



**ACQUISITION OF LAND ACT 1981**

**(LEPER HOSPITAL SITE, SALTISFORD, WARWICK)  
COMPULSORY PURCHASE ORDER 2021**

**PINS REF: APP/PCU/CPOP/T3725/3268581**

**PLANNING EXPERT FOR THE OBJECTOR:  
COVENTRY TURNED PARTS (CTP)**

**SUMMARY PROOF OF EVIDENCE OF P J FRAMPTON BSC (HONS), TP, MRICS, MRTPI**

**PF/10574**

**SEPTEMBER 2021**

**Peter J Frampton BSC (HONS), TP, MRICS, MRTPI will say:**

- S1. I hold a Bachelor of Science Honours Degree in Town Planning. I am a Member of the Royal Town Planning Institute (MRTPI) and the Royal Institution of Chartered Surveyors (MRICS). I have been a Member of the RTPI since 1978 and a Member of the RICS since 1984. I am a Director in the firm of town planning consultants and chartered surveyors that bears my name, Frampton Town Planning Ltd, trading as 'Framptons'.
- S2. I understand my duty to the Inquiry and have complied with that duty. I have made declarations as to my professional duty at paragraph 1.4 of my main proof of evidence.
- S3. In my evidence I have expressed my planning judgement on the merits of Objector's scheme for redevelopment of the Land. In that the underlying purpose of the proposed compulsory acquisition is to achieve the restoration of the historic assets, the Objector's scheme as explained by Dr Jonathan Edis has a lesser impact upon the setting of the designated heritage assets. A lower level of harm to the significance of the assets will result.
- S4. I have explained in my evidence that there is no policy requirement within the Warwick Local Plan for the provision of Affordable Housing arising from the scale of development proposed in the Objector's scheme for redevelopment (or in the Council's scheme).
- S5. The Council is confident that planning permission and listed building consent will be granted for the Council's scheme for redevelopment. I am firmly of the opinion that planning permission and listed building consent would be similarly granted for the Objector's scheme. The responses to the pre-application process reveal that there is no objection in principle to the Objector's scheme. The outstanding matters relate to matters of detail which can be addressed in the submission of an application for full planning permission and listed building consent.

- S6. I have attached as Appendix 13 a 'Red Book' Valuation prepared by Mr John Shepherd FRICS of the Land with the benefit of planning permission and listed building consent for the Objector's scheme. This professional valuation produces a substantial land value.
- S7. The Objector has received a conditional offer for the land from a developer who has undertaken development in the locality in excess of this valuation (Appendix 15). I concur with the opinion expressed by Mr Shepherd that the Objector's scheme is a commercial development proposition.
- S8. I have corresponded with Warwick District Council (25<sup>th</sup> June 2021) inviting the entering of mutual undertakings with the Council so as to provide the assurance that the Objector's scheme of redevelopment will be delivered. This proposal remains available but has been declined by the Council (Appendix 4). Attached to my Proof of Evidence (Appendix 3) is a draft Unilateral Undertaking to secure delivery of the redevelopment. I have invited the Council's comments on the Undertaking (to date none have been received).
- S9. The Council has made reference to the existence of a restrictive covenant on the Land, the beneficiary being Warwickshire County Council. The District Council is confident that the negotiations will be successfully conclude. The Objector is similarly confident that a negotiation would be successfully concluded for his scheme. In my opinion the existence of the restrictive covenant will be resolved and will not prevent delivery of the Objector's scheme.
- S10. In the context of the guidance provided in paragraph 106 of the MHCLG Guidance on Compulsory Purchase Process and the Crichel Down Rules - whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means - the

scheme proposed by the Objector will achieve the underlying purpose of the proposed compulsory acquisition. As such, there is no compelling reason why the Objector is dispossessed of the ownership of the land and denied the opportunity to undertake a viable development proposition.