

**WARWICK DISTRICT COUNCIL
DRAFT LOCAL PLAN**

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

**POLICY DS15 – COMPREHENSIVE
DEVELOPMENT OF STRATEGIC SITES**

REPRESENTATIONS

ON BEHALF OF GALLAGHER ESTATES LTD

Pegasus Group

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INTRODUCTION

1. This Statement comprises the submissions made on behalf of Gallagher Estates Ltd, in respect of Policy DS15 relating to Comprehensive Development of Strategic Sites and in particular Proposed Modification 14 and Proposed Modification 15.
2. Whilst this Statement refers specifically to the proposed modifications to Policy DS15 it should be read in conjunction with the representation submitted to the proposed modifications to Policy DS11 'Allocated Housing Sites'.

POLICY DS15 – COMPREHENSIVE DEVELOPMENT OF STRATEGIC SITES

1. The allocation of my client's site which falls within Land at Gallows Hill is supported as set out within the accompanying representations to Policy DS11. Planning permission for the development of 450 dwellings (Gallagher Estates) was allowed on appeal by the Secretary of State on the 14 January 2016. 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 to the western side which does not benefit from planning permission. The H46A allocation as a whole is for up to 630 dwellings.
2. The allocation of land at Gallows Hill is supported however the wording that accompanies Policy DS15 is overly prescriptive particularly in relation to comprehensivity and the requirement within the policy for either a Development Brief or Layout and Design Statement to be provided to address the criteria set out in Policy BE2 (Developing Strategic Housing Sites). This ignores the fact that outline planning approval has already been granted for Gallagher Estates on land south of Gallows Hill whilst the land immediately adjoining to the west which also falls within the proposed allocation H46A has not been advanced with proposals for development.
3. The subsequent discharge of conditions relating to the outline approval, future Reserved Matters applications and early delivery of the Gallagher Estates site at Gallows Hill should not be restricted by a requirement to provide a comprehensive development of the whole proposed allocation site. The conditions that form part

of the outline approval require the development to be carried out in line with the approved Design Statement. A Site Wide Design Code and Site Wide Masterplan is required to be approved prior to the submission of any Reserved Matters applications. These Site Wide documents relate to the Gallagher site not the land immediately to the west which does not benefit from planning permission.

4. Given the above is it suggested that the requirement for comprehensivity for the proposed Gallows Hill allocation (H46A) needs to be revised to reflect: (a) the Gallagher Estates land to the eastern side of H46A has the benefit of an existing outline planning permission, (b) land to the east of this does not have the benefit of outline planning permission and (c) Gallagher Estates wish to deliver development at Gallows Hill in an expedient manner.

5. Proposed Modification 15 includes additional references to seeking to ensure the comprehensive development of the proposed allocated strategic urban extensions within the policy wording and at paragraphs 2.66 to 2.68. This sets out that *“To ensure the most sustainable and deliverable form of development is achieved on these significant sites, landowners are strongly encouraged to work together closely to produce the most appropriate overall scheme for the site. This might be achieved through the setting up of consortia or other formal means of co-ordinated joint working (including the local planning authority as a full partner)”. As set out above, outline planning permission has already been granted on the eastern part of the H46A allocation within the control of Gallagher Estates and not on the land to the west. As such it is considered that additional wording should be added to Policy DS15 which acknowledges that planning permission has been secured on part of H46A and which requires the remainder of the site, which does not have the benefit of planning permission, to come forward in line with this outline approval. This needs to be clarified within the wording of Policy DS15 and the accompanying paragraphs 2.67 to ensure that the delivery of the Gallagher Estates site at Gallows Hill is not thwarted. Indeed the policies within the emerging Local Plan (e.g. policy BE1) will ensure high quality development is delivered and will provide the necessary control over the quality of the proposals coming forward on the land within the western side of site H46A without the need for overall masterplans or Development Briefs which represent an extra layer of plan making which is unnecessary.*

APPENDIX 1

LOCAL PLAN

helpingshapethedistrict



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

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**

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 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

For Official Use Only

Person ID:

Rep ID:

Part B - Your Representations

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:	MODIFICATION (POLICY DS15)
Mod. Number:	14 & 15
Paragraph Number	PARAS 2.66 TO 2.68
Mod. Policies Map Number:	

5. Do you consider the Local Plan is :

5.1 Legally Compliant?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
5.2 Sound?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

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

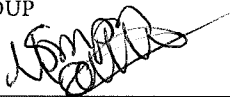
Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

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.