

14 January 2019



Planning Policy
Warwick District Council
Riverside House
Milverton Hill
Leamington Spa
CV32 5HZ

Reece Lemon



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Dear Sirs,

**Representation to the Land East of Kenilworth Development Brief
On behalf of Gleeson Strategic Land Ltd (Gleeson)**

Savills is instructed by Gleeson Strategic Land Ltd (Gleeson) to submit representations to the public consultation 'Land East of Kenilworth Development Brief' ('the Brief'). The Brief provides detailed guidance on the development of a sustainable urban extension to the eastern side of Kenilworth on around 100 hectares of land allocated in the Warwick District Local Plan 2011-2029 for residential, employment and education uses. It is intended that the Brief is adopted as a Supplementary Planning Document for consideration in the determination of planning applications related to the land subject to the Brief.

This letter therefore sets out a formal response to the Brief, taking account of specific policies as they pertain to Gleeson's interest at Southcrest Farm (the Site), within the northern edge to the allocated site east of Kenilworth. It should be noted that Gleeson has been in discussion with officers over a number of years in relation to its interest at the Site. These representations are therefore duly informed by such discussions.

Background to Southcrest Farm, Kenilworth

The extent of Gleeson's interest at the Site falls to the east of Kenilworth, in relatively close proximity to the A46 Warwick bypass. The site is identified by the attached red line plan at Appendix A, and falls to the eastern boundary of Kenilworth abutting Glasshouse Lane and Crewe Lane, to the site's northern boundary. The wider site comprises an area of circa 18ha, including the site earmarked for the secondary school, or circa 4ha at Southcrest Farm itself as promoted for residential development. The site is currently in greenfield use. The site is located in an area of gently sloping land and there is a natural area of open woodland that forms the northern boundary along Crewe Lane, providing dense screening in its existing configuration. The eastern and western boundaries of the site benefit from mature tree coverage and hedgerow which, overall, provide a relatively well contained site within the immediate landscape context.

There is no relevant planning history specific to this site, although a planning application at the adjacent site was submitted by Catesby in August 2018 for up to 640 new homes and associated infrastructure. The site, along with land to the East of Kenilworth, is identified as part of adopted Policies DS12 (Major Education Allocations), and DS11 (housing allocation).

At this stage, Gleeson is currently in pre-application discussions with Warwick District Council and Warwickshire County Council in respect of the delivery of residential development. A pre-application meeting took place in December 2018 (application reference PRE/18/0117) where the submitted concept plan for the site was generally positively received. Consistent with the provisions of the emerging Development Brief, the scheme would include for a range of house types including flats, detached, semi-detached, and terraced housing. This housing mix is considered to generally reflect the relevant provisions of adopted housing mix

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policies. The overall scale of the scheme would include for predominantly two storey dwellings, considered best appropriate in responding to the site's prevailing characteristics.

Land East of Kenilworth Development Brief – Public Consultation

The public consultation Brief sets out a number of matters directly relating to development of the whole site, including Southcrest Farm. We set out below responses to the chapters, policies and proposals on behalf of Gleeson, using the headings and numbering referred to in the consultation document itself. Please note that a response is not necessarily afforded to each section of the Brief, unless of central relevance or importance to Gleeson's interests in the plan area.

Chapter 6: Vision and Objectives

Owing to its broad consistency with both the adopted Warwick District Local Plan, and the provisions of KP4 of the now 'made' Kenilworth Neighbourhood Plan, Gleeson agrees with the overarching visions and objectives for land east of Kenilworth.

It is agreed that the site should be developed comprehensively as a high quality and integrated development, including circa 1,400 new dwellings, although we consider that this should be a minimum figure and the policy amended accordingly. The specific quantum of development should be guided by site specific constraints and opportunities in keeping with national planning policies relating to the delivery of sustainable development. It is accepted that the vision includes for the provision of educational facilities, including both primary and secondary provision. The specific policy wording relating to such facilities is considered further in this correspondence.

Objectives 1 – 8 relate well to the overarching vision proposed by the District Council. Gleeson particularly supports Objective 1, relating to the delivery of a mix of housing to create a sustainable community.

Chapter 7: Development Principles

Development Principle 1. Delivery of a mix of housing to create a sustainable community

Principle 1 relates exclusively to Objective 1 of the Brief and the delivery of a mix of dwellings. It is agreed that the delivery of circa 1,400 new dwellings is consistent with the requirements of Policy DS11 of the adopted Warwick District Local Plan. As above, we emphasise that the specific quantum of development achieved across the site should be informed by site specific factors. This is acknowledged in supporting text to the Brief, which is welcomed. The policy, as drafted, is supported as it allows for sufficient flexibility to deliver more or less than the 1,400 figure, providing there is sufficient robust justification for doing so (although note that the figure should be a minimum).

In respect of **Principle 1a**, relating to housing mix, Gleeson again welcomes the clarity provided by the Brief. It is again noted that the specific housing mix may itself be guided by site specific factors, and may vary occasionally to that set out in Table 1 of the Brief. We do, however, welcome the policy wording currently proposed which seeks to provide some degree of flexibility whilst also ensuring an appropriate housing mix across the wider site area.

Development Principle 3G. Other Accesses

Principle 3G relates to access for the ED2 site. Point b) of Principle 3G states that:

"b) Should any part of ED2 be developed for residential purposes, a suitably designed access into the site shall be provided. The access shall not be utilised to serve any residential development unless and until Crewe Lane/Glasshouse Lane junction improvements have been completed to the satisfaction of the Local Highways Authority. Access to the site must also be located and designed giving due regard to the proposed Secondary School site access"

Page 76 (Principle 3E: Crewe Lane) of the Brief discusses the improvements to the Crewe Lane/Glasshouse Lane/Hidcote Road junction. The preferred improvement includes restricting access from Crewe Lane and Hidcote Road along with traffic calming measures at the junction.

Scoping discussions have taken place with the local highway authority (Warwickshire County Council) and access to the residential element of ED2 is proposed from Glasshouse Lane. It is not necessary to have completed the preferred improvements at the Crewe Lane/Glasshouse Lane/Hidcote Road junction to make the residential junction acceptable in highway terms i.e. the residential element of ED2 can happen in advance of the preferred improvement works. The wording of Development Principle 3G is therefore not considered appropriate and it is respectfully requested this paragraph be amended to remove the reliance on the improvements being implemented at the Crewe Lane/Glasshouse Lane/Hidcote Road junction prior to access being provided to the residential site.

Discussions have taken place with Warwickshire County Council who agree that the residential site cannot be dependent on this infrastructure being delivered prior to access and that this will also be picked up in WCC's response to the Brief – see Appendix B.

Development Principle 4. Social and Community Infrastructure

Principle 4B addresses the provision of new primary and secondary education facilities and it is specifically noted that land at Southcrest Farm (ED2) shall provide a new secondary school to meet local needs. This reflects Policy DS12 of the adopted Local Plan which addresses the allocation of land for education, and identifies land at Southcrest Farm as allocated for educational and other compatible uses which, the secondary school aside, includes sixth form centre, and if deemed the most appropriate location, a primary school. Significantly, the provisions of DS12 are clear that: *“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”*.

Furthermore, we would note that Policy DS12 specifically states that the site should provide a primary school if deemed the most appropriate location. It is clear from the Brief that Southcrest Farm is not considered the most appropriate location for a primary school, since the preferred location is elsewhere within the Brief area and highlighted as such on the indicative masterplan (with the northern parcel of land at Southcrest Farm highlighted as residential).

We therefore consider that the preferred location for the new primary school is as set out in the Brief and within the central parcel of the wider site, which we agree is the most logical and appropriate location for such a facility intended to serve the wider development area. Southcrest Farm (the northern parcel) should therefore be removed as one of the reserve primary school sites. It is therefore clear that the whole site will not be required for educational uses and the release of the surplus land for housing is therefore supported.

In any case, there remains a level of ambiguity in relation to the reserve sites which should be addressed. The supporting text outlines that:

“Three reserved primary school sites are identified should the preferred location not be deliverable by the time land for the primary school is required”

It is not clear whether the three identified reserve sites have been ranked in order of preference, nor is it clear when the Council anticipates the requirement for the delivery of the primary school in time (acknowledging that the proposed triggers relate simply to the occupation of dwellings). This is a significant matter which must be clearly articulated in the Brief. If the Vision of the Brief in providing comprehensive development is to be realised, the Brief should avoid the protracted delay in housing delivery across three parcels for an extended period. It may be prudent for officers to consider a 'long stop' date for the reserve sites, to provide certainty of delivery either of the primary school or of residential development. This is a highly significant factor impacting delivery of new homes in line with the provisions of adopted policy DS11, and one that requires to be reconsidered as it could otherwise stifle the bringing forward of much needed housing.

Finally in relation to the primary school it is expressly noted that “...S106 contributions will be sought from residential development to fund both the land and build costs of the new school”. We note that a similar provision is not explicitly referenced in respect of secondary provision at Southcrest Farm within the supporting text associated with Principle 4B. This is an oversight which should be corrected in the interests of parity and consistency in approach. Further detail of the mechanisms through which such costs will be covered should be provided.

Objective 5. Environmental Quality

Within the sub-text to 'Sustainable Drainage' on page 108 reference is made to the adoption of SuDS where located within areas of open space, with a commuted sum. However, no detail or calculation is provided in relation to what the sum could be. As a result there is uncertainty as to the level of contributions that may be sought and whether there is an associated impact on viability or values which the landowners would need to factor in. The requirement for a sum should be removed until further detail is provided.

In relation to Development **Principle 5D** regarding Air Quality, we consider that there should be greater flexibility where extensive monitoring is unlikely to be required for less sensitive sites. We therefore suggest that part a) of this policy should be revised as follows:

a) Detailed Air Quality assessments shall accompany all major planning applications to demonstrate that existing sources of air pollution will not have a detrimental impact upon the amenity of proposed residents. All assessments shall refer to Warwick District Council's Air Quality & Planning SPD (August 2018) (Consultation Draft) or any subsequently adopted version of the document and mitigation measures shall be identified and provided in accordance with the document or any subsequently adopted SPD relating to air quality. In particular, given the proximity of the development to the A46, the air quality assessment will need to consider the air quality impacts from the A46. Where a detailed air quality assessment indicates a potential development constraint as a result of poor air quality adjacent to the A46, the use of air quality monitoring data will be essential in support of a full planning application.

Development Principle 8. Utilities

Following changes to water charging we consider that part c) of **Principle 8** should be revised as follows so that contributions are only required where development is connecting to the pumping station:

c) Developers, where relevant, will be expected to contribute (directly to Severn Trent Water) towards capacity improvements at Dalehouse Lane Terminal Pumping Station.

We would also note that Infrastructure Charges that are payable on all new connected properties will cover the costs associated with any offsite reinforcement.

Chapter 8: Shaping the Masterplan & Chapter 9: Indicative Masterplan & Scale Parameters Plan

Chapters 8 and 9 provide an indicative masterplan together with masterplan principles and parameter plans of which we are in general agreement. However, we would note that there is an additional area of the Site that should be shaded as part of the relevant plans (namely the Land Use Plan and Indicative Site Masterplan). The area is to the east of the existing area shaded as part of Southcrest Farm on Figures 54 and 55. This has been acknowledged in pre-application discussions and the Council have confirmed the shading should be extended to this effect. Whilst this additional area is previously developed land which would allow for residential development of the site to come forward, for completeness and to allow for flexibility in bringing forward the Site it is considered the allocation should be expanded accordingly.

Concept Proposal 6 of the Brief makes provision for two main areas of green open space which will provide children's play areas as well as opportunities for recreation and leisure. We acknowledge that site specific open space requirements for Southcrest Farm will be considered as part of a planning application in due course.

Chapter 10: Delivery

It is useful for the Brief to include an overview of the suite of documents required in the submission of any planning applications across the site. This corresponds with the Council's own validation checklist for outline and full planning applications, and is accepted by Gleeson as a detailed and thorough list of requirements for the consideration and determination of applications for development in the plan area.

In respect of development phasing, Gleeson agree that development across the wider site is likely to take place over a number of years and will vary dependent on parcel size, market conditions, and necessary conditions. It is important, however, that any triggers imposed do not unduly restrict or limit the success of the Brief in reaching its primary purpose of delivering comprehensive development east of Kenilworth. This is, however, recognised by supporting text contained within the Brief. Again, specificity on the delivery of education provision is required, particularly if the Brief is to retain reference to the *"suitable phasing of education provision to ensure residents have access to education"* as in Chapter 10.

The Brief explores Infrastructure Delivery Triggers, and specifically relates to primary education provision. It is stated that:

"A new 2 form entry primary school constructed to accommodate 420 pupils and support the delivery of pre-school and wraparound care shall be open prior to the occupation of 1,000 dwellings within the Kenilworth growth area. Freehold land for the primary school shall be transferred to Warwickshire County Council before the 500th occupation of a residential dwelling in the growth area."

Whilst there are clear triggers identified, the policy wording remains somewhat broad reaching. The occupation of 1,000 dwellings is a significant proportion of dwellings in the plan area. It is acknowledged elsewhere in the Brief that delivery is unlikely to reach more than 175 dwellings per annum, meaning that the occupation of 1,000 dwellings is likely to take place a number of years into the future. For those sites identified as reserve primary education sites, this trigger leaves a great degree of uncertainty as to delivery timescales at the reserve sites. Related to this, it cannot be made certain that this broad trigger, on its own, is appropriate in securing comprehensive development across the wider site, simply because it incorporates a level of ambiguity as to when delivery across three additional parcels to the preferred primary school site may take place. Likewise if the transfer of the preferred site to Warwickshire County Council by the 500th occupation is to take place, and the fall back position of reserve sites is to be activated, it must be made clearer which of the three sites is the next preferred, and so on. Discussion of this trigger is essential in ensuring its improvement and deliverability.

Related to the above, it is agreed that for conformity with Local Plan Policy DS11, there needs to be a series of robust mechanisms to secure key infrastructure delivery. The current CIL 123 List does not include specific items relating to land east of Kenilworth, and so alternative mechanisms are required likely to include legal agreement i.e. S106 contributions. As mentioned elsewhere in this correspondence, there should be a greater degree of certainty outlined in respect of both secondary and primary school contributions. Table 6 currently outlines that both primary and secondary provision will generate contributions from residential development to cover land and build costs. However for secondary education it appears such contributions will relate only to additional school places to meet the needs of the development, rather than any all-encompassing costs as seems to be the case for the primary school. This matter should be clarified, as should any matters related to equalisation.

Summary

We trust that the above clearly communicates Gleeson's position and views on the Development Brief as it is currently drafted. We look forward to discussing the contents of this letter with officers, and working towards the adoption of a clear and robust Development Brief for Land East of Kenilworth, including Gleeson's interest at Southcrest Farm.



Yours sincerely



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APPENDIX A: RED LINE PLAN OF SOUTHCREST FARM



APPENDIX B: CORRESPONDANCE WITH WARWICKSHIRE COUNTY COUNCIL