

ADDITIONAL SUBMISSIONS MADE BY STEPHEN MCNAUGHT

COVENTRY PLAN: HOUSING

REGULATION 19 CONSULTATION

3RD MARCH 2025

These representations and objections are made by me on behalf of Coventry residents, my parents, James and Sylvia McNaught of [REDACTED] and my brother Neil McNaught of [REDACTED]

The representations/ objections made by Mark Sullivan of CPRE and Merle Gering of KOGG are agreed and rather than setting out and duplicating the specific policies referred to by him, the comments are adopted in full and should be treated as complementing this submission. The exception to this is in relation to HS2 which I refer to later in this submission but solely to add to what they have said and not to detract from it.

Under separate cover I will be forwarding the report of Gerald Kells.

COVENTRY LOCAL PLAN REMOVAL OF LAND FROM THE GREEN BELT

The central point to make is that very substantial areas of green belt in Coventry were removed from the green belt on the basis of housing figures and projections which (as many argued at the time) were unfounded.

That the figures and projections were unfounded has been borne out by subsequent events, namely the Coventry 2021 census.

Added to which is the almost unique position that Coventry now finds itself in; its housing requirements being reduced.

The only sensible conclusion is that the initial removal of land from the green belt was significantly flawed; this is returned to later.

APPROACH TO HOUSING NUMBERS FOR THE REGULATION 19 CONSULTATION

This relates particularly to table 6.1 and policy H1.

Adopting the approach taken by Gerald Kells to housing numbers;

1. The HEDNA figures should be set aside and the New Standard Methodology (NSM) (as per MHCVLG December 2024) should be used;
2. Using the NSM 27,600 dwellings would be required during the plan period;
3. The plan identifies 31,493 but this should be increased by 4200 (see Gerald Kell's conclusions on Purpose Built Student Accommodation (PBSA) and Windfall). This gives a figure of 35,693 which gives an excess supply of 7,933 (35,693 - 27,600);
4. Whether considered as part of windfall or otherwise, the NPPF 2024 policies on grey belt must be considered now and an upward adjustment applied. A policy should be included in the plan to show how grey built land is considered and a line added to table 6.1 to show the allowance made for grey belt.
5. Whilst not normally strictly relevant to the consultation, the 5-year housing land supply is 5.6 years and as such there should be no further grants of permission on former green belt land.

THE DUTY TO COOPERATE WITH NEIGHBOURING AUTHORITIES

This is acknowledged as being an important part of the planning process.

However, any acceptance by Coventry in future of housing requirements placed on other areas should be confined to the existing built-up area within Coventry and not on land which is former green belt. In short, there is no case to transfer a housing requirement from one green field outside Coventry to a green field within Coventry.

Taking a focus purely on the Keresley SUE, there are areas which are not subject to planning permission, and as Mark Sullivan notes, these areas should be returned to the green belt and should not be used for any housing which Coventry accepts in future under the duty to cooperate. There is one parcel which does not have permission to the west of Fivefield Road which I do not include in this comment as it is a case worthy of specific attention.

The case for exceptional circumstances is made below in respect of land in the northern part of the Keresley SUE

RETURN OF LAND TO THE GREEN BELT WITHIN THE KERESLEY SUE

This relates to policy H2, policy GB1 and the policies map.

There are exceptional circumstances warranting the return of land to the green belt at Keresley. This relates to the following land;

1. The Alders ancient woodland;
2. Pikethorne Wood ancient woodland;
3. Hall Yard Wood ancient woodland at the northern most bend in Fivefield Road;
4. Bunsen's Wood;
5. Keresley Mere (adjacent to Pikethorne Wood and the Alders) plus adjacent fields;
6. Hounds Hill (one of the highest points in Coventry (and possibly the highest) with the exception of any part of the nearby Burrow Hill which lies within Coventry).
7. Thompson's Lane (the medieval lane where adjacent to Hounds Hill) leading from Fivefield Road;
8. Any land to the north between these areas and the Coventry border with North Warwickshire not currently having permission.

These areas meet the test for inclusion in the green belt as set out in the current NPPF in the same way that they did prior to being removed and the nearby permitted housing strengthens (not weakens) the case for inclusion.

EXCEPTIONAL CIRCUMSTANCES

The following in my view amounts to exceptional circumstances;

1. Subsequent evidence in the census and recent government reduction in housing requirements for Coventry bears out what objectors to the local plan stated, namely that the local plan was flawed in removing so much land from the green belt. This in itself calls for a review of green belt boundaries and return of land which still meets the NPPF tests in para 134.
2. Coventry City Council's (CCC) attitude to its own local plan and its failure to comply with its own stated policies as detailed in the next paragraphs.
3. Eastern Green SUE clearly states a total of 2250 (which on any reading of the word can only mean a maximum). Yet CCC has approved 3250. This is a total failure of CCC in applying its

own local plan. The same approach should not be allowed to take place at Keresley. The plan should be transparent and fairly applied.

4. The Keresley SUE figure is 3100. At the time of writing around 2950 (2944) dwellings have already received permission. Please see appendix A for the details. Land is still available within the SUE other than the land at Hounds Hill and to the north up to the Coventry boundary, particularly on land to the west of Fivefield Road (please see later on this).
5. The antithesis of good planning by CCC in not requiring a coordinated masterplan for the Keresley SUE. Representations were made prior to the adoption of the Coventry plan for the need for a phased approach so that members of the public and interested bodies could see what was happening and comment on it.
6. This failure to require a coordinated masterplan is contrary to the Coventry Plan both as it now stands for both Eastern Green SUE and for Keresley SUE; policy H2 (existing); the antithesis of good planning. It is noted that the Regulation 19 consultation also still requires a coordinated master plan.
7. The antithesis of good planning by CCC in approving several uncoordinated parcels of land for residential permission. As such, it is unclear how, where and when the required infrastructure (which was a fundamental part of CCC's argument that the Keresley SUE would be "sustainable").
8. The antithesis of good planning by Coventry in not requiring a coordinated access system so that all adjacent parts of the SUE would be able to link into a common road network. This brings me onto the issues relating to land to the west (or southwest in some cases) of numbers 15 to 47 Fivefield Road which seemingly does not have a point of access into other approved areas.
9. Several approaches have been made to homeowners of that stretch so that sufficient houses can be demolished to create an access point onto Fivefield Road. This suggests that there is a ransom situation going on. Had there been a coordinated plan as there should have been, this parlous situation would not have arisen.
10. This issue is exacerbated by the possibility that access will be taken through the site of demolished houses and where will that access be? The only answer (and this is not supported) would be onto the south-eastern part of Fivefield Road (its south-eastern end) which Coventry has stipulated on existing permissions that only a limited number of houses should have access too.
11. This land will inevitably come forward during the plan period and is capable on its own of accommodating the remaining dwellings (approx. 150) in the SUE which does not have permission (3100 TOTAL minus approx. 2950 dwellings already approved).
12. There are additional flaws in CCC's approach to its plan, namely not requiring provisions on granted permissions at Keresley to the requirement in H2.1 of its plan to achieve enhanced connectivity between ancient woodlands. This is evident in relation to the two permissions granted next to ancient woodland; adjacent to The Alders and adjacent to Bunsen's Wood. There has been no realistic attempt to achieve this in either permission.
13. In fact, regarding the permission granted to Richborough Estates adjacent to Bunsen's Wood, this is exacerbated by approving a layout which is consistent with a road link to Hounds Hill. This is not so much enhancing connectivity between ancient woodlands as actually undermining it.
14. The next series of points are related to Coventry's failure either to impose enforceable conditions or to actually enforce or be able to enforce those that it has. This is again the antithesis of good planning.

15. Enforcement of traffic routes in and around Fivefield Road proved impossible necessitating a consultation to vary it informally.
16. Failure to properly enforce the condition requiring no development within a buffer next to the Alders; development includes all forms of development, not just buildings, and the condition should have been used to prevent any development of any sort (including drainage systems to deal with surface water run off).
17. Failure to consider the flooding impacts of granting permission to Richborough Estates for land running from Bunsen's Wood downwards to the lowest point in the area next to Ravenswood and Bennett's Road. An inadequate drainage system has been approved and CCC has reportedly purported to decline to take any action itself. Further development will only make worse an already dire situation. Please see Appendix C. [REDACTED]

In short CCC has totally failed the residents of Keresley in its actions to date.

THE CASE FOR RETURN OF LAND TO THE GREEN BELT (HOUNDS HILL AND LAND REFERRED TO ABOVE INCLUDING KERESLEY MERE AND ADJACENT FIELDS, THE FOUR ANCIENT WOODLANDS, THOMPSONS LANE AND UP TO THE COVENTRY BOUNDARY).

Matters relating to exceptional circumstances are set out above.

The land met the tests for inclusion in the green belt from its inception decades ago. The land still does meet those tests without exception. In fact, the granting of permissions in the area to the south strengthens the need to maintain the openness of these areas right up to the Coventry northern boundary.

The Hounds Hill land itself is especially important in this respect, is very visible, provides a perfect buffer in conjunction with the other land referred to, lying as it does on the high ground between the four ancient woodlands, Hall Yard, Bunsens, Pikethorne Wood and the Alders, and linking with open land to the north right up to the Coventry boundary. Please specifically see the comments on Merle Gering of KOGG.

It is also noteworthy that the Coventry Plan itself in its original wording recognises this when it refers as follows;

"Establish a comprehensive green and blue infrastructure corridor around Ancient Woodlands, Hounds Hill and Hall Brook. This corridor should run ... from Burrow Hill Fort to the north to Jubilee Wood in the south-east ". These words should now be included in policy H2 and augmented to make it clear that no development of housing or associated with it should allowed in the whole corridor including Hounds Hill.

What clearer endorsement is needed than Coventry's own local plan recognising the need for Hounds Hill to be protected from development (as it is in the indicative master plan) by having green infrastructure around it, together with the plan commitments to enhancing connectivity between ancient woodlands.

OTHER IMPORTANT MATTERS RELATING TO HOUNDS HILL

Hounds Hill has for many years (certainly going back to the 1960s) been the nesting place for the skylark, which is on the red list.

Also attached is Appendix B which comprises extracts from Warwickshire Biodiversity which emphasises the richness of biodiversity in the area.

Finally, the historic interest in the area; Fivefield Road and Thompsons Lane are medieval. The area has long been inhabited (note the nearby Burrow Hill) providing good defensive location with easy access to fresh water (the spring which now feeds the medieval Keresley Mere, the spring long since culverted) and even the location of a medieval moated manor house (again fed by the nearby spring).

COMMENTS REGARDING THE NEED FOR A MASTERPLAN AND MASTERPLAN PRINCIPLES FOR KERESLEY SUE

This particularly refers to existing policy DS4 (part C) and proposed policy DS3.

Coventry City Council may inadvertently have dropped the master plan principles in existing plan DS4 (Part C); see the new DS3 at paras 3.21 and 3.24 which refers to master plan principles for Keresley SUE, but a new DS3 Part C for Keresley SUE is missing. The original wording of DS4 (part C) should be reinstated in full until such time as the development of Keresley SUE has been completed in full in accordance with an approved masterplan.

Even if planning permissions have been granted for many parts of the Keresley SUE, at least one significant part has not (land to the west/south west of 17 onwards Fivefield Road).

Additionally, over the plan period it is entirely possible in accordance with normal development practice that land with planning permission will be subject to different permissions, taking account of the case of Hillside relating to incompatibility. Land at Watery Lane and the site adjacent to the Alders are particularly in mind here as they are both substantially undeveloped.

A master plan is required to control these eventualities as above.

This Supreme Court case highlights all of the issues associated with large sites and the need for a masterplan.

Please see comments above in relation to the issues being faced in bringing forward land to the west and southwest of 17 to 47 Fivefield Road. This demonstrates on its own the need for a comprehensive master plan.

CONCLUSIONS

In conclusion;

1. The CPRE and KOGG submission is supported and the Gerald Kell's report is submitted separately in support of these submissions.
2. The plan is unsound in retaining the whole of land within the Keresley SUE as being land outside the green belt. The housing numbers do not justify it and exceptional circumstances are clearly set out above.
3. Land referred to above should be returned to the green belt. The same might apply to other areas too elsewhere in Coventry. The policies map referred to in GB1 should be adjusted accordingly.
4. It should be made absolutely crystal clear that when the plan refers to a "total" of 3100 dwellings in the Keresley SUE, that "total" does indeed mean its only credible meaning which is "maximum" in policy H2. Wording is required such as substituting "total" by "maximum".

5. Policy DS4 (Part C) of the current local plan regarding masterplan principles for Keresley should be reinstated as a DS3(Part C).
6. It is simply bad planning not to have a coordinated master plan for a development like Keresley SUE. So as to guide the development of sites without permission or with permission but not substantially developed, the local plan needs a policy to guide the master plan setting out principles
7. Wording previously included in the Coventry plan in policies in respect of the Keresley SUE should be retained; Establish a green and blue infrastructure corridor around Ancient Woodlands, Hounds Hill and Hall Brook. This corridor should run ...from Burrow Hill Fort to the north to Jubilee Woodlands in the south.
8. It would be unconscionable for Coventry City Council to remove such wording from its local plan in any event having presented the local plan inspector with this commitment in the past.
9. This is exacerbated by Coventry City Council's disregard of the wording of its own plan both by not requiring a coordinated master plan at Keresley before development proceeded, not strengthening woodland connectivity and allowing the "total" (i.e. maximum) at Eastern Green to be exceeded by 1000 over the stated total of 2250.
10. It is further exacerbated as any loosening on controls on development at Keresley would be at a time when the area's housing requirement has already been reduced (and should be reduced further as per Gerald Kell's report).
11. Additionally, the SUE has sufficient land without permission within the area shown for housing on indicative master plans to achieve the remaining 156 odd dwellings of 3100 TOTAL when taking account of all approvals to date of 2944.
12. . Policy H1 should have a lower requirement using the NSM and in table 6.1 figures should be adjusted to be increased by 4,200 (as per Gerald Kell's report).
13. A policy should be included on grey belt policies in the NPPF and table 6.1 adjusted to include provision for this OR it be made clear whether windfall includes grey belt and that figure be adjusted accordingly.
14. No further permissions should be granted or even considered in respect of land in the Keresley SUE pending the completion of this process.

STEPHEN MCNAUGHT, Legal Associate to the Royal Town Planning Institute and retired solicitor.

APPENDIX A

Housing permissions within the Keresley SUE – totalling 2944

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|----------------------|---|---|--------------------|
| 17 dwellings | OUT/2020/0363 granted 3/6/21. (Land to rear of Hare and Hounds) | | |
| 800 Dwellings Road | Taylor Wimpey OUT/2014/2282 | Bennetts Road/Tamworth Granted 12/02/2018 | |
| 550 Dwellings Road | Bellway OUT/2019/0022 | Bennetts Road/Tamworth Granted 7/01/2022 | |
| 500 Dwellings North | Thompsons Farm OUT/2019/0484 | Bennetts Road Granted 5/07/202 | |
| 40 Dwellings Lane | Rookery Farm | ? Watery OUT/2019/2277 | Granted 6/03/2020 |
| 56 Dwellings Road | Colliery Club | Bennetts FUL/2020/2615 | Granted 25/03/2021 |
| 388 Dwellings Lane | D.Wilson/Barratts FUL/2020/0748 | Bennetts Road/Penny Park Granted 2/11/2023 | |
| 2 Dwellings Cottages | | Manor Farm FUL/2021/3173 | Granted 2/02/2022 |
| 1 Dwelling Cottages | | Manor Fram FUL/2022/3213 | Granted 5/01/2021 |
| 290 Dwellings Road | Richborough (Queens college) | Bennetts OUT/2022/0712 | Granted 23/2/2023 |
| 260 Dwellings Road | Richborough (Queens college) | Bennetts OUT/2022/0713 | Granted 2/06/2023 |
| 40 Dwellings Road | Hall Hill Cottages | Fivefield OUT/2022/3246 | Granted 23/5/2024 |

2944 TOTAL

APPENDIX B

Extracts from Warwickshire Biodiversity surveys

Warwickshire Biodiversity have conducted surveys for the Arden countryside since 2008 when Coventry and Solihull agreed to protect the Forest of Arden.

Keresley Mere " This type of pool was once widespread in Warwickshire but is now increasingly rare. The Keresley Mere is probably one of the least degraded water bodies in the City and is one of the few in the County which still has a semi-fluctuating water level which many rare plants and insects are adapted to."

The Alders " This is the most species-diverse component, rare migrant birds observed all rare for Coventry. The Alders is the richest site in the city for aquatic invertebrates, and important site for breeding amphibians. The Alders has an above average list of plant species.....(list) which is characteristic of ancient woodland. The Alders is a very good example at County level of species rich wet woodland."

Pikehorn Wood " Appears to have been woodland for many centuries which explains the presence of a number of ancient woodland indicators.

Bunsons Wood " Is one of the best fragments of semi-natural woodland surviving within the City boundary. In light of recent abuse its best future would be as a managed nature reserve, otherwise it could become seriously degraded." (this refers to abuse by local people)

Recommendation. "This SINC remains one of the most biodiverse and attractive pockets of land within Coventry with the wet woodland among the best in Warwickshire (Alders). The habitats have changed very little in recent years and therefor its SINC status should be upheld. The landowner is sympathetic to conservation (Queens College) and it would be hoped that the future would be as a nature reserve."











