

Executive
11 February 2021

Title: Tachbrook Country Park – Masterplan Finalisation

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Portfolio Holder: Cllr Alan Rhead

Public report / Confidential report: Public other than confidential appendices

Wards of the District directly affected: Myton and Heathcote and Bishop’s Tachbrook

Contrary to the policy framework: No

Contrary to the budgetary framework: No

Key Decision: Yes

Included within the Forward Plan: Yes

Equality Impact Assessment Undertaken: Yes

Consultation & Community Engagement: Public consultation completed June 2020 Bishop’s Tachbrook Parish Council and Warwickshire County Council actively involved in the Project Board

Final Decision: Yes

Accessibility checked: Yes

Officer/Councillor Approval

Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	20/1/21	Chris Elliott/Bill Hunt
Head of Service	22/1/21	Julie Lewis
CMT	20/1/21	Chris Elliot, Andrew Jones, Bill Hunt, Dave Barber
Section 151 Officer	20/1/21	Mike Snow
Monitoring Officer	20/1/21	Andrew Jones
Finance	20/1/21	Mike Snow
Portfolio Holder(s)	22/1/21	Cllr Alan Rhead

1. Summary

- 1.1. The purpose of the report is to present members with a proposed final masterplan for Tachbrook Country Park for agreement to enable a full planning application for the area's change of use to be made.
- 1.2. The report also requests acceptance of the principle that the Country Park is transferred into the ownership of Bishop's Tachbrook Parish Council once it has been created.

2. Recommendations

- 2.1. The Executive notes the results of the public consultation on the draft masterplan that ended on 30 June 2020, shown in Appendix One and notes these have informed the preparation of the masterplan proposed for agreement in this report.
- 2.2. The Executive agrees the proposed masterplan shown at Appendix Two and Confidential Appendix Four, noting that there will be a need to insert arrangements for the area of the site linked to the proposed Oakley Grove School development and confirm the details shown at Confidential Appendix Four at a later date and that delegated authority is given to the Chief Executive to agree any amendments to the masterplan in respect of those matters, in consultation with the Portfolio Holder for Neighbourhood Services.
- 2.3. The Executive agrees that a full planning application is submitted for the creation of the Country Park in accordance with the masterplan and that delegated authority is given to the Chief Executive to agree detailed planning matters, seek any other necessary statutory consents and final land transfer terms, in consultation with the Portfolio Holder for Neighbourhood Services.
- 2.4. The Executive agrees that the Country Park, once completed, is transferred to the ownership of Bishop's Tachbrook Parish Council with absolute title but that the park is then immediately leased to Warwick District Council for a period of 999 years for the purposes of managing and maintaining the site and that delegated authority is given to the Head of Assets to agree appropriate Heads of Terms, in consultation with the Portfolio Holder for Neighbourhood Services to conclude the land agreements.

3. Reasons for the Recommendations

- 3.1. Recommendation 2.1
 - 3.1.1 The Warwick District Local Plan 2011-2029 includes policy DS13 to allocate land for a Country Park. Through S106 agreements with housing developers and on-going discussions with land owners, an area, including the 56ha identified in the Local Plan, has been and is being secured to create a Country Park. A draft masterplan for the site was drawn up and consulted upon between 30 March and 30 June 2020. 98% of the 1,294 responses supported the Country Park being created. Full details can be seen at Appendix One.

- 3.1.2 One of the questions in the consultation related to the name of the Country Park and a greater number of respondents preferred Tachbrook Country Park rather than Tach Brook Country Park. The preferred convention will therefore be used in this report and future references to the Country Park.
- 3.1.3 The consultation included questions about the potential to extend the intended Country Park area further. This was also supported in the consultation. The project has been split into two broad phases of delivery to enable the basis of the Country Park to be created, working on currently achievable targets in the first instance, with further development of extensions and improvements to the initial Country Park in a later phase.
- 3.1.4 The up-dated objectives for the project have changed since the consultation to focus on progressing the project in response to delivery plans being affected by the Coronavirus pandemic. These are:

Phase 1: Establish the Country Park

- Obtain full planning permission to ensure the use of the site is established as a Country Park. This phase of the work relates to establishing the local green space as expressed in the Local Plan (2011-2029). To ensure a cohesive set of community facilities is created, this stage of the work will be undertaken in parallel with the development of the proposed Oakley Grove School that will be adjacent to the Country Park.
- Create site infrastructure in accordance with the agreed masterplan. Ensure that the delivery provides opportunities for later enhancement of the site remain open throughout this delivery stage.
- Open the site as a facility for the local residents.

Phase 2: Enhance and expand the Country Park

- Advance the vision for the Bishop's Tachbrook area by developing further infrastructure that offers access links via the green areas and away from public roads.
- Develop the Country Park further by embracing the opportunity to include more green space linked to the original Country Park.
- Develop the Country Park further by enhancing its quality to include additional facilities such as a community hub/visitor centre.

- 3.1.5 The masterplan being considered by the Executive relates to the completion of the Phase 1 objectives for the project only. Separate work continues to be undertaken to realise Phase 2 of the project and would be subject to further reports to future Executive meetings.

3.2 Recommendation 2.2

- 3.2.1 The masterplan sets out a broad framework for the Country Park that can be built upon in detailed design and construction. It is a policy document that expresses the structure and content of the first phase of the park's creation and will be used to develop detailed design and to construct the site. It is

also required as the basis of the required planning permission to create the Country Park.

3.2.2 At the Executive meeting on 28 November 2018, recommendations relating to a number of projects in the Europa Way area were agreed. The recommendations in this report sit within the context of these previous approvals, the relevant ones being:

- support for a new school on land off Oakley Wood Road provided that the provision of dual use sports facilities, access and integration to the Country Park positioning of buildings were agreed
- the use of car parking at the school for the Country Park
- the development of a Community Investment Package with Bishop's Tachbrook Parish Council to address the impact of changes in its area, under a "double lock" arrangement where the Country Park ownership would be transferred to Bishop's Tachbrook Parish Council and immediately leased back to Warwick District Council.

Delegated authority has been requested to negotiate the detail of these arrangements in consultation with the Portfolio Holder for Neighbourhood Services to enable smooth project progress.

3.2.3 There has also been the development of opportunities to connect the Country Park either side of Europa Way and consideration of future extensions to the Country Park site, but the outcome of that work will be reported to a future Executive and does not impact on the masterplan for the Phase One area, except to ensure that there is nothing in the masterplan that would prejudice those other opportunities.

3.2.4 After analysis of the consultation responses to the draft masterplan and subsequent technical input from the appointed consultants, officers have proposed some revisions have been made to the original masterplan shown during the public consultation. The original proposal and the revised masterplans are shown at Appendix Two. As noted above, the proposals defer reference to the links to the proposed Oakley Grove School site until they are ready to be brought forward. Confidential Appendix Four also shows a representation of the final masterplan with some additional considerations for the central area that are dependent on the outcome of on-going negotiations on land transfer issues as set out in Confidential Appendix Three.

3.2.5 The key elements of the proposed masterplan include:

Land transfers

To enable the Country Park to be created, developers are transferring land to Warwick District Council in accordance with S106 agreements. Legal procedures are nearing a close for most of the site, whilst negotiations continue for some parcels of land. Further information on the transfer of land to complete the park area is shown in Confidential Appendix Three.

Site access points

The consultation plan referenced a single access point to the site. More detailed examination of the practicalities of creating and managing the Country Park have focused on its practical realisation in two key areas. There

is a need to access the site to construct it. In particular, the Country Park is likely to be constructed and operational prior to the creation of Oakley Grove School. Provision therefore needs to be made to access the site for its creation and subsequent maintenance. Since the site is linear in nature, access points will need to be located around the Country Park. These are identified as maintenance access on the plan.

Bearing in mind that the Country Park is to be as accessible as possible to the local community, a number of pedestrian access points in the form of stoned paths leading off housing areas will be created. These are also identified on the plan.

Car Parking

Whilst the principal car parking area to access the Country Park will be located within the shared facilities at the proposed Oakley Grove School, some minor provision has been proposed for parking at the northern and southern end of the Country Park. One of these is adjacent to an allotment area.

Food growing areas

The revised plan shows a change in the balance of provision in the areas shown, bearing in mind the high demand for allotments, local to housing areas. In addition, some of these areas have been re-located for better site maintenance. A mix of community growing areas and orchards has been proposed in one area to the south east of the Country Park. Prior to completing the site, the arrangements for managing these growing areas will need to be finalised to ensure their on-going sustainability and sound maintenance.

Community hub

Initial plans allowed for the provision of a refreshment area that could be enhanced to create wider community facilities at a later date. In Phase 1 of the project, it is planned to create a refreshment area (that includes a toilet facility). It is intended to review the provision of wider community facilities within the Country Park site as part of Phase 2 of the project. This will take into account the availability of other community rooms within the locality at places such as the stadium and Oakley Grove School. It will also address the potential to enhance the original (Phase 1) facilities within the Country Park. The revised plan has removed the potential community hub at the western end of the Country Park because it does not have the potential to be developed over time and presents some practical challenges.

Biodiversity maximisation

A wet area of the site to the west, close to the woodland by Europa Way was originally identified for a boardwalk area has been identified as important to reduce through traffic of visitors and allow the ecology to flourish. As an alternative, this version of the masterplan has removed paths and the boardwalk in that area to deter access. This has been replaced by a viewing platform to maintain access to the wildlife. In addition, the boardwalk has been relocated to the linear shaped SUD to the north east of that area, allowing a way across the SUD and informal access to a water body.

- 3.2.6 Warwickshire County Council has been involved in securing land adjacent to the proposed Country Park, for the development of a school and associated facilities - Oakley Grove School. This is to be at the eastern end of the proposed Country Park site and S106 agreements mean that the school will provide sports pitches and car parking for the Country Park to be shared with Warwick District Council. The principal site access for the Country Park will be in the area of the school. The revised masterplan shows this area will be confirmed at a later date, as the plans for the site are being developed and will be the subject of a separate planning application.
- 3.2.7 Working in partnership with Warwickshire County Council, it has been agreed that due to the links between the Country Park and school site, it is appropriate to aim to submit concurrent planning applications for both developments, allowing full consideration of the plans for the area. As the school is due to open in September 2023, it will be necessary to apply for planning permission for the Country Park in late Spring 2021.
- 3.2.8 In order to continue the creation of the Tachbrook Country Park, the Executive is being asked to approve the masterplan elements that can be wholly delivered by Warwick District Council. As the school development plans are currently less advanced than those for the Country Park the masterplan cannot yet show the detail of the shared facilities and access in the area where the school will be developed. To avoid delays in preparing the planning application and the delivery of the Country Park for local residents it is therefore proposed that the masterplan, as set out at Appendix Two, without the detail for this area is approved and that subsequently amended under the delegated authority proposed in recommendation 2.2 when appropriate arrangements on shared facilities have been agreed by the Project Board.
- 3.2.9 It is also proposed that were any changes required to the details set out at Confidential Appendix Four as a result of the negotiations detailed in Confidential Appendix Three, that these are also agreed under delegated authority.
- 3.3 Recommendation 2.3
- 3.3.1 As a result of all the land designated for the Country Park having been previously used for different purposes, it is necessary to make a full planning application to change the use of the area to that of a Country Park. Wood plc has been engaged to provide specialist planning services to support this process which will include further site surveys and technical statements in support of the planning application.
- 3.3.2 The preparation for the planning application is already under way, following the agreement of the Executive at its 24 August 2020 (Agenda item 8) meeting to fund this work. Warwickshire County Council and Warwick District Council officers are working in partnership to co-ordinate information pertaining to both projects to ensure consistency of information that will appear in the planning application. Without the planning permission the Country Park cannot be created but, as noted in section 3.2 above, the current masterplan proposal needs the detail of the area in which the school

will be located to be finalised. It is, therefore, proposed that the final details of the planning application are agreed under delegated powers.

3.4 Recommendation 2.4

3.4.1 As noted in the November 2018 report to Executive, the principle was established of the Country Park area being transferred to the parish council as part of the wider development of a Community Investment Package to support the Bishop's Tachbrook Parish Council. Discussions with the Parish Council have continued on that basis to provide assurance to residents that the site will remain a green open space available to the community in perpetuity, with the site of the proposed Country Park being leased to Warwick District Council who would be responsible for its on-going management and maintenance.

3.4.2 Formal approval of a transfer of all the land covered by Phase 1 of the scheme, and the current masterplan area, is sought, with the transfer and concurrent lease back to this Council being completed when all the land has been transferred into this Council's ownership through a series of S106 agreements, rather than this being done on a piecemeal basis.

3.4.3 Subject to approval of this recommendation appropriate agreements with the Parish Council will be negotiated to secure the site's future as a Country Park by the Head of Assets in consultation with the Portfolio Holder for Neighbourhood Services.

4 Policy Framework

4.1 Fit for the Future (FFF)

The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects. This report shows the way forward for implementing a significant part of one of the Council's Key projects.

4.2 FFF Strands

4.2.1 External impacts of proposal(s)

People - Health, Homes, Communities – The Country Park provides an area adjacent to new housing where people can exercise in open space, providing opportunities for improved health and well-being. The links to the school and its facilities will support a cohesive community, grounded in its own locality.

Services - Green, Clean, Safe – The masterplan for the Country Park will provide the framework for the creation of green open space in an area of Warwick District that is currently part of the creation of new built areas. The site will provide safe pedestrian and cycle routes to access key parts of the Bishop's Tachbrook community, such as the school, without the need to use main roads, enhancing community safety. This safe environment should encourage more people in the area to walk and cycle, contributing to the

Council's Climate Emergency Action Programme. It will also create new habitats that will be maintained, including the potential to plant trees, contributing to improved air quality and the potential to reduce carbon emissions.

Money- Infrastructure, Enterprise, Employment – The masterplan proposals could provide additional local jobs through its construction and maintenance.

4.2.2 Internal impacts of the proposal(s)

People - Effective Staff – The project management is being overseen by the Neighbourhood Services Programme Team. The detail of the site's maintenance needs is yet to be determined.

Services - Maintain or Improve Services – The Country Park masterplan acknowledges the need for improved green space in the Bishop's Tachbrook area of the district. The proposal to maintain it as green space, through its transfer to the parish council acknowledges the community's concerns and support them through the on-going maintenance and management of the site.

Money - Firm Financial Footing over the Longer Term – The income from the S106 contributions allows the Country Park to be established and maintained for 13 years. During this time, there will be the opportunity to explore additional funding sources for ongoing site management to develop a mix of funding streams. By creating a wider mix of funding, there will be stronger financial sustainability for the ongoing site management.

4.3 Supporting Strategies

4.3.1. Each strand of the FFF Strategy has several supporting strategies and the relevant ones for this proposal are:

4.3.2. Business Strategy 2020-2023

This sets out that the Council will provide outstanding public amenities at Newbold Comyn, Bishop's Tachbrook and Country Parks. It also aims to enable the planting of 160,000 trees.

4.3.3. Local Plan 2011-2029

Policy DS13 is to allocate land for a Country Park.

4.3.4. Green Space Strategy 2012-2026

A principle is to seek to provide sufficient accessible green space to meet current and future demand.

4.3.5. Tree and Woodland Strategy

The site will support the diversity of trees in the District.

4.3.6. Climate Change Strategy

Increased availability of cycling routes, new planting and the support of other biodiversity will contribute to the net carbon target.

4.4 Changes to Existing Policies

This report does not involve any proposed changes to existing Council policies.

4.5 Impact Assessments

4.5.1. An initial Equality Impact Assessment (EqIA) has been undertaken for the proposals shown in the masterplan and is shown at Appendix Five. It should be noted that further revised assessments will be undertaken, once a contractor has been appointed and detailed designs emerge.

5 Budgetary Framework

- 5.1. The Executive at its meeting on 3 December 2014, approved the development of the Country Park on the basis of the anticipated income via S106 contributions from the housing developers around the site providing sufficient funding to cover the cost estimates to develop the Country Park and to maintain it for 13 years.
- 5.2. At that point the predicted S106 was £2.304m but latest projections indicate that this will rise to a minimum of £4.090m. This sum will be subject to further indexation of the projections for the minority of S106 agreements that have yet to be completed and paid and is therefore likely to increase by an estimated further £50,000 to £4.140m.
- 5.3. The estimated delivery and maintenance costs have also been revised to reflect current project expenditure and the likely costs of delivering and maintaining the Country Park developed on the basis of the total £3.311m and the maintenance costs £926k leaving the overall financial position as follows:

		£	£
Income	Projected project income	4,090,720	
	Estimated additional income from S106 indexing	50,000	4,140,720
Capital	Development	-667,748	
	Construction	-2,643,388	-3,311,136
Revenue	Maintenance (13 years)	-926,302	-926,302
		-96,717	-96,718

5.4. Whilst there is a small projected shortfall of c£97,000, this can be addressed by prudent management of the development stage and value engineering at the construction stage and the risk of a need for additional funding not covered by S106 income is minimal. Further mitigation will be provided

through the on-going process of officers seeking external funding from sources other than the S106 agreements.

- 5.5. Further details, including solutions to the identified shortfall, in relation to funding sources are shown in Confidential Appendix Three.
- 5.6. The indicative costs shown in the table at 5.3 will now be included in the Council's Capital Programme but, given that delivery of the project can't begin until the masterplan has been approved and a planning consent obtained, will be subject to further detailed scrutiny and revision where appropriate.
- 5.7. Current financial projections indicate that the S106 funding already received plus that due to be paid, as set out in Confidential Appendix Three, will, subject to 5.4, be sufficient to allow the procurement of the construction phase to commence once a planning approval has been obtained. However, the anticipated costs of the delivery phase and the availability of funding will be monitored on an on-going basis by the Project Board, attended by the Portfolio Holder for Neighbourhood Services and if there were any indication that either the total S106 funding availability was insufficient or the cashflow of that funding being received was problematic a further report would be brought to a future Executive prior to a construction contract being let. In such a scenario, any resultant revisions to the Capital Programme would be addressed through the quarterly Budget monitoring report.

6 Risks

- 6.1. The project risk register, owned by the Project Board, identifies a range of risks and the principal risks are set out below.
- 6.2. Failure to agree relevant shared facilities at the Oakley Grove School site. This risk is being mitigated by both the Tachbrook Country Park and Oakley Grove School project teams working in partnership as stakeholders to each other's projects. This means that design elements of both the developments are transparent and can be worked through to appropriate practical solutions.
- 6.3. Failure to achieve planning permission to create the site. This risk is being mitigated by the appointment of expert planning consultants to support Warwick District Council in preparing and forwarding the most appropriate site solutions.
- 6.4. The risk of cashflow issues, arising from the anticipated income from S106 agreements, as set out in Confidential Appendix Three, not being received prior to delivery costs being incurred will be managed via close review of the project finances by the Project Board. In the scenario of such a risk materialising, a report on the likely implications and alternative solutions would be brought to a future Executive meeting prior to the letting of any construction contract after the planning consent has been obtained.
- 6.5. Failure to complete relevant land transfers. This risk is addressed at Confidential Appendix Three.

7 Alternative Option(s) considered

- 7.1. There is an option to await the outcome of the development plans to be finalised for the Oakley Grove School proposal before agreeing the final masterplan. However this is not recommended as it would delay the progress being made towards opening the site for community use at the earliest possible date.