

Appendix 3: Public Consultation FAQ's

This Appendix sets out the questions received during the Riverside House Public Consultation, and the answers provided by the Chief Executive in response:

Q. What are the Council's top priorities for the Riverside House site, is it affordable housing, a sustainable development or connectivity with the town centre, riverside and parks or other things?

A. Through our brief we have set out our ideal and will judge the proposals on how close they come to achieving it. However there are elements of any future development which will become non-negotiable such as a new Zero Carbon planning policy which could be in place by next year, as well as good footpaths and cycleways and maintaining or improving biodiversity.

Q. You mentioned the importance of connectivity and for the site to become part of the public realm, this doesn't come over clearly in the brief?

A. Yes this is an important aspect of our plans, we will revisit this point to clarify further. There are a number of opportunities for us to connect the site to wider open spaces/public realm such as via a bridge over the river which would allow us to take advantage of the existing tunnel networks under Princess Drive and Adelaide Road and allow connections to a range of public parks and to the town centre.

Q. What is your ambition for the site? You say you want an 'exemplar' housing site, what does this actually mean?

A. Our ambition is to create something special on the site which can be used to set the standard for other developments in the district. Our aim is to be more than above average, a 9 rather than a 6 out of 10. This is an opportunity for an edge of town centre development to lead the way for other similar sites that will come up in the future.

Q. Do you see yourselves creating an eco-community i.e. one that is more reliant on active travel rather than their cars.

A. This is an aspiration, we want the site to have good foot and cycle links and to make sure we have charging points for electric vehicles but we need to be realistic about how far we can push parking provision.

Q. Is your vision strong enough, could you make it more ambitious and reflect this in your brief?

A. We will revisit this point for the final version of the brief.

Q. What will be the density of the development? What standard of accommodation will be there?

A. The site is large enough for a range of accommodation which would need to meet a very high standard. It's also important that any development isn't gated and that it becomes part of the town. The development brief aims to give guidance on mass and so on, but not to be so prescriptive that it stymies good ideas about how to develop the site as an exemplar site.

Q. Would it be advantageous for us to specify in the brief for the site exactly the development we want?

A. No, that approach would treat the proposal as a specification rather than a brief.

Q. Are WDC committed to 40% affordable housing (to support the delivery of housing options that are affordable to people who may work in the town centre).

A. WDC are committed to providing 40% of affordable housing on this site, in line with the Local Plan.

Q. Will it be a high end development to encourage increased spending in the town? Or will it focus on affordable housing?

A. Given the issues before with this site, we need to address the affordable housing issue. It is planned to be top end but there is potential for it to accommodate approx. 200 units overall so it could accommodate some who work in the town centre and it will also increase footfall in the town centre. Combined with our support for the Creative Quarter, this will help to make the town a great place to visit.

Q. Any consideration to the design, taking into account the constraints of it being a sensitive site, listed buildings surround it and the flood zone – is it intended to be a flagship/ innovative site?

A. Yes that is what we'd hope to achieve.

Q. Does the brief cover the whole site? It's not clear from the diagram

A. It is intended to cover the whole site but the point is noted and the plan is being amended to clarify the position.

Q. How do you make the development brief meaningful?

A: We are hopeful that current brief is meaningful, but consultation will test it further.

Q. How do you hold people to account against this brief?

A: There's a balance and we must be realistic. If a proposal covers 99% of the brief and any other interests didn't come close, then there may have to be a compromise.

Q. Are you going to commit to follow through on the principles of the development brief?

A: The development brief is not a legal document but is there to be tested. It will be a material consideration in any planning application process, and any planning application will be judged against it. There is a high aspiration for development on the site and the Council hopes to use it to set an example for other developments in Leamington.

As we progress through each stage, we need to ensure that we are adhering to the brief (as close to 100% as we can get), but there must be the ability to allow other parties to interpret the brief and bring forward their own ideas for the site.

Q. Could the development brief not state the massing/numbers and keep it vague?

A: The brief does not state numbers of units. It does need to give an idea of scale as to what might be viewed acceptable on the site. It is not a specification, but a guide.

Q. Are there examples of other design briefs?

A: Yes. They vary as sites vary, and the intended purpose varies. Examples include: Station Approach and the land east of Kenilworth.

Q. How will it be determined that six storeys is acceptable on the site?

A: This is based on the topography and other buildings near to the site. We are looking for an improved development on the site with exemplar design. Its not six storeys over all the site.

Q. Can 'six storeys' be worded so that it's a limit and a maximum, not a target?

A: Yes, as we update the development brief, we can review the wording.

Q. There was a link with a particular developer for the previous proposal – does that still stand?

A : No there is no link to any developer at all.

Q. Is there a target for development?

A. There is no target as part of the brief.

Q. You mentioned the potential for the development being included in the conservation area – could that be a guiding principle?

A. It requires a separate decision. Plenty of conservation areas have modern buildings but they don't necessarily comply with the existing quality of build.

Q. On the site analysis picture – the yellow dotted line? What is it?

A. It's the passage of the sun, to help with where the light might come from.

Timescales

Q. What is timeframe for the development and next steps, particularly with the Commonwealth Games next year?

A. The public consultation ends on 1 October. The intention is to report back to Cabinet in November, with feedback on the development brief. Delivery options around how the scheme is delivered, will then be considered separately, most likely at the beginning of next year. In all likelihood, we will still be in the building in 2 years' time, but we are likely to know the direction of travel around the end of the year. We still need to find somewhere for a base as an organisation.

Options for the building/land

Q. Can the current building be refitted or converted for other use?

A. Although we haven't completely shut the door on this possibility, as there is a value in doing so, we feel it is unlikely that this option would be considered. The building was created as office space within the planning policy of its time. Our focus is primarily on housing for this location. We are looking to use this site to set a high bar for future developments in the town. It is important that the development fits with the surrounding area, along with setting standards in climate change credentials and sustainability.

Q. Is there scope to consider just selling the land without the development brief?

A. The purpose of the brief is to set out the expectations for the development of the site. What hasn't yet been decided is how we would bring it forward for development so we can't rule out selling the land, but we can't confirm that it is a realistic option either.

Local impact

Q. Does the development brief mark out something you don't need ie. the sewer being moved? In which case that means the copper beech trees are at risk.

A. We envisage a scheme whereby the sewer remains in situ and the mature beech trees along the roadside of Milverton Hill are maintained. The plan is being updated to clarify this point.

Q. With constraints, is the proposal pretty much the same as we had last time around? Therefore the trees on Milverton Hill will still be at risk?

A. No, we are looking to address the issues raised by the last proposal for this site so we are not aiming for the same scheme as per the last one. We will clarify the brief so it is clear that we are not seeking to propose changes to the sewer line that would mean trees have to go. We want to keep the trees. We will amend the brief to make that clear.

Q. Would expectation be that plans can work around the trees?

A: If the brief is agreed, the next discussion will be around options as to how we bring the site forward before any planning application. For example, one option would be to simply put a red line could be put around the site and ask developers to give their best plan/offer for the site. A developer would submit a planning application and then you would see an impact on trees. There are though other options which need exploring.

However, as part of this process, the Council could look at a qualitative assessment of indicative proposals before planning, so looking at quality as well as price. We would like to look at this stage, before we get to the planning application stage, to understand how any proposal coming forward interprets the development brief.

This would include, for example, whether the scheme retains the trees, and then the Council can make a judgement as to whether any proposal meets the aspirations of the development brief **before** any planning application is submitted.

Q. Within the brief it talks about trying to retain TPO trees. Can the brief refer to other trees on and around the site and not just TPO'd trees as some significant trees don't have that cover of a TPO?

A: We can look in to this further. This is difficult for the trees on the site, but it is something that we could look to do for the trees on the street.

Q. Housing numbers and massing seem to be led by the previous application which was seen as contentious by some. The Local plan allocated 100 units, the previous application was for 170 units, and now we are saying it could be approximately 200 units. There is a concern that there's a 100% increase in the number of units allocated as per the local plan, and this could be overdevelopment in terms of numbers, noise, lighting, and parking?

A: It is not based on the previous application. It just depends upon how someone interprets the brief for development on the site. 200 is an indicative number and is not referenced in the development brief at all. It was only given as a response to a question in one of the consultation sessions. A higher number does not necessarily mean overdevelopment as it depends on the design that comes forward in a proposal for the site.

Q. The numbers of houses sound big for people living close by – particularly with the cars.

A. To promote it as a car free development is a big ask and might move the cars out into the neighbouring streets. We want to move it away from being a typical development – the purpose of this consultation is to test that.

Q. I think it's possible to be car free, but people are surprised we don't own a car.

A. You might be limiting it to those who don't want a car, but it's certainly a consideration as times are changing.

Q. I'm trying to understand the proposal for 4 stories on the new development vs. many of the Milverton hill existing houses are 3 stories?

A. The floor to ceiling heights are not the same for newer build equivalent. Modern 4 stories might not be too different to older 3 stories, depending how the basements fall. Next stage we would be considering that part of the development. RSH now from the front looks like a 3 story, but there's another floor underground and level 3 on one part is at ground level; it's an unusual slope to the site.

Q. What does that mean for residents?

A. We want to demonstrate the quality is such that you would be supportive and the council would be proud of it. It works in a conservation area. It's not a gated community, you would find it accessible and improve connectivity.

Q. There's a number of houses which can't see directly south, how would other houses who enjoy their back gardens etc be affected – eg their privacy?

A. It's a question about the relationship between the building and the view. There is a stage before we get to the planning application.

Q. Previous sensitivities were not addressed and we would expect the consultation to be sympathetic to the neighbours and residents' concerns.

A. It's still in a formative stage, and we are using this consultation to discuss our ideas.

Climate Emergency

Q. Will net zero carbon ambitions apply? And can the Council enforce them?

A. Yes that is the Council's ambition. We are separately preparing a statutory Development Plan Document on Sustainable Buildings which we would anticipate would be in place by the time any planning applications for the site came into consideration. Besides that, the Council owns the site and has the capacity to exercise control through that approach in addition to the Planning system.

Q. I'd like to see more action to remove carbon emissions from our streets and encouraging that transition – not just for this development.

A. Something to consider for this development, but it's a tricky proposition.

Financial

Q. The Council's financial position is now worse than it was 2 years ago with the previous application – how much are we expecting save in the Council's Medium Term Financial Strategy?

A. Over £400k per annum savings out of a current cost of running the building of circa £700k per annum.

Q. Is there an assumption about the capital yield from the site in the Council's financial plans?

A. Please see the Cabinet report (public) which laid out the figures. Our ambitions wouldn't yield much money. A link to the Cabinet paper is here:

- [Cabinet report - Development Brief for Riverside House](#) (PDF 167Kb)
- [Appendix 1](#) (PDF 6402Kb)

Q. Nothing in the development brief is mentioned about Community Infrastructure Levy (CIL)?

A: CIL is a floorspace-based requirement, in Leamington there is a rate of £X x floor space. CIL goes into a big pot for the District that then funds infrastructure across the District. Section 106 (S106) agreements are a negotiation and will be site specific. CIL will happen regardless, so doesn't need writing into the brief.

S106 crosses over with CIL, so generally you can't request funds for one thing from both. Generally, non-site specific gets picked up by CIL, site specific gets picked up by S106.

Q. Is WDC able to deliver a viable scheme?

A. Yes, a viable scheme can be delivered. However, the view is that the site is not likely to generate a large capital receipt.

Q. Funding – will it be private investment?

A. We need to look at all the options available, and that will be the next piece of work we do. For example we now have our own housing company, which is a different tool that could potentially be used – we own 100%.

Service provision

Q. Are WDC mindful of the value of retaining some staff and services in Leamington town centre and what are your thoughts on this? (to support the provision of accessible services for some members of the community and to maintain viable connections with staff who may be working on local developments).

A. No decision has been made about our future headquarters and how services may be run in future. However, consideration will be given to providing a hub to support key services that are essential for residents, although what shape this may take is not yet known.

Town Centre impact

Q. Have you and the Leader considered the future development of the Parade?

A. Yes we have and we are looking at the creation of a Town Centre Framework that will allow us to consider all the various proposals going on or potentially going on in and around the town centre. It is likely that a report will go to the Cabinet in September on this matter.

Q. Last time the brief was linked to Covent Garden car park because it was considered unsafe. Linen Street has since been closed due to being unsafe. What are the plans now for Covent Garden car park?

A. Further work is being carried out to get an update on the state of Covent Garden car park.

Q. We have been repeatedly told the dangers of Covent Garden car park, so now why does there appear to be no urgency?

A. The multi storey car park does have concrete cancer and what we are doing is monitoring the rate of deterioration. There is a risk that we do have to close it at short notice but we are conscious of the impact of such a move and don't wish to do so until absolutely necessary. Ideally we wouldn't do so until we have a clear plan of what to replace it with is in place. To be clear though, this issue is not now connected to the Riverside House site development.

Q. Which town centre groups are WDC speaking to about the development brief?

A. We are speaking with a number of interested parties, such as the Town Council, Clean Air Leamington, BID Leamington, the Chamber of Trade and residents from neighbouring properties, in addition to the public sessions.

Q. What about car park displacement in the town centre? Even though working from home has changed work patterns – it will be interesting to see changes in the next 6 months and how the peaks/troughs change.

A. The world has changed, but parking in Covent garden will still be monitored and the risk is there – we are working on the options and will go back and discuss the plans.

Q. Will the timing for the development be planned to strategically support future developments in the town centre (given the car parking c. 250 space, has been earmarked as part of the Covent Garden CP displacement plan which is likely to still be required).

A. This will be an important aspect of the Council's deliberation going forward.

Q. Where are we moving as a town centre? What is achievable?

A: A report is going to cabinet on Thursday to start this process in more detail which combines a number of town centre issues.

More FAQs

Q. Riverside Walk and making more of that is a good idea – how will you develop it to combat the undesirable/anti-social elements there?

A. if we put lights, CCTV etc.... it will take away from what it's meant to be, a peaceful venue. More people going through it will help and this might be affected by other schemes. At Princes Drive we make use of the tunnel to reach the open space on the other side.

Q. 40% affordable and net zero – there is a viability clause, that means they don't have to do that. How will you achieve those?

A. we are approaching this differently, because we own the land. Alongside this we are doing our own work to make sure this is viable and will be reporting back to Cabinet on both issues. On our Housing schemes now, we are doing work to test out delivery of net-zero. We want to achieve a high quality development on all aspects.

Q. Now a clean sheet of paper. What measures are you taking to get over the fact that people will object to it?

A. reflecting on the consultation so far, we have been really quiet. We have had sessions with local residents and they have brought some good challenges which we will reflect on, including trees and accessibility to the site. We are also having a specific session for neighbours later this week. And it has helped to separate from the car park.

Q. How will you think about mixing up the 40% with the remainder of the development?

A. We are not at that stage, but we want a properly integrated site. There are obvious constraints with the site, which gives it some interesting opportunities, but we definitely don't want gated communities. If a development brief is agreed, we need to look at how we bring it forward to make it happen. We have more options for that now than we've had previously eg. Our housing company.

Q. What about joining with the uni and offering a halls of residence?

A. That's something to consider.

Q. Being sympathetic to the properties its near is difficult, because it can be neither one thing nor the other. You might be better going for something modern, like near the Spa centre.

A. There are some good modern examples which add to the town. Each generation should have its own story for the town and make its mark, but it still needs to be good quality.

Q. What numbers are you thinking of for the site?

A. We think it could take up to 200, depending on market need.

Q. This area is so expensive now, what is the benefit of having an expensive house? Many people can't afford it and it must impact employment in an area.

A. Or, they live in an area and create a traffic flow into a new area. This won't solve the problem, we can't expect one development to solve that.

Q. What's the timescale?

A. We want to take to cabinet on 4 November, but that's just the dev brief. Then need to work out what the next step is – and how we bring to market? Council venture? Joint venture etc? we also need to decide where we go as a council? Realistically, in 2 years' time, we're still likely to be at RSH.

Q. Do you have tenants?

A. Yes, but we haven't committed to any long term tenants.

Q. Would the council move out if there was no development ready?

A. Given the running cost of RSH is circa £700k per annum then if we have another place to accommodate staff then it would make a significant revenue saving to close the building.

Q. We would be keen to have another consultation stage, pre-planning, so the public can look at different suggestions for design and development?

Immediate focus is to conclude the process around the development brief which will go to Cabinet on 4 November for an amended brief to be signed off. Then we need to consider options and timings and what the next stage is. It may be possible to build some further dialogue in to the process between now and a planning application.

Q. What isn't clear to me is what is the council's priority for this site? It needs to be sold, you need better offices, the option working with SDC?

A. Priority is to achieve a high quality development.

Q. Where is the change in tone coming from?

A. Experience and reflecting on the previous situation and being mindful not to repeat it. We now have a new political leadership.

Q. Are you saying this narrative will continue or are you trying to placate residents?

A. I would like to continue this all the way through. We should be doing it this way and hopefully will result in a better development for all. We can't reconcile all conflict but we hope that by engaging properly with neighbours and residents we can do better than we did in the past.

Q. We want the dialogue and to make and respond to challenges.

A. Yes I agree. The council has recognised the approach taken before – partly political and partly the arrangement we got into. Our Councillors want to take it bit by bit, whereas before we had the partnership before we'd sorted what was going to happen. Using this technology post-pandemic has certainly helped us to engage more easily with people than previous traditional methods.