved through Bremridge Close and specific proposals would address detailed matters relating to site layout and design.
313. There are no fundamental constraints to the development of sites H20, H22 and H48 and I am satisfied that they are viable and deliverable within the timescales envisaged by the Council. They would make a valuable contribution to housing requirements and would help to sustain and enhance the role of the village. The Council resolved to grant planning permission subject to a S106 agreement for 63 dwellings on a site encompassing H22 and H48 in June 2017.
314. A site allocation on land south of Wasperton Lane (H47) was also put forward by the Council during the suspension of the examination. The Council estimated that the site could deliver 30 dwellings. Development of the site would result in a clear and significant extension of the built up area into open countryside which forms an important element in the setting and character of the village. The site is not contained within any significant physical features or strong field boundaries. Despite the potential for landscaping and planting, development would have a significant adverse effect on the character and appearance of the area.

315. Taking account of completions, existing commitments and the other proposed site allocations referred to above, the supply of housing land in Barford would total some 177 dwellings. This would be only just below the indicative capacity of 181 dwellings and represents an increase of nearly 30% in the number of dwellings in the village (606 in 2011).
316. Barford is not affected by the Green Belt and is rightly identified as a Growth Village. Furthermore, as noted above, the indicative capacity should not be seen as a strict limit on the number of dwellings. However, these factors do not mean that there is necessarily potential to accommodate additional housing in Barford and they must be balanced against the need to ensure that development remains in keeping with the scale and character of the village and the impacts of specific sites. The consideration of additional sites also needs to take account of the ability to meet the District's housing requirements at other locations in the District in line with the spatial strategy.
317. It is not necessary to allocate the site south of Wasperton Lane (H47) in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District. The adverse impacts of development would outweigh the benefits.
318. For the above reasons the proposed site allocations south of Barford House (H20) and on land off Bremridge Close (H22) are justified, effective and consistent with national policy. Also for these reasons the proposed further site allocation on land south of Westham Lane (H48) put forward by the Council is required to ensure that the Local Plan is justified, effective and consistent with national policy.
319. To ensure that the Local Plan is effective in reflecting the progress with planning permission and development, the proposed site allocation at the former Sherbourne Nursery (H21) should be deleted.

Other housing sites put forward in Barford

320. Other potential housing sites were put forward in representations and discussed at the hearing sessions. There is no need to allocate sites in addition to the three referred to above in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District.
321. Land east of Wellesbourne Road and south of Barford House was subject to appeals in 2013 and 2014 which were both dismissed due to the impacts on the significance of the listed building at Barford House, its setting and the Conservation Area. Notwithstanding the lack of need for additional sites, the allocation of this land would be inappropriate for this reason.
322. Whilst development on additional land south of Westham Lane (to the west of site H48) would sit within the area contained by the bypass and would be seen in the context of the recent development on the former Sherbourne Nursery site, there is insufficient evidence to suggest that it could be accessed satisfactorily. The promoter of the site also accepts that there are still land ownership issues to resolve and the site is not currently available.

323. Development of a larger site including site H47 and additional land would result in a clear and very substantial extension of the built up area into open countryside. Despite the potential for landscaping and planting, development would have a significant adverse effect on the character and appearance of the area.

Bishop's Tachbrook

324. Bishop's Tachbrook had 737 dwellings and a population of approximately 2,500 in 2011. The indicative capacity identified by the Council is 184 dwellings.
325. The site on land south of the School (H23) has full planning permission for 150 dwellings and development of the site was significantly progressed at the time of the hearings.
326. The Council put forward an additional site allocation at Seven Acre Close (H49) during the suspension of the examination. At the time the Council estimated the capacity of the site to be 30 dwellings. The site subsequently received outline planning permission for up to 50 dwellings. Development of the site would represent a significant extension of the built up area of the village into surrounding countryside. However, it would be seen to some extent in the context of existing buildings fronting onto Mallory Road on either side and detailed layout and design could assist in softening the visual impact of development. There are no significant constraints to development and I am satisfied that it is viable and deliverable within the timescale envisaged by the Council. It would make a valuable contribution to housing requirements and would help to sustain and enhance the role of the village.
327. These two sites which both benefit from planning permission and in one case is substantially complete would provide for 200 dwellings in total. Combined with completions since 2011, the supply would be 202 dwellings. This would be above the indicative capacity of 184 dwellings and would see an increase in the number of dwellings of some 27% since 2011. The two sites would ensure that sufficient housing land is provided for in Bishop's Tachbrook.
328. For these reasons the proposed further site allocation at Seven Acre Close (H49) put forward by the Council is required to ensure that the Local Plan is justified, effective and consistent with national policy although the estimated capacity should be 50 dwellings to reflect the planning permission.
329. To ensure that the Local Plan is effective in reflecting the progress with planning permission and development, the proposed site allocation on land south of the School (H23) should be deleted.

Other housing sites put forward in Bishop's Tachbrook

330. For the same reasons that apply to Barford, although Bishop's Tachbrook is a Growth Village not affected by Green Belt this does not mean that it is appropriate or necessary to accommodate additional housing beyond the sites already discussed. Other potential housing sites were put forward in representations and discussed at the hearing sessions however there is no need to allocate further sites in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District.

331. Development of the sites south of Mallory Road and to the south of site H23 would result in large extensions of the built up area into open countryside, significantly altering the form of the village and adversely affecting the character and appearance of the area. This would also be the case with the site on land east of Oakley Wood Road. The road forms a strong and well-defined boundary between the village (including site H23) and the countryside beyond and development here would be physically and visually disconnected from the main body of the village.

Radford Semele

332. The population of Radford Semele was approximately 1,890 in 2011 and there were 803 dwellings. The indicative capacity identified by the Council is for 201 dwellings.

333. The site north of Southam Road (H38) was proposed as a site allocation in the submitted Local Plan with an estimated capacity of 50 dwellings. It received planning permission for 60 dwellings and development of the site was substantially progressed at the time of the hearings.

334. To ensure that the Local Plan is effective in reflecting the progress with planning permission and development, the proposed site allocation on land north of Southam Road (H38) should be deleted.

335. Including this site, other commitments and completions since 2011, the supply of housing land in the village would be 317 dwellings. This would be significantly above the indicative capacity of 201 dwellings and would see an increase in the number of dwellings of some 39% since 2011.

336. The level of housing growth which is already committed will result in a very substantial expansion of the built form of the village and subsequent increase in its population in a relatively short space of time. Significant sites on the edge of the village have recently been granted planning permission for housing to the north of site H38 (150 dwellings) and at Spring Lane (65 dwellings). There is very limited, if any, capacity at the school and no realistic prospect of it being expanded on site or a new school being provided in the village under current circumstances. There is no need to allocate further sites in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District.

337. Again, for the reasons that apply to Barford and Bishop's Tachbrook, although Radford Semele is one of the Growth Villages not affected by the Green Belt and the indicative capacity should not be seen as a strict limit on the number of dwellings, this does not mean that it is necessary or appropriate to accommodate further housing allocations in addition to existing commitments.

338. A site allocation on land at Spring Lane (H52) was put forward by the Council during the suspension of the examination. The Council estimated that the site could deliver 60 dwellings. The site is immediately to the south of a site granted planning permission on appeal for up to 65 dwellings. Development of the site (H52) would result in a further clear and substantial extension of the built up area into open countryside. Whilst there would be a limited effect on the gap to Sydenham and despite the potential for landscaping, development

would have a significant impact on the scale and form of the village and on the character and appearance of the area.

339. It is not necessary to allocate the site on land at Spring Lane (H52) in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District. The adverse impacts of development would outweigh the benefits.

Other housing sites put forward in Radford Semele

340. Again, whilst other potential housing sites were put forward in representations and discussed at the hearing sessions there is no need to allocate any of them in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District.
341. Development on the sites east of Church Lane, south of Southam Road and at The Valley would represent substantial extensions of the built up area into surrounding open countryside. It would significantly alter the scale and form of the village and adversely affect the character and appearance of the area. The site east of Church Lane also raises significant concerns in relation to the impact on the setting of the listed Church.

Growth Villages set within the Green Belt

342. Of the seven Growth Villages concerned, only Cubbington is currently excluded from but surrounded by the Green Belt. Hampton Magna and Kingswood are washed over by the Green Belt but have a village envelope defined. Baginton, Burton Green, Hatton Park and Leek Wootton are washed over by the Green Belt and do not have a village envelope defined.
343. The submitted Local Plan proposed that all of these Growth Villages should be removed from the Green Belt and have defined village envelopes. Given their role within the spatial strategy as focal points for some growth and the scale of overall housing requirements, along with their form and character, this approach is justified and consistent with national policy. The proposed village envelopes (as amended to take account of the main modifications and to address drafting errors) reflect the existing form of the villages and potential for suitable levels of growth. They are appropriate and justified. For these reasons, there are exceptional circumstances which justify altering the boundaries of the Green Belt to exclude the Growth Villages.

Baginton

344. Baginton had a population of approximately 800 in 2011 and there were 356 dwellings. It is close to, but separated from the urban area of Coventry by the A46. Because of this proximity, the Council considers that it has a strong relationship to Coventry and identified the indicative capacity as 124 dwellings.
345. The submitted Local Plan proposed a site allocation on land north of Rosswood Farm (H19) with an estimated capacity of 35 dwellings. During the suspension of the examination, the Council proposed extending the site southwards and increasing the potential capacity to an estimated 80 dwellings. I consider it on this basis. The site is currently within the Green Belt.

346. Development of the site would extend the built form of Baginton into the surrounding countryside resulting in a loss of openness of the land concerned. However, it would be contained visually to the south by buildings at Rosswood Farm and the garden centre and plant nursery further along Stoneleigh Road. It would also be seen in the context of the large public house and areas of hardstanding on the opposite side of Coventry Road and against the wider backdrop of Coventry Airport and its associated buildings. Whilst development on the site would affect the character and appearance of the area, this could be mitigated to some extent by existing and additional landscape planting.
347. The site can be safely accessed and development on the scale proposed accommodated on the highway network. Detailed layout and design proposals would be capable of avoiding harm to the significance of the adjacent Conservation Area and other nearby heritage assets. The site is not directly in the flight path from Coventry Airport and measures could be incorporated to mitigate the effects of noise.
348. There are no significant constraints that would affect the development of the site and I am satisfied that it would be viable and deliverable in the timeframe envisaged by the Council. The proposed site allocation is necessary to ensure that housing requirements are met and it would help to sustain and enhance the role of the village. These benefits would outweigh the adverse impacts of development.
349. There are a number of constraints which affect the potential for housing development in other locations around the village including flood risk, potential contamination, landscape impacts, proximity to the A46 and the impact on the Baginton Castle site scheduled monument and other designated heritage assets.
350. For the above reasons there are exceptional circumstances which justify altering the Green Belt in this case. The proposed extended site allocation at Rosswood Farm (H19) put forward by the Council is required to ensure that the Local Plan is justified, effective and consistent with national policy.

Other housing sites put forward in Baginton

351. Including the extended site at Rosswood Farm, the supply of housing is estimated to total 81 dwellings. This is below the indicative capacity of 124. However, as discussed earlier, this is not a minimum figure to plan for and taking all of the Growth Villages together, they would make a significant and adequate contribution to meeting housing requirements for the District which would be consistent with the spatial strategy. The scale of growth proposed for Baginton would still be significant (a 23% increase in the number of dwellings since 2011) and in the light of constraints that apply to potential sites is reasonable and justified. There is no need to allocate any further sites in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District and exceptional circumstances for further alterations to the Green Belt do not exist.
352. A site at Friends Close was put forward in representations and discussed at the hearing sessions. It is entirely within the Green Belt. Development of this site would represent an extension into surrounding countryside and would be out of keeping with the linear form of the village in this locality. The site is close

to the Baginton Castle site scheduled monument and development potential would be affected by the former use of land as a quarry and landfill site and the presence of protected trees.

Burton Green

353. Burton Green had a population of approximately 640 in 2011 and there were 263 dwellings. It is connected to the urban area of Coventry through ribbon development along Cromwell Lane but has retained its separate identity as a village. It has its own school and village hall. Because of this proximity, the Council considers that it has a strong relationship to Coventry and identified the indicative capacity as 92 dwellings.
354. The submitted Local Plan proposed a site allocation on land at Burrow Hill Nursery (H24) with an estimated capacity of 60 dwellings. During the suspension of the examination, the Council proposed increasing the potential capacity to an estimated 90 dwellings to take into account that the original intention to relocate the village hall onto the site was no longer being pursued. The site boundary would remain the same. I consider the proposed site allocation on this basis. The site is currently within the Green Belt.
355. The site is a disused former plant nursery which contains some buildings and structures and areas of hardstanding along with areas formerly used for plant cultivation. It sits at the junction of Cromwell Lane, Red Lane and Hob Lane to the south of the main body of the village. Beyond the site along Hob Lane are the village school, farm buildings and a number of residential properties fronting the road. A ribbon of residential development also extends beyond the site further along Red Lane. Existing hedgerows and trees provide some screening of the site from the surrounding area.
356. This context, along with the potential for additional landscaping and planting would help to reduce the effect of development on the openness of the Green Belt in this locality and the appearance of encroachment into the countryside. Subject to sensitive design and layout there would not be a significant impact on the character and appearance of the area.
357. Although the proposed route of HS2 runs to the north of the site, dissecting Burton Green via a tunnel, the site itself would not be directly affected by construction and evidence supports the view that dwellings on the site would not be unduly affected by noise.
358. The site can be safely accessed and development on the scale proposed accommodated on the highway network. Other detailed matters could be dealt with through specific proposals.
359. There are no significant constraints that would affect the development of the site and I am satisfied that it would be viable and deliverable in the timeframe envisaged by the Council. The development of 90 dwellings would make an important contribution to meeting housing needs including those for affordable housing. The proposed site allocation is necessary to ensure that housing requirements are met and it would help to sustain and enhance the role of the village. These benefits would outweigh the adverse impacts of development.

360. Combined with completions and commitments the supply of housing land in Burton Green would total 126 dwellings, above the indicative capacity of 92. However, a significant proportion of the completions were for "park homes" on land opposite site H24 on Red Lane. In any event the indicative capacity is not intended to be a strict limit. In this case the opportunity to accommodate additional dwellings on the proposed site allocation without any significant additional impacts has justifiably been taken.
361. For the above reasons there are exceptional circumstances which justify altering the Green Belt in this case. The proposed site allocation (with an estimated capacity of 90 dwellings) at Burrow Hill Nursery (H24) is justified, effective and consistent with national policy.

Other housing sites put forward in Burton Green

362. Other potential housing sites were put forward in representations and discussed at the hearing sessions. They are all in the Green Belt. There is no need to allocate any of them in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District and exceptional circumstances for further alterations to the Green Belt do not exist.
363. Development on land to the rear of the public house/restaurant on Cromwell Lane would represent an uncharacteristic and sizeable encroachment of the built form of Burton Green into the surrounding undeveloped countryside. It would significantly affect the openness of the Green Belt. This part of the village follows a linear pattern along Cromwell Lane. Whilst the large site proposed as a housing allocation in the Coventry Local Plan is to the north, this would be an extension to the main urban area, rather than to a ribbon of development.
364. The land at Hodgetts Lane/Cromwell Lane could be accessed satisfactorily, dwellings would not be unduly affected by noise from HS2 and development would be screened to a large extent by existing houses and vegetation. However, it would again represent an uncharacteristic and sizeable encroachment of the built form of Burton Green into the surrounding undeveloped countryside, significantly affecting the openness of the Green Belt. Existing development follows a linear pattern along Cromwell Lane and Hodgetts Lane.
365. An extended site H24 with additional land to the south would see a further and unnecessary encroachment of development into surrounding countryside. Land on the opposite side of Red Lane would not be realistically deliverable due to the construction requirements and route of HS2.

Cubbington

366. Cubbington had a population of some 2,200 and 980 dwellings in 2011. The indicative capacity identified by the Council was for 294 dwellings. The submitted Local Plan included two proposed housing site allocations, both in the Green Belt. No potential housing sites have been identified within the existing built up area of the village.

367. Development on the site on Allotment Land, Rugby Road (H25) would, as the name suggests, involve the loss of allotments. The intention is that these would be replaced to at least an equivalent size and standard on a site nearby. The Council estimates that the site has capacity for 35 dwellings. Development would involve the loss of the openness of the site and see an extension of the built up area into the surrounding countryside, changing the character and appearance of the site. However, it would be seen in the context of existing residential and commercial development which already extends north along Coventry Road from the junction with Rugby Road. There is scope within the site to significantly strengthen boundary planting to create a well-defined edge to built development.
368. The proposed site allocation on land opposite Willow Sheet Meadow (H26) is immediately to the north of site H25. The Council estimates that it has a capacity for 65 dwellings. The two sites are being promoted by the same developer and could potentially be brought forward as one scheme. Development on site H26 would again involve the loss of the openness of the site and see an extension of the built up area into the surrounding countryside, changing the character and appearance of the site. However, the extent of development northwards along Coventry Road would be broadly in line with existing residential on the opposite side of the road and it would be seen in this context. The Council's estimate of capacity is based on 50% of the site area being developed which would allow for substantial landscaping to create a strong edge to built development.
369. Having reconsidered the matter at the hearing session, the Council estimated that completions on site H26 could occur from 2019/20 onwards (45 and 20 annual completions) and on site H25 from 2020/21 onwards (25 and 10 annual completions). There are no significant constraints to development and I am satisfied that it would be viable and deliverable within this timescale.
370. The development of 100 dwellings on the two sites would make an important contribution to meeting housing needs including those for affordable housing. The proposed site allocations are necessary to ensure that housing requirements are met and would help to sustain and enhance the role of the village. These benefits would outweigh the adverse impacts of development.
371. For the above reasons there are exceptional circumstances which justify altering the Green Belt in this case. The proposed site allocations at the Allotment Land, Rugby Road (H25) and on land opposite Willow Sheet Meadow (H26) are justified, effective and consistent with national policy.
372. Cubbington is a sizeable settlement that has a reasonable range of local services and good accessibility to the urban area of Leamington Spa. The Council's assessment identifies it as the second most sustainable village. However there are a number of factors which affect the potential to accommodate additional housing sites on the edge of the village. Although physically connected to the urban area by development along Rugby Road, Cubbington is a village in its own right with its own identity. There is a need to maintain this identity and a key factor is the areas of open land to the west of the village which provide a gap to the urban area. There are also landscape constraints and the need to respect the form and character of the village and its relationship with surrounding countryside.

373. A site allocation on land east of Cubbington (H50) was also put forward by the Council during the suspension of the examination. The Council estimated that the site could deliver 95 dwellings. Whilst the site was shown as covering land both to the north and south of Rugby Road, the Council clarified at the hearing session that only land to the south of Rugby Road was intended to be developed and that the proposed site allocation should reflect this. This was on the basis of significant concerns regarding the landscape impact of development to the north of the road. The estimated capacity remained at 95 dwellings however. I have considered the site on this basis.
374. There is currently a distinct and well-defined edge to the built up area formed by housing on either side of Rugby Road. Beyond this housing there is open countryside on both sides of the road. Development of the site (south of Rugby Road) would result in a prominent and substantial encroachment of housing into this open countryside along one side of the road. It would have a substantial impact on the openness on the Green Belt in this locality. Housing on the site would be poorly related to the existing pattern of development and would significantly alter the scale and form of the village. Despite the potential for landscaping and the proximity of the route of HS2 to the east, development would have a substantial adverse effect on the character and appearance of the village and the surrounding area. Whilst it would make a significant contribution to the supply of housing, the adverse impacts of development would outweigh the benefits.
375. Including the two sites proposed in the submitted Local Plan (H25 and H26) along with completions and commitments, the supply of housing in Cubbington is estimated to total 119 dwellings. This is significantly below the indicative capacity of 294.
376. As I have set out above however, this is not a minimum figure to plan for and considering all of the Growth Villages together, they would make a significant and adequate contribution to meeting housing requirements for the District which would be consistent with their role in delivering the spatial strategy. In the light of constraints that apply to potential sites, the estimated supply of 119 dwellings in Cubbington is reasonable and justified. It is not necessary to allocate the site on land east of Cubbington (H50) in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District. The adverse impacts of development would outweigh the benefits and exceptional circumstances for altering the Green Belt do not exist in this case.

Other housing sites put forward in Cubbington

377. Two other sites were put forward in representations and discussed at the hearing session; they are both in the Green Belt.
378. The allotments and equestrian centre/riding school site is in part previously developed land. It was clarified at the hearing session that the intention was to retain the allotments on the site. Given this, housing development would be well set back from Coventry Road. Existing trees along the boundaries and within the site would provide some screening. Subject to the removal of vegetation to improve sight lines and other mitigation measures, the site could be suitably accessed.

379. However, whilst the site contains a number of buildings, much of it is open land used for equestrian purposes. The existing housing to the south of the site and the access track to the equestrian centre form a distinct edge to the village. Development of the site for housing would result in the loss of openness of the Green Belt in this locality and an encroachment of the built up area of the village into the surrounding countryside. Housing on the site would project significantly further to the north than existing or proposed development on site H26. It would be poorly related to the existing pattern of residential development and would significantly alter the form of the village. It would adversely affect the character and appearance of the area.
380. Development of housing on land adjacent to Bungalow Farm would encroach into the open land which forms part of the gap between Cubbington and Leamington Spa and an area of sensitive landscape. It would adversely affect the character and appearance of the area and would also raise concerns in relation to a safe access.
381. It is not necessary to allocate either of these additional sites to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District. The adverse impacts of development would outweigh the benefits and exceptional circumstances for altering the Green Belt do not exist.

Hampton Magna

382. Hampton Magna has a good range of local facilities including shops, a doctor's surgery and a school and has good accessibility to the urban area of Warwick. It was assessed as the most sustainable of the Growth Villages by the Council. The village had a population of approximately 1,400 and 602 dwellings in 2011. The indicative capacity identified by the Council was for 180 dwellings.
383. No potential housing sites have been identified within the existing built up area of the village. There are a number of factors which affect the potential to accommodate additional housing sites on the edge of the village. Although close to Warwick, Hampton Magna is a distinct village with its own identity. A key element in this is the physical and visual separation from the urban area due to the areas of open, undeveloped land to the east and north east of the village. There are also landscape constraints and the need to respect the form and character of the village and its relationship with surrounding countryside. The village is contained by Old Budbrooke Road to the west and north. This provides a strong and well-defined edge to the village and marks a clear distinction between the built up area and the surrounding countryside.
384. The submitted Local Plan proposed a site allocation on land currently in the Green Belt south of Arras Boulevard (H27). The Council originally estimated the capacity of the site as 100 dwellings. This estimate increased to 130 dwellings in the light of further information relating to the potential for off-site sustainable drainage works. I have considered the site on this basis.
385. Housing on the site would result in an extension of built development into surrounding countryside, removing the current openness of the land and significantly altering its character and appearance. However, built development would not extend any further south or east than existing residential areas adjoining the site and it would be seen in this context. It

would be well located in relation to services and facilities in the centre of the village.

386. A site allocation on land south of Lloyd Close (H51) was also put forward by the Council during the suspension of the examination. The Council estimated that the site could deliver 115 dwellings. Development of this site would also involve an extension of the built up area into surrounding countryside, removing the current openness of the land and significantly altering its character and appearance. Again however, the development would not extend further south or east than adjoining residential areas and would be seen in this context.
387. Whilst both of the proposed site allocations would extend the village, they would not substantially undermine its overall form and character. Development of the sites would not encroach onto the open land which forms a gap to the urban area of Warwick.
388. Both sites could be suitably accessed and the surrounding highway network has capacity to accommodate the level of development proposed. Given land ownership arrangements, potential exists for construction traffic to use a temporary access across land to the south and avoid existing residential areas. Other detailed matters could be dealt with through specific proposals.
389. Having reconsidered the matter at the hearing session, the Council estimated that completions on site H27 could occur from 2019/20 onwards and on site H51 from 2021/22 onwards. There are no significant constraints to development on the sites and I am satisfied that it would be viable and deliverable within this timescale, taking account of the estimated combined rate of development as construction overlapped.
390. In each case the development of the sites would make a significant contribution to meeting housing needs including those for affordable housing. The proposed site allocations are necessary to ensure that housing requirements are met and would help to sustain and enhance the role of the village. These benefits would outweigh the adverse impacts of development.
391. Whilst the combined supply of housing on the two sites (245 dwellings) would exceed the indicative capacity of 180 dwellings, this is not a strict limit. In this case, the benefits of additional housing supply in a sustainable Growth Village and the contribution to the District's housing requirements outweigh the adverse impacts.
392. For the above reasons there are exceptional circumstances which justify altering the Green Belt. Subject to a modification to reflect up to date estimates of dwelling capacity, the proposed site allocation south of Arras Boulevard (H27) is justified, effective and consistent with national policy. The proposed further site allocation on land south of Lloyd Close (H51) put forward by the Council is required to ensure that the Local Plan is justified, effective and consistent with national policy.

Other housing sites put forward in Hampton Magna

393. Two other sites were put forward in representations and discussed at the hearing session, they are both in the Green Belt.

394. Although some of the land at Maple Lodge is previously developed, it is predominantly open, undeveloped land. Development of the site for housing would represent a substantial encroachment of the built up area of the village into this open countryside on the other side of Old Budbrooke Road. It would adversely affect the character and appearance of the area and would have a significant and harmful effect on the form and character of the village.
395. The site on land at Old Budbrooke Road is to the north-east of the existing built up area of the village. Development of the site for housing would represent a significant encroachment into open countryside, altering the form of the village. Although the railway line and the A46 would remain as clear physical boundaries, development would substantially reduce the gap to the urban area of Warwick and undermine the separate identity of the village.
396. There is no need to allocate either of these sites in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District and exceptional circumstances for further alterations to the Green Belt do not exist.

Hatton Park

397. Hatton Park consists largely of housing built in the 1990s on the site of a former hospital in the Green Belt. It has relatively few services and facilities in the village itself and is ranked as the least sustainable of the Growth Villages by the Council. It had a population of just over 2,000 and 798 dwellings in 2011. The Council identified an indicative capacity of 240 dwellings.
398. No potential housing sites have been identified within the existing built up area of the village. There are a number of factors which affect the potential to accommodate additional housing sites on the edge of the village. There are landscape constraints and there is a need to respect the form of the village and its relationship with surrounding countryside. Whilst there are pockets of development including some groups of houses south of the road, the A4177 Birmingham Road provides a strong and well-defined edge to the built up area and the village is essentially contained to the north of it. The A4177 provides an appropriate boundary between the village and the Green Belt. Brownley Green Lane and Ugly Bridge Road provide readily recognisable and permanent boundaries to the village to the west and east respectively.
399. The site allocation on land north of Birmingham Road (H28) was proposed in the submitted Local Plan and the Council estimated that it had a capacity of 80 dwellings. During the suspension of the examination the Council proposed extending the boundary of the site northwards and increasing the estimated capacity to 120 dwellings. Following discussions at the hearing session the Council accepted that the site boundaries would more logically follow the existing strong physical features of the woodland at Smith's Covert to the north and Ugly Bridge Road to the east and that a further extended site area would allow for suitable buffers and landscaping. I share this view and have considered the site on this basis. The Council estimates that the capacity of this extended site would be 150 dwellings.
400. Development of housing on the site would extend the built up area onto adjoining farmland, it would remove the current openness of the land and significantly affect its character and appearance. However, the site is well

contained by physical features on all sides. It adjoins existing residential development to the west and is bounded to the south by the A4177 and vegetation along the roadside. Smith's Covert is a substantial area of woodland enclosing the site to the north and Ugly Bridge Road and the significant line of trees and other vegetation associated with it runs down the eastern boundary. The site could be suitably accessed and the layout and design of development would be able to accommodate significant additional landscaping and provide adequate buffers to Smith's Covert and Ugly Bridge Road and address other detailed matters.

401. There are no fundamental constraints to development on the site and I consider that it would be viable and deliverable within the timescale and at the rate estimated by the Council which would see completions occurring from 2018/19 onwards. Development of the site would make a significant contribution to meeting housing needs including those for affordable housing. The proposed site allocation is necessary to ensure that housing requirements are met and would help to sustain and enhance the role of the village. These benefits would outweigh the adverse impacts of development.
402. For the above reasons there are exceptional circumstances which justify altering the Green Belt. Subject to a modification to reflect an increased site area and estimated dwelling capacity, the proposed site allocation on land north of Birmingham Road (H28) is justified, effective and consistent with national policy.
403. The Council also put forward a proposed site allocation on land currently in the Green Belt at Brownley Green Lane (H53) during the suspension of the examination. The Council estimated that the site could deliver 55 dwellings. Development of housing on the site would represent an encroachment of the built up area onto adjoining farmland, it would remove the current openness of the land and significantly affect its character and appearance. There are substantial issues with the proposed access to the site given the change in levels, the presence of the car park to the Village Hall and the stance of the landowner.
404. The Council accepted that under current circumstances, the site was not deliverable due to the difficulties of achieving access. It suggested putting back the estimated timescale for completions to 2024/25 onwards. Given the evidence I consider that the site is not deliverable and there is not a reasonable prospect that it could be viably developed, even towards the end of the plan period. There are not exceptional circumstances to justify altering the Green Belt in this case and the site allocation put forward by the Council would not be justified, effective or consistent with national policy.

Other housing sites put forward in Hatton Park

405. Taking account of the extended site H28 and completions since 2011, the estimated supply of housing land in Hatton Park would total 163 dwellings. This is significantly below the indicative capacity of 240.
406. Again this is not a minimum figure to plan for however and taken together the Growth Villages would make a significant and adequate contribution to meeting housing requirements for the District. In the light of constraints that apply to potential sites, the estimated supply of 163 dwellings in Hatton Park

is reasonable and justified. It is not necessary to allocate any other sites in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District.

407. The sites at Hatton Hill and Oaklands Farm are both south of the A4177. Development of housing on these sites would not respect the existing form of the village and be physically and visually disconnected from it. The adverse impacts of development would outweigh the benefits and exceptional circumstances for further alterations to the Green Belt do not exist.

Kingswood

408. Kingswood had a population of some 2,100 and 381 dwellings in 2011. The Council identified an indicative capacity of 95 dwellings.
409. The site west of Mill Lane (H33) was proposed as a site allocation in the submitted Local Plan with an estimated capacity of 5 dwellings. It received planning permission for 8 dwellings and development of the site was substantially complete at the time of the hearings.
410. To ensure that the Local Plan is effective in reflecting the progress with planning permission and development, the proposed site allocation west of Mill Lane (H33) should be deleted.
411. The sites at Meadow House (H29) and Kingswood Farm (H30) were proposed as separate housing allocations in the submitted Local Plan, each with a capacity estimated at 10 dwellings. The Council considered the opportunity to combine the sites, allowing for an improved layout and increased total capacity of 30 dwellings and put forward this proposal during the suspension of the examination. I have considered a single site (H29/H30) on this basis.
412. There are some existing buildings on the site and it is well contained physically and visually by the canals and railway line on three sides along with trees and other vegetation around the boundaries and existing residential development. Development of housing on the site would not result in a significant encroachment into the countryside, nor would it have a significant effect on the openness of the Green Belt. Detailed issues could be addressed through layout and design.
413. The sites south of the Stables (H31) with an estimated capacity of 6 dwellings and to the rear of Brome Hall Lane (H32) with an estimated capacity of 12 dwellings were also proposed in the submitted Local Plan. Development of housing on these small sites would sit well within the context of the existing built form of the village and be well related to existing residential areas. It would not result in a significant encroachment into the countryside, nor would it have a significant effect on the openness of the Green Belt. Again detailed issues could be addressed through layout and design.
414. There are no significant constraints to development on these three sites and I consider that it would be viable and deliverable within the timescales estimated by the Council. Development of the sites would make an important contribution to meeting housing needs including those for affordable housing. The proposed site allocations are necessary to ensure that housing

requirements are met and would help to sustain and enhance the role of the village. These benefits would outweigh the adverse impacts of development.

415. For the above reasons there are exceptional circumstances which justify altering the Green Belt. Subject to a modification to reflect the combined site and increased estimated dwelling capacity for site H29/H30, the proposed site allocations at Meadow House and Kingswood Farm (H29/H30), south of the Stables (H31) and to the rear of Brome Hall Lane (H32) are justified, effective and consistent with national policy.

Other sites put forward in Kingswood

416. Taking account of the above site allocations, commitments and completions since 2011, the estimated supply of housing land in Kingswood would total 83 dwellings. This is just below the indicative capacity of 95 dwellings. However, this is not a minimum figure to plan for and it is not necessary to allocate any other sites put forward in representations in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District.
417. Development of housing on the sites opposite Gowan Bank, south of Old Warwick Road and east of Station Lane would not sit well within the context of the existing built form of the village, impacting on the openness of the Green Belt. It would adversely affect the character and appearance of the area.
418. Housing on the site at Priory Farm/North of Rising Lane would represent a substantial encroachment of built development into surrounding countryside, out of keeping with the current form of the village and the character and appearance of the area.
419. The adverse impacts of development on these sites would outweigh the benefits and exceptional circumstances for further alterations to the Green Belt do not exist.

Leek Wootton

420. Leek Wootton had a population of some 915 and 381 dwellings in 2011. The Council identified an indicative capacity of 114 dwellings.
421. The submitted Local Plan included three proposed housing site allocations at The Paddock (H34), east of Broome Close (H35) and the Former Tennis Courts (H36). During the suspension of the examination the Council proposed that these sites should be included within a larger site covering the former Police Headquarters and associated land. It also proposed that a separate policy be introduced (DSNEW3) to set out specific requirements and guidance for development. The Council estimated that the larger site would have a capacity for 115 dwellings. I have considered the site on this basis.
422. The site (DSNEW3) includes the Grade II Listed Woodcote House, other buildings and structures and areas of hardstanding and car parking. It also incorporates areas of open land and woodland. The site includes a locally listed park and garden and a very small part of the Leek Wootton Conservation Area covers the eastern part of the site. There was limited use of the buildings and the site generally at the time of the hearings as a decision had

been taken to relocate the activities associated with the Police Headquarters and significantly scale down operations.

423. Policy DSNEW3 sets out the need to develop the site in line with an agreed masterplan and provides a comprehensive and robust policy basis in relation to the layout and design of development including to ensure that the impacts on the significance of heritage assets and landscape character are fully taken into account. The intention is that although the site would be considered comprehensively, built development would be limited to distinct parts of it and much would be left undeveloped. The Council suggested an amendment to the wording of the policy to clarify the requirement for a comprehensive approach to the conversion of Woodcote House and restoration of its setting in association with development on greenfield parts of the site.
424. There would inevitably be some loss of openness of the Green Belt and an extension of built development into currently undeveloped areas. The character and appearance of the site would be affected. However, built development would be reasonably well contained by topography and existing landscaping which could be supplemented by additional planting. It is intended that development is focussed on the area of existing buildings to the west of the site and the area closest to the main part of Leek Wootton to the east.
425. The redevelopment of the site provides the opportunity to sustain a viable use for the listed building and improve its overall appearance and setting through the removal of extensions and nearby buildings and structures. In addition to making a significant contribution to meeting housing needs, it would also provide the opportunity to allow public access to significant areas of open space.
426. There would be some impact on the significance of the listed building and park and garden but the harm would be less than substantial. The public benefits outlined above would outweigh this harm.
427. There are no fundamental constraints to development on the site and I consider that it would be viable and deliverable within the timescale estimated by the Council. Development of the site would make a significant contribution to meeting housing needs including those for affordable housing. The proposed site allocation is necessary to ensure that housing requirements are met and would help to sustain and enhance the role of the village. These benefits would outweigh the adverse impacts of development.
428. For the above reasons there are exceptional circumstances which justify altering the Green Belt. The proposed extended site allocation at the former Police Headquarters (DSNEW3) and Policy DSNEW3 put forward by the Council are required to ensure that the Local Plan is justified, effective and consistent with national policy.
429. The submitted Local Plan also proposed an allocation on land occupied by a car park east of The Hayes (H37). This small site has an estimated capacity of 5 dwellings. Development would be reasonably well contained visually by existing buildings, trees and the road to the Golf Course. It would have a limited impact on the openness of the Green Belt and not result in a significant extension of built development into the countryside. I am satisfied that it

would be viable and deliverable on the timescale estimated by the Council. It would make a small but important contribution to housing needs and add to the variety and choice of sites available. The proposed site allocation is necessary to ensure that housing requirements are met and would help to sustain and enhance the role of the village. These benefits would outweigh the adverse impacts of development.

430. For the above reasons there are exceptional circumstances which justify altering the Green Belt. The proposed site allocation at the car park east of The Hayes (H37) is justified, effective and consistent with national policy.

Other sites put forward in Leek Wootton

431. The supply of housing from these two site allocations would be an estimated 120 dwellings, just over the indicative capacity of 114 dwellings identified by the Council. It is not necessary to allocate any other sites put forward in representations in order to ensure sufficient housing growth in the village or to meet the overall housing requirements for the District.
432. Housing on the sites at the Golf Club and Home Farm would be significant and prominent incursions into the open countryside and be poorly related to the existing form and character of the village. It would significantly undermine the openness of the Green Belt and the character and appearance of the area.
433. Development of housing on the site east of Leek Wootton at Hill Wootton Road would extend the built up area of the village into surrounding countryside, taking it very close to the A46. It would significantly affect the openness of the Green Belt. The open land and trees along the road frontage form an important part of the approach to and setting of the village and contribute to its overall character.
434. The adverse impacts of development on these sites would outweigh the benefits and exceptional circumstances for further alterations to the Green Belt do not exist.

Other rural sites

435. The submitted Local Plan also proposed a housing site allocation at the former Aylesbury House (H18) with an estimated capacity of 20 dwellings. It is a previously developed site and it is not intended to remove the land from the Green Belt. Although not in a settlement the site is close to Hockley Heath in Solihull Borough. The site allocation is intended to promote redevelopment on the site in accordance with national policy on the Green Belt and to facilitate the viable re-use of a listed building. The proposed allocation would make a small but important contribution to housing supply and for the above reasons is justified, effective and consistent with national policy.
436. A number of other sites adjacent to limited infill villages and in other locations beyond the urban areas and the Growth Villages were put forward in representations. There is no need to allocate housing sites in addition to those discussed above in order to meet the housing requirements for the District. Furthermore, the allocation of sites in these other locations would be inconsistent with the spatial strategy.

Main modifications relating to housing site allocations

437. I have set out above my conclusions in respect of the housing site allocations proposed in the submitted Local Plan and the additional sites put forward by the Council during the suspension of the examination. In the light of these conclusions main modifications **MM8** and **MM12** are necessary to ensure that Policies DS11 and DS15 are justified, effective and consistent with national policy. Also in light of the above conclusions main modifications **MM18**, which would introduce a new Policy DSNEW2 dealing with safeguarded land and **MM19**, which would introduce a new Policy DSNEW3 relating to the former Police Headquarters at Leek Wootton are necessary to ensure that the Local Plan is justified, effective and consistent with national policy. Main modification **MM7** is required so that Policy DS10 is effective in reflecting the modified spatial strategy and the distribution of housing site allocations.

Issue 4 – Whether the approach towards the supply and delivery of housing land is justified, effective and consistent with national policy

438. The housing requirement for the District (including the contribution to unmet needs in Coventry) is 16,776 dwellings between 2011 and 2029. The submitted Local Plan set out a potential total supply of 12,964 dwellings for this period. It follows therefore that the approach towards the supply and delivery of housing land set out in the submitted Local Plan is not justified, effective or consistent with national policy.
439. The Council accepted that the supply of housing land would need to increase substantially and as set out above it put forward significant additional housing site allocations to address this situation.
440. Taking into account the main modifications relating to housing site allocations and adjustments as a result of discussions at the hearing sessions, the Council estimates that the net supply of housing land between 2011 and 2029 would be 17,139 dwellings. This is made up of a number of components.
441. Completions between 2011/12 and 2015/16 total 2,051 dwellings. This includes what I consider to be reasonable and justified assumptions for dwellings released back into the supply as a result of additional bed spaces in new care homes and purpose built student accommodation (see Appendix 2 to HO05).
442. The estimated completions from commitments (sites with planning permission) from 2016/17 onwards would total 7,158 dwellings. This includes 225 dwellings granted planning permission in April and May 2016. It also includes a number of proposed site allocations where planning permission has been granted as set out above. Again reasonable and justified assumptions are made in relation to the net effect on supply from care homes and purpose built student accommodation.
443. The proposed site allocations (as a result of the main modifications) are estimated to contribute 6,454 dwellings in the remainder of the plan period. This figure excludes those sites with planning permission to avoid double counting. The estimated dwelling capacity on each site has taken account of particular circumstances and specific information where appropriate. However as a general approach the Council has assumed a density of 35 dwellings per

hectare for greenfield sites and 50 per hectare for urban brownfield sites. The net developable area for edge of village sites and most brownfield sites is generally assumed as 66% of the gross site area and for strategic greenfield sites this falls to 50% to reflect the additional infrastructure and strategic landscaping which is likely to be needed. I have considered each proposed site allocation in more detail above. Whilst I consider that the Council has taken a cautious approach to estimating capacity on the sites, it is realistic and justified.

444. It is important to bear in mind however that the estimates are not upper limits on the number of dwellings that could come forward, notwithstanding the particular issue of current highway capacity in the Westwood Heath area. It may be that suitable schemes for higher density development or a higher net developable area come forward. The Council acknowledges that the number of dwellings on particular sites could potentially exceed the estimated capacity. There are examples referred to above where the promoters of the site have identified potential schemes for a higher number of dwellings.
445. For commitments and site allocations it is generally assumed that completions would start to take place within about two years of outline planning permission being granted and about one year for full permission/reserved matters. On larger sites it is estimated that in the order of 45/50 dwellings per outlet would be delivered per year and that in some cases a number of outlets would operate from the same overall site. For a number of sites however the lead in times and annual rate of completions estimated also take account of particular circumstances and information available. For example the lead in time for completions on the proposed site allocation at Kings Hill on the edge of Coventry reflects the scale and complexity of the site and the need for significant infrastructure. The Council has taken into account potential competition and overlap between sites in close proximity and adjusted its estimates accordingly.
446. The Council is devoting resources to assisting site delivery and working proactively with site promoters, developers and other organisations to resolve issues such as the provision of infrastructure and to address matters prior to applications being submitted. There is a strong housing market in the District and evidence of significant progress on sites already under construction. The mix of affordable and market housing on committed and proposed sites will assist in boosting overall completion rates.
447. The Council provided yearly estimates of completions for all individual commitments on sites of ten or more dwellings and all proposed site allocations. For commitments on sites for less than ten dwellings it combined the figures and assumed completions would occur equally in each of the three years from 2016/17 onwards. This is a justified and proportionate approach.
448. Taking account of the above factors I consider that the estimated lead in times and annual completion rates for commitments and proposed site allocations are realistic and where necessary take account of specific circumstances.
449. Evidence shows that very few planning permissions for housing in the District lapse (just over 4% since 2011). Even then, applications will in some cases be resubmitted. There is evidence of good viability for development.

Excluding those commitments on sites which are also site allocations or where some completions have already taken place, the Council estimated in its hearing statement that a 5% discount would only result in a reduction of some 31 dwellings from the potential supply. In light of the above, there is insufficient basis to apply a standard percentage discount to commitments.

450. I consider therefore that the estimates of supply from commitments and proposed site allocations are realistic and justified.
451. The Council has identified four areas of traditional employment uses within the urban areas which have high vacancy rates or are in need of significant investment. In some cases they have already been partly redeveloped for housing. Whilst not specifically proposed as site allocations in this Local Plan, the Council considers them suitable in principle for some housing development and intends to allocate sites in the Canalside Development Plan Document programmed for submission in 2019. It estimates that the combined capacity would total 200 dwellings with completions occurring predominantly towards the end of the plan period. The loss of the employment land has been factored in to the assessment of future needs and these sites provide an opportunity to utilise previously developed land in the urban areas and make an important contribution to the supply and choice of housing sites available. For these reasons the estimated supply from such sites is realistic and justified.
452. The Council has identified a number of sites within the urban area, largely through the SHLAA process, which have estimated capacity for between 5 and 50 dwellings. Such sites are too small to allocate in the Local Plan but too large to include in the allowance for windfall sites under the Council's revised definition. In some cases the sites now have planning permission but they have not been double counted as commitments. The total estimated capacity of these sites is 295 dwellings although the Council considers it appropriate to apply a 10% discount to reflect the fact that not all of the sites may come forward as expected. The Council's approach is reasonable and justified and the estimated supply from such sites (266 dwellings) and the timescales for delivery are realistic.
453. One of my key concerns following the initial hearings in 2015 was the significant allowance that had been made for windfall sites. I considered that the allowance included substantial overlap with urban sites identified in the SHLAA and with sites with planning permission in terms of timing. During the suspension of the examination the Council reconsidered its approach to estimating a windfall allowance, taking on board my concerns.
454. The Council's revised approach (set out in HO29PM) considers past trends and makes reasonable adjustments to take account of policy changes and potential uncertainty. It avoids an overlap and therefore double counting with urban sites identified in the SHLAA and sites with planning permission. Following the minor correction of some calculations (EXAM 136), it is estimated that 101 dwellings would be delivered each year from 2019/20 onwards. A total of 1,010 dwellings from windfall sites in the plan period. This is a realistic allowance which is justified by evidence.

455. The updated housing trajectory would see total annual completions rising significantly above past rates, peaking at over 1,800 per year between 2019 and 2021. This would require a step change in housing delivery. However, it must be borne in mind that there is a strong housing market and evidence of significant future growth in population and households. A key element in the supply of housing land will be sites currently in the Green Belt in locations where up until now very limited opportunities for new housing have existed. Evidence shows that completions in 2016/17 will be significantly greater than in previous years, an estimated 1,159 dwellings. Taking this into account I consider that whilst such high annual rates of delivery are optimistic, they are also realistic.
456. Given the above and taking account of the main modifications, the Council's estimate that the overall supply of housing land in the plan period would be 17,139 dwellings is realistic and justified. This would be sufficient to meet the housing requirement of 16,776 dwellings.
457. I have explained in relation to Issue 3 that the five year housing requirement as of 2017/18 is 6,174 dwellings. Based on the Council's estimates and taking account of the main modifications the supply for this five year period would be 8,006 dwellings.
458. Again I consider that the Council has used reasonable and justifiable assumptions in terms of whether sites are deliverable within the five year period. A significant proportion of the five year supply would be made up of commitments (4,531 dwellings). I consider that subject to the main modifications relating to site allocations the Local Plan would provide for a five year supply of housing land while addressing the shortfall to date within the first five years and providing a 5% buffer. I am satisfied that a five year supply of housing land can be maintained.
459. I appreciate that based on these figures the degree of flexibility in the supply for the plan period compared to requirements would be limited (363 dwellings or just over 2%).
460. I also acknowledge that the main modifications I recommend include the deletion of the proposed housing site at Red House Farm (H04) which would have contributed an estimated 250 dwellings and that I have not recommended the inclusion of five additional sites put forward by the Council during the suspension of the examination which would have boosted the supply by an estimated 490 dwellings. I have explained the reasons for my conclusions that these sites should not be included in the Local Plan as allocations. In reaching those conclusions I have taken into account the effect on overall housing land supply and the level of flexibility that would be provided.
461. The context for the potential to identify additional housing land is that the majority of the District is within the Green Belt and there are a number of other key constraints.
462. As I have said, the Council has taken what I consider to be a cautious approach in terms of the estimated capacity of proposed site allocations. Whilst this is reasonable and justified, it may be that in some cases suitable detailed proposals come forward for a greater number of dwellings.

463. The proposed site allocation at Kings Hill (H43) has a total capacity estimated at 4,000 dwellings and the Local Plan would not restrict the number of dwellings in the plan period to the 1,800 included in the calculation of supply. The site allocation would provide flexibility for additional dwellings to come forward and contribute to overall supply therefore.
464. There is also potential for some as yet unidentified sites for 5 or more dwellings in the urban areas to come forward for development. These would be in addition to the specifically identified urban SHLAA sites and the windfall allowance.
465. The policies of the Local Plan (as modified) would set out a positive framework to assess additional housing proposals both in urban areas and Growth Villages and for affordable housing on rural exception sites.
466. There would be a considerable amount of flexibility in the initial five year period following adoption. The estimated supply of 8,006 dwellings as of 2017/18 substantially exceeds the five year housing requirement of 6,174 dwellings.
467. Policies DS20 (as modified) and new policy DSNEW1 would make a clear commitment to take account of housing delivery and consider reviewing the Local Plan by March 2021 and in any event review the situation in relation to the direction for growth south of Coventry within five years of adoption. On this basis, there would be clear mechanisms in place to address any shortfall in delivery well before the end of the plan period.
468. Taking all of these factors into account the Local Plan as modified would provide sufficient flexibility in terms of the supply of housing land.
469. Main modification **MM4** would ensure that Policy DS7 sets out the components of housing supply that would be sufficient to meet housing requirements and that the Local Plan includes a housing trajectory which reflects this. Along with other main modifications relating to site allocations it is necessary to ensure that the approach towards the supply and delivery of housing land is justified, effective and consistent with national policy.

Issue 5 – Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the economy and employment land

470. I deal specifically with issues relating to wider employment land requirements and the proposed site allocation for a sub-regional employment site under Issue 6.
471. Policy DS8 of the submitted Local Plan sets out a commitment to provide for a minimum of 66ha of employment land to meet local needs during the plan period, based on the Employment Land Review Update of 2013. This figure includes 36ha of additional employment land, 13.5ha to replace existing employment areas likely to be redeveloped for housing and 16.5ha to provide flexibility and choice in the potential supply. It is estimated that 36ha of additional land would provide for some 7,500 jobs in Class B uses (between 2011 and 2030). Given employment in other sectors, this broadly corresponds with estimates of jobs growth based on Warwick's own OAN for housing.

472. I consider that the figure of 66ha is based on robust evidence and is necessary to ensure sufficient employment land to meet local needs taking account of the likely loss of some existing sites to housing and the need to provide for flexibility and choice. It compares well with recent take up rates. Subject to main modification **MM5**, which would clarify that it is not necessarily the Council itself who would be making provision for employment land, Policy DS8 is positively prepared, justified, effective and consistent with national policy.
473. In the order of 47ha of employment land has been developed since 2011 or is already committed. Policy DS9 of the submitted Local Plan proposes employment land site allocations totalling 19.7ha at Thickthorn, Kenilworth (8ha) and Stratford Road, Warwick (11.7ha). In addition it is estimated that the sub-regional employment site under Policy DS16 would contribute some 6.5ha to local needs. The potential supply of employment land for local needs would total approximately 73ha. Existing commitments include land at the Former Honiley Airfield which is being developed for specialist automotive industry use. With this in mind and given that the figure of 66ha is a minimum, the scale of additional site allocations proposed is justified and necessary to ensure an adequate supply of land with sufficient flexibility and choice.
474. The proposed employment land site allocation at Thickthorn, Kenilworth (E2) is currently in the Green Belt. It is adjacent to the proposed housing site allocation (H06) and sits next to the Thickthorn roundabout at the junction of the A46 and A452.
475. As one of the urban areas, Kenilworth is a key location for future employment growth. As discussed above the town is tightly surrounded by Green Belt. The Common Lane Industrial Estate has been identified as suitable for redevelopment for housing. No alternative employment sites within the built up area have been identified.
476. Development of the site would result in a prominent and substantial extension of the built up area into adjoining countryside which is in agricultural use. It would result in the loss of openness and affect the character and appearance of the area.
477. However, as with the proposed housing site allocation, it is contained to the south-east by the A46. This is a strong physical and visual feature which would enable a well-defined and defensible edge to the extended built up area to be provided.
478. The site can be suitably accessed and the Council along with the County Council are taking a comprehensive approach to transport mitigation and improvements in the wider area as a result of development proposals. Detailed issues relating to layout and design could be addressed through specific proposals.
479. I have concluded above that the proposed housing site allocation at Thickthorn (H06) is justified. The proposed employment land site allocation would be seen in this context and offers the potential for a comprehensive and co-ordinated approach to the development of this area. The employment site has good accessibility to the town centre and is well located in relation to the wider transport network. I am satisfied that it would be viable and deliverable.

480. The proposed employment land site allocation is necessary to ensure that sufficient employment land of a suitable quality is available in the District and that Kenilworth fulfils its role as a focus for growth within the spatial strategy. These are significant benefits which outweigh the adverse impacts that would occur.
481. For the above reasons there are exceptional circumstances which justify altering the boundaries of the Green Belt in this case.
482. Warwick, as one of the urban areas, is also a focal point for future employment growth. There are very limited opportunities for additional employment land and as with housing, the potential for development on the edge of the urban area is affected by the Green Belt and other significant constraints.
483. The proposed site allocation at Stratford Road (E4) lies to the south of the built up area of Warwick near Junction 15 of the M40. It is not in the Green Belt. A significant element of the site is previously developed and it contains a number of buildings. The large committed employment site at Tournament Fields is on the opposite side of Stratford Road and there is a concentration of development including hotels between the proposed site and the motorway junction. Within this context and subject to detailed proposals, the development of the site for employment uses would not have a significant effect on the character and appearance of the area.
484. The proposed site is very well located in relation to the wider transport network and I am satisfied that detailed issues including access arrangements, flood risk and proximity to the sewage treatment works could be addressed through specific proposals and that development would be viable and deliverable.
485. The proposed employment land site allocation is necessary to ensure that sufficient employment land of a suitable quality is available in the District and that Warwick fulfils its role as a focus for growth within the spatial strategy.
486. For the above reasons Policy DS9 and the proposed employment land site allocations at Thickthorn, Kenilworth (E2) and Stratford Road, Warwick (E4) are justified, effective and consistent with national policy. Main modification **MM6** is required to ensure that the explanatory text is effective in reflecting the policy.
487. Combined with completions to date and existing commitments, these two site allocations would ensure a sufficient supply of available employment land to meet local needs within the District including a reasonable amount of flexibility. There is no need to allocate additional sites or to identify reserve sites.
488. Policy EC1 sets out a range of criteria to consider proposals for new employment development. Given the evidence in relation to the limited availability of deliverable sites in the town centres, the policy is justified in also allowing for office development in established, committed and proposed employment areas.

489. In applying a sequential approach to other forms of employment development outside of such areas or the town centres, the policy is not justified and lacks sufficient flexibility however. Main modification **MM21** would address this concern and would also provide necessary clarity to the detailed wording of the policy. Subject to this main modification Policy EC1 is justified, effective and consistent with national policy.
490. Policy EC2 sets out an approach to the diversification of rural businesses which is justified, effective and consistent with national policy.
491. Policy EC3 provides a strong and justified level of protection for existing and committed employment sites whilst giving sufficient flexibility to allow for redevelopment to other uses in particular circumstances. Given that the exceptional circumstances for altering the Green Belt at the sub-regional employment site and Thickthorn relate to employment land needs, it would be inappropriate to allow for the loss of such land for other uses. Main modification **MM22** is necessary to clarify the approach in this respect. Subject to this main modification Policy EC3 is justified, effective and consistent with national policy.

Issue 6 – Whether the sub-regional employment site proposed in Policy DS16 is justified, effective and consistent with national policy

492. Policy DS16 of the submitted Local Plan proposes to allocate land in the vicinity of Coventry Airport as a major employment site for B1, B2 and B8 uses. The land is currently in the Green Belt. In total the proposed site allocation covers 235ha although it is intended that 111ha of this would remain as undeveloped land in the Green Belt to provide open space and strategic landscaping. It is proposed to remove 124ha from the Green Belt therefore. The land identified for built development would be split into two distinct areas, one to the north of the Airport land and one to the south.
493. The land in question was the subject of planning applications submitted in 2012 for employment development, associated uses, infrastructure and landscaping. The proposals included highway works in Coventry City Council's administrative area. The applications were called in for determination by the Secretary of State in July 2013 and an Inspector held an inquiry in April and May 2014. In February 2015, the Secretary of State agreed with the Inspector's recommendation that planning permission should be refused.
494. The Secretary of State considered that the proposals would give rise to substantial Green Belt harm and that whilst a strong case had been made for development, evidence did not establish that the need for the proposal was such that a decision on the future of the Green Belt should be taken ahead of the Local Plan process. He went on to conclude that the harm to the Green Belt was not clearly outweighed and that very special circumstances to justify allowing inappropriate development did not exist.
495. A planning application was submitted in February 2016 by Jaguar Land Rover and Coventry City Council for employment (offices, research and development and light industrial) and associated uses, infrastructure and landscaping on the site referred to as "Whitley South". This largely corresponds with the northern area of the proposed site allocation but also includes land for highway works within Coventry. Both Councils resolved to approve the application in April

2016 subject to a S106 agreement and the Secretary of State confirmed that the application was not being called in. I understand that the S106 agreement has now been signed and planning permission has been granted.

496. Development of the type and scale envisaged on the proposed site allocation would result in a significant reduction in the openness of the Green Belt in this locality. It would represent a substantial extension of the built up area and an encroachment into the countryside. It would reduce the gap between the edge of Coventry and Baginton and between existing built development at Middlemarch Business Park and Bubbenhall although it would not result in the merging of settlements.
497. The land is not covered by any national or local landscape designations and forms part of the urban fringe. The immediate area contains a range of large buildings and infrastructure uses and the site itself includes a former sewage treatment works and areas of landfill. Notwithstanding this, and the potential for significant screening and landscaping, the development of the site would affect the character and appearance of the area through the introduction of large scale employment related development and associated infrastructure. There would be a loss of some best and most versatile agricultural land.
498. There would be some impact on the setting of the scheduled monument at Lunt Fort but given the separation and potential for screening and landscaping, the harm to the significance of this heritage asset would be very limited and less than substantial.
499. Due to the distances involved, the visual inter-relationships and potential screening and landscaping, there would be no harm to the significance of the Conservation Areas at Baginton, Bubbenhall and Stoneleigh or Stoneleigh Abbey or other designated or non-designated heritage assets.
500. The site is well located in relation to the strategic transport network and evidence shows that it can be suitably and safely accessed with mitigation and enhancement measures although there would be a significant increase in traffic and some harm would occur as a result of the change in character of Bubbenhall Road.
501. Detailed proposals would be able to satisfactorily address issues in terms of flood risk and contamination and with suitable mitigation there would not be significant impacts on biodiversity, air quality, noise or public safety.
502. The Council put forward the proposed allocation on the basis of a need for a sub-regional employment site. It acknowledges that the land would make some contribution to local employment land requirements in the District (6.5ha) but predominantly the Council's case rests on sub-regional employment land needs and the specific requirement for a large strategic site in such a location.
503. The circumstances and evidence in relation to employment land requirements and the land in question have changed significantly since the Secretary of State's decision in early 2015. As referred to above, the northern part of the proposed allocation is now subject to a planning permission.

504. The CBRE study of 2015 concludes that between 500Ha and 660Ha of employment land is required in Coventry and Warwickshire and that sites should be identified for the upper end of this range to provide flexibility and choice. The upper end of this range is based on strong recent take up rates.
505. The Employment Land Study for Coventry City Council published in December 2015 identifies a need for 215ha of employment land between 2011 and 2031 in Coventry. In addition, the City Council has identified some 64ha of existing employment land as potentially suitable for housing development. A further 90ha of employment land has been redeveloped or has planning permission for other uses due to factors which constrain its continued use for employment purposes. The existing stock of employment land is likely to be depleted by some 154ha therefore. On this basis, the total requirement for Coventry is in the order of 369ha. The City Council's assessment of potential supply within its area concludes that there would be a shortfall of some 241ha.
506. The Coventry and Warwickshire authorities have accepted this position and agreed a distribution of employment land which includes accommodating all of the unmet need from Coventry. This is set out in the Employment Land MoU of July 2016 which has now been endorsed by all of the authorities. The employment land requirements within the MoU are based on specific assessments undertaken for each authority. For Warwick this is the 66ha referred to above. In total the requirement for the authorities is identified as 714ha.
507. The MoU considered commuting flows between Coventry and the other authorities and the agreed distribution of housing set out in the Housing MoU. It then took account of evidence relating to market signals, unemployment patterns and urban regeneration issues. This stage in the process indicated a figure of 105ha for Warwick.
508. Adjustments were then made to take account of land take up since 2011, existing commitments and potential allocations. An important factor in this is that there are two significant sites in Rugby Borough but close to Coventry which are already being developed and have committed capacity for further growth. This also affects the redistribution to Nuneaton and Bedworth given the location of the sites in question.
509. Taking all of these factors into account the MoU sets out a redistribution of employment land from Coventry to Nuneaton and Bedworth (26ha), Rugby (98ha) and Warwick (117ha). The total figure for employment land provision in Warwick is therefore 183ha (66ha plus 117ha).
510. The MoU takes a reasonable and pragmatic approach to the redistribution of unmet employment land needs from Coventry. It takes the existing functional relationships between authorities as a starting point but rightly factors in the agreed future distribution of housing, economic evidence and market signals. The redistribution then takes account of existing commitments and the realistic potential to deliver additional growth. Its conclusion that 183ha of employment land should be provided for in Warwick to meet its own needs and to ensure that the needs of the sub-region are met is justified. The proposed site allocation is necessary to ensure that adequate provision for employment land is made in Warwick.

511. The proposed site allocation is strongly supported by the CWLEP. It has identified the site, known as the Coventry and Warwickshire Gateway, as the priority employment site for delivery in its SEP. Evidence from the CBRE Study and the West Midlands Strategic Employment Sites Study provides support for the allocation in terms of the need and demand for a site of this scale to accommodate the intended uses and locational factors. It has been put forward in the light of the consideration of potential alternative strategic employment sites.
512. The site is well located in relation to the strategic transport network and established employment locations, particularly Jaguar Land Rover at Whitley. The planning application at Whitley South demonstrates the potential for the proposed allocation to support substantial investment and expansion of existing businesses which play a key role in the local and national economy.
513. The potential for job creation on the site is very significant. The Inspector who considered the called in applications concluded that it was likely that several thousand jobs, possibly up to 7,800, could be created.
514. The level of housing in the District (932 dwellings per year) and the associated population increase is estimated to support a growth in the workforce of some 22,500 between 2011 and 2031. Taken together with employment land for local needs and given employment in other sectors, the proposed site allocation would enable a reasonable balance between workforce and jobs growth. It will help to ensure a good level of synergy between housing and employment land provision.
515. The site is close to the urban area of Coventry and would make a significant contribution to addressing the need for additional employment. The development of the site would bring substantial investment to the local economy both through construction and in the longer term. It would also have some benefits in terms of the remediation of land and the provision of publically accessible open space. I am satisfied that the development of the site would be viable and deliverable.
516. Given the locational criteria and constraints to development elsewhere in the District, no realistic and deliverable alternatives have been identified to accommodate development on this scale within built up areas, on land outside of the Green Belt or elsewhere within the Green Belt.
517. Taking all of the above into account there is a very strong case in favour of the proposed site allocation and I consider that the substantial benefits set out above would outweigh the adverse impacts. Exceptional circumstances exist to justify altering the Green Belt and allocating the site for employment development in the Local Plan.
518. To ensure that Policy DS16 is fully effective in clearly stating that the site is allocated in the Local Plan main modification **MM13** is necessary. Subject to this the sub-regional employment site proposed in Policy DS16 is justified, effective and consistent with national policy.

Issue 7 – Whether the proposed site allocations for education, a country park, a community stadium and associated uses and outdoor sport are justified, effective and consistent with national policy

Land for education

519. Policy DS12 of the submitted Local Plan proposes site allocations for educational use at Myton (ED1) and Southcrest Farm, Kenilworth (ED2).
520. As explained above in relation to the proposed housing site west of Europa Way it was initially envisaged that the existing school at Myton would be extended to provide additional capacity for the area. However, this is no longer considered appropriate given the significantly increased scale of housing commitments to the south of Warwick and a new school is now required in addition to retaining and expanding the existing facility.
521. The provision of additional education capacity in this locality is necessary and appropriate given the significant additional housing proposed. The site is well related to the new housing that will come forward and sits within what will be the expanded urban area.
522. I discussed the proposed allocation at Southcrest Farm in relation to housing sites in Kenilworth. Current secondary and sixth form provision in Kenilworth is insufficient to accommodate the growth in housing planned. The existing school sites are not realistically capable of expansion or redevelopment on the scale required and the buildings are in any case in need of significant investment and the split site arrangement causes operational difficulties. Evidence supports the approach of relocating to a single site and building a new school and sixth form facility.
523. No suitable alternative sites have been identified in the built up area and the Green Belt surrounds Kenilworth in all directions. Taking into account locational requirements and constraints that exist elsewhere, the proposed site at Southcrest Farm is an appropriate location for the new school. The development of the school would result in the current openness of this part of the Green Belt being lost and would represent an extension of the built up area into surrounding countryside. It would also affect the character and appearance of the area. However, the significant benefits in terms of improved and increased educational facilities and the need to make suitable provision to match housing growth outweigh these adverse effects. There are exceptional circumstances which justify altering the Green Belt in this case.
524. As I have set out in relation to the proposed housing site east of Kenilworth (H40) it is appropriate and justified that the proposed allocations overlap.
525. Main modification **MM9** is necessary to ensure that Policy DS12 is effective in providing flexibility towards the inclusion of primary school provision on the sites concerned, the potential for some housing on land at Southcrest Farm and to clarify the need for the site at Myton to include a new school. Subject to this Policy DS12 and the proposed site allocations for education are justified, effective and consistent with national policy.

Land for a country park

526. Policy DS13 of the submitted Local Plan proposes the allocation of land for a country park to the south of the proposed housing site allocation at Harbury Lane (H02). The Green Infrastructure Study identifies the need for a significant area of accessible natural green space in this broad locality. There will be a substantial amount of additional housing to the south of the urban area and a country park will help to ensure that adequate and accessible green space is provided. The country park will also run along the southern edge of the housing site and reinforce a clear edge to the urban area and help to maintain a clear separation between the urban area and Bishop's Tachbrook. Planning obligations relating to the housing site will make significant contributions to the provision of land and funding for the country park.
527. The Council confirmed its intention to modify the Policies Map to ensure that the boundaries of the country park correlate with the areas included within planning permissions and that the boundary of the urban area runs to the north of the country park.
528. To ensure that Policy DS13 is fully effective in clearly stating that the site is allocated in the Local Plan main modification **MM10** is necessary. Subject to this Policy DS13 and the proposed site allocation for a country park is justified, effective and consistent with national policy.

Land for a community stadium and associated uses

529. Policy DS14 (as set out in the Focussed Changes) proposes the allocation of land for a community stadium and associated uses within the larger site allocation on land west of Europa Way (H01). The community stadium is included within the outline planning permission for the larger site. It is intended that the site will provide for the relocation of Leamington FC from its current facility on Harbury Lane. The site provides an appropriate location for such a facility which is well related to areas of proposed new housing and the site for the new school at Myton.
530. Main modification **MM11** is necessary to ensure that the Local Plan is effective in clarifying the intended uses on the site and the relationship with the wider housing site allocation. Subject to this Policy DS14 and the proposed site allocation for a community stadium and associated uses is justified, effective and consistent with national policy.

Land for outdoor sport

531. During the suspension of the examination the Council proposed an additional policy (DSNEW4) and site allocations for outdoor sport uses in Kenilworth at Castle Farm (SP1) and Warwick Road (SP2). It is proposed to retain both sites in the Green Belt and for development to be consistent with paragraph 89 of the NPPF.
532. The Council's playing pitch assessment identifies quantitative and qualitative deficiencies in the provision of facilities for football, cricket and rugby in Kenilworth. The additional housing development proposed will exacerbate this situation. Existing sports facilities at Thickthorn would be affected by the proposed housing site allocation (H06). The proposed site allocations for

outdoor sports uses would address existing and future issues in provision and provide the opportunity to replace the existing sports pitches and facilities at Thickthorn with those of at least equivalent quantity and quality in a suitable location.

533. Policy DSNEW4 and the proposed site allocations for outdoor sport uses are required to ensure that the Local Plan is justified, effective and consistent with national policy. Main modification **MM20** is necessary therefore.

Issue 8 – Whether the approach towards retail and town centres is justified, effective and consistent with national policy

534. The Council's Retail and Leisure Study update of 2014 identifies only minimal capacity (170sqm) for additional convenience retail floorspace in the District by 2029. For comparison goods a capacity for 16,674sqm is identified in Leamington Spa (including an element for current "overtrading") with no capacity identified in Warwick and Kenilworth. Updated analysis provided for the Council in October 2016 (Appendix to Council's hearing statement) indicates that the comparison goods capacity estimate for Leamington Spa may need to be reduced. This is due to planning permissions that have been granted since 2014 and concerns that the estimate of overtrading may no longer be justified.
535. The Council recognises the difficulties in estimating retail capacity over the longer term and is committed to reviewing the situation. However, evidence currently available does not point to significant needs for additional retail floorspace.
536. The Retail and Leisure Study identifies some modest needs for additional health and fitness, food and drink and cinema uses, again focussed on Leamington Spa.
537. The retail and town centre policies in the submitted Local Plan provide a comprehensive approach to this issue. However, there is a lack of clarity given the Council's broader definition of town centres which in the case of Leamington Spa and Warwick include areas of residential and other uses around the retail areas. Although it is appropriate to identify particular areas on the edge of the retail areas of Leamington Spa and Warwick as providing potential for development following a sequential assessment, it is not justified or consistent with national policy to apply a sequential preference to these areas over other edge of retail area sites in Policy TC2.
538. Whilst the approach to protecting retail frontages in Policies TC6 and TC7 is justified, the policies lack sufficient flexibility to take account of long term vacancies and evidence of marketing.
539. The approach to the Warwick Café Quarter and the Leamington Spa Restaurant and Café Quarter set out in Policies TC8 and TC9 is appropriate and justified although there is a lack of sufficient clarity in terms of the relationship with Policy TC7.
540. Whilst Policy TC11 sets out an appropriate and justified approach to the mixed use area of Warwick Town Centre, it is insufficiently clear that the sequential approach set out in Policy TC2 would apply.

541. Policy TC12 is justified in seeking to protect specific areas of employment uses within the wider areas identified as town centres given the need to retain such uses to contribute towards employment opportunities in the District and to recognise the important role that they play in the wider town centre.
542. Taking account of the need for clarification of policy wording referred to above, the boundaries for the primary retail frontages, retail areas and town centres are appropriate and justified.
543. The Retail and Leisure Study provides a justifiable basis for the requirement in Policy TC2 for impact assessments for proposals above 500sqm outside of the retail areas. This also relates to specific requirements for infrastructure on strategic housing sites set out in Policy DS15 (as modified).
544. Policy TC4 proposes the allocation of a site at Chandos Street in Leamington Spa for retail and other appropriate main town centre uses. It is currently in use as a surface car park. The Council's proposal to relocate its offices to the site at Covent Garden is also intended to incorporate replacement parking to compensate for spaces lost at Chandos Street. The site at Chandos Street has a long history and there were clearly issues with detailed proposals previously put forward. However, it is well located on the edge of the Retail Area and very close to the Primary Retail Frontages. Subject to other policy considerations, it provides a suitable location to accommodate additional retail floorspace and other main town uses and the proposed allocation is justified.
545. Main modification **MM23** would provide necessary clarity in terms of the definition of retail areas and the wider town centres and the application of the sequential approach. It would ensure that Policy TC2 is justified and consistent with national policy in these respects. Main modification **MM24** is necessary to ensure a sufficiently flexible approach to the change of use of retail frontages and main modification **MM25** is required to provide clarity on the relationship of Policies TC8 and TC9 to Policy TC7. Main modification **MM26** would provide necessary clarity on the application of the sequential approach to the mixed use area of Warwick Town Centre.
546. Subject to these main modifications the approach towards retail and town centres set out in Policies TC1 to TC18 is justified, effective and consistent with national policy.

Issue 9 – Whether the approach towards culture, leisure and tourism is justified, effective and consistent with national policy

547. The submitted Local Plan sets out a comprehensive approach to culture, leisure and tourism development. This is within the context of the broader approach to town centres and main town centre uses referred to above.
548. Policy CT1 is appropriate in seeking to focus new culture, leisure and tourism development in town centres. The Retail and Leisure Study provides a justifiable basis for the requirement in Policy CT1 for impact assessments for proposals above 500sqm outside of town centres. Main modification **MM27** is required however to ensure that the scope of the policy and the application of a sequential approach is clearly set out and effective.

549. Whilst Policy CT3 is justified in seeking to protect existing visitor accommodation within town centres from redevelopment or changes of use, main modification **MM28** is necessary to provide adequate flexibility for proposals above ground floor level and consistency with town centre and retail policies.
550. There is a lack of evidence in relation to quantifiable deficiencies in cultural facilities or public art and no specific basis for determining the scale of appropriate contributions from developments. Policy CT5 is not justified or effective therefore and main modification **MM29** would delete the policy.
551. Policy CT7 sets out a comprehensive approach to potential development at Warwick Castle and St Mary's Lands (including Warwick Racecourse) and along with other policies would ensure suitable protection for heritage assets. Main modification **MM30** is required however to provide necessary clarity to the policy wording and sufficient flexibility to deal with proposals not included in approved masterplans.
552. Subject to these main modifications the approach towards culture, leisure and tourism set out in Policies CT1 to CT7 is justified, effective and consistent with national policy.

Issue 10 – Whether the approach towards the University of Warwick and major sites in the Green Belt is justified, effective and consistent with national policy

University of Warwick – Policy MS1

553. The campus of the University of Warwick straddles the boundary between Coventry City and Warwick District. The part of the campus within Warwick District is currently within the Green Belt and identified as a Major Developed Site in the extant Local Plan; it contains student residences and other University buildings. It is subject to an agreed masterplan and there have been a series of planning permissions for built development. At the time of the hearings there were some buildings under construction and some further development permitted but not yet started. It adjoins other parts of the campus and the main urban area of Coventry.
554. As a consequence the land within Warwick District is now predominantly developed and there are limited areas of openness. It no longer makes any meaningful contribution to the purposes of including land within the Green Belt. The University is a major asset which makes a very significant contribution to the economy of the local area and the wider sub-region. Removing the land from the Green Belt would facilitate further growth within the existing boundaries of the campus. For these reasons there are exceptional circumstances which justify altering the boundaries of the Green Belt and removing land at the University of Warwick, as proposed in the submitted Local Plan.
555. Main modification **MM31** would provide necessary clarity in relation to the requirements for a new masterplan and sufficient flexibility to deal with proposals not included in the approved masterplan. Subject to this main modification the approach towards the University of Warwick set out in Policy MS1 is justified, effective and consistent with national policy.

Major sites in the Green Belt – Policy MS2

556. Policy MS2 of the submitted Local Plan identifies the former Honiley Airfield, Stoneleigh Park and Stoneleigh Deer Park (Abbey Business Park) as major sites in the Green Belt.
557. The three sites are set within the open countryside, well away from any settlement. Although containing buildings and other development, they have retained significant areas of open land. Their continued inclusion in the Green Belt is justified and there are not exceptional circumstances to alter the boundaries of the Green Belt.
558. The Council acknowledged that it would be unlikely that further development beyond that already permitted would be acceptable at Stoneleigh Deer Park and that on reflection this site should be excluded from Policy MS2.
559. Policy MS2 is justified in recognising the important and specific contribution that the sites at the former Honiley Airfield and Stoneleigh Park make to the economy and that there may be potential to accommodate further development in addition to that already permitted, within the context of Green Belt policy. The Council accepted that the boundary of the site at the former Honiley Airfield should be amended to include the test track area.
560. Main modification **MM32** would remove reference to Stoneleigh Deer Park, provide necessary clarity as to the policy approach and future uses and ensure sufficient flexibility to deal with proposals not included in the approved masterplan at Stoneleigh Park as a result of the impact of HS2. Subject to this main modification the approach towards major sites in the Green Belt set out in Policy MS2 is justified, effective and consistent with national policy.

Issue 11 – Whether the housing policies are justified, effective and consistent with national policy

561. I have considered Policy H0 and the need for main modification **MM33** under Issue 1 and Policy H1 and the need for main modification **MM34** under Issue 2.
562. The 2015 SHMA identifies a need for 280 affordable houses per year in Warwick and a need for 600 affordable houses a year in Coventry (some 28% of its OAN). The Council has worked with Coventry City Council to agree a commitment to accommodate 94 affordable houses per year from the need identified in Coventry and the authorities have produced a statement of common ground. This figure represents approximately 28% of the 332 dwellings per year from Coventry which the Council has agreed to accommodate through the MoU. Although the relationship between affordable housing needs and provision across boundaries is complex, the agreed approach is pragmatic and justified. The Council is committed to providing for a total of 374 affordable houses per year therefore. This represents some 40% of the total housing requirement identified.
563. Policy H2 sets out the approach to delivering affordable housing as part of market housing schemes. Given the scale of affordable housing needs identified and evidence on viability, the policy is justified in seeking 40% affordable housing on such schemes. It would allow for the impact on the

viability of the development to be taken into account when negotiating the provision of affordable housing.

564. However, it is not consistent with national policy in relation to the site size threshold for seeking affordable housing or the definition of affordable housing and mechanisms for delivery. It lacks sufficient clarity and flexibility in terms of the approach to the proportion of affordable housing that will be sought. Main modification **MM35** would address these concerns and also provide necessary clarity regarding the scale of affordable housing needs and the commitment to meeting some needs from Coventry.
565. I am satisfied that given the approach set out in Policy H2 (as modified), it is not necessary to increase the overall housing requirement in the District in order to deliver the required amount of affordable homes.
566. Policy H3 concerns affordable housing on rural exception sites. Whilst the approach set out in the policy is broadly appropriate, it is not justified in seeking to discourage outline planning applications and reducing the time limit for commencement on detailed schemes to two years. It is also not justified in setting a specific limit of 40% for the proportion of market homes that would be acceptable to cross-subsidise affordable housing. Main modification **MM36** is necessary to address these concerns and provide sufficient clarity in relation to the occupation of such dwellings.
567. Along with Policy H0, Policy H4 sets out an appropriate approach to the provision of a mix of housing types and sizes to meet the needs of all groups within the community. However, it lacks clarity and justification in terms of requirements for a specific proportion of age friendly and/or adaptable homes on strategic sites. Main modification **MM37** would address this concern. Whilst Policy H5 sets out a justified approach to the provision of specialist housing for older people, main modification **MM38** is required to provide clarity that such developments would not normally be appropriate in the open countryside or in limited infill villages.
568. There is robust and up to date evidence relating to the need for additional accommodation for Gypsies and Travellers set out in the Gypsy and Traveller Accommodation Assessment of 2012 and the update of 2016. There is an identified need for 31 permanent pitches over the plan period (25 of which in the first five years) and a transit site for 6-8 pitches. There are no existing sites in the District. There is an existing yard for travelling showpeople which is sufficient to meet identified needs over the plan period. Subject to main modification **MM39** which would ensure that it fully reflects the up to date evidence, Policy H7 sets out a clear, positive and proactive commitment to meeting all of the identified needs through the production of a Gypsy and Traveller Site Allocations Plan and determining planning applications in line with criteria in Policy H8. It will enable a 5 year supply of deliverable sites to be achieved. The Council envisage that the Site Allocations Plan will be published for consultation in November 2017.
569. Policy H8 sets out appropriate and justified criteria to assess proposals for Gypsy and Traveller sites. Main modification **MM40** is required however to provide clarity that access to emergency services is an important factor and

that the co-location of permanent and transitory pitches will be avoided. It will also provide necessary additional flexibility as to the size of sites.

570. The requirements in Policy H10 for a collaborative approach to the design, layout and scale of housing on allocated sites in Growth Villages and for the phasing of such sites involving 50 or more dwellings are not justified and would lack sufficient flexibility. Main modification **MM41** would address these concerns.
571. Policy H11 sets out effective and justified criteria relating to housing in limited infill villages in the Green Belt. Main modification **MM42** is required however to clarify that such villages are shown on the Policies Map.
572. The criteria set out in Policy H12 provide an effective approach to housing for rural workers which is consistent with paragraph 55 of the NPPF. Main modification **MM43** is required to remove the unjustified reference to a specific maximum permitted size for rural workers dwellings in paragraph 4.83 however.
573. The requirements of criteria a) and b) of Policy H13 in relation to replacement dwellings in the open countryside are not justified and are inconsistent with national policy. Main modification **MM44** would address these concerns.
574. Main modification **MM45** would introduce a new policy HNEW1 which is necessary to ensure that the Local Plan sets out an effective and positive approach to custom and self-build housing which is consistent with national policy.
575. Subject to these main modifications the housing policies are justified, effective and consistent with national policy.

Issue 12 – Whether the other policies are justified, effective and consistent with national policy

576. I set out below my consideration of other policies in the Local Plan which are not addressed specifically elsewhere in my report.
577. Policy DS18 is not effective as it lacks clarity regarding the approach towards development within or in close proximity to the Lillington Local Shopping Centre. It is not justified and is also inconsistent with national policy and other policies in the Local Plan relating to main town centre uses. Main modification **MM14** is necessary to delete the policy.
578. Policy BE1 sets out a comprehensive set of criteria relating to the layout and design of development. However main modification **MM46** is necessary to ensure that it is fully consistent with national policy, consistent with other policies in the Local Plan in relation to building design, water management and flood risk and sufficiently flexible in terms of design guidance.
579. Policy BE2 sets out a comprehensive and justified approach towards the development of significant housing sites. Main modification **MM47** would introduce necessary flexibility in terms of the approach to design guidance and development briefs and clarity regarding the effect on the historic environment.

580. Whilst it is appropriate to encourage developments to include broadband infrastructure, the approach set out in Policy BE5 which would require such provision above certain thresholds is not justified. This would be addressed by main modification **MM48** which would introduce necessary flexibility.
581. Main modification **MM49** would introduce a new policy BE6 and is necessary to ensure that the Local Plan provides a clear policy framework for electronic communications which is consistent with national policy.
582. To ensure that Policies HS6 and HS8 are sufficiently clear and effective, main modifications **MM55** and **MM56** are required.
583. Main modification **MM57** is necessary to ensure that Policy CC2 takes an effective approach to the impact on heritage assets and is consistent with national policy in relation to wind energy.
584. In relation to Policy CC3, main modification **MM58** is required to ensure that it is consistent with national policy on housing standards and avoids overlap with building regulations. It is also necessary to ensure that the requirements of the policy are justified and sufficiently flexible.
585. Policies FW1 to FW4 set out the approach to flooding and water. Following close co-operation with the Environment Agency and joint working with the other Warwickshire authorities, the Council put forward a modified section of the Local Plan relating to flooding and water. This took into account the findings of the updated Water Cycle Study 2016 (EXAM141). Main modification **MM59** would replace the section of the Local Plan relating to flooding and water and is necessary to ensure that it is justified in light of updated evidence, effective in setting out a clear policy framework and consistent with national policy. Evidence in relation to water stress and the effect on viability provides a clear local need for the approach set out in modified Policy FW3 of requiring a water efficiency standard of 110 litres per person per day for new dwellings.
586. In relation to the historic environment, Policies HE1 to HE6 lack sufficient clarity and are not fully consistent with the NPPF in terms of the approach towards heritage assets. Main modifications **MM60** to **MM65** are necessary to ensure that the approach towards the historic environment is effective and consistent with national policy.
587. Policies NE1 to NE5 and NE7 provide a justified approach to the natural environment which is consistent with national policy. However, main modifications **MM66**, **MM67** and **MM68** are necessary to ensure that Policies NE2, NE3 and NE5 are sufficiently clear and therefore effective. Main modification **MM69** is required to ensure that Policy NE6 sets out an effective policy approach to development resulting from HS2 which reflects the reality of the planning regime.
588. In relation to neighbourhood planning, the Council accepted that the inclusion of Policies NP1 and NP2 was not necessary or justified as they simply restated the role of development plans in decision making and the Council's support for community led planning. Main modifications **MM70** and **MM71** are required to delete these policies.

589. The Council also accepted that it was inappropriate and unjustified to include Policies W1 and W2 as it is not the waste authority and such matters are dealt with by the Waste Core Strategy produced by the County Council. Main modifications **MM72** and **MM73** are necessary to delete these policies.
590. Subject to these main modifications the other policies not addressed specifically elsewhere in my report are justified, effective and consistent with national policy.

Issue 13 – Whether the approach to transport is justified, effective and consistent with national policy

591. The projected increase in population and households and the associated growth in new housing will clearly have significant implications for traffic levels and transport infrastructure. The Council, in association with the County Council has undertaken a series of Strategic Transport Assessments (STA) throughout the preparation of the Local Plan and during the suspension of the examination. These provide thorough and robust evidence in terms of the impacts of the scale and distribution of the growth planned and the specific effects of proposed site allocations including the main modifications (see TA14PM).
592. The spatial strategy as modified will focus most growth and new development on the urban areas and the edge of Coventry, where accessibility to services and facilities and public transport networks are greatest. This will help to reduce the need to travel and provide sustainable transport choices.
593. Whilst significant mitigation and improvements to existing transport infrastructure will be required, the Council and County Council have taken a comprehensive and co-ordinated approach and set out clear proposals for such mitigation and infrastructure provision. There has been close co-operation with other organisations including Highways England and Coventry City Council. The Infrastructure Delivery Plan (IN07PM) identifies a series of transport improvement projects and packages with clear assessments of costs and likely funding sources.
594. Taking account of the potential for a 15% modal shift for housing site allocations i.e. a shift to non-car use, and with appropriate mitigation and enhancements to transport infrastructure, the STA concludes that the scale and distribution of growth proposed can be satisfactorily accommodated.
595. The updated Air Quality Assessment of 2016 (A04PM) considered the scale and distribution of proposed growth including that resulting from the main modifications. It concludes that taking account of improvements in vehicle emission controls, there will be a negligible impact on air quality.
596. The proposed site allocations for housing and employment development have been put forward by the Council in the light of the implications for traffic and transport infrastructure. Subject to appropriate mitigation, the policies of the Local Plan (as modified) will ensure they can all be accessed safely and can be satisfactorily accommodated within the transport network.
597. Policy TR1 sets out a justified set of principles relating to access and choice. However main modification **MM50** is required to ensure that it is effective in

clarifying the need for access by emergency services and to ensure that it is sufficiently flexible and consistent with national policy in terms of facilities for charging plug-in and other ultra-low emission vehicles.

598. Policy TR2 provides a justified approach to the consideration of the impacts of traffic generation from developments. Main modification **MM51** would ensure that the policy is effective in providing clarity that it relates to both residential and non-residential development and flexibility in terms of requirements for transport statements and travel plans.
599. The principle of seeking contributions from developments which would lead to the need for transport mitigation measures is well established and adequately dealt with elsewhere in the Local Plan. Seeking contributions from all development simply because it would lead to traffic increases is not justified. Given this the inclusion of Policy TR3 is not justified and main modification **MM52** is necessary to delete it.
600. Criterion a) of Policy TR4 requires development to avoid making parking provision which encourages unnecessary car use. It is not clear how this would be defined or implemented and in this respect the policy is not effective. Main modification **MM53** would address this concern.
601. Policy TR5 is justified in safeguarding land for key transport infrastructure projects although given the progress with Kenilworth Station which is expected to be operational by late 2017, it is no longer necessary to include this within the policy. Main modification **MM54** would address this issue and also provide necessary clarity in terms of the areas of search for park and ride at Warwick/Leamington Spa and reflect the up to date situation relating to the inclusion of a scheme as part of the approved development at the Asps.
602. The two areas of search to the north of Warwick/Leamington Spa are those included in the submitted Local Plan. The further changes to the Policies Map published by the Council alongside the main modifications in March 2017 unfortunately included an additional area of search north of Milverton. The Council subsequently clarified that this was an error, added a note to its website and sought to contact those who made representations on the matter. I have amended the detailed wording of main modification **MM54** to provide additional clarity as to the location of the areas of search. For the avoidance of doubt, the two areas of search for park and ride facilities north of Warwick/Leamington Spa are those that were included in the submitted Local Plan. The land in question remains in the Green Belt and the Council envisage that proposals would come forward in line with paragraph 90 of the NPPF.
603. Subject to these main modifications the approach to transport is justified, effective and consistent with national policy.

Issue 14 – Whether the approach to infrastructure (other than transport), delivery and monitoring is justified, effective and consistent with national policy

604. As with transport, the scale and distribution of development proposed will have significant implications for other social, community and physical infrastructure. Again, the modified spatial strategy will focus most development on those locations with good accessibility to existing services and

facilities. However, there will be a need for substantial investment in new and improved infrastructure, particularly as a result of the amount of new housing proposed.

605. The Council has taken a comprehensive and co-ordinated approach to the assessment of infrastructure needs arising from new development, including those site allocations subject to main modifications. It has set out clear proposals for infrastructure provision. There has been close co-operation with a wide range of other organisations and infrastructure providers. The Infrastructure Delivery Plan (IN07PM) identifies a range of projects with clear assessments of costs and likely funding sources. The policies of the Local Plan (as modified) will ensure that suitable and adequate infrastructure is provided to support the level of growth planned.
606. Policies DM1 and DM2 set out a justified and effective approach to seeking the provision of or contributions towards infrastructure from development which is consistent with national policy.
607. There are clear mechanisms to effectively monitor the implementation of the Local Plan and delivery of policies and specific proposals within it and the Council is committed to reviewing the situation. Main modification **MM16** is necessary to ensure that the approach to reviewing the Local Plan is clear and justified. Main modification **MM74** is required to ensure that the Delivery and Monitoring section of the Local Plan reflects the specific commitments for a review and to clarify the status of Neighbourhood Plans and their relationship with this Local Plan. Subject to these main modifications the approach to infrastructure (other than transport), delivery and monitoring is justified, effective and consistent with national policy.

Assessment of Legal Compliance

608. My examination of the compliance of the Local Plan with the legal requirements is summarised in the table below. I conclude that the Local Plan meets them all other than in terms of setting out which policies from the extant Warwick District Local Plan will be superseded by policies in this Local Plan. Main modification **MM75** would rectify this.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Local Plan has been prepared in accordance with the Council's LDS (February 2016). Although there will be some slippage in the timetable for adoption, the content of the Local Plan is compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in January 2016 and consultation on the Local Plan and the main modifications has complied with its requirements.
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Habitats Regulations Assessment	The Habitats Regulations Screening Report (March 2016) sets out why Appropriate Assessment is not necessary. Natural England supports this.
National Policy	The Local Plan complies with national policy except where indicated and main modifications are recommended.
2004 Act (as amended) and 2012 Regulations.	The Local Plan complies with the Act and the Regulations other than in terms of setting out which policies from the extant Warwick District Local Plan will be superseded by policies in this Local Plan. Main modification MM75 would rectify this.

Overall Conclusion and Recommendation

609. The Local Plan has a number of deficiencies in respect of soundness and legal compliance for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.
610. The Council has requested that I recommend main modifications to make the Local Plan sound and legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Warwick District Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the NPPF.

Kevin Ward

INSPECTOR

This report is accompanied by an Appendix containing the Main Modifications.