
Warwick District Local Plan (Publication Draft) 2011-2029 Main Modifications

Representations prepared on behalf of Gleeson
Developments Ltd

April 2016

1. Introduction

- 1.1. Savills is instructed by Gleeson Developments Ltd (Gleeson) to submit the following representations to the Council's current consultation concerning the Main Modifications to the Publication Draft Warwick District Local Plan 2011-2029.
- 1.2. Gleeson controls the land at Southcrest Farm, to the east of Kenilworth. Representations have previously been submitted to the Council highlighting the lack of constraints on this land, its suitability for residential development and its deliverability. Technical surveys has been produced for the site which demonstrate its deliverability.
- 1.3. Gleeson is pleased to see that the Council has sought to take on board a number of the concerns raised in previous representations in the Main Modifications to the Publication Draft Plan, namely:
 - The level of housing to the east of Kenilworth has been increased from 750 to 1,400 dwellings;
 - That a comprehensive approach has been taken to development on land to the east of Kenilworth, including land at Southcrest Farm;
 - That land to the east of Kenilworth is proposed to be removed from the Green Belt; and,
 - Alternative sport pitch provision has now been identified and allocated in the Local Plan.
- 1.4. In summary, these representations support the proposed allocation of land to the east of Kenilworth and its comprehensive development but raise concerns about the specific identification of land at Southcrest Farm for educational purposes. This is not required within the Local Plan and is covered by other requirements in the Local Plan, especially the need to comprehensively plan and deliver the infrastructure and development identified. It is considered that to allocate land at Southcrest Farm for educational use is not justified as will be set out in more detail below.

2. Comments on Main Modifications to the Publication Draft Plan

- 2.1. The comments set out below refer to the policy or paragraph reference and assess if the proposed change is legally compliant and/or sound.

Chapter 2: Development Strategy

Mod 1 - Policy DS2:

Policy or Paragraph Reference	Legally Compliant?	Sound?
DS2 – Providing the Homes the District Needs	Yes	Yes

- 2.2. Strategic Policy DS2 refers to the need to provide in full for the objectively assessed housing need. Gleeson Development Ltd welcomes the changes to this policy to include for the unmet housing need arising from outside the District inline with conclusions set out in the updated Strategic Housing Market Assessment (September 2015). This assessment has provided key evidence to support a Memorandum of Understanding (MoU) regarding the distribution of housing development reached between Council's in the Housing Market Area (HMA).
- 2.3. As such this policy is in accordance with paragraph 159 of the NPPF and also paragraph 47 which states that local planning authorities need to boost significantly the supply of housing. Gleeson supports the proposed modification as drafted.

Mod 3 - Policy DS4:

Policy or Paragraph Reference	Legally Compliant?	Sound?
DS4 – Spatial Strategy	Yes	Yes

- 2.4. Strategic Policy DS4 fully accords with the guidance of the NPPF in terms of sustainable development being located on the edge of the built up areas. Gleeson supports the proposed modification as drafted.

Mod 4 - Policy DS6:

Policy or Paragraph Reference	Legally Compliant?	Sound?
DS6 – Level of Housing Growth	Yes	Yes

2.5. The Council has updated its Strategic Housing Market Assessment (SHMA) (September 2015), in accordance with paragraph 159 of the NPPF. In addition, the NPPF states at paragraph 47:

“To boost significantly the supply of housing, local planning authorities should:

Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as consistent with the policies set out in this Framework...”

2.6. Paragraph 156 of the NPPF also states that policies should deliver:

“the homes and jobs needed in the area.”

2.7. The 16,776 dwellings figure set out in Policy DS6 meets the full objectively assessed need for housing in the District as identified in the Council’s SHMA. The assessment identifies that Warwick District Council’s objectively assessed need is 600 dwellings per annum, which equates to 10,800 dwellings in total over the plan period. However, there is clear evidence that Coventry City Council is unable to meet its full objectively assessed need within the City boundary and therefore is unable to meet the requirements of paragraph 47 of the NPPF.

2.8. Section 110 of the Localism Act and paragraphs 178-181 of the NPPF sets out a duty on all local planning authorities and other bodies to cooperate with each other to address strategic issues in the preparation of individual Local Plans. Paragraph 181 of the NPPF states that this could be by way of a MoU.

2.9. Councils in the Coventry and Warwickshire HMA have prepared a MoU which seeks to allocate circa 17,800 dwellings that Coventry City Council cannot accommodate across the remaining Districts. In recognition of this unmet need, Warwick District Council’s Local Plan seeks to provide 332 dwellings per annum, a total of 5,976 dwellings over the plan period towards Coventry’s needs.

2.10. Policy DS6 is now considered sound as it acknowledges the need to accommodate an element of unmet need from nearby districts. Gleeson therefore supports the proposed modification and those subsequent amendments to Policy DS7.



Mod 8 - Policy DS10:

Policy or Paragraph Reference	Legally Compliant?	Sound?
DS10 – Broad Location of Allocated Housing Sites	Yes	Yes

2.11. Policy DS10 identifies sites on the edge of Kenilworth for 1,500 dwellings. This is consistent with the spatial vision and sustainability criteria set out in the NPPF and Local Plan. Gleeson supports the proposed modification as drafted.

Mod 10 - Policy DS11:

Policy or Paragraph Reference	Legally Compliant?	Sound?
DS11 – Allocated Housing Sites	Yes	No – not justified

2.12. Gleeson supports the identification of site reference H40 – land East of Kenilworth (Crewe Lane, Southcrest Farm and Woodside Training Centre) within the policy. This is an appropriate and highly sustainable location for development to help meet the overall housing requirement in the district. Gleeson supports the location of allocations set out in the Local Plan concentrating the majority of growth to the most sustainable locations. The Local Plan continues to support the status of Kenilworth due to its existing services and facilities coupled with its proximity to Leamington Spa and Coventry. Gleeson maintains that Kenilworth is a sustainable location for development and that the Local Plan is in accordance with the “golden thread” running through the planning system of sustainable development as set out in the NPPF.

2.13. However, in light of the fact that other policies in the plan seek a comprehensive approach to development on strategic sites there is no justification as to why this site is differentiated from site H06 (East of Kenilworth (Thickthorn)) and why the list of infrastructure requirements is not combined?

2.14. Gleeson seeks the amalgamation of the sites H40 and H06 under a single entry in policy DS11 as set out below:

Suggested Change to Make Policy DS11 Sound
Amalgamate sites H06 and H40 under a single East of Kenilworth development area with a total number of estimated housing numbers of 1400, plus 8 ha of employment along with required infrastructure.

Mod 11 - Paragraph 2.52:

Policy or Paragraph Reference	Legally Compliant?	Sound?
Paragraph 2.52	Yes	No – not justified

- 2.15. Paragraph 2.52 should be amended to include land at Southcrest Farm and the requirements for educational uses in accordance with the above comments. Reference to Southcrest Farm in relation to secondary school provision should be deleted.

Suggested Change to Paragraph 2.52 to make it Sound
<p><i>The following changes should be made to paragraph 2.52 (bold text and struck through text indicates proposed changes):</i></p> <p>“The strategic urban extensions to the east of Kenilworth, at Thickthorn, Southcrest Farm, Woodside Training Centre and Crewe Gardens....A new secondary school will be provided within the strategic extension on land to the north at Southcrest Farm....”</p>

Mod 12 - Policy DS12:

Policy or Paragraph Reference	Legally Compliant?	Sound?
DS12 – Allocation of Land for Education	Yes	No – not justified or effective

- 2.16. Gleeson recognises the benefits and need for the amalgamation of the secondary school in Kenilworth on to a single campus and is liaising with the School Governors in this regard. Gleeson also supports the additional wording suggested in the policy that “*any land within this site that is surplus to the educational requirement is therefore allocated for housing (see Policy DS11).*”
- 2.17. However, the requirements of Policy DS12 as they relate to Kenilworth should reflect the comprehensive development requirement of Policy DS15 and refer to the whole of the development area to the east of Kenilworth not just Southcrest Farm. This would be consistent with the wording set out in Policy DS11.
- 2.18. In this regard, the redline area on the proposals map for policy ED2 is a hangover from the previous policy where this area of Kenilworth was only proposed to be allocated for educational uses and no housing. Concern is raised over the continual identification of Southcrest Farm for educational use when the land take is currently uncertain. It is considered that the ED2 zoning of Southcrest Farm is no longer necessary when having regard to the provisions of policy DS11 and in particular policy DS15 for this part of Kenilworth to be planned comprehensively through a development brief. Such planning is required to include the necessary infrastructure identified in the Plan, which includes a secondary school.

- 2.19. Gleeson therefore seeks the rewording of policy DS12 to that set out below and the deletion of the red line area on the proposals map.

Suggested Change to Policy DS12 to make it sound?

The following changes should be made to Policy DS12 (bold text and struck through text indicates proposed changes):

~~“Land at Southcrest Farm, Kenilworth (ED2) and land at Myton (ED1), as shown on the Policies Map, is allocated for educational uses and other compatible use (see policy HS5). This includes, on each site, the provision of a secondary school, 6th form centre and, if deemed the most appropriate location, a primary school.~~

Land to the East of Kenilworth (sites H06 and H40) as shown on the Policies Map should contain a secondary school, 6th form centre and primary school. The precise location of the educational facilities will be determined through a development brief or a Layout and Design Statement, as appropriate, as required under policy DS15. ~~In the case of Southcrest Farm the whole area of the site is unlikely to be required for educational purposes. Any land within this site that is surplus to the educational requirement is therefore allocated for housing (see Policy DS11).~~

Changes to the Proposals Map for Kenilworth (5 – Proposed Mod 2016):

Delete red line area for site ED2.

Reason: Given that the modifications now allocate the wider area for residential use, the whole development area should be comprehensively planned and delivered. This includes the provision of educational facilities.

Other consequential changes would be needed if the above change is accepted, including to paragraph 2.56 (Mod 13). As set out below:

- Policy DS12: this states that Southcrest Farm is allocated for educational uses and other compatible uses. *“This includes... the provision of a secondary school, 6th form centre and, if deemed the most appropriate location, a primary school” – no primary school is proposed at this site.;*
- Policy DS15: this policy sets out the need for a masterplan/development brief for each of the strategic allocations. The table contained in the policy sets out the minimum levels of infrastructure and services that are needed. In relation to Thickthorn and sites allocated to the east of Kenilworth, this refers to a Primary School, a Secondary School in relation to policy DS12 – which refers only to the Southcrest Farm site and not the wider strategic allocation.
- Draft Infrastructure Delivery Plan Reference E1e: *“Thickthorn school (1x1 form) - located either on Thickthorn allocation or alternative option at Glasshouse Lane (Southcrest Farm). The expanding number of dwellings associated with further allocations in the Kenilworth area creates the need to consider the possibility of delivering a new all through primary/ secondary facility at Southcrest Farm”.* This should be clarified.
- Draft Infrastructure Delivery Plan Reference E6: *“New secondary school and 6th form centre provided on land at Southcrest Farm. Potential to co-locate primary*

school on this site. The expanding number of dwellings associated with further allocations in Kenilworth further creates the need to consider the possibility of delivering a new 'all through' primary/ secondary facility at Southcrest Farm. This should be clarified.

These discrepancies should be rectified to make it clear where the primary and secondary schools will be delivered.

Mod 13 – Paragraph 2.56 (Should be paragraph 2.54):

Policy or Paragraph Reference	Legally Compliant?	Sound?
Paragraph 2.54 of the Publication Draft Local Plan	Yes	No – not justified

2.20. Mod 13 refers incorrectly to paragraph 2.56 of the Publication Draft Local Plan. This should be paragraph 2.54.

2.21. As set out above, Gleeson recognises the benefits and need for the amalgamation of the secondary school in Kenilworth on to a single campus and that any land that is not used for educational purposes is used for housing. However, this paragraph should be amended to reflect the comprehensive approach to development on the Land East of Kenilworth required under policy DS15. In this regard the references to Southcrest Farm should be deleted as set out below.

Suggested Change to Paragraph 2.54 to make it sound?

The following changes should be made to Paragraph 2.54 (bold text and struck through text indicates proposed changes):

~~“.....over and above the educational land requirement, the site has capacity for housing, as set out in Policy DS11. The land at Southcrest Farm, as shown on the Policies Map, is therefore allocated primarily for educational purposes and other compatible uses as defined by policy HS5, and for housing where there is surplus land over and above the educational requirement. These facilities shall be located on Land to the East of Kenilworth (sites H06 and H40) as shown on the Polices Map. The precise location of the educational facilities will be determined though a development brief or a Layout and Design Statement, as appropriate, as required under policy DS15.”~~

Mod 14 - Policy DS15 and Mod 15 – supporting text:

Policy or Paragraph Reference	Legally Compliant?	Sound?
DS15 – Comprehensive Development of	Yes	No – not effective or justified

Representations on Main Modifications

Strategic Sites		
Paragraph 2.66 and 2.68		

- 2.22. Gleeson supports the principle of a comprehensive approach to development as this delivers high quality and integrated design, particularly on sites which will total more than 200 dwellings. The consideration of Thickthorn and sites allocated to the east of Kenilworth (Crewe Lane, Southcrest Farm and Woodside Training Centre) as one location meets this criterion. The text set out in the supporting paragraphs, particularly paragraph 2.66 (Mod 15) for landowners to work together is fundamental to the effective master planning and delivery of the strategic development.
- 2.23. This approach will effectively masterplan the strategic allocation and include delivery of identified infrastructure requirements (including the primary and secondary school and employment area).
- 2.24. However, the policy as currently drafted goes on to require development briefs for Kings Hill and Thickthorn/east of Kenilworth to be broadly compatible with each other in terms of infrastructure and commitment to sustainable growth. This requirement is unjustified and not effective. Each development area will be required to demonstrate sustainable development in isolation and to deliver appropriate infrastructure to mitigate its own impact. The requirement should not extend to consideration of infrastructure requirements on other sites. It is suggested that the wording of Policy DS15 is amended to require to have regard to the development briefs (where they exist) as set out below.

Suggested Change to Policy DS15 to make it sound?

The following changes should be made to Policy DS15 (bold text and struck through text indicates proposed changes):

“The Development Briefs for:

b) Kings Hill and Thickthorn / east of Kenilworth

should ~~be should be broadly compatible~~ **have regard to** with each other (**where they are available**), in their approach to development issues, ~~provision of linked~~ infrastructure and ~~commitment to sustainable~~ **development growth**.

Suggested Change to Paragraph 2.66 and 2.68 to make them sound?

The following changes should be made to paragraph 2.66, 2.68 (Mod 15) (bold text and struck through text indicates proposed changes):

Changes to paragraph 2.66 (Mod 15):

“.....To ensure the most sustainable and deliverable form of development is achieved on these significant sites, landowners/**developers** are strongly.....”

Changes to paragraph 2.68 (Mod 15):

Representations on Main Modifications

“.....whereby the proposals for one **have regard to** ~~take account of~~ each other.....”

Mod 16 - Policy DS19:

Policy or Paragraph Reference	Legally Compliant?	Sound?
DS19 – Green Belt	Yes	Yes

The main modifications to Policy DS19 as they relate to Southcrest Farm being removed from the Green Belt are supported.

Mod 19 – Policies Map:

Policy or Paragraph Reference	Legally Compliant?	Sound?
Map 5 - Kenilworth	Yes	No – not justified

Gleeson supports the allocation of site H40 on Policies Map 5. However, as set out, above, under policy DS11 – Gleeson seeks to amend Policies Map 5 – Kenilworth by deleting designation ED2 which is now addressed under other policies.

Suggested Change to Policies Map 5 – Kenilworth to make it sound?

Delete red line area for site ED2.

Sustainability Appraisal Report

- 2.25. It is noted that the Sustainability Appraisal (SA) Addendum Report, February 2016 has assessed the land at Southcrest Farm (site K17) for predominantly an educational use and approximately 70 dwellings. The appraisal for the site refers to the potential for positive and negative changes to the assessment if the sites is considered cumulatively with development at adjoining sites.
- 2.26. It is unclear if such a comprehensive appraisal has been carried out or not?
- 2.27. In addition, if the changes identified in the representations above are accepted then updates to the SA may be required to cover:
- Land at Southcrest Farm needs to be reviewed in the context of predominantly residential

- The wider strategic allocation for land to the East of Kenilworth (including land at Thickthorn) should be assessed for educational uses.