

Warwick District Council
Local Plan Examination
Response to Inspector's Initial Matter and
Issues

Matter 7b
Proposed housing site allocations –
Kenilworth

Issue

Whether the proposed housing site allocations at Kenilworth are justified, effective and consistent with national policy

August 2016

Contents

Matter 7b – Housing Site Allocations Kenilworth

	Page
7b – H06 East of Kenilworth (Thickthorn)	1
7b – H07 Crackley Triangle	8
7b – H09 Kenilworth School Site	12
7b – H12 Kenilworth VI Form College	16
7b – H40 East of Kenilworth – Crewe Lane, Southcrest Farm and Woodside Training Centre	22
7b – East of Warwick Road, Kenilworth	31

Warwick District Council
Local Plan Examination
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Issues

Matter 7b

Proposed housing site allocations –
Kenilworth

H06 – East of Kenilworth (Thickthorn)

Issue

Whether the proposed housing site allocations at
Kenilworth are justified, effective and consistent
with national policy

August 2016

Policies DS11 and DS15

NAME OF SITE: H06 – East of Kenilworth (Thickthorn)

Please note the following:-

- With the support of Warwick District Council, assisted by ATLAS, Kenilworth Town Council has employed RCOH to prepare a concept framework plan for the strategic site allocations in Kenilworth. This work will support both the Local Plan allocations and the emerging Kenilworth Neighbourhood Plan. A series of workshops have been arranged in September and October with relevant landowners, developers and key stakeholders and a joint plan / statement will be submitted to the examination prior to hearings for Matter 7b.

1) What is the current planning status of the site?

- a) The site comprises of agricultural land and outdoor playing fields with associated built facilities / clubhouses.
- b) The site has not been the subject of planning applications for housing.

2) How does it fit within the overall spatial strategy?

- a) **Criterion a)** N/A
- b) **Criterion b)** The site is consistent with this criterion. It is a greenfield site on the urban edge of Kenilworth, close to existing employment areas, the town centres and existing shops and community facilities and bus services. Furthermore Kenilworth rail station is opening in 2017.
- c) **Criterion c)** Land at Thickthorn is also delivering 8 ha of Employment land as outlined in Matter 5, allocating site H06 provides the opportunity for new residential development to be in close proximity to new employment land.
- d) **Criterion d)** The site would not lead to settlement coalescence: - the site is linear in nature; on the edge of the existing urban area and bounded by the A46.
- e) **Criterion e)** Representations have raised concerns about the potential impact of the allocation on the Listed Thickthorn Manor and the Scheduled Ancient Monument of the Glasshouse Roman Settlement. Evidence identifies that harm to these historic assets and their setting can be avoided and minimised through appropriate mitigation whilst still delivering housing (HE05).
- f) **Criterion f)** The site is in a broader area deemed to be of lower landscape value (LA05) The site does contain key natural assets such as part of Thickthorn Ancient Woodland and Glasshouse Spinney Local Wildlife Site. These designations, described in the Warwick District Habitat Assessment (B03 and B04), are identified of as having high biodiversity value with recommendations that appropriate buffering is put in place to avoid harm to the natural environment.
- g) **Criterion g)** The site is within the Green Belt. The Council has taken into account the overall spatial strategy; and the availability of alternative suitable sites outside the Green Belt and considers there are exceptional circumstances for releasing this area from the Green Belt (see question 10 below).

3) In addition to housing provision, are there other benefits that the proposed development would bring?

- a) The sustainability appraisal (SA10 and SA11PM) set out the sustainability benefits of each of the proposed allocations. The specific benefits relating to this are:
- i) The Local Plan identifies at DS11 that site H06 would also deliver 8ha of employment land, a primary school and local centre.
 - ii) The site will be required to provide open space in accordance with the Council's open space standards.
 - iii) The site would help contribute to highway improvement schemes such as the Thickthorn and St John's Gyratory and provide a new spine road through the site to increase highway capacity.
 - iv) The scheme would enable the relocation of both Kenilworth Rugby Club and Kenilworth Wardens Sports club to better facilities within the town.

4) What are the potential adverse impacts of developing the site? How could they be mitigated?

- a) **Heritage** As identified above there are existing heritage assets within and adjacent to the site, including Grade II Listed Building at Thickthorn Manor and Glasshouse Roman Settlement SAM. HE05 makes recommendations in this regard in terms of mitigating harm through appropriate design / setbacks in terms of the Manor and removing the SAM from the development area or utilising as public open space.
- b) **Biodiversity** As described above the site includes ancient woodland and a local wildlife site. Evidence (B03, B04) suggests appropriate buffering to these assets will mitigate harm.
- c) **Loss of agricultural land:** The development of housing will result in the loss of some grade 1 and 2 agricultural land. However, the Council contends that the public benefits of housing in this location outweigh the loss of agricultural land. Representations have indicated concern about the loss of farmland.
- d) **Pollution:** The SHLAA (H012) recognises that site is subject to noise and air pollution from the A46 (concerns which were raised through representations), and having consulted with the Council's environmental health officers, the SHLAA recommends an appropriate buffer / bund will mitigate the effects. The precise nature of this will be determined through a detailed planning application.
- e) **Transport and Traffic:** The Highway Authority supports a housing development here. Feasibility work undertaken by the landowners demonstrates transport impacts can be mitigated. Furthermore works identified in the Strategic Highways Transport assessment to surrounding key nodes in Kenilworth will improve capacity. Concerns about traffic congestion at peak times can be mitigated by these measures.
- f) **Playing fields** Representations have raised concerns about the loss of playing fields. The Playing Pitch Strategy (I05, I06) identifies that both sports clubs require quantitative and

qualitative improvements to meet their needs. This cannot be addressed in their existing locations, therefore the Council has been assisting the clubs in actively looking for other sites and proposed allocations at DSNEW4 address this.

5) What are the infrastructure requirements / costs and are there physical or other constraints to development? How would these be addressed?

- a) The 2013 CIL Viability Study (IN06) and its 2015 addendum (EXAM3) demonstrate that all broad locations in the District are viable in the context of the proposed Local Plan policy requirements, including affordable housing.
- b) The studies tested the ability of a range of housing sites (including a sample of strategic sites) within Warwick District to yield contributions to infrastructure requirements through CIL. Appraisals undertaken also incorporated an allowance of £1,500 per unit to address any residual S278 and Section 106 costs, albeit the actual sums sought will vary according to site specific circumstances. On strategic sites that carry higher costs than other developments, there is a higher allowance of £10,000 per unit for on-site infrastructure (site roads, sewers, utilities, drainage etc.) and community infrastructure (schools, community facilities etc.) plus a further £13,000 per unit to contribute towards on-site community infrastructure through S106. This reflects longer build-out rates of larger sites which require developers to carry costs for much longer times than is the case for smaller schemes.
- c) The ability of residential development to absorb infrastructure requirements through Section 106 / 278 contributions (whilst remaining viable) is also evident by the large number of greenfield strategic sites that currently have planning permission and are presently under construction on sites south of Warwick and Leamington Spa.
- d) Specific infrastructure requirements (physical, social and green) associated with the Plan as a whole are identified and costed in the Infrastructure Delivery Plan (IN07PM). Most components of the IDP do not relate directly to a specific site within the Plan and it is anticipated that infrastructure contributions will be negotiated on a case by case basis in accordance with the CIL Regulations. Full details of infrastructure requirements and costs cannot therefore be set out for each site at this stage.
- e) It should be noted that the IDP is a continuously evolving document and will continue to be refreshed as data on infrastructure requirements are refined or new / changing priorities and needs are identified throughout the plan period. It should also be noted that the Council (in partnership with relevant partners) will continue to explore the availability of other sources of external funding to augment developer contributions.
- f) It is anticipated that housing site H06 will be required to make a proportionate contribution to the following requirements:-

Infrastructure type	Comments (but only if clarification required)
Provision of on-site open space and contributions to other open space requirements	✓
Contributions to Health (Hospitals)	✓
Contributions to Health (G.P. services)	✓
Contributions to Highways / Transport	✓
Contributions to Education (Primary)	Potential provision of a primary school on site
Contributions to Education (Secondary)	✓
Contributions to other infrastructure requirements in line with the CIL regs	✓ Provision of a Local Centre on site

6) Is the site realistically viable and deliverable?

a) The Viability Studies (IN06, EXAM3 and HO24PM) demonstrate that all broad locations in the District are viable in the context of the proposed Local Plan policies, including affordable housing. This site falls within an area that was assessed as being viable.

b) The site is deliverable within the Plan period. Representations submitted on behalf of the consortium of landowners have confirmed they are willing to make the land available for development. Whilst a development partner is not on board at this stage, the agents working on behalf of the landowners have confirmed they have had significant interest in developing the site.

c) As can be seen from answer to question 4 above, with the exception of relocating the sports clubs (which is well progressed) there are no major impediments to the site being developed quickly.

7) What is the expected timescale for development and is this realistic?

a) The housing trajectory (see appendix 1 of the Housing Supply Topic Paper – HO27PM) indicates a total of 760 dwellings will be delivered on site starting with 30 in 2018/19 and increasing to 100 per annum between 2020/21 and 2024/25 and finally completing in 2027/28. This remains a realistic timescale for delivery, recognising the scale of the site, the potential for the scheme to be divided into different development parcels and the need for both sports clubs to have their new facilities established prior to their existing sites being available for development.

In addition to the above, for all sites apart from H09 (Kenilworth School):

8) What would be the effect of the proposal on the purposes of including land within the Green Belt?

- a) The site is almost entirely coterminous with Green Belt parcel (KE2) which has been assessed as playing some role in preventing ribbon development and maintaining openness (checking unrestricted sprawl); and a role in preventing settlements merging into one another. The parcel is generally devoid of urbanising influences but the significance of the A46 boundary means that the parcel overall plays a limited role in safeguarding the countryside from encroachment. Finally (like all parcels) it has a strategic role in assisting regeneration (see LA07PM).
- b) Overall, along with parcel KE3, this parcel is one that performs less well against Green Belt purposes compared to others adjoining Kenilworth.

9) What would be the effect on the openness of the Green Belt?

- a) It is proposed to remove this site from the Green Belt in line with paragraph 85 of the NPPF. This proposal
 - i) Ensures consistency with the Local Plan strategy
 - ii) Removes this parcel which is not essential to keep permanently open
 - iii) Uses physical features (a hedge-line / tree belt) to provide a strong Green Belt boundary and which can be further enhanced.
- b) The residual Green Belt will continue to meet the essential characteristics set out in paragraph 79 of the NPPF. The development will not lead to further countryside encroachment, or the potential for settlement coalescence as it is contained by the A46, which provides established visual enclosure (LA05, Appendix 11).

10) Are there exceptional circumstances which justify altering the Green Belt? If so, what are they?

- a) The process for assessing exceptional circumstances has been set out in paragraph 14 of the Distribution of Development paper (HO25PM) and the Green Belt Background Paper (EXAM 45). Table 3, at paragraph 28 of HO25PM sets out the exceptional circumstances that apply to all the edge of Kenilworth sites within the Green Belt that are identified through the 2016 Modifications.
- b) Specifically, exceptional circumstances for the allocations to Green Belt in Kenilworth are identified as follows:
 - i) Is there an essential need that has to be met? Yes, the HMA's and Coventry's housing need and the lack of capacity within Coventry; important in achieving a 5 year housing land supply on adoption; important in meeting local housing need (constrained by current planning policy).
 - ii) Are there any suitable sites outside the Green Belt that can meet this need? There are insufficient suitable sites outside the Green Belt or more sustainable locations within the Green Belt that can meet both overall and 5 year supply housing need. Any alternatives outside the Green Belt are not consistent with the Local Plan's Strategy or effective in

meeting these needs.

- iii) Is this the best site within the Green Belt to meet the need? It is important to provide a variety of sites in a variety of locations to support the housing market in boosting significantly the housing supply. Sites on the edge of Kenilworth provide sustainable locations with good links to employment and services within Kenilworth and other urban areas.

The 2015 Green Belt study considers this area. These locations lie within Parcel

- KE1 (scores 11/20)
- KE2 (scores 10/20)
- KE4 (scores 13/20)
- KE8 (scores 18/20)

To varying degrees these parcels play important roles in checking unrestricted sprawl, preventing towns merging, safeguarding the countryside from encroachment and preserving the setting of historic towns. The removal of land from the Green Belt in these areas therefore needs to be undertaken with an understanding of the role that specific sites play in the Green Belt with a view to maintaining defensible boundaries and the ongoing importance of the Green Belt. This location also directly provides for Kenilworth's local housing needs, of which there is limited opportunity to address without Green Belt review.

Historic housing trends demonstrate that Kenilworth has contributed less to housing delivery than the urban areas of Leamington, Warwick and Whitnash over the last two decades, despite its relative size due in large part to the Green Belt enveloping the town. The WDC SHMA 2012 identified that 19% of the District's housing needs arise from Kenilworth (para 8.63. HO03). This equates to 2,052 over the plan period of the District's needs of 600 dpa.

The total amount of units allocated within the town is 1,983, which includes over 1,500 units in the Green Belt. Clearly, growth limited to areas outside the Green Belt in Kenilworth would significantly limit its ability to meet its own housing needs and address housing affordability issues. Furthermore, this location also supports the HMA's and the District's housing need.

N.B. key concerns raised in representations are highlighted **bold**

Warwick District Council
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Matter 7b
Proposed housing site allocations –
Kenilworth

H07 – Crackley Triangle
Issue

Whether the proposed housing site allocations at
Kenilworth are justified, effective and consistent
with national policy

August 2016

Policies DS11 and DS15

NAME OF SITE: H07 – Crackley Triangle

<p>1) What is the current planning status of the site?</p> <p>a) W/14/1340 – The site was granted outline planning permission on the 23 December 2014 for: Erection of up to 93 dwellings together with open space, drainage infrastructure and access from Common Lane (outline application including details of access) (Resubmission of W/14/0618).</p>
<p>2) How does it fit within the overall spatial strategy?</p> <p>a) Criterion a) N/A</p> <p>b) Criterion b) The site is consistent with this criterion. It is a greenfield site on the urban edge of Kenilworth, close to existing employment areas, the town centres and existing shops and community facilities and bus services.</p> <p>c) Criterion c) N/A</p> <p>d) Criterion d) Concerns have been raised in representations that the site forms part of a barrier between Coventry and Kenilworth and will lead to coalescence. The SHLAA 2014 (HO12) and landscape assessment (LA01) recognised the potential impacts if the entirety of the submitted SHLAA site was developed (which lead downhill to the Finham Brook), but deemed it not to lead to coalescence if only the southern triangular area is developed with appropriate mitigation.</p> <p>e) Criterion e) The proposed allocation will not impact on any heritage assets.</p> <p>f) Criterion f) The site is in a broader area deemed to be of high landscape value (LA01 and LA05) however as outlined above it was considered acceptable subject to appropriate mitigations, which was demonstrated at the outline planning applications stage. Further, nor does it contain any other highly sensitive features in the natural environment.</p> <p>g) Criterion g) The site is not in the Green Belt.</p>
<p>3) In addition to housing provision, are there other benefits that the proposed development would bring?</p> <p>a) The Sustainability Appraisal (SA10) set out the sustainability benefits of each of the proposed allocations. In the case of Crackley Triangle it identified positive effects in relation to the economy, sustainable transport, local community facilities, health and wellbeing and poverty.</p> <p>b) In addition, the granted scheme provides for additional public open space onsite and contributions towards offsite community facilities and infrastructure.</p>
<p>4) What are the potential adverse impacts of developing the site? How could they be mitigated?</p> <p>a) Potential impacts were considered as part of the approval of application W/14/1340. This included potential adverse impacts in relation to access / highways, noise, contaminated land, the potential LWS on the railway embankments / Kenilworth Greenway and landscape</p>

concerns as outlined above.

- b) Access issues have been particularly contentious for this site. However, by providing a bridge over the former railway / Kenilworth Greenway with a three-way control light system with Common Lane, the highway authority has been satisfied that an appropriate safe access can be achieved.

5) What are the infrastructure requirements / costs and are there physical or other constraints to development? How would these be addressed?

- a) It is recognised that this scheme has a significant upfront infrastructure costs in so far as a bridge is required to be constructed initially so that the site can be accessed for development and then future and final use. The estimated costs to the developer of the bridge have increased significantly in the time between planning consent and at the time of writing. This has raised questions over the viability of the scheme (see below), which may mean contributions secured for offsite infrastructure are reduced amongst other measures.

6) Is the site realistically viable and deliverable?

- a) As outlined above the consented scheme is dependent on the construction of a bridge over the railway / greenway, the cost of which has risen significantly. The applicant, Bloor Homes, have submitted an application to vary the section 106 agreement and tenure mix of the affordable housing component of the scheme to address these viability concerns, it is likely that revisions will be considered by planning committee in September 2016.
- b) An update on the outcome of this application will be provided verbally at the hearings

7) What is the expected timescale for development and is this realistic?

- a) The housing trajectory (see appendix 1 of the Housing Supply Topic Paper - HO27PM) indicates 25 dwellings in each of 2017/18 and 2018/19 and 19/20 with the remaining 18 in 2020/21.
- b) This remains a realistic timescale subject to the viability issue being resolved shortly and given Bloor Homes' willingness to the development site quickly. Recent discussions with Bloor indicate that start times remain a realistic prospect and entire site completion could come forward by a year.

In addition to the above, for all sites apart from H09 (Kenilworth School):

8) What would be the effect of the proposal on the purposes of including land within the Green Belt?

- a) The site is not in the Green Belt.

9) What would be the effect on the openness of the Green Belt?

- a) The site is not in the Green Belt.

10) Are there exceptional circumstances which justify altering the Green Belt? If so, what are they?

- a) The site is not in the Green Belt.

N.B. key concerns raised in representations are highlighted **bold**

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H09 – Kenilworth School Site
Issue

Whether the proposed housing site allocations at
Kenilworth are justified, effective and consistent
with national policy

August 2016

Policies DS11 and DS15

NAME OF SITE: H09 – Kenilworth School Site

<p>1) What is the current planning status of the site?</p> <p>a) The current use of the site is a D1 secondary school.</p> <p>b) The site has not been the subject of planning applications for housing.</p>
<p>2) How does it fit within the overall spatial strategy?</p> <p>a) Criterion a) the site is predominantly previously developed land within the urban area of Kenilworth</p> <p>b) Criterion b) N/A</p> <p>c) Criterion c) N/A</p> <p>d) Criterion d) N/A</p> <p>e) Criterion e) the proposed allocation will not impact on any heritage assets.</p> <p>f) Criterion f) the site is not in an area of high landscape value; furthermore, it does not contain any other highly sensitive features in the natural environment.</p> <p>g) Criterion g) N/A</p>
<p>3) In addition to housing provision, are there other benefits that the proposed development would bring?</p> <p>a) Through capital receipt on sale of land the development would assist in the need for necessary new facilities to address capacity issues for Kenilworth School at allocation ED2.</p> <p>b) The site will be required to provide an appropriate level of open space in accordance with the current Open Space SPD.</p>
<p>4) What are the potential adverse impacts of developing the site? How could they be mitigated?</p> <p>a) Loss of playing fields: Representations made to the Local Plan raised concerns about the loss of school playing fields. However, the appropriate level of outdoor playing provision to replace the loss will be secured at allocation ED2.</p> <p>b) Traffic: Concerns were also raised regarding the potential for congestion and extra traffic as a consequence of development here. The Strategic Transport Assessment modelling TA2, (TA14PM) suggests that increase in traffic can be mitigated through various key highway improvements.</p> <p>c) Amenity: There is the potential for impacts to existing residential amenity. However, it is considered that this can be satisfactorily addressed at the planning application stage.</p>

5) What are the infrastructure requirements/costs and are there physical or other constraints to development? How would these be addressed?

- a) The 2013 CIL Viability Study (IN06) and its 2015 addendum (EXAM3) demonstrate that all broad locations in the District are viable in the context of the proposed Local Plan policy requirements, including affordable housing.
- b) The studies tested the ability of a range of housing sites (including a sample of strategic sites) within Warwick District to yield contributions to infrastructure requirements through CIL. Appraisals undertaken also incorporated an allowance of £1,500 per unit to address any residual S278 and Section 106 costs, albeit the actual sums sought will vary according to site specific circumstances. On strategic sites that carry higher costs than other developments, there is a higher allowance of £10,000 per unit for on-site infrastructure (site roads, sewers, utilities, drainage etc.) and community infrastructure (schools, community facilities etc.) plus a further £13,000 per unit to contribute towards on-site community infrastructure through S106. This reflects longer build-out rates of larger sites which require developers to carry costs for much longer times than is the case for smaller schemes.
- c) The ability of residential development to absorb infrastructure requirements through Section 106 / 278 contributions (whilst remaining viable) is also evident by the large number of greenfield strategic sites that currently have planning permission and are presently under construction on sites south of Warwick and Leamington Spa.
- d) Specific infrastructure requirements (physical, social and green) associated with the Plan as a whole are identified and costed in the Infrastructure Delivery Plan (IN07PM). Most components of the IDP do not relate directly to a specific site within the Plan and it is anticipated that infrastructure contributions will be negotiated on a case by case basis in accordance with the CIL Regulations. Full details of infrastructure requirements and costs cannot therefore be set out for each site at this stage.
- e) It should be noted that the IDP is a continuously evolving document and will continue to be refreshed as data on infrastructure requirements are refined or new / changing priorities and needs are identified throughout the plan period. It should also be noted that the Council (in partnership with relevant partners) will continue to explore the availability of other sources of external funding to augment developer contributions.
- f) It is anticipated that housing site H09 will be required to make a proportionate contribution to the following requirements:-

Infrastructure type	Comments (but only if clarification required)
Provision of on-site open space and contributions to other open space requirements	✓
Contributions to Health (Hospitals)	✓

Contributions to Health (G.P. services)	✓
Contributions to Highways / Transport	✓
Contributions to Education (Primary)	✓
Contributions to Education (Secondary)	✓
Contributions to other infrastructure requirements in line with the CIL regs	✓

6) Is the site realistically viable and deliverable?

a) The Viability Studies (IN06, EXAM3 and HO24PM) demonstrate that all broad locations in the District are viable in the context of the proposed Local Plan policies, including affordable housing. This site falls within an area that was assessed as being viable.

b) The site is deliverable within the plan period. Kenilworth school owns the land and is willing to sell when it secures land at Southcrest Farm and has a viable and deliverable scheme for the school. This will be examined further in Matter 8.

7) What is the expected timescale for development and is this realistic?

a) The site is estimated to deliver approximately 250 dwellings.

b) Given the requirement of a new school to be up and running prior to vacating this site housing delivery is not expect to start until later in the plan period. In addition the site would require demolition first.

c) Nevertheless, the site is already serviced and completions are anticipated to occur in 2023/24 with 25 units and then 50 units for the following four years and remaining 25 in 2028/29.

N.B. key concerns raised in representations are highlighted **bold**

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H12 – Kenilworth VI Form College
Issue

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Kenilworth are justified, effective and consistent
with national policy

August 2016

Policies DS11 and DS15

NAME OF SITE: H12 – Kenilworth VI Form College

1) What is the current planning status of the site?

- a) The current use of the site is a D1 sixth form centre for Kenilworth school.
- b) The site has not been the subject of planning applications for housing.

2) How does it fit within the overall spatial strategy?

- a) **Criterion a)** The site is previously developed land within the urban area of Kenilworth
- b) **Criterion b)** The site is consistent with this criterion. It is partly a greenfield site on the urban edge of Kenilworth, close to existing employment areas, the town centres and existing shops and community facilities and bus services.
- c) **Criterion c)** N/A
- d) **Criterion d)** The site is on the southern edge of the urban area between Kenilworth and the village of Leek Wootton. Evidence (LA02) concludes that development will not result in coalescence impacts.
- e) **Criterion e)** The proposed allocation will not impact on any heritage assets.
- f) **Criterion f)** The site is in a broader area deemed to be of high landscape value (Docs LA01 and LA05) however as outlined above it is considered acceptable subject to appropriate mitigation recommended in LA02. Furthermore it does not contain any other highly sensitive features in the natural environment.
- g) **Criterion g)** Part of the site (playing fields) is within the Green Belt. The Council has taken into account the overall spatial strategy; and the availability of alternative suitable sites outside the Green Belt and considers there are exceptional circumstances for releasing this area from the Green Belt (see question 10 below).

3) In addition to housing provision, are there other benefits that the proposed development would bring?

- a) The sustainability appraisal (SA10 and SA11PM) set out the sustainability benefits of each of the proposed allocations. The specific benefits relating to this are:
 - i. Landscape evidence (LA02) highlights the potential for enhancement to the landscape and natural environment as part of any housing scheme.
 - ii. Through capital receipt on sale of land, the development would assist in the need for necessary new facilities to address capacity issues for Kenilworth School at allocation ED2.
 - iii. The site will be required to provide an appropriate level of open space in accordance with the current Open Space SPD.

4) What are the potential adverse impacts of developing the site? How could they be mitigated?

- a) **Loss of playing fields:** Representations raised in the Local Plan raised concerns about the

loss of school playing fields; however, the appropriate level of outdoor playing provision to replace the loss will be secured at allocation ED2.

- b) **Traffic:** Concerns were also raised regarding the potential for congestion and extra traffic as a consequence of development here. The Strategic Transport Assessment modelling TA2, (TA14PM) suggests that increase in traffic can be mitigated through various key highway improvements.
- c) **Amenity:** There is the potential for impacts to existing residential amenity. However, it is considered that this can be satisfactorily addressed at the planning application stage.

5) What are the infrastructure requirements / costs and are there physical or other constraints to development? How would these be addressed?

- a) The 2013 CIL Viability Study (IN06) and its 2015 addendum (EXAM3) demonstrate that all broad locations in the District are viable in the context of the proposed Local Plan policy requirements, including affordable housing.
- b) The studies tested the ability of a range of housing sites (including a sample of strategic sites) within Warwick District to yield contributions to infrastructure requirements through CIL. Appraisals undertaken also incorporated an allowance of £1,500 per unit to address any residual S278 and Section 106 costs, albeit the actual sums sought will vary according to site specific circumstances. On strategic sites that carry higher costs than other developments, there is a higher allowance of £10,000 per unit for on-site infrastructure (site roads, sewers, utilities, drainage etc.) and community infrastructure (schools, community facilities etc.) plus a further £13,000 per unit to contribute towards on-site community infrastructure through S106. This reflects longer build-out rates of larger sites which require developers to carry costs for much longer times than is the case for smaller schemes.
- c) The ability of residential development to absorb infrastructure requirements through Section 106 / 278 contributions (whilst remaining viable) is also evident by the large number of greenfield strategic sites that currently have planning permission and are presently under construction on sites south of Warwick and Leamington Spa.
- d) Specific infrastructure requirements (physical, social and green) associated with the Plan as a whole are identified and costed in the Infrastructure Delivery Plan (IN07PM). Most components of the IDP do not relate directly to a specific site within the Plan and it is anticipated that infrastructure contributions will be negotiated on a case by case basis in accordance with the CIL Regulations. Full details of infrastructure requirements and costs cannot therefore be set out for each site at this stage.
- e) It should be noted that the IDP is a continuously evolving document and will continue to be refreshed as data on infrastructure requirements are refined or new / changing priorities and needs are identified throughout the plan period. It should also be noted that the Council (in partnership with relevant partners) will continue to explore the availability of other sources of external funding to augment developer contributions.

- f) It is anticipated that housing site H12 will be required to make a proportionate contribution to the following requirements:-

Infrastructure type	Comments (but only if clarification required)
Provision of on-site open space and contributions to other open space requirements	✓
Contributions to Health (Hospitals)	✓
Contributions to Health (G.P. services)	✓
Contributions to Highways / Transport	✓
Contributions to Education (Primary)	✓
Contributions to Education (Secondary)	✓
Contributions to other infrastructure requirements in line with the CIL regs	✓

6) Is the site realistically viable and deliverable?

- a) The Viability Studies (IN06, EXAM3 and HO24PM) demonstrate that all broad locations in the District are viable in the context of the proposed Local Plan policies, including affordable housing. This site falls within an area that was assessed as being viable.
- b) The site is deliverable within the plan period. Kenilworth school owns the land, is willing to sell when it secures land at Southcrest Farm and has a viable and deliverable scheme for the school. This will be examined further in Matter 8.

7) What is the expected timescale for development and is this realistic?

- a) The site is estimated to deliver approximately 130 dwellings. Given the requirement of a new school to be up and running prior to vacating this site housing delivery is not expect to start until later in the plan period. In addition the site would require demolition first, nevertheless the site is already serviced and completions are anticipated to occur in 2023/24 and 24/25 with 25 units each and then 30 units for the following two years and remaining 20 in 2027/28.

In addition to the above, for all sites apart from H09 (Kenilworth School):

8) What would be the effect of the proposal on the purposes of including land within the Green Belt?

- a) The area is within a Green Belt parcel (KE4) that plays an important role in safeguarding the countryside from encroachment and in preventing ribbon development, as well as playing some role in checking unrestricted sprawl and preventing neighbouring towns merging and (like all parcels) a strategic role in assisting regeneration (LA07PM).
- b) The site itself represents a small area of a much larger Green Belt parcel identified in this study. It adjoins the existing edge of the settlement, and is bounded on three sides by existing built form (north, east and west).
- c) Landscape evidence (LA02) states that:
... although much of the site is playing field, a change of use to residential development is not considered likely to greatly intrude on the character or function of the adjacent Green Belt
in particular with the retention and enhancement of existing boundary vegetation.

9) What would be the effect on the openness of the Green Belt?

- a) It is proposed to remove this site from the Green Belt in line with paragraph 85 of the NPPF. This proposal
 - i) Ensures consistency with the Local Plan strategy
 - ii) Removes this parcel which is not essential to keep permanently open
 - iii) Uses physical features (a hedge-line / tree belt) to provide a strong Green Belt boundary and which can be further enhanced.
- b) The residual Green Belt will continue to meet the essential characteristics set out in paragraph 79 of the NPPF. The development of this will have only a minimal impact on the extent to which parcel KE4 is consistent with the essential characteristics of Green Belt (NPPF para 79) and land to the south will remain open in character.

10) Are there exceptional circumstances which justify altering the Green Belt? If so, what are they?

- a) The process for assessing exceptional circumstances has been set out in paragraph 14 of the Distribution of Development paper (HO25PM) and the Green Belt Background Paper (EXAM 45). Table 3, at paragraph 28 of HO25PM sets out these exceptional circumstances that apply to all the edge of Kenilworth sites within the Green Belt that are identified through the 2016 Modifications.
- b) Specifically, exceptional circumstances for the allocations to Green Belt in Kenilworth are identified as follows:
 - i) Is there an essential need that has to be met? Yes, the HMA's and Coventry's housing need and the lack of capacity within Coventry; important in achieving a 5-year housing land supply on adoption; important in meeting local housing need (constrained by current planning policy).
 - ii) Are there any suitable sites outside the Green Belt that can meet this need? There are

insufficient suitable sites outside the Green Belt or more sustainable locations within the Green Belt that can meet both overall and 5 year supply housing need. Any alternatives outside the Green Belt are not consistent with the Local Plan's Strategy or effective in meeting these needs.

- iii) Is this the best site within the Green Belt to meet the need? It is important to provide a variety of sites in a variety of locations to support the housing market in boosting significantly the housing supply. Sites on the edge of Kenilworth provide sustainable locations with good links to employment and services within Kenilworth and other urban areas.

The 2015 Green Belt considers this area. These locations lie within Parcel

- KE1 (scores 11/20),
- KE2 (scores 10/20),
- KE4 (scores 13/20) and
- KE8 (scores 18/20).

To varying degrees these parcels play important roles in checking unrestricted sprawl, preventing towns merging, safeguarding the countryside from encroachment and preserving the setting of historic towns. The removal of land from the Green Belt in these areas therefore needs to be undertaken with an understanding of the role that specific sites play in the Green Belt with a view to maintaining defensible boundaries and the ongoing importance of the Green Belt.

This location also directly provides for Kenilworth's local housing needs, of which there is limited opportunity to address without Green Belt review. Historic housing trends demonstrate that Kenilworth has contributed less to housing delivery than the urban areas of Leamington, Warwick and Whitnash over the last two decades, despite its relative size, due in large part to the Green Belt enveloping the town.

The WDC SHMA 2012 identified that 19% of the District's housing needs arise from Kenilworth (para 8.63, HO03). This equates to 2,052 over the plan period of the District's needs of 600 dpa. The total amount of units allocated within the town is 1,983, which includes over 1,500 units in the Green Belt of which this site is included.

Clearly, growth limited to areas outside the green belt in Kenilworth would significantly limit its ability to meet its own housing needs and address housing affordability issues. Furthermore, this location also supports the HMA's and the District's housing need, including the City's housing need.

N.B. key concerns raised in representations are highlighted **bold**

Warwick District Council
Local Plan Examination
Response to Inspector's Initial Matter and
Issues

Matter 7b

Proposed housing site allocations –
Kenilworth

H40 – East of Kenilworth (Crew Lane,
Southcrest Farm and Woodside Training
Centre)

Issue

Whether the proposed housing site allocations at
Kenilworth are justified, effective and consistent
with national policy

August 2016

Policies DS11 and DS15

NAME OF SITE: H40 – East of Kenilworth (Crew Lane, Southcrest Farm and Woodside Training Centre)

Please note the following:-

- With the support of Warwick District Council, assisted by ATLAS, Kenilworth Town Council have employed RCOH to prepare a concept framework plan for the strategic site allocations in Kenilworth. This work will support both the Local Plan allocations and the emerging Kenilworth Neighbourhood Plan. A series of workshops have been arranged in September and October with relevant landowners, developers and key stakeholders and a joint plan/statement will be submitted to the examination prior to hearings for Matter 7b.

1) What is the current planning status of the site?

- a) The site comprises of agricultural land and associated buildings at Crewe Gardens and Southcrest Farm. Woodside Training Centre encompasses conferencing facilities set in wider grounds (it should be noted that whilst the proposed allocation includes the buildings for the conference centre it is proposed that they are retained). The site has not been the subject of planning applications for housing.

2) How does it fit within the overall spatial strategy?

- a) **Criterion a)** N/A
- b) **Criterion b)** The site is consistent with this criterion. It is a greenfield site on the urban edge of Kenilworth, close to existing employment areas, the town centres and existing shops and community facilities and bus services. Furthermore Kenilworth rail station is opening in 2017.
- c) **Criterion c)** N/A
- d) **Criterion d)** The site would not lead to settlement coalescence: - the site is bounded by the A46 to the east and Crew Lane to the north.
- e) **Criterion e)** Representations have raised concerns about the potential impact of the allocation on the Scheduled Ancient Monument of the Glasshouse Roman Settlement. Evidence identifies that harm to this **historic assets** and their setting can be avoided and minimised through appropriate mitigation whilst still delivering housing (HE05).
- f) **Criterion f)** The site is in a broader area deemed to be of lower landscape value (LA05). Further evidence (Doc LA09PM) makes recommendations on how development proposals could successfully integrate into the **existing landscape**. The site does contain key natural assets such as part Glasshouse Spinney Local Wildlife Site. These designations, described in the Warwick District Habitat Assessment (B03 and B04), are identified of as having high biodiversity value with recommendations that appropriate buffering is put in place to avoid harm to the natural environment.
- g) **Criterion g)** The site is within the Green Belt. The Council has taken into account the overall spatial strategy; and the availability of alternative suitable sites outside the Green Belt and considers there are exceptional circumstances for releasing this area from the Green Belt (see question 10 below).

3) In addition to housing provision, are there other benefits that the proposed development would bring?

The sustainability appraisal (SA10 and SA11PM) set out the sustainability benefits of each of the proposed allocations. The specific benefits relating to this are:

- a) The Local Plan identifies at DS11 that site H40 overlaps with allocation ED2 for the provision of a new secondary school at Southcrest Farm. Representations submitted by Gleeson [Reps 69687 & 69688] suggest that site H40 & site H06 should be combined as one allocation with list of infrastructure requirements also combined. This would include removing specific the provision of a secondary school at Southcrest Farm. Without prejudice to Matter Statement 8, the Council considers that there are specific reasons for identifying a site now for such significant land use allocation, in particular certainty of early delivery and its location adjacent to the existing urban area.
- b) DS11 also identifies the need to provide for community facilities on the site.
- c) Increased population can support the viability of existing facilities' and services in Kenilworth, particularly through the work being undertaken through the Neighbourhood Plan to ensure strong linkages between the site and Town Centre.
- d) The site will be required to provide open space in accordance with the Council's open space standards.
- e) The site would help contribute to highway improvement schemes such as the Thickthorn and St John's Gyratory.

4) What are the potential adverse impacts of developing the site? How could they be mitigated?

- a) **Heritage:** As identified above there are existing heritage assets within and adjacent to the site, including Glasshouse Roman Settlement SAM. Docs HE05 and HE03PM make recommendations in this regard in terms of mitigating harm removing the SAM from the development area or utilising as public open space. Representations have also raised concerns about the potential impact on the setting of the Registered Park and Garden of Stoneleigh Abbey. The Historic Assets Review (HE03PM) undertaken for the proposed modifications considers existing woodland screening to make the impacts minimal. Overall the evidence concludes that the site has moderate adverse impact on the historic environment.
- b) **Biodiversity:** As described above the site includes ancient woodland and a local wildlife site. Evidence (B03 & B04) suggests appropriate buffering to these assets will mitigate harm.
- c) **Loss of agricultural land:** The development of housing will result in the loss of some grade 3a agricultural land. However, the Council contends that the public benefits of housing in this location out-weight the loss of agricultural land. Representations have indicated concern

about the loss of farmland.

- d) Pollution:** The SHLAA (H012) recognises that the site is subject to noise and air pollution from the A46 (concerns which were raised through representations), and having consulted with the Council's environmental health officers, the SHLAA recommends an appropriate buffer/bund will mitigate the effects. The precise nature of this will be determined through a detailed planning application. It is understood that site promoters for Crewe Gardens and Woodside Training Centre have undertaken noise surveys with a view to an appropriate mitigation strategy.
- e) Transport and Traffic:** The Highway Authority supports a housing development here. Feasibility work undertaken by the landowners demonstrates transport impacts can be mitigated. Furthermore works identified in the Strategic Highways Transport assessment to surrounding key nodes in Kenilworth will improve capacity. Concerns about traffic congestion at peak times can be mitigated by these measures.
- f) Water:** Concerns have been raised about the potential for flooding and surface water drainage, however the site is not in a significant flood zone area and the surface water drainage can be addressed through appropriate SUDS. The site also contains a principal aquifer and development proposal will have to secure its water quality. It should be noted that the Environment Agency have not objected to this site.
- g) Pipelines:** The HSE made representations raising concerns that the site has a major accident hazard pipeline intersecting the site. However, it should be noted that the inner, middle and outer consultation zones only extend to 8 metres from the centre of the pipeline and thus cover a very small amount of the site in the north eastern corner adjacent to the A46 and Crew Lane (see Appendix A). It is considered that built development can avoid this area to mitigate any potential harm.
- h) Community cohesion:** Representations have raised concern that additional community facilities here would reduce community cohesion. However, the increasing population from the site may support existing facilities in the town.

5) What are the infrastructure requirements / costs and are there physical or other constraints to development? How would these be addressed?

- a)** The 2013 CIL Viability Study (IN06) and its 2015 addendum (EXAM3) demonstrate that all broad locations in the District are viable in the context of the proposed Local Plan policy requirements, including affordable housing.
- b)** The studies tested the ability of a range of housing sites (including a sample of strategic sites) within Warwick District to yield contributions to infrastructure requirements through CIL. Appraisals undertaken also incorporated an allowance of £1,500 per unit to address any residual S278 and Section 106 costs, albeit the actual sums sought will vary according to site specific circumstances. On strategic sites that carry higher costs than other developments, there is a higher allowance of £10,000 per unit for on-site infrastructure (site

roads, sewers, utilities, drainage etc.) and community infrastructure (schools, community facilities etc.) plus a further £13,000 per unit to contribute towards on-site community infrastructure through S106. This reflects longer build-out rates of larger sites which require developers to carry costs for much longer times than is the case for smaller schemes.

- c) The ability of residential development to absorb infrastructure requirements through Section 106 / 278 contributions (whilst remaining viable) is also evident by the large number of greenfield strategic sites that currently have planning permission and are presently under construction on sites south of Warwick and Leamington Spa.
- d) Specific infrastructure requirements (physical, social and green) associated with the Plan as a whole are identified and costed in the Infrastructure Delivery Plan (IN07PM). Most components of the IDP do not relate directly to a specific site within the Plan and it is anticipated that infrastructure contributions will be negotiated on a case by case basis in accordance with the CIL Regulations. Full details of infrastructure requirements and costs cannot therefore be set out for each site at this stage.
- e) It should be noted that the IDP is a continuously evolving document and will continue to be refreshed as data on infrastructure requirements are refined or new / changing priorities and needs are identified throughout the plan period. It should also be noted that the Council (in partnership with relevant partners) will continue to explore the availability of other sources of external funding to augment developer contributions.
- f) It is anticipated that housing site H40 will be required to make a proportionate contribution to the following requirements:-

Infrastructure type	Comments (but only if clarification required)
Provision of on-site open space and contributions to other open space requirements	✓
Contributions to Health (Hospitals)	✓
Contributions to Health (G.P. services)	✓
Contributions to Highways / Transport	✓
Contributions to Education (Primary)	Potential provision of a primary school on site
Contributions to Education (Secondary)	Provision of a new secondary school on site
Contributions to other infrastructure requirements in line with the CIL regs	✓

6) Is the site realistically viable and deliverable?

- a) The Viability Studies (IN06, EXAM3 and HO24PM) demonstrate that all broad locations in the District are viable in the context of the proposed Local Plan policies, including affordable housing. This site falls within an area that was assessed as being viable.
- b) Landowners are willing to sell and are working with a development partners. Development partners are actively drawing up plans for the site and have indicated an intention to submit planning applications soon after adoption.
- c) As can be seen from answer to question 4 above there are no major impediments to the site being developed quickly.

7) What is the expected timescale for development and is this realistic?

- a) The housing trajectory (see appendix 1 of the Housing Supply Topic Paper – HO27PM) indicates a total of 640 dwellings will be delivered on site starting with 25 in 2018/19 and increasing to 100 per annum between 2020/21 and 2021/22 and finally completing in 2026/27. Site promoters for parts of the allocation have indicated that development could potentially come forward more quickly. Nevertheless, this remains a realistic timescale for delivery, recognising the scale of the site, and the potential for the scheme to be divided into different development parcels.

In addition to the above, for all sites apart from H09 (Kenilworth School):

8) What would be the effect of the proposal on the purposes of including land within the Green Belt?

- a) The site is within Green Belt parcel KE1 which has been assessed as playing a role in preventing ribbon development and maintaining openness (checking unrestricted sprawl); and a role in preventing settlements merging into one another.
- b) The parcel is generally devoid of urbanising influences but the significance of the A46 boundary and the Finham brook means that the parcel overall plays a limited role in safeguarding the countryside from encroachment.
- c) Finally (like all parcels) a strategic role in assisting regeneration (see LA07PM).
- d) Overall this parcel is one that performs less well against Green Belt purposes compared to others adjoining Kenilworth.

9) What would be the effect on the openness of the Green Belt?

- a) It is proposed to remove this site from the Green Belt in line with paragraph 85 of the NPPF. This proposal
 - i) Ensures consistency with the Local Plan strategy
 - ii) Removes this parcel which is not essential to keep permanently open
 - iii) Uses physical features (a hedge-line / tree belt) to provide a strong Green Belt boundary and which can be further enhanced.

- b) The **residual Green Belt** will continue to meet the essential characteristic set out in paragraph 79 of the NPPF. The development will not lead to **further countryside encroachment**, or the potential for settlement coalescence as it is contained by the A46 to the east and Crew Lane to the north (LA05 & LA09PM). The Landscape Value Assessment for the Joint Green Belt Study 2009 (Appendix 11, LA05) states:

Existing mature vegetation would allow this area to be visually contained whilst sensitive design could extend this enclosure.

10) Are there exceptional circumstances which justify altering the Green Belt? If so, what are they?

- a) The process for assessing exceptional circumstances has been set out in paragraph 14 of the Distribution of Development paper (HO25PM) and the Green Belt Background Paper (EXAM 45). Table 3, at paragraph 28 of HO25PM sets out the exceptional circumstances that apply to all the edge of Kenilworth sites within the Green Belt that are identified through the 2016 Modifications.

- b) Specifically, **exceptional circumstances** for the allocations to Green Belt in Kenilworth are identified as follows:

- i) Is there an essential need that has to be met? Yes, the HMA's and Coventry's housing need and the lack of capacity within Coventry; important in achieving a 5 year housing land supply on adoption; important in meeting local housing need (constrained by current planning policy).
- ii) Are there any suitable sites outside the Green Belt that can meet this need? There are insufficient suitable sites outside the Green Belt or more sustainable locations within the Green Belt that can meet both overall and 5 year supply housing need. Any alternatives outside the Green Belt are not consistent with the Local Plan's Strategy or effective in meeting these needs.
- iii) Is this the best site within the Green Belt to meet the need? It is important to provide a variety of sites in a variety of locations to support the housing market in boosting significantly the housing supply. Sites on the edge of Kenilworth provide sustainable locations with good links to employment and services within Kenilworth and other urban areas. The 2015 Green Belt considers this area. These locations lie within Parcel

- KE1 (scores 11/20),
- KE2 (scores 10/20),
- KE4 (scores 13/20) and
- KE8 (scores 18/20).

To varying degrees these parcels play important roles in checking unrestricted sprawl, preventing towns merging, safeguarding the countryside from encroachment and preserving the setting of historic towns. The removal of land from the Green Belt in these areas therefore needs to be undertaken with an understanding of the role that specific sites play in the Green Belt with a view to maintaining defensible boundaries and the ongoing importance of the Green Belt. This location also directly provides for Kenilworth's local housing needs, of which there is limited opportunity to address without Green Belt review. Historic housing trends demonstrate that

Kenilworth has contributed less to housing delivery than the urban areas of Leamington, Warwick and Whitnash over the last two decades, despite its relative size, due in large part to the Green Belt enveloping the town.

The WDC SHMA 2012 identified that 19% of the District's housing needs arise from Kenilworth (para 8.63, HO03). This equates to 2,052 over the plan period of the District's needs of 600 dpa. The total amount of units allocated within the town is 1,983, which includes over 1,500 units in the Green Belt of which this site is included.

Clearly, growth limited to areas outside the green belt in Kenilworth would significantly limit its ability to meet its own housing needs and address housing affordability issues. Furthermore, this location also supports the HMA's and the District's housing need, including the City's housing need.

N.B. key concerns raised in representations are highlighted **bold**



WARWICK
DISTRICT
COUNCIL

Warwick District Council
Local Plan Examination
Response to Inspector's Initial Matter and
Issues

Matter 7b

Proposed housing site allocations –
Kenilworth

H41 – East of Warwick Road, Kenilworth
Issue

Whether the proposed housing site allocations at
Kenilworth are justified, effective and consistent
with national policy

July 2016

Policies DS11 and DS15

NAME OF SITE: H41 – East of Warwick Road, Kenilworth

<p>1) What is the current planning status of the site?</p> <p>a) Agricultural land.</p> <p>b) The site has not been the subject of planning applications for housing.</p>
<p>2) How does it fit within the overall spatial strategy?</p> <p>a) Criterion a) N/A</p> <p>b) Criterion b) The site is consistent with this criterion. It is a greenfield site on the urban edge of Kenilworth, close to existing employment areas, the town centres and existing shops and community facilities and bus services.</p> <p>c) Criterion c) N/A</p> <p>d) Criterion d) Concerns have been raised in representations that the site will impact on the gap between Kenilworth and Leek Wootton, however evidence (Doc LA02) concludes that landscape impact could be mitigated with appropriate design and commitment to long term landscape enhancement.</p> <p>e) Criterion e) The proposed allocation will not impact on any heritage assets</p> <p>f) Criterion f) The site is in a broader area deemed to be of high landscape value (Docs LA02 and LA05 and LA09PM) however as outlined above it is considered acceptable subject to appropriate mitigation. Furthermore it does not contain any other highly sensitive features in the natural environment.</p> <p>g) Criterion g) The site is within the Green Belt. The Council has taken into account the overall spatial strategy; and the availability of alternative suitable sites outside the Green Belt and considers there are exceptional circumstances for releasing this area from the Green Belt (see question 10 below).</p>
<p>3) In addition to housing provision, are there other benefits that the proposed development would bring?</p> <p>a) The sustainability appraisal (SA10 and SA11PM) set out the sustainability benefits of each of the proposed allocations. The specific benefits relating to this are:</p> <p>i) The owners of the site also own land immediately to the south, which has been allocated under DSNEW4 for the provision of outdoor sport. This will enable the Kenilworth Rugby club to relocate, thus freeing up land to provide to deliver H06.</p> <p>ii) Landscape enhancement within and on the edge of site as identified in LA09PM.</p> <p>iii) The site will be required to provide open space.</p>
<p>4) What are the potential adverse impacts of developing the site? How could they be mitigated?</p> <p>a) Landscape: There is potential for impact on area of high landscape value and views from the south. As described above, evidence (LA01 and LA09PM) points to appropriate</p>

mitigation to overcome impacts. Representations have been made about the impact of the site on the gap between Leek Wootton and Kenilworth. LA09PM addresses this point and proposes that strong landscape features are introduced to mitigate this.

- b) Impact on operation of neighbouring Kenilworth Cricket Club: The Council is considers it important that development does not hinder the ongoing operation of the adjacent cricket club. The amount of units proposed on site has taken account of the need for buffering and set backs to protect future residential amenity.
- c) **Impact on Potential Local Wildlife Site:** The pLWS along railway embankment and noise from railway is important. The SHLAA assessment to developable area of this site has taken a cautious approach (50% of gross area) in part recognising these potential impacts. This will enable impacts on habitats to be carefully managed
- d) **Loss of agricultural land:** The development of housing will result in the loss of some grade 2 agricultural land. However, the Council contends that the public benefits of housing in this location out-weight the loss of agricultural land. Representations have indicated concern about the loss of farmland.
- e) **Surface Water Drainage:** Concerns about surface water flooding have been raised in representations however, flood risk associated with this site is low (HO23PM).

5) What are the infrastructure requirements/costs and are there physical or other constraints to development? How would these be addressed?

- a) The Proposed Modifications identify that access to the sports facilities allocation is a required infrastructure provision of allocation H41. Representations have suggested that the sports allocation and the housing allocation could have separate access points. The Council accepts this is likely to be an acceptable approach as identified in representations by Richborough Estates. However, representations have been made suggesting that this site should only come forward on the basis that the sports allocation is secured by Kenilworth Rugby Club. Whilst the Local Plan does not propose this, the Council is willing to discuss the relative merits of this proposal.
- b) The 2013 CIL Viability Study (IN06) and its 2015 addendum (EXAM3) demonstrate that all broad locations in the District are viable in the context of the proposed Local Plan policy requirements, including affordable housing.
- c) The studies tested the ability of a range of housing sites (including a sample of strategic sites) within Warwick District to yield contributions to infrastructure requirements through CIL. Appraisals undertaken also incorporated an allowance of £1,500 per unit to address any residual S278 and Section 106 costs, albeit the actual sums sought will vary according to site specific circumstances. On strategic sites that carry higher costs than other developments, there is a higher allowance of £10,000 per unit for on-site infrastructure (site roads, sewers, utilities, drainage etc.) and community infrastructure (schools, community facilities etc.) plus a further £13,000 per unit to contribute towards on-site community infrastructure through S106.

This reflects longer build-out rates of larger sites which require developers to carry costs for much longer times than is the case for smaller schemes.

- d) The ability of residential development to absorb infrastructure requirements through Section 106 / 278 contributions (whilst remaining viable) is also evident by the large number of greenfield strategic sites that currently have planning permission and are presently under construction on sites south of Warwick and Leamington Spa.
- e) Specific infrastructure requirements (physical, social and green) associated with the Plan as a whole are identified and costed in the Infrastructure Delivery Plan (IN07PM). Most components of the IDP do not relate directly to a specific site within the Plan and it is anticipated that infrastructure contributions will be negotiated on a case by case basis in accordance with the CIL Regulations. Full details of infrastructure requirements and costs cannot therefore be set out for each site at this stage.
- f) It should be noted that the IDP is a continuously evolving document and will continue to be refreshed as data on infrastructure requirements are refined or new / changing priorities and needs are identified throughout the plan period. It should also be noted that the Council (in partnership with relevant partners) will continue to explore the availability of other sources of external funding to augment developer contributions.
- g) It is anticipated that housing site H41 will be required to make a proportionate contribution to the following requirements:-

Infrastructure type	Comments (but only if clarification required)
Provision of on-site open space and contributions to other open space requirements	✓
Contributions to Health (Hospitals)	✓
Contributions to Health (G.P. services)	✓
Contributions to Highways / Transport	✓
Contributions to Education (Primary)	✓
Contributions to Education (Secondary)	✓
Contributions to other infrastructure requirements in line with the CIL regs	See comments above regarding access to the sports facilities.

6) Is the site realistically viable and deliverable?

- a) The Viability Studies (IN06, EXAM3 and HO24PM) demonstrate that all broad locations in the District are viable in the context of the proposed Local Plan policies, including affordable housing. This site falls within an area that was assessed as being viable
- b) The site is deliverable within the Plan period. There is a landowner who is willing to sell and who is working with a development partner. The development partner is actively drawing up plans for the site and has indicated an intention to submit a planning application soon after adoption.
- c) As can be seen from answer to question 4 above there are no major impediments to the site being developed quickly.

7) What is the expected timescale for development and is this realistic?

- a) The housing trajectory (see appendix 1 of the Housing Supply Topic Paper – HO27PM) indicates 25 dwellings 2018/19, 35 in 2019/20 and 40 in 2020/21. Given the relatively small nature of this site; limited onsite infrastructure and the developer's willingness to develop the site this remains a realistic timescale for delivery.
- b) It should be noted that the site promoter has made representations suggesting the capacity of the site should be increased to 130. However, as outlined above at question 4 due to the potential impacts on landscape, ecology and the neighbouring cricket club, the developable area estimation has been limited. Housing allocations are not an upper limit and an appropriate and specific amount will only be identified through the submission of detailed planning application.

In addition to the above, for all sites apart from H09 (Kenilworth School):

8) What would be the effect of the proposal on the purposes of including land within the Green Belt?

- a) The area is within a Green Belt parcel (KE4) that plays an important role in safeguarding the countryside from encroachment and in preventing ribbon development, as well as playing some role in checking unrestricted sprawl and preventing neighbouring towns merging and (like all parcels) a strategic role in assisting regeneration (LA07PM).
- b) The site itself forms a reasonably compact area adjacent to the urban area, bringing the built form not further south than the barn conversions to the west of Warwick Road at Wootton Grange. This minimises the extent to which it can be considered to be ribbon development. The eastern edge of the site bounded by the railway line and the southern boundary by an existing hedgerow, thus forming a defensible Green Belt boundary.

9) What would be the effect on the openness of the Green Belt?

- a) It is proposed to remove this site from the Green Belt in line with paragraph 85 of the NPPF. This proposal

- i) Ensures consistency with the Local Plan strategy
- ii) Removes this parcel which is not essential to keep permanently open
- iii) Uses physical features (a hedge-line / tree belt) to provide a strong Green Belt boundary and which can be further enhanced.

- b) The residual Green Belt will continue to meet the essential characteristics set out in paragraph 79 of the NPPF. The development of this will have only a minimal impact on the extent to which parcel KE4 is consistent with the essential characteristics of Green Belt (NPPF para 79) as the land to west, and south will remain open in character.

10) Are there exceptional circumstances which justify altering the Green Belt? If so, what are they?

- a) The process for assessing exceptional circumstances has been set out in paragraph 14 of the Distribution of Development paper (HO25PM) and the Green Belt Background Paper (EXAM 45). Table 3, at paragraph 28 of HO25PM sets out the exceptional circumstances that apply to all the edge of Kenilworth sites within the Green Belt that are identified through the 2016 Modifications.
- b) Specifically, exceptional circumstances for the allocations to Green Belt in Kenilworth are identified as follows:
 - i. Is there an essential need that has to be met? Yes, the HMA's and Coventry's housing need and the lack of capacity within Coventry; important in achieving a 5 year housing land supply on adoption; important in meeting local housing need (constrained by current planning policy).
 - ii. Are there any suitable sites outside the Green Belt that can meet this need? There are insufficient suitable sites outside the Green Belt or more sustainable locations within the Green Belt that can meet both overall and 5 year supply housing need. Any alternatives outside the Green Belt are not consistent with the Local Plan's Strategy or effective in meeting these needs.
 - iii. Is this the best site within the Green Belt to meet the need? It is important to provide a variety of sites in a variety of locations to support the housing market in boosting significantly the housing supply. Sites on the edge of Kenilworth provide sustainable locations with good links to employment and services within Kenilworth and other urban areas. The 2015 Green Belt study considers this area: These locations lie within Parcel
 - KE1 (scores 11/20),
 - KE2 (scores 10/20),
 - KE4 (scores 13/20) and
 - KE8 (scores 18/20).

To varying degrees these parcels play important roles in checking unrestricted sprawl, preventing towns merging, safeguarding the countryside from encroachment and preserving the setting of historic towns. The removal of land from the Green Belt in these areas therefore needs to be undertaken with an understanding of the role that specific sites play in the Green Belt with a view to maintaining defensible boundaries and the ongoing importance of the Green Belt. This location also directly

provides for Kenilworth's local housing needs, of which there is limited opportunity to address without Green Belt review. Historic housing trends demonstrate that Kenilworth has contributed less to housing delivery than the urban areas of Leamington, Warwick and Whitnash over the last two decades, despite its relative size, due in large part to the Green Belt enveloping the town.

The WDC SHMA 2012 identified that 19% of the District's housing needs arise from Kenilworth (para 8.63, Doc HO03). This equates to 2,052 over the plan period of the District's needs of 600 dpa. The total amount of units allocated within the town is 1,983, which includes over 1,500 units in the Green Belt of which this site is included.

Clearly, growth limited to areas outside the green belt in Kenilworth would significantly limit its ability to meet its own housing needs and address housing affordability issues. Furthermore, this location also supports the HMA's and the District's housing need, including the City's housing need.

N.B. key concerns raised in representations are highlighted **bold**