

**WARWICK DISTRICT COUNCIL  
DRAFT LOCAL PLAN**

**PROPOSED MODIFICATIONS IN  
RESPONSE TO THE INSPECTOR'S  
INITIAL FINDINGS  
MARCH 2015**

**POLICY DS11 – ALLOCATED  
HOUSING SITES**

**REPRESENTATIONS**

**ON BEHALF OF GALLAGHER ESTATES LTD**

**Pegasus Group**

5 The Priory | Old London Road | Canwell | Sutton Coldfield | B75 5SH

**T** 0121 308 9570 | **F** 0121 323 2215 | **W** [www.pegasuspg.co.uk](http://www.pegasuspg.co.uk)

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## INTRODUCTION

1. This Statement comprises the submissions made on behalf of Gallagher Estates Ltd, in respect of Policy DS11 relating to the Allocated Housing Sites, Proposed Modification 10 and Proposed Modification 19 as shown within the amendments to the policies maps contained within the Warwick District Council Local Plan Proposed Modifications.
2. Whilst this Statement refers specifically to the Proposed Modifications to Policy DS11 it should be read in conjunction with the representation submitted to the proposed modifications to Policy DS15 'Comprehensive Development of Strategic Sites'.

## POLICY DS11– ALLOCATED HOUSING SITES

1. It is important to note that the approach of Policy DS4 which focuses development within and around, and on the edges of existing urban areas notably to the southern edge of Warwick and Leamington and other sites on the edge of the Districts' main settlements is, consistent with paragraph 151, NPPF which requires Plans to be *"prepared with the objective of contributing to the achievement of sustainable development"*. Thus we are in support of the spatial strategy advocated within Policy DS4 and the allocation of sites proposed within Policy DS11.
2. Proposed Modification 10, as shown in Appendix B, also proposes the allocation of site H46A Gallows Hill for residential development of up to 630 dwellings. The allocation of my client's site which falls within Land at Gallows Hill is supported, as being appropriate, justified, effective, deliverable, consistent with national policy and soundly based.
3. Planning permission for the development of 450 dwellings by Gallagher Estates was allowed on appeal by the Secretary of State on the 14 January 2016 on Land at Gallows Hill. The accompanying Appendix B –DS11 Allocated Housing Sites table includes the Gallagher Estates development on Land at Gallows Hill as part of site H46A in addition to adjoining land immediately to the west which does not benefit from planning permission. The H46A allocation as a whole is for up to 630

dwellings. To the south of Gallows Hill, an outline planning application for 900 dwellings by Barwood Strategic Land was allowed on appeal by the Secretary of State (14 January 2016) on Land at known as The Asps. This site is also proposed to be allocated as site H46B for 900 dwellings.

4. The Table included at Appendix B which forms part of Proposed Modification 10 sets out the Infrastructure Requirements for both H46A and H46B which comprise of: park and ride, primary school, neighbourhood police office, local centre (including convenience store or no more than 500sqm gross floorspace) and community facilities.
5. The outline planning approvals by the Secretary of State on the Gallows Hill site and The Asps propose to secure a range of infrastructure considered to be necessary for each of the developments. Gallagher Estates land at Gallows Hill, will deliver: 40% affordable housing, comprehensive green infrastructure and public open space provision as well as footpaths and cycleways, in addition to contributions towards education, health contributions to Warwick Gates GP Surgery and South Warwickshire NHS Foundation Trust and police service contributions. The Asps will deliver: 40% affordable housing, a primary school, a local centre, a Park and Ride facility for up to 500 spaces, areas of public open space and a new police office. The infrastructure listed against site H46B will therefore come forward as part of the approved outline planning permission for The Asps. As such the reference under the infrastructure requirements within Appendix B as shown on page 32 to 'see site H46B' should be reworded to clearly specify "To be provided within site H46B".
6. The allocation of site H46A Gallows Hill as shown on the Policies Map as part of Proposed Modification 19 is supported as is the amendment to the urban area boundary.
7. As the District Council are aware Gallagher Estates have also secured outline planning permission at Lower Heathcote Farm which forms part of the strategic housing allocation Site H02 known as Land south of Harbury Lane. Reserved Matters applications have also been granted permission and this area will therefore come forward in a manner consistent with boosting supply and making a contribution to the 5 year housing land supply.

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8. Reference is given within the amendments to Policy DS11, Appendix B, paragraph 2.49 (under Proposed Modification 10) to a small section of land to the south of Harbury Lane which does not have the benefit of planning permission. This land is within the control of Gallagher Estates. This land forms part of Lower Heathcote Farm where outline planning approval has been granted for 785 dwellings and is known as the Triangle site. The District Council envisage that this land has capacity for 105 dwellings however it is clear from the initial work undertaken on behalf of Gallagher Estates that this site has the capacity for up to 150 dwellings. As such it is considered that paragraph 2.49 of Appendix B should be amended to reflect the full capacity of the site and provide a broad range of up to 150 dwellings.
  
  9. In light of the above there is scope for site H02 to deliver further sustainable development in the form of additional housing on the Triangle site at Lower Heathcote Farm. The approximate numbers of dwellings that can be accommodated will be determined through the use of appropriate Development Management Policies within the plan at an appropriate time when a planning application is submitted. At this stage it is considered that the Triangle site should be identified as providing for up to 150 dwellings.

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# APPENDIX 1

## Consultation on Proposed Modifications (2016) Response Form

For Official Only	
Person ID	
Rep ID	

Please use this form if you wish to support or object to the Proposed Modifications

This form has two parts:

Part A – Personal Details

Part B – Your Representations

If your comments relate to more than one proposed Modification you will need to complete a separate Part B of this form for each representation.

This form may be photocopied or alternatively extra forms can be obtained from the Council's offices or places where the Modifications have been made available (see the table below). You can also respond online using the Council's e Consultation System, visit: [www.warwickdc.gov.uk/newlocalplan](http://www.warwickdc.gov.uk/newlocalplan)

Please provide your contact details so that we can get in touch with you regarding your representation(s) during the examination period. Your comments (including contact details) cannot be treated as confidential because the Council is required to make them available for public inspection. If your address details change, please inform us in writing. You may withdraw your objection at any time by writing to Warwick District Council, address below.

All forms should be returned by **4.45pm on Friday 22 April 2016**

To return this form, please deliver by hand or post to: **Development Policy Manager, Development Services, Warwick District Council, Riverside House, Milverton Hill, Leamington Spa, CV32 5QH or email: [newlocalplan@warwickdc.gov.uk](mailto:newlocalplan@warwickdc.gov.uk)**

### Where to see copies of the documents:

Copies of the proposed Modifications, updated Sustainability Appraisal and all supporting documents are available for inspection on the Council's web site at [www.warwickdc.gov.uk/newlocalplan](http://www.warwickdc.gov.uk/newlocalplan) and also at the following locations:

- Warwick District Council Offices, Riverside House, Milverton Hill, Royal Leamington Spa;
- Leamington Town Hall, Parade, Royal Leamington Spa
- Warwickshire Direct Whitnash, Whitnash Library, Franklin Road, Whitnash
- Leamington Spa Library, The Pump Rooms, Parade, Royal Leamington Spa
- Warwickshire Direct Warwick, Shire Hall, Market Square, Warwick
- Warwickshire Direct Kenilworth, Kenilworth Library, Smalley Place, Kenilworth
- Warwickshire Direct Lillington, Lillington Library, Valley Road, Royal Leamington Spa
- Brunswick Healthy Living Centre 98-100 Shrubland Street, Royal Leamington Spa
- Finham Community Library, Finham Green Rd, Finham, Coventry, CV3 6EP

# Part A - Personal Details

	1. Personal Details*	2. Agent's Details (if applicable)
Title	MRS	
First Name	MICHELLE	
Last Name	SIMPSON-GALLEGO	
Job Title (where relevant)		
Organisation (where relevant)	PEGASUS GROUP	PEGASUS GROUP
Address Line 1		5 THE PRIORY
Address Line 2		OLD LONDON RD
Address Line 3		CANWELL
Address Line 4		SUTTON COLDFIELD
Postcode		B75 5SH
Telephone number		0121 308 9570
Email address		michelle.simpson-gallego@pegasuspg.co.uk

### 3. Notification of subsequent stages of the Local Plan

Please specify whether you wish to be notified of any of the following:

The submission of the Modifications to the appointed Inspector

Yes  No

Publication of the recommendations of any person appointed to carry out an independent examination of the Local Plan

Yes  No

The adoption of the Local Plan.

Yes  No

## Part B - Your Representations

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Please note: this section will need to be completed for each representation you make

### 4. To which proposed Modification to the Submission Plan or the updated Sustainability Appraisal (SA) does this representation relate?

Modification or SA:	<input type="text" value="MODIFICATION (POLICY DS11)"/>
Mod. Number:	<input type="text" value="IO (APPENDIX B) &amp; 19 (POLICIES MAP)"/>
Paragraph Number	<input type="text"/>
Mod. Policies Map Number:	<input type="text" value="POLICIES MAP 2"/>

### 5. Do you consider the Local Plan is :

5.1 Legally Compliant? Yes  No

5.2 Sound? Yes  No

### 6. If you answered no to question 5.2, do you consider the Proposed Modification is unsound because it is not:

(Please tick)

Positively Prepared:	<input type="checkbox"/>
Justified:	<input type="checkbox"/>
Effective:	<input type="checkbox"/>
Consistent with National Policy:	<input type="checkbox"/>



7. Please give details of why you consider the Proposed Modifications to the Submission Warwick District Local Plan are not legally compliant or are unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Proposed Modifications, please also use this box to set out your comments.

PLEASE SEE ACCOMPANYING RESPONSE

Continue on a separate sheet if necessary

8. Please set out what change(s) you consider necessary to make the Proposed Modifications to the Submission Warwick District Local Plan legally compliant or sound, having regard to the test you have identified at Question 5 above where this relates to soundness. You will need to say why this change will make the Local Plan/Sustainability Appraisal legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

PLEASE SEE ACCOMPANYING RESPONSE

Continue on a separate sheet if necessary

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested changes, as there will not normally be a subsequent opportunity to make further representations. Further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

9. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Continue on a separate sheet if necessary

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

### 11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name/organisation.

Signed:

PEGASUS GROUP



Date:

21.04.16

Copies of all the comments and supporting representations will be made available for others to see at the Council's offices at Riverside House and online via the Council's e-consultation system. Please note that all comments on the Local Plan are in the public domain and the Council cannot accept confidential objections. The information will be held on a database and used to assist with the preparation of the new Local Plan and with consideration of planning applications in accordance with the Data Protection Act 1998.

For Official Use Only

Person ID:

Rep ID: