

CHAPTER 10

Delivery

This Development Brief will inform all planning applications relating to the site and it is expected that applications will adhere to the guidance and overriding principles set out in this SPD.

Whilst this is a high level indicative masterplan only, it is expected that development across Land East of Kenilworth will come forward in general conformity with the masterplan unless the Local Planning Authority is agreed that there are robust and justified reasons to deviate away from the masterplan. The location of infrastructure, including the secondary school, primary schools, central park, Local Centre with community centre as shown on the indicative masterplan is broadly where the respective infrastructure will be expected to be located.

Collaboration and Consultation

Whilst it would be preferable to receive one outline planning application covering the entire site Warwick District Council understands the challenges of this given the context of there being multiple land owners and therefore will not insist upon a single planning application for the entire area covered by this Brief. However, it is recommended that where possible land owners work together to submit an outline application covering multiple sites.

The minimum expectation is that land owners, their representatives or promoters/developers work collaboratively with each other and Warwick District Council to ensure that the detailed masterplans and subsequent reserved matters/full planning applications for their sites relate well to those of adjoining sites, thus delivering comprehensive development across the area. Furthermore, it is expected that non-sensitive information is shared in order for cumulative impacts to be fully considered comprehensively across the entire site.

Prior to submission of development proposals, applicants are strongly encouraged to undertake meaningful public consultation with the local community including potentially affected residents and Kenilworth Town Council.

Planning Application Requirements

Viable schemes for development and associated infrastructure delivery will come forward through the Development Management process. It is expected that outline planning applications will be submitted for parcels of land setting out parameters for development, followed by reserved matters applications for individual phases.

It is strongly recommended that applicants for all developments enter into formal pre-application discussions with Warwick District Council as Local Planning Authority at an early stage prior to the submission of planning applications relating to their site.

Planning applications at each stage of the process will require detailed supporting documents and plans and the requirements for an application will depend upon the type of application.

All outline or full applications will be expected to be submitted with:

- Design and Access/Planning Statements which combined specifically demonstrate how the proposals are in accordance with guidance contained in this SPD, the Kenilworth Neighbourhood Plan and the Warwick District Local Plan
- A detailed site specific masterplan setting out the proposals spatially. Key parameters plans covering: land uses; scale; green infrastructure; primary transport routes and access points; and location of custom and self-build plots

- Supporting documentation highlighting how the proposals accord with the aims and objectives of this SPD and key Policies DS15 'Comprehensive Development of Strategic Sites', BE1 'Layout and Design' and BE2 'Developing Significant Housing Sites' of the Local Plan
- An Infrastructure Delivery Strategy setting out an overarching framework for infrastructure delivery providing assurances that infrastructure is being comprehensively planned
- Heads of terms for s106 planning obligations referencing the Infrastructure Delivery Plan and this SPD
- A strategy for the future management and governance of community facilities, public open space and public realm and sustainable drainage features

Furthermore, applications should include documents on the Council's Local Validation Requirements List (May 2018 or any subsequent amendments) and any other relevant information to support the application which may include:

- Planning Statement
- An Environmental Impact Assessment Screening Opinion and where required an Environmental Statement including Environmental Impact Assessment
- Statement of Community Involvement
- Design and Access Statement including Design Code
- Sustainability Assessment
- Affordable Housing Assessment
- Housing Mix Statement
- Housing/Local Needs Survey
- Air Quality Assessment and Mitigation Statement
- Heritage Statement
- Archaeological Assessment
- Biodiversity, Ecology and Geodiversity Statement
- Environmental Strategy
- Ground Contamination Report
- Flood Risk Assessment
- Foul Sewerage/Utilities Statement including an assessment of the capacity of utilities to accommodate development
- Noise/Vibration Assessment
- Transport Assessment and Draft Travel Plan
- Arboricultural Survey
- Waste Management Strategy
- Retail Assessment
- Lighting Assessment
- Drainage Strategy.

Note: this list is not exhaustive and further requirements may be identified through the pre-application process.

Planning conditions are likely to be imposed on granted planning applications. Many conditions require the submission of further detailed and specific information to be discharged.

One important condition that will be imposed on applications is the requirement for applicants to submit a Construction Method Statement (CMS) prior to commencement of a phase of development. The CMS shall set out how adverse impacts from construction will be minimised including highway, noise and dust impacts and how the applicant will ensure mud or other material is not deposited on the road. The CMS shall not only consider the phase in question but also consider the wider site and how the applicant will mitigate cumulative impacts of their particular phase of construction in the context of any other development already underway on site.

A Construction and Environmental Management Plan (CEMP) for each phase of development will also be required setting out details including the protection and mitigation during construction of retained landscape features, the Scheduled Monument and Local Wildlife Sites and any protected species.

The quantum of development will generate significant employment opportunities, both during construction and post-occupation of the development. The Local Planning Authority will require applicants, through appropriate planning conditions, to undertake measures to promote and encourage construction employment opportunities and post-occupation employment to local people.

It is acknowledged that for varying reasons developers will sometimes seek to alter extant permissions. Any subsequent Section 73 Variation of Condition applications will need to ensure that relevant conditions attached to the initial consent are replicated (or amended where appropriate) and that deed of variations are completed relating to existing signed legal agreements.

Development Phasing

It is anticipated that development will come forward in parcels of land varying in size. It is unlikely that peak delivery will be greater than around 175 dwellings per annum. It is envisaged that housing development across the whole site will be delivered over a 10 year period with development anticipated being completed by the end of the Local Plan period in 2029.

There are many variables affecting the timing and pace of delivery including market conditions, housing need and critical infrastructure triggers.

However Warwick District Council's current Housing Trajectory (July 2018) assumes completions from 2019/20 following the trajectory in Table 5.

Table 5: Housing Trajectory for Land East of Kenilworth

Housing Trajectory										
Year	19/20	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29
Completions	125	175	175	175	175	175	135	125	125	15

Warwick District Council will review and monitor the housing trajectory as necessary and publishes its trajectory annually.

Market demand will heavily influence delivery of the employment area and whilst initial delivery is likely to be later than initial housing completions, it is envisaged that the employment space will be available within the Plan period.

Delivery of infrastructure and phasing of development is expected to accord with the following principles and will be secured through the planning application process:

- Where possible development parcels shall be closely connected to the existing built environment of Kenilworth or earlier housing phases. Isolated and disconnected development parcels shall be avoided unless the early provision of infrastructure allows for development to commence elsewhere
- Infrastructure shall be delivered in a timely fashion to reduce the impact of the development and provide essential facilities to meet the needs of the emerging community
- Suitable phasing of education provision to ensure residents have access to education
- Appropriate phasing of off-site highway improvements to mitigate localised impacts
- Suitable phasing of public transport, cycling and pedestrian routes to encourage residents and employees to adopt sustainable modes of travel soon after occupation
- Appropriate phasing of recreational and leisure provision to support the new community
- Appropriate phasing of structural landscaping, including tree and shrub planting, noise attenuation measures.

It is essential that development parcels come forward in a logical order with key infrastructure being delivered in a timely fashion in order to mitigate the impact of the development and ensure that residents experience a satisfactory living environment with necessary services from the outset.

To avoid disconnected development the residential land within H40 should be developed in phases beginning to the western end of the site adjacent to Glasshouse Lane. No housing within H40 shall be occupied unless and until a new roundabout has been provided on Glasshouse Lane in the vicinity of Stansfield Grove to serve the new development and a spine road has been provided connecting the site with Crewe Lane.

Land within the southern parcel of H06 shall be developed from either/both ends of the spine road route and no dwellings shall be occupied unless and until a new junction has been provided onto Leamington Road and the spine road has been provided with a roundabout junction to the northern end of the parcel of land connecting to Glasshouse Lane in the vicinity of Heyville Croft.

The central parcel of land, currently occupied by sports clubs shall not be occupied unless and until the central section of Glasshouse Lane between the two roundabout junctions has been upgraded and a suitable access into the site from Glasshouse Lane has been provided.

This SPD has set out guidance relating to development of the area and the approach that Warwick District Council is taking to ensure the delivery of this essential infrastructure.

Infrastructure Delivery Triggers

Detailed infrastructure delivery triggers and development phasing will be subject to consideration and determination through the formal planning application process. The order that development will come forward across the site is presently unknown and this has the potential to impact upon triggers relating to highway infrastructure. Further detailed analysis of each development upon the highway network will be undertaken by applicants through the preparation of their Transport Assessments and until this point it is not possible to set out clear development triggers for when certain off-site highway works are required.

Indicative trigger points at the time of writing include:

Highways

- Unless otherwise agreed with the Local Planning Authority and Local Highway Authority, prior to the occupation of any dwellings within the site junction improvements to St.John's Gyratory shall be completed in their entirety in accordance with a scheme approved by the Local Planning Authority and Warwickshire County Council as Local Highway Authority.
- Prior to the occupation of the 200th dwelling on land currently within the control of Catesby in H40 a spine road in that parcel of land shall have been laid out with permanent access junctions onto Crewe Lane to the north and Glasshouse Lane to the south-west.
- No dwelling in the southern parcel of land to the south of Rocky Lane shall be occupied unless and until the spine road in that parcel of land has been laid out with permanent access junctions onto Leamington Road to the south and Glasshouse Lane to the north-west.
- No dwelling in the central parcel of land shall be occupied unless and until the identified improvements to Glasshouse Lane between the junctions of the northern and southern sections of the spine road have been completed in their entirety.

Education

- Two new 1-form entry primary schools constructed to accommodate a total number of 420 pupils and each to 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 schools shall be transferred to Warwickshire County Council before the 500th occupation of a residential dwelling in the growth area.
- Given that the secondary school development project is being brought forward as part of a relocation project as well as meeting the needs of the new development, contribution triggers will be agreed on a case by case basis.

Local Centre and Community Building

- Prior to the occupation of 1,000 dwellings a permanent multi-purpose community building shall be constructed and made available for use.
- Prior to the occupation of 1,000 dwellings other retail or commercial buildings within the Local Centre shall be completed and made available for use.

- All parcels of land shall provide the necessary highway, pedestrian and cycling infrastructure to connect to the Local Centre.

Securing Infrastructure

Local Plan Policy DS11 identifies key infrastructure and services to be delivered as part of the development of the site. However, in addition to the infrastructure specifically stated in the policy there is a range of other infrastructure required to support the delivery of a thriving community.

The appropriate infrastructure for each phase of development or parcel of land will be secured via Community Infrastructure Levy (CIL) receipts, planning conditions and directly via developer contributions, where the requirements of Section 122 of the CIL Regulations are met.

At the time of writing the Council's Regulation 123 (CIL) list does not include many specific items relating to development on land East of Kenilworth. However, the list will be reviewed on an annual basis and is therefore subject to change. It is expected that the majority of major infrastructure items will be secured via s106 Legal Agreements.

The Infrastructure identified in Table 6 will be required to meet the requirements of the development. Some infrastructure will be provided by developers of individual sites whilst other items are likely to be secured through the request of s106 contributions from multiple sites.

Table 6: Infrastructure Requirements

Type of Infrastructure		Indicative Cost	Funding Source
Highways	On-site highways infrastructure including roads (including provision of the spine road and junctions connecting it with existing infrastructure), pedestrian and cycleway infrastructure, car parking and connectivity with and enhancements to existing public rights of way and on-site bus stop infrastructure	See Table 2	
Highways	Off-site highways infrastructure and mitigation including pedestrian and cycling connectivity. Highways infrastructure likely to include: <ul style="list-style-type: none"> · Improvements to the capacity of St.John's Gyratory · Changes to Thickthorn roundabout signalisation · Improvements to junction arrangements at Dalehouse Lane/Glasshouse Lane/Common Lane · Improvements to junction arrangements at Crewe Lane/Hidcote Road/Knowle Hill junction · Alterations and improvements to Crewe Lane (west and east of the Crewe Lane Spine Road access) · Realignment of the eastern end of Leyes Lane. · Traffic speed reduction measures linked to the new secondary school · Relevant additional off-site bus stops 	See Table 2	
Public Rights of Way	Contributions towards Public Rights of Way in the area	c: £140,000	

Public Transport	Public transport subsidy to deliver a town bus service connecting the development with the town centre, railway station and medical centres and a diverted service linking the development to neighbouring Coventry, Royal Leamington Spa and Warwick	Town Service: £490,000 X18 Service Diversion: £450,000 Total: £940,000	S106 contributions from all on site housing developments
Public Transport	On-street bus stop infrastructure for utilisation of occupiers of each respective development, with the aim of ensuring that each household is within 400 metres of a bus stop in line with aspirations stipulated in the Warwickshire Third Local Transport Plan 2011-2026		S106/S278 contributions from all major on site developments
Sustainable Travel	Contributions towards improved cycle and pedestrian routes linking the site to Kenilworth Town Centre, Kenilworth Railway Station and other nearby destinations		
Wayfinding	Provision of signage to improve wayfinding for pedestrians and cyclists between the site and existing destinations and key trip generators in the town		
Affordable Housing	On-site affordable housing (40% - in accordance with Local Plan requirements)		
Self-build and Custom Build Housing	The provision of serviced plots for self-build and custom build, commensurate with demand evidenced on the self-build register, not exceeding 5% of the total number of dwellings on each parcel of land		
Employment Land	On-site employment park (B1, B2 uses)		
Education	On-site secondary and sixth-form education provision. Land and build costs to secure two 1-form entry primary schools constructed to each accommodate 210 pupils and support the delivery of pre-school and wraparound care. 3 hectares of land required (2 x 1.5 hectares of land)		
Education	On-site primary education provision. Land and build costs to secure a 2-form entry primary school constructed to accommodate 420 pupils and support the delivery of pre-school and wraparound care. 2.2 hectares of land required.		
Health	Contributions to secure additional off-site primary care capacity to meet the needs of the development		
Health	Off-site contributions towards acute and planned health care services	£1,611,192	
Emergency Services	Off-site contributions towards the expansion/enhancement of Warwickshire Police's existing offices in Kenilworth, recruitment and equipping officers and staff, provision of police vehicles	£294,362	
Community Facilities	On-site provision of a community hub building with internal and external space providing flexible-use accommodation for community uses Site area minimum 0.35 hectares	£2,000,000	
Community Facilities	Contributions towards running costs of the community hub space	£169,100 (five years running costs, annual cost £33,820)	

Community Worker/ Centre Manager	Contributions towards the employment of a Community Centre Manager and a Community Development Worker		
Local Centre	On-site provision of a Local Centre including public realm areas, commercial facilities and retailing for day-to-day needs of residents and those employed at the employment site		
Leisure Facilities	Contribution to the provision of community leisure and recreation facilities at the new site of the Secondary School within the East of Kenilworth development area	3G Football pitch: £139,703 Sports Hall: £793,368	S106 contributions from housing developments
Leisure Facilities	Off-site contribution towards refurbishment and/or enhancement of Abbey Fields Leisure Centre	Swimming pool: £ 836,535	S106 contributions from housing developments
Leisure Facilities	Off-site contribution for the development of community sports facilities, including but not limited to; Grass football pitches at Castle Farm Recreation Centre; Cricket pitches at Castle Farm Recreation Centre; Rugby pitches at Kenilworth Rugby Club; Hockey facility at Bericote Lane	Required community sports pitches, including life cycle costs: £433,054 (projects and costs derived via the Sports Calculator and the Playing Pitch Strategy)	S106 contributions from housing developments
Green Space / Recreation Facilities	On-site provision of formal and informal public open space, including a centrally located public park; Recreation facilities within the centrally located park including either a Multi-use games area (MUGA) or skate park; Provision of equipped and non-equipped areas for play	Public park including MUGA (37m x 18.5m) - £1,300,000 Skate Park (25m x 40m) - £120,000-155,000	
Allotments	The provision of on-site allotment plots in accordance with size requirements as set out in the Public Open Space SPD. Recommended a maximum of 2 larger allotment areas are provided for the entire site	£110,000. Size 1.6 ha	
Sustainable Drainage	On-site provision of sustainable urban drainage features		
Maintenance & Management	Contributions towards the maintenance and management of public open space (including Scheduled Monument land, woodland areas, play areas and sustainable drainage features) and public art. All green spaces to be offered to WDC for adoption		
Destination Parks	Off-site contributions towards nearest destination park, Abbey Fields and/or towards a new Crackley Country Park	CIL – On Reg.123 List	
Public Art	The provision of on-site public art		
Noise Attenuation	Phased provision of on-site noise attenuation measures – likely to be a mixture of noise bunds and acoustic fencing		
Utilities	Phased provision of on-site utilities infrastructure		

Other S106 items or contributions expected to be requested:

- Off-site contributions towards cemetery capacity
- Off-site contributions towards library provision in the town
- Contributions towards other Emergency Services' equipment and vehicles
- Contributions towards sustainability travel packs
- Contributions towards air quality mitigation
- Biodiversity offsetting (where applicable)
- S106 Monitoring – 1% of all S106 contributions on a development with a maximum charge of £30,000
- Local Employment and Training Strategy

It is anticipated that between £2-3m of CIL income from the entire site will be generated. As the Kenilworth Neighbourhood Plan is adopted, 25% of the total CIL income from the development will go to Kenilworth Town Council to spend on infrastructure in the local area.

Other notable obligations/contributions most likely to be provided directly by developers to utility companies:

- Capacity improvements to Dalehouse Lane Pumping Station (Severn Trent Water); provision of two new on-site pumping stations and associated infrastructure costs
- Financial contributions towards improving capacity at Kenilworth Primary Substation or contributions towards provision of a new primary substation to the north eastern corner of the site on land owned by Western Power; contributions towards upstream reinforcement works.

In order to ensure comprehensive development in accordance with Policy DS15 and the delivery of all supporting infrastructure necessary to serve the new community, the following approach will be taken to securing infrastructure and contributions:

- Off-site highway infrastructure - developers will be expected to pay a set figure per dwelling towards off-site highway infrastructure identified in Table 2 in order to ensure the comprehensive development of Land East of Kenilworth
- Developers of housing sites are encouraged to work together to ensure the delivery of community infrastructure utilising private equalisation agreements where appropriate.

The following infrastructure is best delivered using such mechanisms:

Primary Education – developers of housing sites will be required to contribute towards both land and build costs of the primary school, the land costs being at residential land values. The primary schools shall ideally be delivered on or near the sites identified on the Masterplan. The education contribution will be calculated on a cost per dwelling basis. This will ensure delivery of the school and provide for some equalisation as a land owner that has the school on their site will not be penalised

Secondary Education – developers of housing sites will be required to contribute proportionately to the land and build costs of the new secondary school to enable the delivery of the new school facilities and support the comprehensive development of the area, as required by Policy DS15

Local Centre including community centre – the Local Centre and community centre shall be constructed by the applicant for that site, however there may be a requirement for equalisation relating to this land (in particular the community centre)

Allotments – it is undesirable for management purposes for there to be a handful of different allotment sites within the area. Developers are encouraged to work together to minimise the overall number of allotment sites with one or two being the preferred number of sites

Large central park including Multi-use games area/skate park – the public park shall be delivered by the applicant(s) for those site(s). Where possible it should be delivered through the provision of green space requirements for those sites. Where this is not possible, a funding mechanism shall be created to allow for equalisation of land values

Self-build and custom build – it would be preferable to have fewer, larger areas of self-build and custom-build plots than have a small number of plots pepper-potted around the development. Developers of housing sites are encouraged to deliver these in such fashion, where possible.

Sharing of Non-Value Generating Land Commitments

The Council will agree a mechanism with the relevant promoters and landowners to ensure, wherever possible, an even distribution of the quantum of required non-value generating land uses. This recognises that the land East of Kenilworth needs to deliver a variety of non-value generating uses in order to deliver a comprehensive and coordinated sustainable urban extension to the existing town, and that the burden of these uses should be spread as evenly as possible over the development site as a whole.

The key areas that should be considered are:

Public Open Space

Each site will be expected to deliver the requirements of the recently adopted Public Open Space SPD. However, there may be site specific conditions that mean that there is an over-provision, which may be considered to offset an under provision elsewhere

Primary School Land

Two 1.5 hectare sites are required to provide for two single form entry primary schools (total area of 3 hectares)

Community Facility Land

A minimum of 0.35 hectares is required for the development of a Community Centre and associated facilities

Secondary School Land

Each site will be required to contribute appropriate and proportional costs for the land purchase of the new school site. Developments will only be required to contribute to the apportioned cost of the land related to the growth in student population as a consequence of the development. These contributions will be collected by Warwick District Council.

The formula that will be used for the calculation of this contribution will be:

$(X/Y) \times Z = \text{contribution}$

Expected growth in pupil numbers of Kenilworth School = 18%*

X = 18% of cost of land purchase

Y = 1400 (number of dwellings allocated in East of Kenilworth)

Z = number of dwellings in application

* where the growth in pupil numbers differs as a result of a determined secondary school application, the X value will be amended accordingly

Monitoring

Warwick District Council will continue to take a proactive role in supporting the successful delivery of sustainable development and the creation of a thriving community on Land East of Kenilworth by working collaboratively and in a co-ordinated way with landowners, promoters, developers and other stakeholders. The Council will monitor the delivery of dwellings, employment land, retailing and other community facilities and supporting infrastructure and this will inform the Council's Annual Monitoring Report and annual review of the housing trajectory for the District.



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