

 <b>Executive Report</b> <b>30 November 2016</b>		<b>Agenda Item No. 9</b>
<b>Title</b>	Development Brief for King's High, Warwick	
<b>For further information about this report please contact</b>	Nick Corbett, Principal Conservation & Design Officer	
<b>Wards of the District directly affected</b>	Warwick	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	N/A	
<b>Background Papers</b>		

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	Yes
<b>Included within the Forward Plan? (If yes include reference number)</b>	No
<b>Equality &amp; Sustainability Impact Assessment Undertaken</b>	No
To be considered as part of the planning application process.	

<b>Officer/Councillor Approval</b>		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive/Deputy Chief Executive	14 November 2016	Chris Elliott
Head of Service	14 November 2016	Tracy Darke
CMT	14 November 2016	Bill Hunt
Section 151 Officer	14 November 2016	Mike Snow
Monitoring Officer	14 November 2016	Andy Jones
Portfolio Holder(s)	14 November 2016	Councillor Stephen Cross

<b>Consultation &amp; Community Engagement</b>	
<p>Consultant's acting for Warwick Independent Schools Foundation (WISF) are currently undertaking public consultation on the Development Brief, including a presentation to WDC members at a Development Review Forum, members of the WDC Conservation Area Forum (CAF), and to members of Warwick Town Council.</p>	
<b>Final Decision?</b>	Yes

## 1. **SUMMARY**

- 1.1 The purpose of this report is for Executive to endorse a Development Brief (see Appendix 1) for sites totalling 1.1 hectares in Warwick town centre that will be vacated by King's High School (operated by Warwick Independent Schools Foundation - WISF); the sites are visually prominent and include frontages onto parts of Smith Street, Chapel Street, The Butts, and Priory Road.
- 1.2 The Development Brief sets parameters for future development and provides a degree of certainty for any future applicants/developers on the quantum of development, land-uses, and the quality of design that will be expected as part of any redevelopment proposals.

## 2. **RECOMMENDATION**

- 2.1 That Executive endorses the Development Brief and delegates authority to the Head of Development Services in consultation with the Development Portfolio Holder to agree any minor revisions to the final wording of the Brief that are considered necessary.

## 3. **REASONS FOR THE RECOMMENDATION**

- 3.1 Warwick Independent Schools Foundation (WISF) plan to move the King's High School for Girls (which has over 600 pupils) from its current location in Warwick town centre to the Foundation's main campus at Myton Road, approximately 1.2km away.
- 3.2 The endorsement of WDC Executive, (and that of WDC Planning Committee), is sought for a Development Brief produced for the King's High Sites, setting out parameters for development, so that the document may be given some weight as a material consideration for the determination of future planning applications.
- 3.3 The Development Brief has been developed following engagement with WDC Planning Officers, Conservation Officer, Historic England, and other key stakeholders including Warwickshire County Council (WCC) Archaeology and Highways Departments. Further engagement has occurred with Conservation Area Forum (CAF) and Warwick Town Council.
- 3.4 The King's High Development Brief is consistent with the objectives of both the current and emerging Warwick District Council Local Plans, and will compliment other projects and proposals for the enhancement of Warwick town centre, including those of the County Council, in collaboration with WDC, for the enhancement of the highways and public spaces within Warwick town centre.
- 3.5 The agreed objectives of the Development Brief are to:
  - Provide a sustainable mix of land uses which might include provision for residential, employment, leisure, commercial and cultural space;
  - Support WDC in meeting its housing requirements by making provision for additional residential development;
  - Support the town centre in continuing to be an attractive and safe place to both live and work;

- Protect, support and contribute to the existing strong tourism sector;
- Protect and enhance the character of Warwick town centre conservation area;
- Continue to uphold and protect the amenity of nearby occupiers and other uses of the land.

3.6 **Design Approach:** The Development Brief correctly states that Warwick District Council will be seeking a comprehensive approach to the redevelopment of the individual sites, and it also recognises that the urban grain of the Warwick Conservation Area suggests a finer textured approach is required to ensure that new development is woven into the historic built environment.

3.7 Proposals in the Development Brief are not prescriptive in terms of the detailed design of new development (as required by the NPPF), but do seek high quality design, appropriate scale and massing, layout that includes perimeter blocks with clearly defined frontages, and a palate of materials that respects the historic context of Warwick.

3.8 It is considered that the design approach set out in the Brief will provide a framework within which the re-use and redevelopment of the sites in question can be appropriately managed to protect and enhance the character of the town centre, Conservations Area and Listed Buildings.

3.9 **Land Uses:** The Development Brief includes three masterplan options based upon different land uses. (In all options new buildings would be for residential use and one option includes a new large care home building).

3.10 The first option includes all retained buildings, and all new buildings, being for residential use.

3.11 A second option proposes small business uses within the retained Old Borough School (on Chapel Row), and a hotel use in Landor House (Grade II\* listed).

3.12 A third option is the same as the first option (all residential), but includes provision of a care home (adjacent to the existing sixth form building). This option would result in the highest quantum of new development and requires a new building with a large footprint occupying the width of an urban block with frontages on both The Butts and Chapel Street.

3.13 At this stage, there are considered to be no grounds on which to rule out in principle any of the proposed options each of which can be considered in further detail as the proposals progress.

3.14 **Density of Development:** The Development Brief states:

*'Initial studies suggest the site could accommodate up to 70-80 residential dwellings ranging in size between 1 bed apartments and 4/5 bed town houses.'*

However, officers have not yet seen these capacity studies, or the assumptions made in reaching the numbers (e.g. dwelling and room sizes) and as such it is recommended the text be amended to omit reference to specific numbers.

- 3.15 **Existing Buildings:** The Development Brief assesses the architectural merit of all of the existing buildings that will be vacated and establishes which should be retained, for example because they are listed or make a positive contribution to the Conservation Area; which should be retained but could be altered (for example to remove inappropriate extensions); and which could be redeveloped because they have a negative impact upon the Conservation Area. This work has been undertaken by Robothams Architects following meetings with WDC officers and Historic England, and the conclusions stated in the Development Brief are supported.
- 3.16 The Development Brief identifies all heritage assets and clarifies how their setting will be protected, (including the Grade II\* listed Landor House, and the setting of two Schedule Ancient Monuments: Eastgate and the former College of Vicars Choral and St. Mary's College) an approach which is considered to provide an appropriate framework within which those key heritage assets will be secured.
- 3.17 **Building Heights:** The existing buildings heights in this part of the Conservation Area are generally two and three storey, (they range from one to four storeys). The Development Brief does not explicitly propose new building heights although section drawings are included that show no increase in building heights. For the avoidance of doubt, it is recommended that the text be amended to state that existing building heights will generally not be exceeded.
- 3.18 **Access and Car Parking:** Existing vehicular access points into the site are proposed to be reused and will be adapted to accommodate new development; the final junction designs will need to be agreed with the Highway Authority through the planning process.
- 3.19 Replacing a town centre school site (with over 600 pupils) with another land use is considered to be a positive benefit for the town centre in terms of future vehicle movements. An overall reduction in vehicle movements is considered to be highly likely.
- 3.20 On-site car parking provision is shown on the proposed masterplan options, but applying car parking standards appropriately to historic town centre sites is likely to be a key issue which will also be subject to detailed discussion through the planning process.

#### 4. **POLICY FRAMEWORK**

- 4.1 The protection of the Historic Environment is a key and integral objective of the National Planning Policy Framework and both the current and emerging Warwick District Council Local Plan.
- 4.2 Whilst not yet adopted, the emerging Local Plan (Publication Draft, February 2015 and Proposed Modifications, February 2016) is currently being re-examined in public and will therefore carry weight in the determination of any subsequent planning applications. The proposals for the King's High sites were not able to be considered through the emerging Local Plan process because of the timing of completion of the relocation proposals
- 4.3 The proposals are nevertheless capable of being compliant with the emerging Local Plan and will be regarded as windfall development sites.

## **Town Centre Policies**

- 4.4 The proposed development site is located within Warwick town centre and as such, town centre policies are relevant in considering future development of the site.
- 4.5 Whilst neither the adopted Local Plan nor the emerging Local Plan allocates the site for a specific land use, both align with the NPPF's objective to enhance town centres.
- 4.6 The NPPF (paragraph 23) recognises town centres as the heart of their communities and states that Local Planning Authorities (LPAs) should pursue policies to support their viability and vitality.
- 4.7 The NPPF (paragraph 6) clarifies that "*the purpose of the planning system is to contribute to the achievement of sustainable development*" and that a presumption in favour of sustainable development (paragraph 14) "*should be seen as a golden thread running through both plan-making and decision taking*".
- 4.8 In alignment with the NPPF, a general presumption in favour of sustainable development is set out at Policy DS5 of the emerging Local Plan.
- 4.9 Key policies of the adopted Local Plan relevant to development within the town centre are: Policy TCP1 (Protecting and Enhancing the Town Centres) and Policy TCP9 (Protecting Employment Land and Buildings). Paragraphs 3.51 and 3.52 of the emerging Local Plan support Policy TC1 and 3.51 state that:
- 4.10 *"It is important that the town centres remain an appropriate location for the broad range of main town centre uses...including retail, leisure and entertainment facilities, appropriate sport and recreation uses, offices, arts, culture and tourism and housing. It is important that opportunities for development improve the town centres, adding to their vitality and vibrancy, whilst retaining or enhancing important characteristics. These important characteristics include the residential areas..."*
- 4.11 It is considered that both national and local policy therefore support the principle of the land uses proposed in the Development Brief which is likely to reduce car journeys and add to the vitality and vibrancy of the town centre subject to their compatibility with heritage assets.

## **Heritage Policies**

- 4.12 The current school site lies within the Warwick Town Centre Conservation Area and includes several listed buildings. Paragraphs 131 and 132 of the NPPF are relevant in considering future uses of the site, with regards to potential impacts on heritage assets within the site and the surrounding locality. Paragraph 131 states that:
- "In determining planning applications, local planning authorities should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

- The desirability of new development making a positive contribution to local character and distinctiveness.”

- 4.13 Paragraph 132 states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset the greater the weight should be...”
- 4.14 Key policies of the adopted Local Plan relevant to heritage and conservation are Policy DAP4 (Protection of Listed Buildings), DAP5 (Changes of Use of Listed Buildings) and DAP8 (Protection of Conservation Areas).
- 4.15 Key policies of the emerging Local Plan relevant to heritage and conservation are Policy HE1 (Protection of Statutory Heritage Assets), HE2 (Conservation Areas) and HE6 (Archaeology).
- 4.16 The Development Brief states that the existing historic fabric on-site should be seen as a positive asset, in order to develop a sensitive and sympathetic scheme which complies with listed policy requirements and continues to preserve and enhance the setting of the Conservation Area.
- 4.17 As set out above, it is considered that the Development Brief provides a framework within which the re-use and redevelopment of the sites in question can be appropriately managed to protect and enhance the character of the town centre, Conservations Area and Listed Buildings.

### **Affordable Housing**

- 4.18 In considering residential development for the development site, affordable housing contributions will need to be a consideration. *Paragraph 47 of the NPPF states that in order to boost housing supply LPAs should “use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area.”*
- 4.19 The WDC Adopted Local Plan states that development of 10 or more dwellings, or sites of more than 0.25 hectares (irrespective of the number of dwellings) will not be permitted for residential development unless provision is made for a minimum of 40% affordable housing.
- 4.20 The WDC Emerging Local Plan states that residential developments on sites of 11 or more dwellings, where the combined gross floor space is more than 1,000 sq. ms. will not be permitted unless provision is made for a minimum of 40% affordable housing to meet local needs. The Council’s SPD on Affordable Housing offers further guidance on when affordable housing will be sought, and the type and quantity required.
- 4.21 The Development Brief identifies affordable housing considerations as being relevant to the proposals identified for the sites in question.

### **Transport, Access & Parking Policies**

- 4.22 Paragraph 32 of the NPPF is relevant in considering access and highway impact. It states that:

*"All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:*

- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure*
- Safe and suitable access to the site can be achieved for all people*
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."*

4.23 Key policies of the adopted Local Plan relevant to traffic, access and car parking are Policy DP6 (Access), DP7 (Traffic Generation) and DP8 (Parking). Key policies of the emerging Local Plan of relevance are Policy TR1 (Access and Choice), TR2 (Traffic Generation), TR3 (Transport Improvements) and TR4 (Parking).

4.24 Applying modern highway standards to a historic town centre site is a challenge. However, the re-development of the site in an appropriate manner is essential for the town centre and relative to the current school use, offers opportunities for a potential reduction in traffic movements which the Development Brief will provide an appropriate framework within which this can be maximised.

### **Design Policies**

4.25 The NPPF places emphasis on good design as a means of delivering sustainable development and this is an important consideration in the Development Brief.

4.26 Paragraphs 56 and 57 of the NPPF state that:  
*"The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."*

*"It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes."*

4.27 Policy DP1 (Layout and Design) of the adopted Local Plan states that  
*"development will only be permitted which positively contributes to the character and quality of its environment through good layout and design."*

4.28 The principles of Policy DP1 (Layout and Design) of the adopted Local Plan are echoed within Policy BE1 (Layout and Design) of the emerging Local Plan.

4.29 Given the sensitivity of the locality, high quality architectural and urban design, which is both inclusive and sympathetic to the surroundings, will be essential if proposals are to be supported and the Development Brief makes this clear in an appropriate manner.

## **Protecting Amenity policies**

- 4.30 Protecting local amenity of adjoining and nearby residents and/or other uses is an important consideration in the Development Brief. Policy DP2 (Amenity) of the adopted Local Plan states that "*development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents and/or does not provide acceptable standards of amenity for future users/occupiers of the development.*" The principles of Policy DP2 of the adopted Local Plan are continued within Policy BE3 (Amenity) of the emerging Local Plan. The Development Brief is clear that future land uses will need to be understanding of the requirement to protect local amenity.

## **Fit for the Future**

- 4.31 Working in a collaborative way with partners such as Warwick Independent Schools Foundation on a Development Brief that supports a proactive approach to the design and management of the built environment, contributes to the Council's 'Fit for the Future' programme and specifically the vision for making Warwick District a great place to live, work and visit.

## **5. BUDGETARY FRAMEWORK**

- 5.1 There are no significant budgetary implications arising from this proposal.

## **6. RISKS**

- 6.1 A key risk is that King's High School will relocate and that no appropriate new uses are found for its vacated buildings resulting in prominent sites having a neglected appearance, which would in turn harm the town centre and the Conservation Area. The Development Brief will significantly assist in preventing this by bringing a degree of certainty for developers by clarifying what is likely to be acceptable.

## **7. ALTERNATIVE OPTION(S) CONSIDERED**

- 7.1 An alternative option would be for no Development Brief to be produced, or for WISF to produce a Development Brief unilaterally without seeking the support of the Council. That approach would not be in the spirit of the NPPF; the emerging Local Plan or the collaborative manner in which the Council wishes to work. Neither would it assist in bringing forward the re-use and redevelopment of these key sites in an appropriate manner.
- 7.2 The desire of WISF to proceed in a collaborative manner with the support of the District Council as demonstrated by the production of the Development Brief is considered to be the most appropriate and effective way of doing so..