

The Warwick District Council
(Leper Hospital Site, Saltisford, Warwick) Compulsory Purchase
Order 2021

Reference APP/PCU/CPOP/T3725/3268581

SUMMARY PROOF OF EVIDENCE
OF
PHILIP CLARKE OF WARWICK DISTRICT COUNCIL
ON BEHALF OF THE ACQUIRING AUTHORITY

1. Introduction

- 1.1. My name is Philip Clarke. I hold MSc in Urban Planning Studies and I have been a full member of the Royal Town Planning Institute since 1989.
- 1.2. I am the Policy & Projects Manager at Warwick District Council (“the Council”). I have worked in the planning (now Place & Economy) department for the Council since 2012 and before that between 1998 and 2008. My expertise mainly focuses on planning policy matters and have led on the preparation of local plans including the (previous) Warwick District Local Plan. I am currently managing the production of the new South Warwickshire Local Plan which Warwick District Council is preparing jointly with Stratford-on-Avon District Council. I have written several planning briefs during my career, and managed officers in the preparation of many more.
- 1.3. I have over 34 years of experience in planning policy and project work. I am aware of the Guidance on Compulsory Purchase and the Crichel Down Rules (“the Guidance”) and in particular paragraph 106 of the guidance that sets out the factors that the Secretary of State will take into account when deciding whether to confirm an order under section 226 (1) (a) of the Town and Country Planning Act 1990.
- 1.4. I have had involvement in the development of land adjacent to the site subject to the Order. I was involved in the preparation of a planning brief for the Saltisford area (the Saltisford Warwick Planning Brief) in 2001¹. This brief was prepared by Warwick District Council primarily to provide a planning framework for the redevelopment of land which abuts the site occupied by the two listed buildings. This was the former Council depot and has since been redeveloped for a mix of housing and employment (offices).

2. Summary of Evidence and Conclusions

- 2.1. My evidence is given in support of the Warwick District Council (Leper Hospital Site, Saltisford, Warwick) Compulsory Purchase Order 2021 (“the Order”) which was made on 14 January 2021. The land subject to the Order (“the Order Land”) is situated on a main route into Warwick Town Centre and within the urban area. It is comprised of an area of 2,047.56 sq m, it is unoccupied and has a nil use. The Order Land contains 2 Grade II* listed buildings, one known as St Michael’s Chapel and one known as Master’s House or the Leper Hospital. Master’s House is on the Historic England Heritage at Risk Register with its condition described as “very bad” and “at immediate risk of rapid deterioration or loss of fabric”. Part of the Order Land is registered as a Scheduled Ancient Monument.

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- 2.2. The Council's purpose in seeking to acquire the Order Land is to facilitate its redevelopment and bring the listed buildings back into use. The scheme comprises the conversion of both Grade II* listed buildings into individual affordable housing units and the erection of a two/three-storey building of eight affordable apartments together with access, parking and amenity space ("the Scheme"). In my view there are strong planning justifications for the use of the power to compulsorily acquire land under section 226 (1) (a) of the Town and Country Planning Act 1990. There is now a pressing need to redevelop and improve the land and it has not been possible to acquire the Order Land by agreement.
- 2.3. The 2001 Saltisford Warwick Planning Brief requires that any proposals for the site should secure the restoration of the listed buildings. The Scheme will achieve this and will also deliver ten units of affordable housing managed by Platform Housing Group who are an experienced Registered Provider with a proven track record of delivering affordable housing in Warwick District. There is a clear need for affordable housing in the area as evidenced by the latest Authority Monitoring Report² which explains that the cumulative delivery of affordable housing over the Local Plan period remains somewhat below the cumulative requirement. There is also strong evidence of demand for 1-bed and 2-bed properties. In addition, the Order Land is situated in a highly sustainable location close to the town centre and with good access to public transport and local facilities.
- 2.4. A planning application and application for listed building consent have been submitted by West Midlands Historic Buildings Trust. This was validated on 13th May 2021. The application is expected to be determined by the Council's planning committee on 14th or 15th of September 2021. Extensive pre application discussions have taken place between the applicant and the Council prior to submission of the application and formal consultation began on 20 May 2021. There are no objections from statutory consultees including Warwick Town Council, Historic England, the Environment Agency and the Highway Authority. Further information has been requested by Environmental Health, Ecology, and the Local Lead Flood Authority which the applicant is in the process of providing. I do not anticipate that the final response from any of these bodies will be one of objection.
- 2.5. Objections to the application have been received from the Ancient Monuments Society, the Society for the Protection of Listed Buildings and Warwick District Conservation Advisory Forum. Whilst these consultees were clear that they welcomed a scheme that would restore the buildings and bring the site back into long term viable use concerns were raised about the proposed timber cladding and the new two storey wing to Master's House. Eight objection letters have been received from local residents relating to concerns about the use of the site for housing, overdevelopment, design, conservation, parking, flooding and noise. The report to planning committee has not yet been completed but is likely to be in the

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public domain by the time of the Inquiry. An objection has also been received from Warwickshire County Council's landscaping team about the scale of the proposed development and a lack of information about landscaping.

- 2.6. I am of the view that the purpose for which the land is being acquired complies with the adopted Local Plan. This is a comprehensive scheme with two elements; one element will directly restore the heritage assets and the second, which involves the construction of new affordable housing in their setting will cross fund their restoration. This approach is supported by paras 199 and 202 of the NPPF and Local Plan Policy HE1. The application has been considered in detail by the Council's Principal Conservation Officer who is supportive of it. I consider that the applicant's proposal is acceptable in planning terms and in compliance with the statutory development plan, section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the wider planning framework and that planning conditions and/or planning obligations can be used to secure appropriate mitigations where necessary. I do not consider that there are any impediments to the Scheme in planning terms.
- 2.7. I am also of the view that the proposed development will contribute to achieving the promotion and improvement of the economic social and environmental well-being of the area. There will be immediate economic benefits from employment opportunities created by the construction works and the re-use of the buildings will allow them to generate an income stream that will support their maintenance in the long term and remove the need for future interventions by the Local Planning Authority. Contribution to social wellbeing will result from the creation of much needed affordable housing with private and pleasant amenity space in a sustainable location. The development will also improve environmental wellbeing by the sympathetic restoration of the listed buildings that have been an eyesore on a major route into the town for many years. There is a very real risk that the Grade II* listed Master's House will be lost if it cannot be restored and brought back into use.
- 2.8. The alternative scheme put forward by the Owner in May 2021³ has been considered carefully. It is in the form of a pre-application inquiry and the drawings supplied are similar to the planning application submitted by West Midlands Historic Buildings Trust. The main concern with the alternative proposal is the lack of detail. It is not possible, from the drawings provided, to assess whether the design is acceptable in the setting of a listed building. The alternative proposal also does not include any affordable housing and from the information submitted it is not clear what restoration works to the listed buildings would be undertaken, it is impossible to know whether the costs and feasibility of the necessary repairs have been properly evaluated. There is a long history of inaction and neglect on this site on the part of the Owner to an extent to which the Council were required to serve an Urgent

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Repairs Notice and undertake works to secure the Master's House from destruction in 2019. Due to the lack of firm information about the Owner's proposal including information about the delivery and viability I do not believe that the alternative scheme is a realistic or appropriate alternative.

2.9. My view is that the Scheme as set out in the planning application submitted by West Midlands Historic Buildings Trust with the commitment of third parties with expertise in the restoration of heritage assets and the delivery of affordable housing is financially viable and has a clear timescale for delivery.

3. Conclusion

It is clear that the Order Land cannot be left in its current condition for the foreseeable future without the loss of an important heritage asset. There is no realistic alternative to the Scheme which is compliant with the planning framework, will contribute to the economic social and environmental well being of the area and is financially viable and deliverable.

17 August 2021