



**WARWICK DISTRICT COUNCIL**

**REVISED DEVELOPMENT STRATEGY JUNE 2013**

Representations on behalf of  
**Gallagher Estates Ltd**

**Pegasus Group**

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## 1. INTRODUCTION

1.1 We are instructed by our client, Gallagher Estates Ltd, to make representations on their behalf to the Warwick District Local Plan Revised Development Strategy (RDS) dated June 2013. Gallagher Estates Ltd own and control a significant part of the land defined collectively as “southern sites (area south of Warwick and Whitnash)” proposed as strategic urban extension sites in the Revised Development Strategy. To be precise Gallagher Estates Ltd control:

- All of the land defined in the RDS as West Warwick Gates proposed for 220 dwellings with open space and play area (see paragraph 1.2 below);
- All of the land identified as Lower Heathcote Farm proposed for 720 dwellings and a mix of other uses;
- A large part (circa 22 hectares) of the land defined as south of Gallows Hill identified for between 430 and 630 dwellings and potentially 7 to 8 hectares of employment land. Attached at **Appendix 1** is a plan which identifies the Gallagher Estates land that falls within this area.

1.2 As the District Council is aware Gallagher Estates Ltd submitted a planning application for the development of the West Warwick Gates site in May 2013 (LPA Reference: W13/0607). The application sought outline planning permission for:

*“Up to a maximum of 220 dwellings; provision of three points of access – one from Macbeth Approach, one from Heathcote Lane and one from Harbury Lane; Comprehensive green infrastructure and open space including potential children’s play space, potential footpath and cycleways; foul and surface water drainage infrastructure, including attenuation ponds; ancillary infrastructure and ground remodelling”*

1.3 The application was presented to Planning Committee on the 23<sup>rd</sup> July 2013 with a recommendation that outline planning permission be granted subject to conditions, removal of a holding direction by the Highways Agency (HA) and completion of a Section 106 Agreement by the 2<sup>nd</sup> August 2013. The Committee endorsed the recommendation of Officers and resolved to grant planning permission. The holding direction by the HA has been removed and it is anticipated that the Section 106 Agreement will be signed by 2<sup>nd</sup> August 2013. The decision notice granting permission will, in turn, be issued. Accordingly, as the Local Plan progresses this site should be recorded as a commitment as opposed to being consulted upon as a proposed site allocation. The principle of development on this site for up to 220 dwellings is now established.

1.4 In addition English Care Villages (ECV) has recently secured planning consent on land owned by Gallagher Estates at Earls Rivers Avenue adjacent to Gallagher House, Gallagher Way. The consent is for a care retirement community including care bedrooms, close care units and assisted living units with a range of ancillary facilities such as wellness centre and treatment rooms. Accordingly as the Local Plan progresses this site, being a committed development site, should be annotated as

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such on further iterations of the Proposals Map. As with the land at West Warwick Gates the principle of development on this site is now established.

- 1.5 It is noted that the RDS is a focused consultation to primarily deal with the overall development strategy for the District and the potential sites proposed to be allocated in accordance with this strategy. These representations focus on these aspects and have been prepared in the context of the National Planning Policy Framework (NPPF) and the Duty to Co operate as explored in Section 2 below.

## 2. RDS INTRODUCTION & CONSULTATION PROCESS

- 2.1 The RDS provides little in the way of context, particularly the provisions of the NPPF and the importance of executing the Duty to Co-Operate introduced as a statutory requirement through the enactment of the Localism Act 2011. Such context would be of assistance in further iterations of the Local Plan. Indeed these are points made in the representations, submitted on behalf of Gallagher Estates Ltd, to the Preferred Options consultation of May 2012 where we stated that there should be much greater reference, within the emerging Local Plan, to the NPPF and explanation given about the Duty to Co-Operate both in terms of legal compliance and matters of soundness. This is particularly relevant to the RDS as the delivery of housing needs to be considered in the context of both the NPPF and the Duty to Co-Operate.

- 2.2 The NPPF contains a determination to see an increase in the supply of housing. In particular paragraph 19 states:

***“Every effort should be made objectively to identify and meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.”***

- 2.3 Paragraph 47 states that the Government’s key housing objective is to boost significantly the supply of new homes. At paragraph 47 the NPPF goes on to say that to boost the supply of new housing local planning authorities should use an evidence base to ensure that their local plan meets the full, objectively assessed, requirements for market and affordable housing in the housing market area, including identifying key sites which are critical to the delivery of the housing strategy over the plan period.

- 2.4 Paragraph 159 of the NPPF states that local planning authorities should prepare both a Strategic Housing Market Assessment (SHMA) and a Strategic Housing Land Availability Assessment (SHLAA). These two documents are described as critical to providing the credible evidence on which their development plans can be based, a process which is more significant in the absence of a higher tier of strategic planning which in the past would have provided housing requirements.

- 2.5 Paragraph 156 and 14 of the NPPF are also of note. The former stresses that Local Planning Authorities should set out the strategic priorities for their area in the Local Plan and that this should include policies to deliver the homes and jobs needed in the area. Paragraph 14 highlights that plan making means that: *“local planning authorities should positively seek opportunities to meet the development needs of their area”* and that *“local plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change”*.
- 2.6 In summary therefore the NPPF reflects the emphasis which the Government is placing on ensuring that the development the country needs is delivered. In particular, the NPPF contains an additional test of soundness for Local Plans which reflects this, stating that a plan should be:
- “Positively prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is practical to do so consistently with the presumption in favour of sustainable development.”**
- 2.7 In light of the above there is an increased responsibility on the authority to ensure that the requirement for development is properly evidenced in a transparent and robust manner when making decisions about their strategy. To that end we very much support and endorse the approach of the District, as set out in paragraph 1.3 of the RDS, to ensure that there is a robust and up to date evidence base and, critically, we welcome the acknowledgement that there will be a need to take account of the as yet unavailable findings of the Joint Strategic Housing Market Assessment (JSHMA) being undertaken by Coventry, Nuneaton and Bedworth, Rugby and Warwick.
- 2.8 The paragraph 1.3 acknowledgements contained within the RDS are an encouraging response to the concerns which Pegasus (on behalf of Gallagher Estates) and no doubt other parties made to the Preferred Options of May 2012. At that stage there appeared to be no means by which the Duty to Co-Operate could be satisfied which would undoubtedly have been an inadequate basis on which to allow the Plan to move forward. We welcome the fact that Warwick District is now recognising its statutory obligations with regard to the Duty to Co-Operate with neighbouring authorities in the preparation of the Warwick Local plan in order to maximise its effectiveness with regard, in particular, to the strategic planning matter of housing provision.
- 2.9 The findings of the Inspector considering the Coventry Local Development Plan – Core Strategy were no doubt instructive in this regard. This Core Strategy was withdrawn in April 2013 following the conclusion reached by the Inspector (Robert Yuille) that; *“the Council has not engaged constructively with neighbouring local planning authorities on the strategic matter of the number of houses proposed in the Plan and consequently it has not sought to maximise the effectiveness of the plan making process”* (paragraph 54, Annex to Inspector’s Report) In short, he concluded that the Council had failed to meet the legal requirements of the Duty to Co-Operate as required by

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Section 33A of the Planning and Compulsory Purchase Act 2004. Indeed it was the Inspector that drew attention, in paragraph 26, to the fact that Coventry forms part of a sub regional housing market area that also includes Warwick, Nuneaton & Bedworth and Rugby. No doubt such a conclusion providing a direct correlation with the Joint SHMA that is now underway between the four authorities.

- 2.10 Whilst the progress in seeking to meet the Duty to Co-Operate is laudable and encouraging it is also important to note that the District does have additional neighbouring authorities particularly Stratford upon Avon District and Solihull MBC. This is pertinent as both Solihull and Stratford are, at present, progressing Local Plans that incorporate a level of new housing development which is significantly lower than their arising needs which could have implications for Warwick District. In terms of Solihull for example, the Borough Council are currently consulting on Proposed Modifications to their Plan which include an acknowledgement that their existing SHMA will need to be reviewed soon (in 2014) and will need to take account of the needs of the wider housing market. Inevitably, we would suggest, this will include Warwick District. Although we are, of course, looking for the District to be able to progress their Local Plan as expediently as possible, we would stress that in addition to the Joint SHMA work currently underway, the Authority must also be in a position, on submission of the Plan, to be capable of demonstrating that they have met the Duty to Co-Operate with both Stratford and Solihull.

### **3. STRATEGIC VISION**

- 3.1 The Strategic Vision reflects that contained within the Preferred Options of May 2012. In this regard we continue to support the references to facilitating and providing for growth both in respect of the local economy and housing needs. We note the reference, however, under the heading of “*social*” to the delivery of 550 new homes per annum on new allocated sites. This annual requirement does not appear to correlate with the information provided in Section 4 of the RDS and therefore clarification is required. Notwithstanding, however, we question the identification of a precise figure as part of the vision which drives the Local Plan. Perhaps the best way forward is to delete references to dwelling quantum from the Vision in future iterations of the Local Plan. This will remove any concerns about a prejudicial approach to the process.
- 3.2 Carried forward from the Preferred Options consultation is a desire, under the heading “*Environment*”, to avoid coalescence. Avoiding coalescence between settlements in the District is a principle we supported at Preferred Option stage and continue to support. We consider that this has been reflected effectively in the RDS in terms of the newly proposed spatial distribution of development. This, more effectively, avoids coalescence of settlements having regard to Paragraph 80 of the NPPF by no longer proposing development to the north / north west of Leamington Spa on land located within the Green Belt.

#### 4. REVISED DEVELOPMENT STRATEGY

##### *Level of Housing Growth and Justification*

- 4.1 Policy RDS1 sets out that; *"The Council is adopting an interim level of growth of 12,300 homes between 2011 to 2029"*. This equates to an annual provision of 683 dwellings per annum. This appears to be based on the recently published 2011 sub national household projections with a GVA increase of 2.4% (paragraph 4.1.10, RDS). The recognition that this quantum of development is interim (emphasis supplied) only is welcomed. This is on the basis that the Authority, in proposing 12,300 dwellings, is at risk of under providing for arising need and failing to boost significantly the supply of housing contrary to the provisions of the NPPF.
- 4.2 Firstly, and as acknowledged by the Council (paragraph 4.1.1, RDS), the Authority must take on board any implications arising out of the Joint SHMA work. As discussed in Section 2 of these representations this is a critical part of the evidence base which must be reflected in the Local Plan as it progresses. There are however additional concerns about the interim figure which are summarised below.
- 4.3 The interim figure is based, to a significant degree, on the 2011 sub national household projections published in April 2013. These projections are interim because they are based on the 2011 interim sub national population projections. Such projections are usually produced every two years, the last being in 2010. These projections were though produced in response to user demand to have a set of projections to 2021 which incorporated the 2011 census results. They assume a continuation of the 2010 based projections in fertility, mortality and migration. This is because a revised set of historic data series was not yet available to update the assumptions. The 2011 projections indicate that in the period 2011 to 2021 there will be an increase of 625 households per year. The most recent household projections that go beyond 2021 are the CLG based 2008 based household projections. These projections suggested the need for the provision of 15,500 households over the period 2011 to 2029. This is equivalent to 861 dwellings per annum.
- 4.4 The main reason for the difference between the 2008 and 2011 based projections is that the 2011 based projections show a slower growth in households compared to the 2008 projections. This, it is considered, is because the economic circumstances since the recession in 2008 have made it more difficult for households to form, thus increasing the average household size over that projected in 2008.
- 4.5 It is not, though, likely that this reduced household formation rate will continue into the future as economic conditions improve, thus beyond 2021 it would be reasonable to assume that household formation rates will increase and there will be an increased growth again beyond 2021. As the section of the statistical release entitled "uses of the data" explains these interim projections only span a ten year period so users that require a longer time span would need to judge whether recent household rates are likely to continue.

- 4.6 In our view they are not likely to continue as economic circumstances improve. This is especially the case in a district such as Warwick where we believe the housing market will be more robust than elsewhere in the West Midlands. The likelihood is therefore that the figure of 625 dwellings per annum, which is predicated on the existing conditions assumed in the 2011 projections continuing, will increase as households begin to form more readily following an improvement in their economic circumstances.
- 4.7 It is also important to recognise that household projections do not equal dwellings required. In order to arrive at a figure for dwellings required there is a need to add an allowance to deal with unmet need or backlog (concealed households and reduction in sharing households), take account of second homes and also add a figure for vacancies. This accords with the requirement in the NPPF to address the need for all types of housing and also to cater for housing demand. In doing this, for example, the Warwick District Housing Market Assessment (HMA) of March 2012 is instructive. This demonstrates that, as of 2012 there was an unmet net affordable housing need of 1,144 households. These need to be added to the projection as does a suitable allowance for second homes and vacancies. When this process is undertaken it is likely to direct the Authority to a figure in excess of the 11,500 new homes proposed at paragraph 4.1.5.
- 4.8 The Authority has also produced other evidence, including the Economic and Demographic Forecasts Study (December 2012) which has identified a need for additional homes ranging from 13,300 and 13,800 between 2011 and 2029.
- 4.9 Policy RDS2 sets out how the proposed interim housing requirement is proposed to be met. It is noted that there is a large windfall allowance of 2,800 dwellings proposed. We would urge caution about the use of windfall sites, particularly at the scale envisaged. Whilst the NPPF clearly indicates that local planning authorities can make an allowance for windfalls, it also states that they can only do so if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. We remain unconvinced that such a windfall allowance is justified in terms of paragraph 49 of the NPPF. We therefore have concerns that the Authority is going to be unable to demonstrate a supply of 12,300 dwellings if this approach to windfall development is to persist.
- 4.10 In light of the concerns set out above it is important that the Local Authority reappraise the dwelling requirement of 12,300 dwellings over the plan period and the approach to windfalls as currently proposed in the Local Plan as the evidence base moves forward. On that basis we welcome the fact that the figure is acknowledged, at present, to be interim only.

***Broad Location of Development: Housing & Justification***

- 4.11 Policy RDS3 sets out the Council's Preferred Option for the broad location of development. The distribution strategy put forward by the Authority seeks to focus development within, and on the edges of, the existing urban area. In so doing it seeks to protect the Green Belt where there are

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non Green Belt options available and seeks to avoid development in areas which would lead to the unacceptable coalescence of settlements. The approach goes on to suggest a proportionate amount of growth in the rural areas, based on a hierarchical approach to the suitability of rural settlements.

- 4.12 This strategy is consistent with national policy. It proposes a distribution approach which accords with paragraph 151 of the NPPF in that it is; *“prepared with the objective of contributing to the achievement of sustainable development”*. Paragraph 152 of the NPPF directs that: *“Local Authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three”*. The distribution strategy put forward by the District Council can deliver a considerable number of positive impacts in environmental, social and economic terms. The spatial strategy is therefore supported.
- 4.13 In broad terms the distribution approach will perform, mindful of paragraph 7 of the NPPF, an **economic** role by providing land of the right type in the right place proposing development that can assist in delivering infrastructure. The economic effects are positive in terms of: locating development within and adjoining the edge of sustainable settlements with good access to facilities and services, provision of local retail provision particularly in the proposed strategic urban extension sites to the south of Warwick and encouraging higher skilled economic sectors directing employment growth in the vicinity of the Warwick Technology Park.
- 4.14 The strategy also performs a **social** role by providing housing in locations that are accessible to services and can support strong, vibrant and healthy communities. There are positive benefits in that the locations of the urban extensions, particularly the southern sites, improve availability of sustainable transport to jobs and services. The strategy also allows for mixed and balanced communities to be delivered, encourages cultural activity, improved service provision and enables positive enhancement for improving community participation through providing facilities as part of the urban extensions. Lastly the strategy provides an **environmental** role. This includes: maintaining and enhancing landscape and townscape quality and promoting biodiversity by enhancing connectivity and diversity of habitats and wildlife corridors and positively encouraging energy efficiency.
- 4.15 In particular the distribution strategy proposed at RDS3 provides a clear prioritisation that land outside of the Green Belt on the edge of existing urban areas is to be used in preference to locations within the Green Belt which closes the gap between existing settlements and could potentially lead to their coalescence. This, in turn, addresses a concern that we raised at Preferred Options stage. The NPPF, at paragraph 85, is clear that Green Belt boundaries should only be altered in exceptional circumstances. It is the case that the updated evidence base provided by the Council (summarised at 4.3.4 to 4.3.12) demonstrates that the previous perception that additional development should be accommodated in the Green Belt to the north west of Leamington as an exceptional circumstance cannot be substantiated. In reality the evidence base supports the release of further land to the south of Warwick, outside of the Green Belt, as a sustainable approach.



## 5. STRATEGIC DEVELOPMENT SITES AND INFRASTRUCTURE

5.1 The table at paragraph 5.1.2 lists the sites proposed for development and the land uses envisaged. Given their land interests (see paragraph 1.1 of this response) Gallagher Estates can comment, in particular, in relation to the proposals at West Warwick Gates, South of Gallows Hill and Lower Heathcote Farm.

### *West Warwick Gates*

5.2 The position in relation to West Warwick Gates is explained at paragraph 1.2 of this response. This is a site that has a resolution to grant planning permission for up to 220 dwellings, open space and play space consistent with the RDS. It is anticipated that this site will receive consent by the 2<sup>nd</sup> August 2013. At that stage the site will be a commitment as opposed to a Local Plan site proposal. In accordance with paragraph 5.1.32 of the RDS this site will contribute significantly to the 5 year supply of housing land, following approval of reserved matters applications and the discharge of pre commencement conditions.

5.3 As established through the resolution to grant planning permission the site at West Warwick Gates can deliver an appropriate and justified development in a manner consistent with national policy. The development of this site is soundly based. The site is deliverable / developable in the terms identified at footnotes 11 and 12 of paragraph 47 of the NPPF. Gallagher Estates, having progressed to the position of receipt of planning permission, are committed to the delivery of the site. All constraints have been properly taken into account through the application process and a sustainable development in economic, environmental and social terms incorporating up to 220 dwellings and attendant open space and green infrastructure can be provided in a manner consistent with the emerging RDS.

5.4 The land at West Warwick Gates is available now, offers a suitable location for development now and, as stated at paragraph 5.2 above, can contribute significantly to the 5 year supply of housing land.

5.5 It is also of note that the Council has granted planning permission on land adjacent to the West Warwick Gates site for a care village. It has therefore been established that this parcel of land, located at Earls Rivers Avenue adjacent to Gallagher House off Gallagher Way is suitable, deliverable and developable consistent with the provisions of the NPPF.

5.6 In addition Gallagher Estates own and control a small parcel of land located between the existing property known as Longacre and Gallagher Way. Given that the land at West Warwick Gates and the Earls Rivers Avenue is committed residential development it would be appropriate for this small pocket of land to be allocated for residential development in the next iteration of the Local Plan. This is especially the case when consideration is given to the proposed allocation of the land at Lower Heathcote Farm as discussed below. In short this land will become a somewhat isolated

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parcel of unused land if it is not incorporated into the comprehensive planning of the south of Warwick area.

***Lower Heathcote Farm***

- 5.7 **The inclusion of the land at Lower Heathcote Farm within the RDS is appropriate, justified, effective, deliverable, consistent with national policy and soundly based.** This site is proposed to accommodate 720 dwelling and a range of additional other uses including a local centre and community facilities, primary school, potentially land for a secondary school, extensive green infrastructure including a country park. This site can be delivered in the manner envisaged by the RDS. The site is deliverable / developable in the terms identified at footnotes 11 and 12 of paragraph 47 of the NPPF. Gallagher Estates are committed to the delivery of the site. All constraints of the site can be properly taken into account and a development incorporating up to 720 dwellings and a range of other uses can be provided. The site is available now, offers a suitable location for development now and there is every prospect that a number of houses can be delivered on the site within five years. In line with paragraph 5.1.32 of the RDS this site is very well advanced. The recently withdrawn planning application will very shortly be resubmitted and demonstrates, cognisant of paragraph 14 of the NPPF, that there are no adverse impacts that significantly and demonstrably outweigh the benefits of developing this site. There is, therefore, the potential to bring forward the site in the short term. On approval of an outline planning application and subsequent reserved matters/discharge of conditions the land will then contribute to the 5 year supply of housing land. The delivery of this site will direct growth in a sustainable manner in the spirit of the NPPF and its clear presumption in favour of sustainable development.

***Land South of Gallows Hill***

- 5.8 **The inclusion of the land defined as South of Gallows Hill within the RDS is appropriate, justified, effective, deliverable, consistent with national policy and soundly based.** This site is proposed to accommodate between 430 and 630 dwellings and a range of additional other uses including opens space and a potential option for in the order of 7 to 8 hectares of employment land. Gallagher Estates control the eastern part of this proposed site as shown on the location plan at **Appendix 1**. The land to the west is controlled by Hallam Land Management and William Davis who Gallagher Estates understands are about to submit an outline planning application for the development of 250 dwellings. A planning application is also to be submitted very shortly for the land controlled by Gallagher Estates. Both sites can be delivered in a manner envisaged by the RDS incorporating housing and extensive open space. The Gallagher land can be brought forward for development in a manner that does not prejudice the remaining land within the proposed allocation being developed.
- 5.9 The land, as identified at **Appendix 1**, is deliverable / developable in the terms identified at footnotes 11 and 12 of paragraph 47 of the NPPF. Gallagher Estates are committed to the delivery of the site. All constraints of the site can be properly taken into account. The site is available now,

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offers a suitable location for development now and there is every prospect that a number of houses can be delivered on the site and the land to the west within five years. In line with paragraph 5.1.32 of the RDS the Gallagher site is very well advanced. The recently withdrawn planning application will very shortly be resubmitted and demonstrates, cognisant of paragraph 14 of the NPPF, that there are no adverse impacts that significantly and demonstrably outweigh the benefits of developing this site. There is, therefore, the potential to bring forward the site to contribute significantly to the 5 year supply of housing land. The delivery of this site will direct growth in a sustainable manner in the spirit of the NPPF and its clear presumption in favour of sustainable development.

***Land at Lower Heathcote & South of Gallows Hill – Sustainable Proposals***

- 5.10 In environmental terms these sites have a positive impact. They promote biodiversity and geo diversity and protect the historic environment. The built form of the sites can be defined by the landscape and topography setting and do not give rise to any loss of important views. Opportunities can and will be taken for positive enhancements through the approach of providing comprehensive green infrastructure including the provision of a country park to the south of Lower Heathcote Farm as envisaged at Paragraph 5.1.10 of the RDS. Large areas of the sites will be given over to high quality, useable open space incorporating green corridors. These can ensure mitigation and enhancement in ecological terms. Further, in environmental terms, the opportunity is for positive enhancements in terms of avoiding impact for food risk and prudently using natural resources.
- 5.11 The location of the sites in providing improved levels of housing in locations easily accessible to employment opportunities provides a positive economic impact. A range of housing can be provided consistent with creating balanced and mixed communities. There is also the opportunity to encourage sustainable travel as the proposals offer the opportunity for improved public transport and the provision of pedestrian and cycling routes throughout the sites linking to the green infrastructure network and services and facilities beyond the site boundaries.
- 5.12 In particular the sites provide a positive impact on social factors. This includes improving the availability of sustainable transport and creating balanced and mixed communities. In addition, positive impacts arise in terms of promoting safe communities, improving health and improving community participation. This is possible given the range of services in the area including the primary school, provision for open space, sport and recreation as part of the extensive green infrastructure and the provision of a local centre as part of the Lower Heathcote Farm proposal which can act as a focus for community activity.
- 5.13 In light of this the Lower Heathcote and south of Gallows Hill sites are sustainable in the terms set out in the NPPF. The sustainability advantages of the sites are also recognised in the Final Interim SA Report produced by the Council alongside the RDS. This notes a number of positive impacts of the sites in terms of the economy, sustainable transport, reducing the need to travel, meeting

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housing needs, local services and community facilities, health and well being and reducing poverty and social exclusion.

***Paragraphs 5.13 and 5.1.4***

- 5.14 Paragraph 5.1.3 and 5.1.4 of the RDS deal with anticipated densities and housing mix. Densities of an average of between 30 and 35 dwellings per hectare are envisaged and 40% affordable housing. These can be achieved on the proposed development sites as will be evidenced in the applications to be submitted shortly. Paragraph 5.1.4 does suggest, however, a prescriptive approach to house sizes and types. There is a reference to such information being set out in the Strategic Housing Market Assessment. There is concern, however, that this document may not be updated regularly and therefore the information in relation to housing mix and type may become out of date. Indeed the information contained within the SHMA is already out of date to some extent as it relies on data from 2011. Further although information is set out at a sub district level, there may be justification for a specific type and mix of housing on a particular site or in a particular locality and therefore the Council should ensure the policy is sufficiently flexible to deal with such circumstances. We believe that the housing developers have a good understanding of the markets within which they operate, as ultimately they will only build what there is demand for in the area.
- 5.15 There is also a suggestion, in paragraph 5.1.4, that at least 25% of homes, across all tenures will be built to Lifetime Home standards. This is a discretionary standard and whilst a number of house builders do achieve lifetime homes standards voluntarily it should not be compulsory through planning policy. Paragraph 5.1.4 also refers to the provision of homes for older people in the area. In this regard the Council is aware that English Care Villages / Gallagher Estates have recently received planning permission for elderly accommodation on land adjacent to the West Warwick Gates site, north of the Lower Heathcote Farm site. It is therefore unlikely that demand will be sufficient for further extra care facilities within this particular area. It is important therefore that such provision is not a requirement of the proposed strategic sites.

***Paragraphs 5.1.5 & 5.1.6***

- 5.16 These paragraphs set out the two potential options for accommodating employment land as part of the southern sites strategic urban extensions. The choice is to be made between directing the employment development either to land south of Gallows Hill in the vicinity of Warwick Technology Park or land north of Gallows Hill immediately adjacent to the Warwick Technology Park. It would appear, however, from paragraphs 5.1.5 and 5.1.6 that Option 2 which would direct the employment area to the north of Gallows Hill has; *“some significant advantages”* over the other options. The development of employment premises at this location would have less impact on the setting of Castle Park and any views towards the south east from the Castle, than the land south of Gallows Hill, where residential development, because of the scale and layout, will have much lesser impact. In locating employment land the Council should have regard to the demands of the market. Sites should have the capability of responding to future changes to economic circumstances. This

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will be best obtained from the land north of Gallows Hill and west of Europa Way, where the site will enjoy direct access to the main highway network and a visible presence on the Europa Way corridor. On that basis, therefore, the evidence base suggests that the employment land would be best directed to the land north of Gallows Hill and we would therefore favour that option at this stage. Without prejudice to the views set out above the land controlled by Gallagher Estates south of Gallows Hill can be developed to work with whichever option is ultimately chosen.

***Paragraph 5.1.10***

- 5.17 The paragraph refers to the need for a country park. As set out previously, Gallagher Estates can deliver such a corridor at Lower Heathcote Farm between the southern edge of the built up area and the Tach Brook.

***Paragraph 5.1.11***

- 5.18 Gallagher Estates controls a significant amount of the southern sites proposed development land. In proposing the development of their land interests in this general area they acknowledge that the sites cannot be treated as an "island" and their sites will be proposed for development in a manner which links with land uses on adjacent sites, ensuring access and linkages through the sites and recognising the need to coordinate on site infrastructure and services.

***Infrastructure Requirements***

- 5.19 Paragraphs 5.1.4 to 5.1.25 deal with infrastructure requirements. It is agreed, as advocated in paragraph 5.1.14, that sites need to be brought forward in a way that delivers sustainable communities and that infrastructure must be planned in a co ordinated way. In this regard, there is no difficulty, in principle subject to any request made of the developer being commensurate with the CIL Regulations, to the infrastructure topics covered in the RDS. It is agreed that infrastructure requirements are likely to cover road, public transport, cycling and walking, green infrastructure, local centres, utilities and education. In relation to the latter it is unclear, within the RDS, whether secondary provision will or will not need to be provided and clarification is required on this point as the Local Plan moves forward. In particular the infrastructure identified to come forward on the Gallagher Estates land at Lower Heathcote Farm (namely primary school, local centre and country park) can be delivered as part of the proposals.

**6. CONCLUSION**

- 6.1 These representations to the Warwick District Local Plan RDS consultation document have been prepared on behalf of our client, Gallagher Estates Limited. They very much support the general strategy of distributing growth around the District and, in particular, support the southern sites proposed urban extension including the sites at West Warwick Gates (soon to have planning permission), land at Lower Heathcote Farm and land south of Gallows Hill. The representations

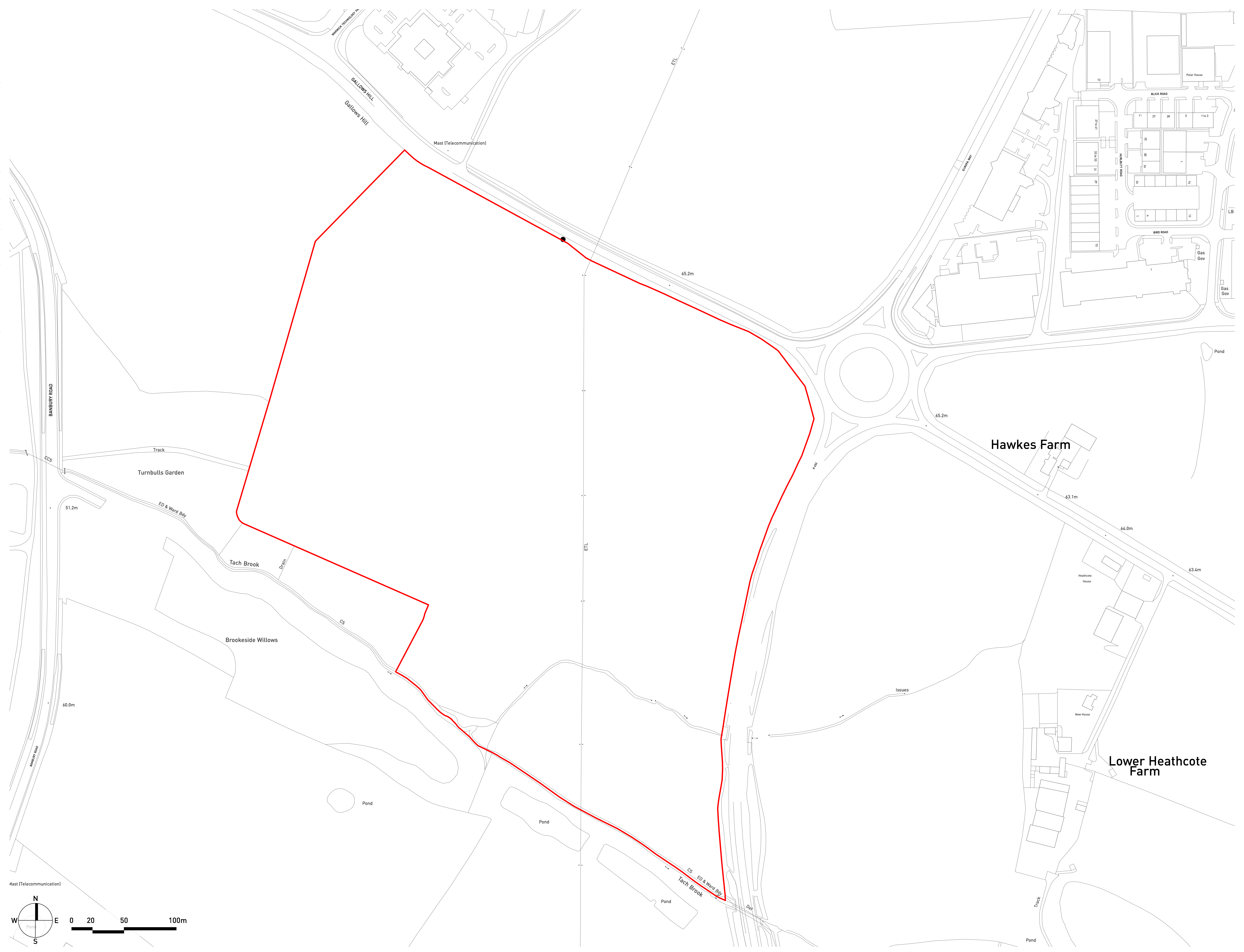
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support the view of the Council that land at Lower Heathcote Farm and south of Gallows Hill will deliver sustainable development mindful of the provisions of the NPPF. The representations welcome and endorse the updated evidence base in its support for the allocation of these sites and are content that the distribution approach no longer seeks to release land from the Green Belt in preference to sustainable, non Green Belt options in a manner that was previously in conflict with the NPPF.

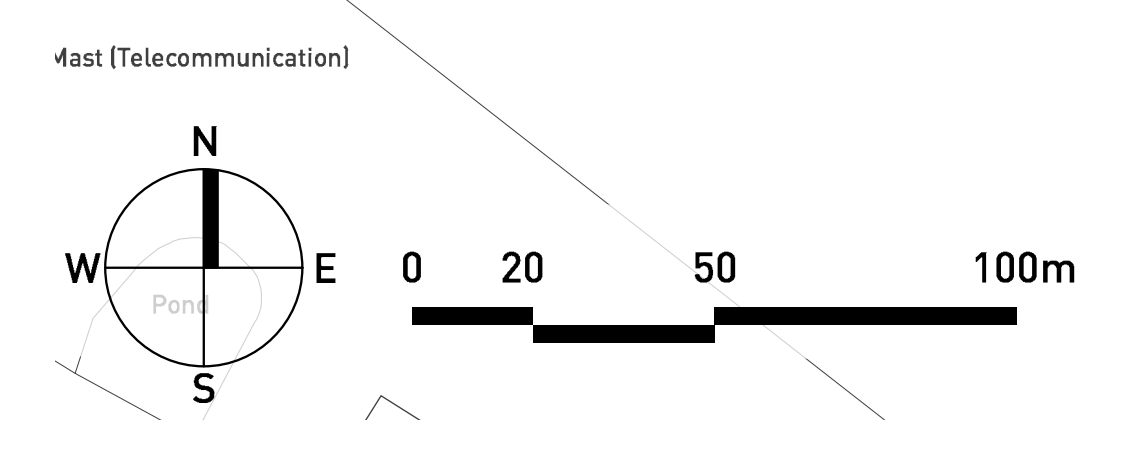
- 6.2 There is therefore much to be supported in the revised RDS. There are, however, some concerns particularly in regard to meeting the objectively assessed housing needs and evidence of compliance with either the legal obligations or the requirements of the NPPF with regard to the Duty to Co-Operate. Given, however, that the Authority acknowledge that the 12,300 dwellings currently proposed over the plan period can be regarded as interim only we are confident that the Authority will look to address these concerns as the Local Plan continues its progress to adoption.

# APPENDIX 1

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KEY:  
APPLICATION BOUNDARY (21.76HA)



LAND WEST OF EUROPA WAY, LOWER HEATHCOTE - SITE LOCATION PLAN

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